THE

TWENTY-FIFTH LEGISLATURE

STATE OF HAWAII

REGULAR SESSION OF 2009

JOURNAL OF THE HOUSE

FIRST DAY

Wednesday, January 21, 2009

In accordance with the provisions of Section 10 of Article III of the Constitution of the State of Hawaii, the House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 10:04 o'clock a.m.

The Honorable Mark M. Nakashima, being the Representative who was elected from the First Representative District of the State of Hawaii, called the House to order at 10:04 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 Farrington High School Junior Reserve Officers Training Corps. The singing of the National Anthem and *Hawaii Pono'i* was led by Kaimuki High School Ohana O Mele, thereafter the recitation of the Pledge of Allegiance was led by Master Jay Chang, a student at Haaheo Elementary School.

The invocation was then delivered by Mr. Nolan Tokuda of Leilehua High School.

INTRODUCTION OF RESOLUTION

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

H.R. No. 1, entitled: "HOUSE RESOLUTION ELECTING THE TEMPORARY CHAIR OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FIFTH LEGISLATURE," declaring the Honorable Mark M. Nakashima, Representative from the First District, as the duly elected Temporary Chair of the House of Representatives of the Twenty-Fifth Legislature, was jointly offered by Representatives Herkes and Marumoto.

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

Representative Nakashima then stated:

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

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

The Temporary Chair then appointed Representatives Karamatsu, Ito and Marumoto to the Committee on Credentials.

SPECIAL COMMITTEE REPORT

Representative Karamatsu for the Committee on Credentials, presented a report (Spec. Com. Rep. No. 1) as follows:

"Your Committee on Credentials begs leave to report that is has thoroughly considered the matter of the seating of the members elect of the House of Representatives of the Twenty-fifth Legislature of the State of Hawaii, Regular Session of 2009, and finds that, based on the certificates of election issued by the Office of Elections on November 24, 2008 (attached), and the Message From the Executive Chambers issued by the Governor on January 14, 2009, relating to an appointment to fill the remaining term of the late Robert Nakasone in the Ninth District (attached), the Members elect and the Member appointed are duly qualified to sit as Members of the House of Representatives as follows:

First District:	Mark M. Nakashima
Second District:	Jerry L. Chang
Third District:	Clift Tsuji
Fourth District:	Faye P. Hanohano
Fifth District:	Robert N. Herkes
Sixth District:	Denny Coffman
Seventh District:	Cindy Evans
Eighth District:	Joseph M. Souki
Ninth District:	Gilbert S.C. Keith-Agaran
Tenth District:	Angus L.K. McKelvey
Eleventh District:	Joe Bertram, III
Twelfth District:	Kyle T. Yamashita
Thirteenth District:	Mele Carroll
Fourteenth District:	Hermina M. Morita
Fifteenth District:	James Kunane Tokioka
Sixteenth District:	Roland D. Sagum, III
Seventeenth District:	Gene Ward
Eighteenth District:	Lyla B. Berg
Nineteenth District:	Barbara C. Marumoto
Twentieth District:	Calvin K.Y. Say
Twenty-First District:	Scott Y. Nishimoto
Twenty-Second District:	Scott K. Saiki
Twenty-Third District:	Tom Brower
Twenty-Fourth District:	Isaac W. Choy
Twenty-Fifth District:	Della Au Belatti
Twenty-Sixth District:	Sylvia Luke
Twenty-Seventh District:	Corinne W.L. Ching

Twenty-Eighth District:	Karl Rhoads
Twenty-Ninth District:	Joey Manahan
Thirtieth District:	John M. Mizuno
Thirty-First District:	Glenn Wakai
Thirty-Second District:	Lynn Finnegan
Thirty-Third District:	Blake K. Oshiro
Thirty-Fourth District:	K. Mark Takai
Thirty-Fifth District:	Henry J.C. Aquino
Thirty-Sixth District:	Roy M. Takumi
Thirty-Seventh District:	Ryan I. Yamane
Thirty-Eighth District:	Marilyn B. Lee
Thirty-Ninth District:	Marcus R. Oshiro
Fortieth District:	Sharon E. Har
Forty-First District:	Jon Riki Karamatsu
Forty-Second District:	Rida Cabanilla
Forty-Third District:	Kymberly Marcos Pine
Forty-Fourth District:	Karen Leinani Awana
Forty-Fifth District:	Maile S.L. Shimabukuro
Forty-Sixth District:	Michael Y. Magaoay
Forty-Seventh District:	Jessica Wooley
Forty-Eighth District:	Ken Ito
Forty-Ninth District:	Pono Chong
Fiftieth District:	Cynthia Thielen
Fifth-First District:	Chris Lee"

The report was submitted by Representatives Karamatsu, Ito and Marumoto, with the following Certificates of Election and Governor's Message attached:

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Mark M. Nakashima
was on the fourth day of November, 2008, duly elected to
Representative District for a term expiring on the
Representative District for the FIRST
second day of November, of A.D. 2010.
Witness my hand this twenty-fourth day of November, of A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Jerry Leslie Chang
was on the fourth day of November, 2008, duly elected to
Representative District for a term expiring on the
Representative District for the Second
second day of November, of A.D. 2010.
Witness my hand this twenty-fourth day of November, of A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Clifton (Cliff) Tsuji
was on the fourth day of November, 2008, duly elected to
Representative District for the Third
Representative District for a term expiring on the
second day of November, of D. 2010.
Witness my hand this twenty-fourth day of November, of D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Robert (Bob) Herkes
was on the fourth day of November, 2008, duly elected to
Representative District for the Fifth
Representative District for a term expiring on the
second day of November, of D. 2010.
Witness my hand this twenty-fourth day of November, of D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Faye P. Hanohano
was on the fourth day of November, 2008, duly elected to
Representative District for the Fourth
Representative District for a term expiring on the
second day of November, of D. 2010.
Witness my hand this twenty-fourth day of November, of D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Denny Coffman
was on the fourth day of November, 2008, duly elected to
Representative District for the Sixth
Representative District for a term expiring on the
second day of November, of D. 2010.
Witness my hand this twenty-fourth day of November, of D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election

I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that

Cindy Evans

was on the fourth day of November, 2008, duly elected to
Representative for the Seventh
Representative District, to a term expiring on the
second day of November, of A.D. 2010.
Witness my hand this twenty-fourth day of November, of A.D. 2008.

Chief Election Officer, State of Hawaii

Certificate of Election

I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that

Joe Souki

was on the fourth day of November, 2008, duly elected to
Representative for the Eighth
Representative District, to a term expiring on the
second day of November, of A.D. 2010.
Witness my hand this twenty-fourth day of November, of A.D. 2008.

Chief Election Officer, State of Hawaii

Certificate of Election

I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that

Angus McKelvey

was on the fourth day of November, 2008, duly elected to
Representative for the Tenth
Representative District, to a term expiring on the
second day of November, of A.D. 2010.
Witness my hand this twenty-fourth day of November, of A.D. 2008.

Chief Election Officer, State of Hawaii

RECEIVED
2009 JAN 15 P 12:28
CHIEF CLERK'S OFFICE
HOUSE OF
REPRESENTATIVES

LINDA LINGLE
GOVERNOR

EXECUTIVE CHAMBERS
HONOLULU

RECEIVED
2009 JAN 14 P 2:33
SPEAKER'S OFFICE

January 14, 2009

GOVERNOR'S MESSAGE
No. 201

The Honorable Calvin K.Y. Say
House Speaker and Members of the House
Hawaii State House of Representatives
Twenty-Fifth State Legislature
State Capitol, Room 431
Honolulu, HI 96813

Dear Speaker Say:

In accordance with the provisions of Chapter 17, Section 4 of the Hawaii Revised Statutes, it is my honor to appoint Gilbert Keith-Agaran to fill the remaining term of the late Robert Nakasone as the member from the Ninth Representative District, House of Representatives, Twenty-Fifth Legislature, State of Hawaii.

Sincerely,

LINDA LINGLE

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Joe Bertram III
was on the fourth day of November, 2008, duly elected to
Representative for the Eleventh
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Mele Carroll
was on the fourth day of November, 2008, duly elected to
Representative for the Thirteenth
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Kyle Yamashita
was on the fourth day of November, 2008, duly elected to
Representative for the Twelfth
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Hermina (Mina) Morita
was on the fourth day of November, 2008, duly elected to
Representative for the Fourteenth
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
James Kunane Tokioka
was on the fourth day of November, 2008, duly elected to
Representative District for a term expiring on the
Representing for the Fifteenth
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Gene Ward
was on the fourth day of November, 2008, duly elected to
Representative District for a term expiring on the
Representing for the Seventeenth
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Roland D. Sagum III
was on the fourth day of November, 2008, duly elected to
Representative District for a term expiring on the
Representing for the Sixteenth
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Lyla B. Berg
was on the fourth day of November, 2008, duly elected to
Representative District for a term expiring on the
Representing for the Eighteenth
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election

I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that

Barbara C. Marumoto

was on the fourth day of November, 2008, duly elected to
Representative for the Nineteenth
Representative District for a term expiring on the
second day of November, of D. 2010.
Witness my hand this twenty-fourth day of November, of D. 2008.

Chief Election Officer, State of Hawaii

Certificate of Election

I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that

Scott Y. Nishimoto

was on the fourth day of November, 2008, duly elected to
Representative for the Twenty-First
Representative District for a term expiring on the
second day of November, of D. 2010.
Witness my hand this twenty-fourth day of November, of D. 2008.

Chief Election Officer, State of Hawaii

Certificate of Election

I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that

Calvin K. Y. Say

was on the fourth day of November, 2008, duly elected to
Representative for the Twenty-Eight
Representative District for a term expiring on the
second day of November, of D. 2010.
Witness my hand this twenty-fourth day of November, of D. 2008.

Chief Election Officer, State of Hawaii

Certificate of Election

I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that

Scott K. Saiki

was on the fourth day of November, 2008, duly elected to
Representative for the Twenty-Second
Representative District for a term expiring on the
second day of November, of D. 2010.
Witness my hand this twenty-fourth day of November, of D. 2008.

Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Tom Brower
was on the fourth day of November, 2008, duly elected to
Representative for the Twenty-Third
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Della A. Belatti
was on the fourth day of November, 2008, duly elected to
Representative for the Twenty-Fifth
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Isaac W. Choy
was on the fourth day of November, 2008, duly elected to
Representative for the Twenty-Fourth
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Sylvia Luke
was on the fourth day of November, 2008, duly elected to
Representative for the Twenty-Sixth
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Corinne Wei Lan Ching
was on the fourth day of November, 2008, duly elected a
Representative for the Twenty-Seventh
Representative District for a term expiring on the
second day of November, of A.D. 2010.
Witness my hand this twenty-fourth day of November, of A.D. 2008.
STATE OF HAWAII
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Joey Manahan
was on the fourth day of November, 2008, duly elected a
Representative for the Twenty-Ninth
Representative District for a term expiring on the
second day of November, of A.D. 2010.
Witness my hand this twenty-fourth day of November, of A.D. 2008.
STATE OF HAWAII
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Karl Rhoads
was on the fourth day of November, 2008, duly elected a
Representative for the Twenty-Eighth
Representative District for a term expiring on the
second day of November, of A.D. 2010.
Witness my hand this twenty-fourth day of November, of A.D. 2008.
STATE OF HAWAII
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
John Mizuno
was on the fourth day of November, 2008, duly elected a
Representative for the Thirtieth
Representative District for a term expiring on the
second day of November, of A.D. 2010.
Witness my hand this twenty-fourth day of November, of A.D. 2008.
STATE OF HAWAII
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Glenn Wakai
was on the fourth day of November, 2008, duly elected to
Representative for the Thirty-First
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Blake K. Oshiro
was on the fourth day of November, 2008, duly elected to
Representative for the Thirty-Third
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Lynn Finnegan
was on the fourth day of November, 2008, duly elected to
Representative for the Thirty-Second
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
K. Mark Takai
was on the fourth day of November, 2008, duly elected to
Representative for the Thirty-Fourth
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Henry James C. Aquino
was on the fourth day of November, 2008, duly elected to
Representative for the Thirty-Fifth
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Ryan I. Yamane
was on the fourth day of November, 2008, duly elected to
Representative for the Thirty-Seventh
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Roy M. Takumi
was on the fourth day of November, 2008, duly elected to
Representative for the Thirty-Sixth
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Marilyn B. Lee
was on the fourth day of November, 2008, duly elected to
Representative for the Thirty-Eighth
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Marcus R. Oshiro
was on the fourth day of November, 2008, duly elected a
Representative for the Thirty-Ninth
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Jon Riki Karamatsu
was on the fourth day of November, 2008, duly elected a
Representative for the Forty-First
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Sharon E. Har
was on the fourth day of November, 2008, duly elected a
Representative for the Forty-Fifth
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Rida T.R. Cabanilla Arakawa
was on the fourth day of November, 2008, duly elected a
Representative for the Forty-Second
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Karen Leinani Awana
was on the fourth day of November, 2008, duly elected to
Representative for the Forty-Fourth
Representative District for a term expiring on the
second day of November, of A.D. 2010.
Witness my hand this twenty-fourth day of November, of A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Kymberly (Marcos) Pine
was on the fourth day of November, 2008, duly elected to
Representative for the Forty-Third
Representative District for a term expiring on the
second day of November, of A.D. 2010.
Witness my hand this twenty-fourth day of November, of A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Michael Y. Magaoay
was on the fourth day of November, 2008, duly elected to
Representative for the Forty-Sixth
Representative District for a term expiring on the
second day of November, of A.D. 2010.
Witness my hand this twenty-fourth day of November, of A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Maile S. L. Shimabukuro
was on the fourth day of November, 2008, duly elected to
Representative for the Forty-Fifth
Representative District for a term expiring on the
second day of November, of A.D. 2010.
Witness my hand this twenty-fourth day of November, of A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Jessica Wooley
was on the fourth day of November, 2008, duly elected to
Representative for the Forty-Seventh
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Pono Chong
was on the fourth day of November, 2008, duly elected to
Representative for the Forty-Ninth
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Ken Ito
was on the fourth day of November, 2008, duly elected to
Representative for the Forty-Eighth
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election
I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that
Cynthia Thielen
was on the fourth day of November, 2008, duly elected to
Representative for the Fifteenth
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.
Chief Election Officer, State of Hawaii

Certificate of Election

I, Kevin B. Cronin, Chief Election Officer of Hawaii,
do hereby certify that

Chris Kalani Lee

was on the fourth day of November, 2008, duly elected a
Representative for the Fifty-First
Representative District for a term expiring on the
second day of November, A.D. 2010.
Witness my hand this twenty-fourth day of November, A.D. 2008.

Chief Election Officer, State of Hawaii

On motion by Representative Karamatsu, seconded by Representative Ito and carried, the report of the Committee was adopted.

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

At 10:17 o'clock a.m., the Temporary 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 "Con Passione" – Moanalua High School Chamber Orchestra.

The House of Representatives reconvened at 10:40 o'clock a.m.

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

Chief Justice Moon assumed the rostrum and gave the following remarks:

"Good morning ladies and gentlemen, and aloha. First of all, allow me to thank the Members of the House of Representatives, and in particular, Speaker Say for giving me the honor of administering the oath of office to the Members of the House of Representatives elect.

"Now, before I administer the Oath of Office, allow me to say what I've said a few times before. My father, we grew up in Wahiawa, he was a consummate public servant. He would always say as I was growing up, that public service is the rent one pays for the space he or she occupies here on earth. I am totally cognizant that the Members of the House will be paying more than their share of rent."

OATH OF OFFICE

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

FIRST DISTRICT:
Mark M. Nakashima

SECOND DISTRICT:
Jerry L. Chang

THIRD DISTRICT:
Clift Tsuji

FOURTH DISTRICT:
Faye P. Hanohano

FIFTH DISTRICT:
Robert N. Herkes

SIXTH DISTRICT:
Denny Coffman

SEVENTH DISTRICT:
Cindy Evans

EIGHTH DISTRICT:
Joseph M. Souki

NINTH DISTRICT:
Gilbert S. C. Keith-Agaran

TENTH DISTRICT:
Angus L. K. McKelvey

ELEVENTH DISTRICT:
Joe Bertram, III

TWELFTH DISTRICT:
Kyle T. Yamashita

THIRTEENTH DISTRICT:
Mele Carroll

FOURTEENTH DISTRICT:
Hermina M. Morita

FIFTEENTH DISTRICT:
James Kunane Tokioka

SIXTEENTH DISTRICT:
Roland D. Sagum, III

SEVENTEENTH DISTRICT:
Gene Ward

EIGHTEENTH DISTRICT:
Lyla B. Berg

NINETEENTH DISTRICT:
Barbara C. Marumoto

TWENTIETH DISTRICT:
Calvin K. Y. Say

TWENTY-FIRST DISTRICT:
Scott Y. Nishimoto

TWENTY-SECOND DISTRICT:
Scott K. Saiki

TWENTY-THIRD DISTRICT:
Tom Brower

TWENTY-FOURTH DISTRICT:
Isaac W. Choy

TWENTY-FIFTH DISTRICT:
Della Au Belatti

TWENTY-SIXTH DISTRICT:
Sylvia Luke

TWENTY-SEVENTH DISTRICT:
Corinne W. L. Ching

TWENTY-EIGHTH DISTRICT:
Karl Rhoads

TWENTY-NINTH DISTRICT:
Joey Manahan

THIRTIETH DISTRICT:
John M. Mizuno

THIRTY-FIRST DISTRICT:
Glenn Wakai

THIRTY-SECOND DISTRICT:
Lynn Finnegan

THIRTY-THIRD DISTRICT:
Blake K. Oshiro

THIRTY-FOURTH DISTRICT:
K. Mark Takai

THIRTY-FIFTH DISTRICT:
Henry J. C. Aquino

THIRTY-SIXTH DISTRICT:
Roy M. Takumi

THIRTY-SEVENTH DISTRICT:
Ryan I. Yamane

THIRTY-EIGHTH DISTRICT:
Marilyn B. Lee

THIRTY-NINTH DISTRICT:
Marcus R. Oshiro

FORTIETH DISTRICT:
Sharon E. Har

FORTY-FIRST DISTRICT:
Jon Riki Karamatsu

FORTY-SECOND DISTRICT:
Rida Cabanilla

FORTY-THIRD DISTRICT:
Kymberly Marcos Pine

FORTY-FOURTH DISTRICT:
Karen Leinani Awana

FORTY-FIFTH DISTRICT:
Maile S. L. Shimabukuro

FORTY-SIXTH DISTRICT:
Michael Y. Magaoay

FORTY-SEVENTH DISTRICT:
Jessica Wooley

FORTY-EIGHTH DISTRICT:
Ken Ito

FORTY-NINTH DISTRICT:
Pono Chong

FIFTIETH DISTRICT:
Cynthia Thielen

FIFTY-FIRST DISTRICT:
Chris Lee

INTRODUCTION OF RESOLUTION

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

H.R. No. 2, entitled: "HOUSE RESOLUTION ELECTING THE SPEAKER AND VICE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FIFTH LEGISLATURE," electing the Honorable Calvin K.Y. Say, Representative from the Twentieth District and Michael Y. Magaoay, Representative from the Forty-Sixth District, as Speaker and Vice Speaker, respectively, of the House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii was jointly offered by Representatives B. Oshiro and Finnegan.

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

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

The Temporary Chair then stated:

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

Speaker Say then addressed the body, stating:

"Members, thank you very much for your vote of confidence and support. To all of you, I pledge that I will execute my duties and responsibilities with fairness, consistent with the Hawaii Constitution and the State statutes."

The Chair then appointed Representatives B. Oshiro and Finnegan to escort the Honorable Michael Y. Magaoay to the rostrum.

The Chair presented the Vice Speaker, stating:

"Members of the House of Representatives, I present the Honorable Michael Y. Magaoay, Vice Speaker of the House of Representatives of the Twenty-Fifth Legislature."

INTRODUCTION OF RESOLUTIONS

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

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

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

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

H.R. No. 4, entitled: "HOUSE RESOLUTION ACKNOWLEDGING AND RECOGNIZING THE CAUCUS LEADERS AND NAMING THE CHAIRS, VICE CHAIRS, AND MEMBERS OF THE STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FIFTH LEGISLATURE," acknowledging and recognizing the Caucus Leaders and naming the Chairs, Vice Chairs, and members of the Standing Committees of the House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, as listed below, was jointly offered by Representatives B. Oshiro and Finnegan:

Majority Leader	Blake K. Oshiro
Majority Floor Leader	Cindy Evans
Majority Whip	Pono Chong
Assistant Majority Whips	Jerry L. Chang Robert N. Herkes Ken Ito Marilyn B. Lee Roland D. Sagum, III Joseph M. Souki James Kunane Tokioka Kyle T. Yamashita
Minority Leader	Lynn Finnegan
Minority Floor Leader	Kymberly Marcos Pine
Assistant Minority Leader	Cynthia Thielen
Assistant Minority Floor Leader	Corinne W.L. Ching
Minority Policy Leader	Gene Ward

EDUCATION

Education:

Roy M. Takumi, Chair
Lyla B. Berg, Vice-Chair
Joe Bertram, III
Jerry L. Chang
Faye P. Hanohano
Joey Manahan
Mark M. Nakashima
Karl Rhoads
Scott K. Saiki
Maile S.L. Shimabukuro
K. Mark Takai
Ryan I. Yamane
Corinne W.L. Ching
Lynn Finnegan

Higher Education:

Jerry L. Chang, Chair
Mark M. Nakashima, Vice-Chair
Lyla B. Berg
Joe Bertram, III
Faye P. Hanohano
Joey Manahan
Karl Rhoads
Scott K. Saiki
Maile S.L. Shimabukuro
K. Mark Takai
Roy M. Takumi
Ryan I. Yamane
Corinne W.L. Ching
Lynn Finnegan

FISCAL MANAGEMENT

Finance:

Marcus R. Oshiro, Chair
Marilyn B. Lee, Vice-Chair
Henry J.C. Aquino
Karen Leinani Awana
Tom Brower
Isaac W. Choy
Denny Coffman
Sharon E. Har
Gilbert Keith-Agaran
Chris Lee
Scott Y. Nishimoto
Roland D. Sagum, III
James Kunane Tokioka
Jessica Wooley
Kyle T. Yamashita
Kymberly Marcos Pine
Gene Ward

JUSTICE & CONSUMER PROTECTION

Judiciary:

Jon Riki Karamatsu, Chair
Ken Ito, Vice-Chair
Della Au Belatti
Rida Cabanilla
Mele Carroll
Robert N. Herkes
Sylvia Luke
Angus L.K. McKelvey
John M. Mizuno
Hermina M. Morita
Blake K. Oshiro
Joseph M. Souki
Clift Tsuji
Glenn Wakai
Barbara C. Marumoto
Cynthia Thielen

Consumer Protection & Commerce:

Robert N. Herkes, Chair
Glenn Wakai, Vice-Chair
Della Au Belatti
Rida Cabanilla
Mele Carroll
Ken Ito
Jon Riki Karamatsu
Sylvia Luke
Angus L.K. McKelvey
John M. Mizuno
Hermina M. Morita
Joseph M. Souki

Clift Tsuji
Barbara C. Marumoto
Cynthia Thielen

LEGISLATIVE MANAGEMENT

Legislative Management:

James Kunane Tokioka, Chair
Blake K. Oshiro, Vice-Chair
Pono Chong
Cindy Evans
Lynn Finnegan

HUMAN SERVICES

Health:

Ryan I. Yamane, Chair
Scott Y. Nishimoto, Vice-Chair
Della Au Belatti
Joe Bertram, III
Tom Brower
Mele Carroll
John M. Mizuno
Maile S.L. Shimabukuro
Lynn Finnegan

Human Services:

John M. Mizuno, Chair
Tom Brower, Vice-Chair
Della Au Belatti
Joe Bertram, III
Mele Carroll
Scott Y. Nishimoto
Maile S.L. Shimabukuro
Ryan I. Yamane
Gene Ward

Hawaiian Affairs:

Mele Carroll, Chair
Maile S.L. Shimabukuro, Vice-Chair
Della Au Belatti
Joe Bertram, III
Tom Brower
John M. Mizuno
Scott Y. Nishimoto
Ryan I. Yamane
Gene Ward

PHYSICAL RESOURCES

Energy & Environmental Protection:

Hermina M. Morita, Chair
Denny Coffman, Vice-Chair
Rida Cabanilla
Jerry L. Chang
Pono Chong
Sharon E. Har
Robert N. Herkes
Ken Ito
Chris Lee
Sylvia Luke
Roland D. Sagum, III
Corinne W.L. Ching
Cynthia Thielen

Housing:

Rida Cabanilla, Chair
Pono Chong, Vice-Chair
Jerry L. Chang
Denny Coffman
Sharon E. Har
Robert N. Herkes
Ken Ito
Chris Lee
Sylvia Luke
Hermina M. Morita
Roland D. Sagum, III
Corinne W.L. Ching
Cynthia Thielen

Water, Land, & Ocean Resources:

Ken Ito, Chair
Sharon E. Har, Vice-Chair
Rida Cabanilla
Jerry L. Chang
Pono Chong
Denny Coffman
Robert N. Herkes
Chris Lee
Sylvia Luke
Hermina M. Morita
Roland D. Sagum, III
Corinne W.L. Ching
Cynthia Thielen

GOVERNMENT RESOURCES AND PUBLIC SAFETY

Transportation:

Joseph M. Souki, Chair
Karen Leinani Awana, Vice-Chair
Henry J.C. Aquino
Faye P. Hanohano
Gilbert Keith-Agaran
Marilyn B. Lee
Mark M. Nakashima
Karl Rhoads
Scott K. Saiki
Roy M. Takumi
Kyle T. Yamashita
Kymberly Marcos Pine

Labor and Public Employment:

Karl Rhoads, Chair
Kyle T. Yamashita, Vice-Chair
Henry J.C. Aquino
Karen Leinani Awana
Faye P. Hanohano
Gilbert Keith-Agaran
Marilyn B. Lee
Mark M. Nakashima
Scott K. Saiki
Joseph M. Souki
Roy M. Takumi
Kymberly Marcos Pine

Public Safety:

Faye P. Hanohano, Chair
Henry J.C. Aquino, Vice-Chair
Karen Leinani Awana
Gilbert Keith-Agaran
Marilyn B. Lee
Mark M. Nakashima
Karl Rhoads
Scott K. Saiki
Joseph M. Souki
Roy M. Takumi
Kyle T. Yamashita
Kymberly Marcos Pine

ECONOMIC DEVELOPMENT

Agriculture:

Clift Tsuji, Chair
Jessica Wooley, Vice-Chair
Lyla B. Berg
Isaac W. Choy
Cindy Evans
Joey Manahan
Angus L.K. McKelvey
K. Mark Takai
James Kunane Tokioka
Glenn Wakai
Barbara C. Marumoto

Tourism, Culture & International Affairs:

Joey Manahan, Chair
James Kunane Tokioka, Vice-Chair
Lyla B. Berg
Isaac W. Choy
Cindy Evans
Angus L.K. McKelvey
K. Mark Takai
Clift Tsuji
Glenn Wakai
Jessica Wooley
Barbara C. Marumoto

Economic Revitalization, Business, & Military Affairs:

Angus L.K. McKelvey, Chair
Isaac W. Choy, Vice-Chair
Lyla B. Berg
Cindy Evans
Joey Manahan
K. Mark Takai
James Kunane Tokioka
Clift Tsuji
Glenn Wakai
Jessica Wooley
Gene Ward

H.R. No. 4 further states that:

"BE IT FURTHER RESOLVED that if any member of a Standing Committee is called to active duty in the military and is deployed and unavailable to participate in committee activities, then for that period of unavailability, the member shall not be considered a member of that Standing Committee."

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

INTRODUCTION OF RESOLUTIONS

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

H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS DAYS FOR THE REGULAR SESSION OF 2009," relating to the mandatory recess for the Regular Session of 2009, determined to be the 26th and 27th days of February and the 2nd, 3rd and 4th days of March; and the dates of the recesses, other than the dates of the mandatory recess, for the Regular Session of 2009, determined to be the 27th and 29th days of January, the 9th and 11th days of March, the 1st, 13th and 15th days of April, and the 4th and 6th days of May, pursuant to Article III, Section 10 of the Constitution of the State of Hawaii, was jointly offered by Representatives B. Oshiro and Finnegan.

On motion by Representative B. Oshiro, 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 26th of January at 10:00 a.m., was jointly offered by Representatives Say, Magaoay, B. Oshiro and Finnegan.

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

At 10:54 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:

Nanakuli High and Intermediate School Performing Arts Center

Castle Performing Arts Learning Center

Kaimuki High School Ohana O Mele

The House of Representatives reconvened at 12:02 o'clock a.m.

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

"Welcome Governor Lingle, Chief Justice Moon, Lieutenant Governor Aiona and Mrs. Aiona, Governor Ariyoshi and Mrs. Ariyoshi, Governor Waihee and Mrs. Waihee, distinguished guests, colleagues, family members, and friends. Welcome to the opening session of the House of Representatives' Twenty-Fifth Legislature.

"A wise man once said: "Be thankful for each new challenge because it will build your strength and character."

"Members, in these times of extraordinary economic and budgetary challenges, we have much for which to be "thankful." Meeting those challenges will surely build on our strength and character.

"The world has experienced a major economic crisis within the past year, a situation that is expected to worsen. UHERO, that is the University of Hawaii Economic Research Organization, predicts that, in the year 2009, "the rich world will be in recession, and developing economies will suffer a sharp reduction in growth rates."

"One statistic that tells the story of the decline of the United States economy is this. Last year, the U.S. stock market lost $6.9 trillion in value in 2008, wiping out the gains of the previous six years. I asked my two sons and my wife, how many zeros does one trillion have? Do you know or is that number too far out for you to comprehend? Well, to the general public, one trillion is the number "1" followed by twelve "zeros."

"Naturally, the worldwide economic crisis has spilled over into Hawaii's economy. For 2008, visitor arrivals may have decreased, decreased by a double digit percentage. Primarily because of the visitor industry problems, UHERO the University of Hawaii Economic Research Organization projects that the Hawaii unemployment rate will increase to 5.8 per cent in calendar year 2009. The scary part for me will be, the number of jobs will be declining by 1.4 per cent in 2009 after a zero growth increase in 2008.

"For the Members of the House, most telling of our economic slide is the Council of Revenues' projections of general fund tax revenues. On January 9, 2009, the Council projected that the general fund tax revenues in fiscal year 2009 would decline by 3 percentage points.

"Where does this leave us? Between the end of the 2008 Session, for those who were here, and January 9th this year, the slide in the Council of Revenue's projection has resulted in a cumulative budget deficit over three

years of $1.8 billion. We must make up this shortfall. And this will be our major challenge.

"To paraphrase Martin Luther King, Jr., "the true measure of a person is not how the person behaves in moments of comfort and convenience, but how the person stands at times of controversy and challenges."

"What is our true measure? How will we react to the challenges of our State?

"Members, we are no longer in the times of "comfort and convenience" of the past few years that you have experienced. For me, we are facing a budget crisis unmatched in my 32 years in the State House.

"And so consequently, I lay the following challenges on all of us. I challenge all of us to join together to resolve this budget crisis. I pledge to work with the Administration and, obviously, the Senate on a cooperative basis. And why? Everybody has to be a part of the solution.

"I also challenge all of us to focus on our priorities. Passing a balanced budget that protects public health and safety and basic education should be the top priority. Maintaining the economy until growth resumes should be another top priority.

"And there are five basic policies that should guide us in our budget deliberations.

"First, I challenge all of us to maintain a basic safety net of social and health services. We all know of family or neighbors where financial troubles cause the most stress for families, leading into increased substance abuse and domestic violence. We should make sure that troubled families have access to basic State services that may mitigate their social and health problems. Although in these problematic budgetary times we cannot afford to expand such services, we should try our best to maintain a basic level of service.

"I shared with you this afternoon, and imagine this. Imagine just being laid off from your job. You have a mortgage. You no longer have health insurance coverage. You have car payments. Your children need to visit the doctor. And you cannot rely on parents who are on a fixed income for financial support.

"Today, you are able to receive a maximum of $545 a week, or $2,180 a month, in unemployment compensation. How far does that take you? You can feed and clothe your family on that amount, but will you have enough left over to pay the mortgage you incurred while employed? Probably not. Will you have enough to pay for major surgery if ill health befalls you? Definitely not!

"And that's why, for the immediate term, we must pay attention to those persons whose misfortunes are not their fault. We should encourage the federal government through its stimulus package to provide basic health care coverage and extended, increased unemployment compensation. After all, all of us know that the federal government provided a massive bailout to financial institutions throughout this country.

"For the mid-term and long-term, we should seek structural reform that may prevent in the future the problems we are experiencing today. And we should not be afraid of considering structural reform in our health system, tax system, our land use and permitting system, and even land tenure system.

"Second, I challenge all of us to maintain the level of education in the classrooms. Education is our greatest investment in our *keiki o ka aina*. We owe to future generations the opportunity to improve themselves and their community and environment. And this opportunity comes from more education. We cannot regress where we are today. We cannot regress.

"And this is not to say that the entire budgets of the Department of Education and University of Hawaii, that you will be sacred. Instructional services necessary for classrooms should be maintained, but central and school administration expenses should be heavily scrutinized.

"Third, I challenge all of us, all of us this afternoon, to avoid the layoff of existing State employees to solve the budget crisis. State employees are valuable assets to this government. They know their jobs, and the great majority perform very well. Layoffs may lead to morale problems and even efficiency problems if civil service bumping procedures have to be implemented.

"This, however, is not to say that State employees will be unscathed while private sector employees are suffering. With great reluctance, we may have to implement some level of reform of State employee benefits in order to maintain basic services, to avoid layoffs, and to balance the budget. The pain should be broadly shared by all rather than concentrated on only an unfortunate few.

"Fourth, I challenge all of us to work with the federal government on the fiscal stimulus packages. We must be willing to complement with State funds, the capital that the federal government sends our way. And this will be a very golden opportunity to fix our infrastructure, advance our renewable energy technology and power sources, provide more health care coverage, build more housing, and increase the military's capability and economic contribution. Of greatest importance, the stimulus package will put our people to work.

"Fifth, I challenge all of us to always be cognizant of the big picture, always aware that a benefit to one special interest group may require a takeaway from another special interest group or the general public. Remember, almost all special interest groups, whether for-profit or nonprofit, have organized memberships with a lobbying presence at the Legislature. Ordinary taxpayers, however, have none. They only have you and me to represent them.

"Finally, I challenge all of us to treat this budget crisis as an opportunity for reform. We should not be afraid of change when for the common good. Challenges require solutions that may unleash our creativity, overturn conventional thinking, and also remove political barriers of fear. One proposal that we should seriously consider is reform of the general excise tax system by repealing various exemptions, and using that savings to decrease, decrease the current four per cent rate. Think about it.

"Another possible proposal is the repeal of various income tax deductions and credits, with a decrease of the lower bracket tax rates. Interest groups who benefit from the exemptions, credits, and deductions should be willing to forgo their special benefits in order to reduce the burden on ordinary persons, families and businesses.

"Someone once said: in a crisis, one cannot wait for the answers before taking action. That will lead to the infamous "paralysis by analysis" status quo. Our common sense, political and life experiences, good faith, and collective wisdom will be our guide in making decisions in a crisis.

"Solving challenges requires "confidence" in oneself and each other. We must have "confidence" in our ability to improve our State -- but a "confidence" built on a foundation of hard work, study, experience, and cooperation.

"I have confidence that together we will be successful in meeting all the challenges facing us.

"This speech has been primarily directed at my colleagues in this House, but I leave the following challenges to you: my friends, families, and members of the general public.

"We should take a simpler approach in trying to solve problems. Many years ago, I could talk directly to industry leaders of Hawaii, such as Doc Buyers, Bobby Pfeiffer, Henry Walker, or Hung Wo Ching, about a problem that a constituent may have had. But for all of us today, no more. In this global economy, Hawaii's industries are owned or controlled by mainland and international investors, who are often unreachable for the Legislative branch to communicate.

"We should exercise more of a social conscience when doing business in Hawaii. Developers should be more than willing to help moderate-income families by building affordable housing. In this respect, I will again push

for a greater affordable housing assessment on developments in the Kaka'ako *mauka* area, the landowners of which benefitted substantially from the State's infrastructure investment there. We should not push all affordable housing into the country. We need communities with mixed-income families so that the rich and poor may come to know each other.

"We should try to keep our land in local ownership. Out-of-state landowners seem not to have an appreciation or understanding of our local businesses. Their bottom line is exclusively the maximum return on their investment. Personally, instead they should work with local lessees or businesses for the mutual benefit of both parties. There should be enough to go around for all. Local lessees and businesses represent the long-term future of Hawaii, and they should not be compromised by out-of-state corporations.

"I recognize that our capitalistic system is based on the profit motive. So those with money, assets, and opportunity should be able to invest freely and make the maximum return if they choose to do so. They, however, would be much more respected in the community if they were satisfied with a more moderate return that left some benefits on the table for others, such as low- or moderate-income housing purchasers or renters.

"Since I have commented on the willingness to face challenges, I would be remiss if I did not mention Representative Mark Takai. Representative Takai, will you please stand? On February 6th, he will report for active duty with the Hawaii Army National Guard and be deployed to Kuwait for six months. Representative Takai, take care of yourself and your fellow Guard members. We all wish you the very best and a safe return home.

"In closing, I would like to say a fond aloha or "good bye" to a very good friend of ours, State Representative Bob Nakasone.

"Bob was a great man because he stood strong during times of controversy and challenges. He was a great man of character. Bob would have relished addressing today's budgetary crisis and would not have been afraid of taking unpopular positions. And Bob had exceptional personal and political courage. He simply did what he thought was right -- what was in the public's best interest for the greater good.

"Members of the House, everything I have talked about here today will require courage and strong convictions. Meeting our challenges will not be easy, and many of the decisions we make will be unpopular. However, if we find the political courage to make those decisions, we can seize the opportunity to address the pressing needs of our State in the short term, and lay the foundation for our highest desires in the long term.

"So with this in mind, I offer this piece of advice as we face the beginning of our Session. When you don't know how to vote on tough issues because you're afraid of the outcome, do what your friend Bob Nakasone would have done: Vote with courage, vote with conviction, and vote for the common good.

"Thank you, and aloha."

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

"Thank you, Mr. Speaker. Governor Lingle, Lt. Governor Aiona, Mrs. Aiona, honored guests, Speaker, colleagues, and you, the people of Hawai'i. Congratulations Hawai'i. This year we celebrate 50 years of statehood. This beautiful state has so much to offer the world, especially with the most recent example of the election of our 44th President of the United States of America. President Barack Obama. I firmly believe our multi-ethnic people and culture, coupled with the aloha spirit helped shape President Obama; a direct contribution to his abilities to win over a nation and bring people together.

"I just returned from a conference where I was able to talk to legislators from a variety of states that are having similar struggles as ours. California's Executive and Legislative branches are feuding with one another and the result is gridlock government on the verge of bankruptcy. The very thing that we need here in Hawai'i is to not have our differences overcome the goals for this Session.

"Your House Republicans believe, especially in this day and time that we need to support the existing pillars of our economy: tourism, construction, and our military. We also believe we should create an environment to keep our businesses open and growing so labor keeps working. And we need to do these things while ensuring steps are taken toward our long range goals.

"Recently an audit criticized the Hawai'i Tourism Authority for a lack of leadership and vision. Rather than pointing fingers, we need to come together and support HTA in these tough times. For instance, the heritage tourist stays longer, spends more, respects our environment, and wants to understand our history. Working with the heritage tourism industry, we can create a marketing plan for HTA. This could save us time and money.

"In the good times, we routinely ignored infrastructure needs in favor of fancy programs. We need to come together to address these long overdue needs while helping our economy. We need to support the Governor's plan to streamline $1.9 billion in existing construction projects. Governor Lingle, your administration is taking on a huge responsibility to accomplish the much needed modernization of our airports, harbors and highways. Your aim for transparency and innovation in planning and execution are concepts we can support.

"The military in Hawai'i plays a key part in defending our nation and bolstering our economy. This State has a love-hate relationship with the military. We need to support our military and are proposing legislation to do so.

"Another vital way for us to strengthen the economy is to keep businesses open and to keep labor working. Our people cannot pay their mortgages and their rent without jobs. With our State tax revenue shortfall, government cannot be the answer for everything.

"Like government, businesses are experiencing loss in revenue. Too often, the state looks to squeeze businesses to make the books balance. Businesses, labor, and government need to come together to move us past these economic struggles in a way where businesses can thrive, workers can realize a better quality of life, and government can craft a fiscally sound budget. This is not the time to raise taxes, whether unemployment, insurance, or business fees. Let us commit to making it better for business and find ways to remove unnecessary regulation.

"Let us not underestimate the power of the individual to create their opportunities. I suspect with our unemployment numbers increasing and the job market tightening, people might want to start their own businesses as their chance, their opportunity. Let's encourage the behavior as another source of job growth. Your Republican members also recognize areas where we must step in to help employees directly. We are asking the Legislature and the Governor to partner with us to help protect pensions. Employees should not lose a lifetime of investments earned through their hard work.

"Many times the Legislature gets caught up in the important issues of the day. However, we must simultaneously work to achieve our goals for the future. We owe it to future generations of Hawai'i's people to stay committed to creating better opportunities for them. It is not an option to sacrifice tomorrow for today. This is why your Republican Caucus is committed to the Hawai'i Clean Energy Initiative and Act 221 to truly diversify our economy.

"The Hawai'i Clean Energy Initiative, a partnership between the State of Hawaii and the US Department of Energy, will be offering a proposal that synchronizes a variety of efforts to be able to meet the Renewable Energy Standards Portfolio goal of 70 percent renewable energy by 2030. We are pleased to adopt the recommendations of HCEI. This is not easy for some of us in the Republican Caucus, because of the need for the inclusion of certain mandates. However, we are willing to come together with the Majority on this proposal and the tradeoff is worthwhile.

"Achieving this goal will keep $7 billion of Hawai'i's money in Hawai'i; a substantial positive effect for our economy. It is good for the environment and makes us good stewards of our natural resources. It also gives us energy security, which is also economic security.

"Throughout the decades, all of our State's governors have tried to establish another sector of our economy. We scream that we need to diversify our economy, yet many have a hard time in taking that risk and making the investment to do so.

"Act 221, the High Tech Tax Credit has received a lot of negative attention. We need to move past this. We need to come together to realize that the aggressive nature of Act 221's tax credit is needed in order to build a high-tech pillar of our economy. Act 221 is a complicated machine with many gears that works to convince people, companies, technologies, research and money to invest in Hawai'i.

"One investor I interviewed described Hawai'i as a toxic business environment. And if not for Act 221, many companies and their investors would not be here contributing $1.4 billion into our economy. Capital investment is shrewd and will go where it has the best potential with the least risk. I believe that not extending Act 221 will equate to the loss of good-paying jobs for our people and work against diversifying our economy. Act 221 attracts the international and local investor, and high-technology companies that could take their money or ideas anywhere on the globe, and gets them to say, 'let's try Hawai'i.'

"Our goal to educate our *keiki* in science, technology, engineering, and math, otherwise known as STEM, will only be halfway achieved if we are unable to find local jobs for them in the future.

"I'd like to introduce to you five individuals of the very many, who have been able to live in Hawai'i due to Act 221. If you can just rise when I introduce you, and if you can hold your applause. Tamotsu Hirai, Laboratory Technician at Kuehnle Agrosystems has been able to live close to his family and has the job he desires in this field of work. Teri Wong, Scientist at Panthera Biopharma, is an Aiea High School and Washington State Graduate. Darren Kimura, CEO of Sopagy, a leader in micro-CSP technologies, born and raised in Hilo. Keiki Pua Dancil, a Kamehameha graduate was brought home as a director of research and development after graduating from Santa Clara University, Harvard Business School, and earned her PhD from UC San Diego. And Henk Rogers, CEO of Blue Planet Software, who studied computer science at our University of Hawai'i and successfully sold his first 221 company and now three new ones in his incubator. Everybody, let's welcome them.

"People of Hawai'i, the future is now. On New Year's day, the Akiona side of our family started a new annual tradition. We potlucked *saimin*. My husband Peter and I brought the *saimin* noodles and *dashi*, while everyone else brought their favorite garnish. Peter and I started to debate if *saimin* was of Japanese or Chinese origin. And what I learned brought so much more meaning to our new tradition. *Saimin* means, thin noodle. Living on the plantation, all of the different ethnic groups would come together to cook communally. Each group offered up what they could spare in order to save money and create a meal for all. Most likely *dashi* and *kamabuko* was from the Japanese, noodles and *won bok* from the Chinese, green onions from the Filipinos and so on.

"I share this story not only because my grandparents were plantation laborers who came from the Philippines in search for a better life for the generations to follow. But because I'm reminded in tough times we need to pull together. Whether employee or employer, economic or environmental, old or new, Democrat or Republican, Executive or Legislative, like the example of the different cultures working together in the plantations, we bring our differences to the table and create benefits for all.

"We must focus on keeping businesses open and labor working while staying committed to creating a better future for Hawaii's generations to come. Tough times are here, but if we are committed to coming together, we will forge a better tomorrow. Mahalo and Aloha."

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

"Thank you, Mr. Speaker, Governor Lingle, Chief Justice Moon, Lt. Governor Aiona, Mrs. Aiona, Chair Apoliona, House colleagues, honored guests, members, and friends.

"Today is a very exciting and inspirational day, but we're really lucky because we got to build on yesterday. Yesterday was such a historic and momentous occasion with the inauguration. Because despite the uncertainty that may be swirling about in these economic times, there literally was an electricity charged in the air. It really was about change, and our newly inaugurated President Barack Obama.

"But you know, change can't just be for changes sake, because sometimes change can take many different forms. Change can manifest into tragedy, sometimes into sudden and complete loss, such as the kind of change that the House is going to experience with the loss of Representative Bob Nakasone. In these times there will be many, many, many days when we'll miss his insight, his wisdom and his advice.

"But change can also be transformative. It can be evolutionary. Just as with our new President, it can bring the much needed hope. Such change in hope will be embodied by our newest additions to our Majority Caucus. So I'd like to take a brief moment to introduce them to all of you. If you could please hold your applause until they've all stood up.

"First we have Representative Henry Aquino of District 35, Pearl City and Waipahu. Next we have Representative Isaac Choy of District 24, Manoa, University. Next we have Representative Denny Coffman of District 6, North Kona, Kailua-Kona. Representative Gil Keith-Agaran of District 9, Kahului, Wailuku. Representative Chris Lee of District 51, Lanikai, Waimanalo. Representative Mark Nakashima of District 1 Kohala, Hamakua and Hilo. And finally, Representative Jessica Wooley of District 47, Laie, Kahana, Kahaluu and Kaneohoe.

"I got to work with all of these Representatives and I can tell you that their commitment, their vision, but mostly their hope that they will be bringing to our Caucus is really important. Because as you stated Mr. Speaker, our State Budget will be the major challenge. But the struggle is also an opportunity to reexamine, to reevaluate, and to reprioritize. As posed by President Barack Obama during his inauguration address, the question is not whether government is too big or too small. Instead, the question is whether government is improving the lives of its people, and doing so effectively and efficiently. That is really the task at hand for the Legislature.

"First, what we really must do is be smarter about how we spend taxpayer dollars. In these times, where every dollar is precious, we cannot, and should not allow an agency to be found to spend an excess of $34 million on voting machines, because they failed to do a cost-benefit analysis.

"We cannot and will not tolerate the Auditor finding that contracts spent millions of dollars in tourism marketing, without any performance standards or ways to measure success. Because what this really gets to is procurement.

"And I know, Procurement, just saying that word sometimes people's eyes glaze over, their eyes roll into the back of their heads, because it's kind of a boring topic. But if you really understand procurement, it's about how we spend government dollars. Where do we want it directed, what do we want to prioritize, and what's important?

"For example, our laws already have a preference for local small businesses, for local farmers. It's kind of like the Buy America Act. Also, in 2006, we have a small business set-aside, so that small businesses are supposed to be given State contracts.

"But despite everything that we have in the law, nothing is happening. Local farmers, local small businesses are not enjoying the benefit of this policy. But do you know why? And it's really strange. It's because we have these rules that are supposed to implement the laws, but what they do

is they exempt out fresh produce, fresh meats, and foods. I know, how can? When I was a kid, when things just never made sense, I would go, 'How can?' Right?

"So it's really the question, like how can the laws we pass and provide for local farmers and small businesses, how can we have those things in the rules? How can we have that in the laws, but the rules take that away? Therefore, one of the things we must do is get rid of these ridiculous rules. Our local small businesses, our local farmers deserve better. They need better.

"Because this isn't only about how we spend taxpayer dollars, but it's also about moving us toward self-sufficiency. When we speak of self-sufficiency and its effect on the economy, nowhere is that need more dire than our addiction on imported fossil fuels. As already stated by the Minority Leader, we spend anywhere from $5 to $7 billion annually on fossil fuels, feeding our need for energy. And that's despite being uniquely situated in a place where we have solar, wind, wave, renewable energy opportunities that for some reason we just aren't able to harvest.

"The goals are clearly set though. We have the Renewable Portfolio Standards at 20 percent by 2020. And also, we have the agreement between Hawaiian Electric and the Administration to be at 70 percent by 2030. But the bigger question is, how do we get there? The Hawaii Clean Energy Initiative has a plan. I think it's a good one, but the House Majority also will be looking at alternative ways, instead of necessarily mandates, maybe what we want to do is look at ways where we can empower our counties, empower our communities, empower economies themselves, so that they build from the ground level up. And that's going to be our focus.

"And in speaking about building capacity infrastructure, the House Majority will also be focusing on the State's literal infrastructure as a much needed way to invest funds continuing to 'prime the pump' and keep revenues circulating in this economy. Most importantly, it will help us keep our citizens employed.

"We're extremely fortunate to have our Congressional delegation. They have been working closely with us to understand and communicate our priority projects to the federal government and the new Administration. But we can't just rely on the federal government, for we must be able to do for ourselves. Towards that end, our Governor and her Administration have really come up with some bold and innovative proposals, looking at possible infrastructure and investment improvements in highways and our recreational areas. These must be given serious consideration, because at the end of the day, what this brings us to is an area of collaboration.

"Moving into this Session, we've really seen efforts at collaboration and communication between the Executive Branch and the Legislature. Sometimes in the past, it may have just appeared to be missing. But these are really welcomed changes, and we hope that they will continue, because seriously, it's really only by putting our collective heads and hearts together that we will be able to strive and overcome the difficult issues we face ahead.

"Okay, now don't get too excited because it's not like we will be singing *Kum Ba Yah*, sitting around, holding hands, but I think the people expect us to agree whenever we can, but they know there are going to be times when we simply disagree. For example, the House Majority will fight the termination of Keiki Care. This was one of the first programs in the nation, an innovative and quintessential public-private partnership to ensure that no child is left without health insurance. And it did it all at an extremely modest cost. So we will be doing everything we can to ensure the continuance of this program.

"I really anticipate that this will be just one of several examples where we may strongly disagree, and vehemently disagree with the administration, its positions and its decisions. But what the Majority is committed to is not to be about blame, not to be about taking credit or taking credit away from anyone.

"I want to give a great, great quote that describes the public's perception of political parties and the disparateness between political parties. Our new President, Barack Obama in his book, The Audacity of Hope states that, the public is waiting for a politics with the maturity to balance idealism and realism, to distinguish between what can and cannot be compromised, to admit the possibility that sometimes the other side just may have a point. They don't always understand the arguments between right and left, conservative and liberal, but the public does recognize the difference between dogma and common sense, responsibility and irresponsibility, between those things that last and those things that are fleeting.

"The public is out there waiting for Republicans and Democrats to catch up to them. The public should not have to wait any longer, because at the end of the day, at the end of this Session, we must be judged as having done our best to live up to the oath that we have sworn to today. That we faithfully discharged our duties to the best of our ability. Thank you very much, and mahalo."

INTRODUCTION OF RESOLUTION

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

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

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

At this time, the Chair appointed the Sergeant-at-Arms to escort Superintendent Patricia Hamamoto to the rostrum.

Superintendant Hamamoto then offered the benediction.

ADJOURNMENT

At 12:36 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, January 22, 2009.

SECOND DAY

Thursday, January 22, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:05 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Deacon Benjamin Awana of Our Lady of Sorrows, after which the Roll was called showing all Members present with the exception of Representative McKelvey, who was 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 204) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 1, dated September 8, 2008, transmitting the 2007 Annual Report of the State of Hawaii Community-Based Economic Development Technical and Financial Assistance Program.

Gov. Msg. No. 2, dated September 15, 2008, transmitting the Report of the Twenty-Fourth Legislature, State of Hawaii, 2008, pursuant to HCR 76, HD1, 2006 Requesting the Department of Health to Submit Final Report on Its Litigation Against Waste Management of Hawaii, Inc. and City and County of Honolulu.

Gov. Msg. No. 3, dated September 24, 2008, transmitting the Department of Accounting and General Services' Interim Report on The Museum of Hawaiian Music and Dance Committee in accordance with Act 230/07 and as amended by Act 48/08.

Gov. Msg. No. 4, dated September 29, 2008, transmitting the Report of the Temporary Hawaii Inter-Island Ferry Oversight Task Force, pursuant to Act 2 of the Twenty-Fourth Legislature, 2007 Second Special Session.

Gov. Msg. No. 5, dated October 22, 2008, 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.

Gov. Msg. No. 6, dated October 22, 2008, transmitting the Department of the Attorney General's Report on Receipts and Expenditures of the Antitrust Trust Fund.

Gov. Msg. No. 7, dated October 22, 2008, transmitting the Department of Land and Natural Resources' report on Identification Of Rivers And Streams Worthy Of Protection in response to Section 174C-31(c) (4), Hawaii Revised Statutes.

Gov. Msg. No. 8, dated October 22, 2008, transmitting the Department of Land and Natural Resources' report, Status Of The Kaho'olawe Rehabilitation Trust Fund in response to Section 6K-9.5(e), Hawaii Revised Statutes.

Gov. Msg. No. 9, dated October 22, 2008, transmitting the Department of Land and Natural Resources' report on Budgetary And Other Issues Regarding Invasive Species in response to §194-2, Hawaii Revised Statutes and Section 28 of Act 158, Session Laws of Hawaii, 2008.

Gov. Msg. No. 10, dated October 22, 2008, transmitting the Department of Accounting and General Services' Annual Report of the Stadium Authority – Stadium Special Fund for fiscal year ended June 30, 2008.

Gov. Msg. No. 11, dated October 24, 2008, transmitting the Department of Land and Natural Resources' report on Expenditures To Fund Positions Used For Protection Of Monk Seals And Turtle Population in response to Section 27.1 of Act 158, Session Laws of Hawaii 2008.

Gov. Msg. No. 12, dated October 24, 2008, 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) in response to §490:9-527, Hawaii Revised Statutes.

Gov. Msg. No. 13, dated October 30, 2008, transmitting the Report of the Temporary Hawaii Inter-Island Ferry Oversight Task Force, prepared pursuant to Act 2 of the Twenty-Fourth Legislature, 2007 Second Special Session.

Gov. Msg. No. 14, dated November 6, 2008, transmitting the Department of Land and Natural Resources' report on Installation Of Back Flow Preventers For Waiahole-Waikane Community Association Water System Users in response to Section 15.1 of Act 158, Session Laws of Hawaii 2008.

Gov. Msg. No. 15, dated November 6, 2008, transmitting the Department of Land and Natural Resources' report on The Hawaii Dam And Reservoir Safety Program in response to Section 179D-29, Hawaii Revised Statutes.

Gov. Msg. No. 16, dated November 6, 2008, transmitting the Department of Land and Natural Resources' report on Geothermal Royalties Dispositions And Status Of Geothermal And Cable System Development in response to Sections 182-18 and 196D-11, Hawaii Revised Statutes.

Gov. Msg. No. 17, dated November 6, 2008, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2008, Pursuant to Section 312-1.4, 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. 18, dated November 6, 2008, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Section 348F-4, Hawaii Revised Statutes, Disability and Community Access Board Annual Report, Fiscal Year 2007-2008.

Gov. Msg. No. 19, dated November 7, 2008, transmitting the annual report for the Pesticide Use Revolving Fund for Fiscal Year 2008 as required pursuant to Section 149A-13.5(f), Hawaii Revised Statutes.

Gov. Msg. No. 20, dated November 7, 2008, 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. 21, dated November 7, 2008, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Section 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. 22, dated November 7, 2008, transmitting the Department of Land and Natural Resources' report Relating To Public Land Liability in response to Section 4 of Act 82, Session Laws of Hawaii 2003.

Gov. Msg. No. 23, dated November 7, 2008, transmitting the Department of Land and Natural Resources' report, Relating To The Land Conservation Fund And The Legacy Land Conservation Program in response to Section 173A-5, Hawaii Revised Statutes.

Gov. Msg. No. 24, dated November 7, 2008, transmitting the Department of Land and Natural Resources' report Relating To The Wildlife Revolving Fund Fiscal Year 2007-2008 in response to Section 183D-10.5, Hawaii Revised Statutes.

Gov. Msg. No. 25, dated November 7, 2008, transmitting the Department of Land and Natural Resources' report Status Of The Program For Environmentally-Themed Products To Support The Environment in response to Section 195D-5.5, Hawaii Revised Statutes.

Gov. Msg. No. 26, dated November 7, 2008, 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, 2007 – June 30, 2008 in response to Section 195D-26, Hawaii Revised Statutes.

Gov. Msg. No. 27, dated November 7, 2008, transmitting the Department of Land and Natural Resources' report on Revenues Generated From General Administrative Penalties Imposed Under Chapter 183, Hawaii Revised Statutes in response to Section 183-5, Hawaii Revised Statutes.

Gov. Msg. No. 28, dated November 7, 2008, transmitting the Department of Land and Natural Resources' report Relating To The Forest Stewardship Program in response to Section 195F-6, Hawaii Revised Statutes.

Gov. Msg. No. 29, dated November 14, 2008, transmitting the Department of the Attorney General's Annual Report of the Tobacco Enforcement Unit.

Gov. Msg. No. 30, dated November 21, 2008, transmitting the Department of Land and Natural Resources' report on the Hawaii Statewide Trail And Access System "Na Ala Hele" in response to Section 198D-9(7), Hawaii Revised Statutes.

Gov. Msg. No. 31, dated November 28, 2008, transmitting the Report of the Temporary Hawaii Inter-Island Ferry Oversight Task Force, prepared pursuant to Act 2 of the Twenty-Fourth Legislature, 2007 Second Special Session.

Gov. Msg. No. 32, dated November 20, 2008, transmitting the Hawaii State Public Library System's Annual Report for fiscal year ending June 30, 2008, prepared pursuant to Act 129, SLH 1989 (Library Fines and Lost Books) and Act 327, SLH 1993 (Library Fee for Enhanced Services) as amended by Act 45, SLH 1999.

Gov. Msg. No. 33, dated November 24, 2008, 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 in response to Act 100 (Sections 6 and 7), Session Laws of Hawaii, 1999.

Gov. Msg. No. 34, dated November 24, 2008, transmitting the Department of Land and Natural Resources' report on Disaster Relief Expenditures Resulting From The October 15, 2006 Kiholo Bay Earthquake in response to Section 5, Act 78, Session Laws of Hawaii 2007.

Gov. Msg. No. 35, dated November 26, 2008, transmitting the Annual Report on Administratively Established Appropriations as required pursuant to Act 178, Session Laws of Hawaii 2002.

Gov. Msg. No. 36, dated December 2, 2008, transmitting the Department of the Attorney General's Annual Report of Proceedings Under the Hawaii Omnibus Criminal Forfeiture Act.

Gov. Msg. No. 37, dated December 2, 2008, transmitting the Department of Land and Natural Resources' report on Administratively Established Accounts And Funds Of The Department Of Land And Natural Resources in response to Section 34-52.5, Hawaii Revised Statutes.

Gov. Msg. No. 38, dated December 2, 2008, transmitting the Department of Land and Natural Resources' report on the Recommendations Of The Task Force On Beach And Water Safety in response to Act 190, Session Laws of Hawaii, 1996 as amended by Act 101, Session Laws of Hawaii, 1999 as amended by Act 170, Session laws of Hawaii, 2002 as amended by Act 152, Session Laws of Hawaii, 2007.

Gov. Msg. No. 39, dated December 2, 2008, 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 in response to Section 195-6.6, Hawaii Revised Statutes.

Gov. Msg. No. 40, dated December 3, 2008, 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. 41, dated December 3, 2008, transmitting the Department of the Attorney General's Report of the Hawaii Anti-Trafficking Task Force.

Gov. Msg. No. 42, dated December 5, 2008, transmitting the Department of the Attorney General's Goals and Objectives.

Gov. Msg. No. 43, dated December 5, 2008, transmitting the Department of the Attorney General's Report of the Task Force Established by Act 152, Session Laws of Hawaii 2007.

Gov. Msg. No. 44, dated December 15, 2008, transmitting the Hawaii Real Estate Commission's ("REC") Annual Report for fiscal year ending June 30, 2008. Also incorporated into the REC report is the Condominium Management Education Fund Report and the Condominium Education Trust Fund Report.

Gov. Msg. No. 45, dated December 15, 2008, transmitting the Institutional Network ("INET") Report, pursuant to Act 213, Section 111, Session Laws of Hawaii 2007.

Gov. Msg. No. 46, dated December 15, 2008, transmitting the Department of Commerce and Consumer Affairs' Report on the Conversion of Exempt Positions to Civil Service, which is in response to Senate Concurrent Resolution No. 222 of 2008.

Gov. Msg. No. 47, dated December 15, 2008, transmitting the Department of Commerce and Consumer Affairs' Annual Compliance Resolution Fund Report for fiscal year ending June 30, 2008.

Gov. Msg. No. 48, dated November 20, 2008, transmitting the Foreign-Trade Zone No. 9's Annual Report to the Foreign-Trade Zones Board for federal fiscal year ending September 30, 2007.

Gov. Msg. No. 49, dated December 15, 2008, transmitting the External Review Report, pursuant to Section 432E-13, Hawaii Revised Statutes.

Gov. Msg. No. 50, dated December 15, 2008, transmitting the Loss Mitigation Grant Program Report, pursuant to Section 93-16, Hawaii Revised Statutes.

Gov. Msg. No. 51, dated December 15, 2008, transmitting the Report to the Legislature Regular Session 2009, Pursuant to Act 212, SLH 2008.

Gov. Msg. No. 52, dated December 15, 2008, transmitting the Hawaii Council on Economic Education Economics Cadre Program Report pursuant to Section 4(42) of Act 158, SLH 2008, Hawaii Revised Statutes.

Gov. Msg. No. 53, dated December 15, 2008, transmitting the Report to the Legislature on Money Transmitters, pursuant to Act 158, Section 4(41), Session Laws of Hawaii 2008.

Gov. Msg. No. 54, dated December 15, 2008, transmitting the Design Claims Conciliation Panel Annual Report to the 2009 Legislature.

Gov. Msg. No. 55, dated December 5, 2008, transmitting the Department of Land and Natural Resources' report on Accomplishments, Recommendations For Changes In State Plan Or Future Programs And Account Of All Income, Expenditures And Fund Balance Of The Hawaii

Historic Preservation Fund For Fiscal Year 2007-2008 in response to Section 6E-3, Hawaii Revised Statutes.

Gov. Msg. No. 56, dated December 8, 2008, transmitting the Department of Human Services' Report to the Legislature as required by Act 213, Part III, Section 16, SLH 2007.

Gov. Msg. No. 57, dated December 15, 2008, transmitting the Department of Human Services' Report to the Legislature as required by Act 158, Part 7, Section 204.2, SLH 2008.

Gov. Msg. No. 58, dated December 15, 2008, transmitting the Department of Human Services' Report to the Legislature as required by Act 158, Section 4(19), SLH 2008.

Gov. Msg. No. 59, dated December 8, 2008, transmitting the Department of Human Services' Report to the Legislature as required by Section 346-59.9, Hawaii Revised Statutes.

Gov. Msg. No. 60, dated December 8, 2008, transmitting the Department of Human Services' Report to the Legislature as required by Section 346-347, Hawaii Revised Statutes (State Pharmacy Assistance Program Report).

Gov. Msg. No. 61, dated December 8, 2008, transmitting the Department of Human Services' Report to the Legislature as required by Act 213, Sections 56 and 60, SLH 2007.

Gov. Msg. No. 62, dated December 22, 2008, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Chapter 321-27.5, Hawaii Revised Statutes, Requesting the Department of Health to Submit and Annual Audit Report of the Sanitation Branch.

Gov. Msg. No. 63, dated December 15, 2008, transmitting the Report of the Insurance Commissioner – 2008.

Gov. Msg. No. 64, dated December 15, 2008, transmitting the 2009 Exempt Study Report.

Gov. Msg. No. 65, dated December 22, 2008, transmitting the Department of Land and Natural Resources' report on Implementation Of Chapter 190D, Hawaii Revised Statutes, Ocean And Submerged Lands Leasing in response to Section 12 of Act 176, Session Laws of Hawaii 1999.

Gov. Msg. No. 66, dated November 24, 2008, transmitting the Report to the Hawaii State Legislature in Response to HCR No. 258 Requesting the Office of Planning to Coordinate the City and State Agencies in Addressing the Overgrowth of Vegetation on Kahala Beach.

Gov. Msg. No. 67, dated December 22, 2008, transmitting the Department of Labor and Industrial Relations' (DLIR) Annual Evaluation of the Hawaii Unemployment Compensation Fund for fiscal year ending June 30, 2008, as required by Section 368-126.5, Hawaii Revised Statutes.

Gov. Msg. No. 68, dated December 22, 2008, transmitting the Department of Land and Natural Resources' report Relating To Activities Of The Division Of Conservation And Resources Enforcement And Improvements Made Due To Increased Funding For Equipment Upgrades, Additional DOCARE Officers, Clerical Staff And Data Collection in response to Section 30 of Act 213, Session Laws of Hawaii, 2007 and Section 30.1 of Act 158 Session Laws of Hawaii, 2008.

Gov. Msg. No. 69, dated December 19, 2008, transmitting the Public Utilities Commission's Special Fund Report for fiscal year ending June 30, 2008, pursuant to Section 269-33(c), Hawaii Revised Statutes.

Gov. Msg. No. 70, dated December 18, 2008, transmitting The Economic Impact of the High Technology Business Investment Tax Credit on Hawaii's Economy for Calendar Year 2007 as required by Act 206, Session Laws of Hawaii (SLH) 2007 (Act 206).

Gov. Msg. No. 71, dated December 19, 2008, transmitting the Energy Feedstock Program Report as required by Act 159, Session Laws of Hawaii 2007.

Gov. Msg. No. 72, dated December 18, 2008, transmitting the Department of Labor and Industrial Relations' (DLIR) Occupational Safety and Health Report of Contested Cases for fiscal year ending June 30, 2008, as required by §383-128, Hawaii Revised Statutes (HRS).

Gov. Msg. No. 73, dated December 18, 2008, transmitting the Department of Labor and Industrial Relations' (DLIR) Hawaii Labor Relations Board's Annual Report for fiscal year ending June 30, 2008 as required by §89-5, Hawaii Revised Statutes (HRS).

Gov. Msg. No. 74, dated December 19, 2008, transmitting the Public Utilities Commission's Petroleum Industry Monitoring, Analysis and Reporting Program Summary Report for fiscal year ending June 30, 2008, pursuant to Section 486J-5, Hawaii Revised Statutes.

Gov. Msg. No. 75, dated December 19, 2008, transmitting the Final Report titled "Assessment of the State of Hawaii's Ability to Achieve 2010 Renewable Portfolio Standards" that was prepared for the State of Hawaii Public Utilities Commission by the University of Hawaii, Hawaii Natural Energy Institute pursuant to Hawaii Revised Statutes ("HRS") § 269-96(3).

Gov. Msg. No. 76, dated December 19, 2008, transmitting the Public Utilities Commission's ("Commission") Annual Report for fiscal year ending June 30, 2008, pursuant to Section 269-5, Hawaii Revised Statutes. The report also includes the Commission's report on Net Energy Metering, pursuant to Act 150, Session Laws of Hawaii 2008.

Gov. Msg. No. 77, dated December 19, 2008, transmitting the Restructuring Status Report of the Public Utilities Commission for Fiscal Year 2007-08, pursuant to Section 112 of Act 213, Session Laws of Hawaii 2007.

Gov. Msg. No. 78, dated December 23, 2008, transmitting the Department of Taxation's Electronic Funds Transfer Report as required by ACT 177, SLH 1997.

Gov. Msg. No. 79, dated December 23, 2008, transmitting the Department of Taxation's Annual Report as required by Act 213, Session Laws of Hawaii (SLH) 2007, Section 119.

Gov. Msg. No. 80, dated December 17, 2008, transmitting the Department of Budget and Finance's report on goals and action plans in accordance with Act 100, SLH 1999.

Gov. Msg. No. 81, dated December 23, 2008, transmitting the Department of the Attorney General's Report of the Adam Walsh Act Compliance Working Group.

Gov. Msg. No. 82, dated December 23, 2008, transmitting the Report on the Progress of the Study for DOE Anger Management Programs prepared by the Department of Education in response to HCR 126, HD1, SD1, HR108, HD1.

Gov. Msg. No. 83, dated December 23, 2008, transmitting the Report on Requests for a Due Process Hearing prepared by the Department of Education in response to SB 2004, SD2, HD2, CD1, Act 179 (SLH 2008).

Gov. Msg. No. 84, dated December 23, 2008, transmitting the Carryover Of Funds report prepared by the Department of Education in response to Section 37-41.5, HRS.

Gov. Msg. No. 85, dated December 23, 2008, transmitting the School-Level Minor R & M Accounts report prepared by the Department of Education in response to Section 302A-1504, HRS.

Gov. Msg. No. 86, dated December 23, 2008, transmitting the Federal And Trust Funds report prepared by the Department of Education in response to Section 29-25, HRS.

Gov. Msg. No. 87, dated December 23, 2008, transmitting the Report on Detailed Services Provided and Costs Incurred for the McKinney-Vento Homeless Education Assistance Act prepared by the Department of Education in response to HB 2500, HD1, SD1, CD1, Section 73.1, Act 158 (SLH 2008).

Gov. Msg. No. 88, dated December 23, 2008, transmitting the Transfers Of Appropriated Funds And Positions report prepared by the Department of Education in response to Section 37-74(d) HRS, Act 51, SLH 2004.

Gov. Msg. No. 89, dated December 23, 2008, transmitting the Report on Activities Toward Implementation of the Agriculture Education Program prepared by the Department of Education in response to SB 0885, SD2, HD3, CD1, Part III, Act III (SLH 2007).

Gov. Msg. No. 90, dated December 23, 2008, transmitting the Report on Various Energy Efficiency Projects and Change in Energy Usage prepared by the Department of Education in response to HB 0500, HD1, SD1, CD1 Section 80, Act 213 (SLH 2007).

Gov. Msg. No. 91, dated December 23, 2008, transmitting the Annual Report on the Teacher Education Coordinating Committee report prepared by the Department of Education in response to Section 304-20, HRS.

Gov. Msg. No. 92, dated December 23, 2008, transmitting the Progress and Statue Report of eSIS prepared by the Department of Education in response to HB 0500, HD1, SD1, CD1, Section 75, Act 213 (SLH 2007).

Gov. Msg. No. 93, dated December 23, 2008, transmitting the October, 2008 Report on the Medicaid School-based Claiming Program report prepared by the Department of Education in response to SB 1394, SD2, HD2, CD1, Act 141 (SLH 2005).

Gov. Msg. No. 94, dated December 23, 2008, transmitting the Superintendent's Fund report prepared by the Department of Education in response to HB 0500, HD1, SD1, CD1, Section 67, Act 213 (SLH 2007).

Gov. Msg. No. 95, dated December 23, 2008, transmitting the Report on Student Transportation Services prepared by the Department of Education in response to HB 0500, HD1, SD1, CD1, Section 78, Act 213 (SLH 2007).

Gov. Msg. No. 96, dated December 24, 2008, transmitting the Report on the Narcotics Enforcement Division as required in Section 329-22, Hawaii Revised Statutes.

Gov. Msg. No. 97, dated December 23, 2008, transmitting the Annual Report For Repair And Maintenance prepared by the Department of Education in response to Section 36-35, HRS; Section 36-36, HRS; and Section 302A-1312, HRS.

Gov. Msg. No. 98, dated December 23, 2008, transmitting the School Impact Fees report prepared by the Department of Education in response to HB 0019, HD2, SD2, CD1, Act 245 (SLH 2007).

Gov. Msg. No. 99, dated December 23, 2008, transmitting the Report on the Feasibility Study to Examine Impacts of a Longer School Day and Increasing the Number of Days in the School Year on K thru 12 Students prepared by the Department of Education in response to SCR 72, SD1.

Gov. Msg. No. 100, dated December 23, 2008, transmitting the Report on Developing a Prototype Model or Guidelines When Installing or Creating Shaded Play Areas at Public Schools prepared by the Department of Education in response to SCR 88, SD1.

Gov. Msg. No. 101, dated December 23, 2008, transmitting the Report on Preparing Curricular Materials that Reflect the Hawaii Standards to Assist a Teacher who Temporarily Teaches in an Area of Not Highly Qualified prepared by the Department of Education in response to SCR 111.

Gov. Msg. No. 102, dated December 23, 2008, transmitting the Secondary School Student Conference report prepared by the Department of Education in response to Section 317-6, HRS.

Gov. Msg. No. 103, dated December 23, 2008, transmitting the Educational Assessment And Accountability; Annual Reports prepared by the Department of Education in response to Section 302A-1004, HRS.

Gov. Msg. No. 104, dated December 23, 2008, transmitting the Mandatory Expulsion Policy For Possession Of A Firearm School Year 2007-08 report prepared by the Department of Education in response to Section 302A-1134, HRS.

Gov. Msg. No. 105, dated December 23, 2008, transmitting the Report on Continuing Project Graduation Training Through Driver Education Underwriters' Fees as Part of Traffic Safety Education prepared by the Department of Education in response to SCR 220.

Gov. Msg. No. 106, dated December 23, 2008, transmitting the Interim Report on Guidelines Regarding Truancy Reduction and Increase in Academic Success prepared by the Department of Education in response to SCR 74, SD1.

Gov. Msg. No. 107, dated December 23, 2008, transmitting the Incentive And Innovation Grant Trust Fund report prepared by the Department of Education in response to Section 302A-301, HRS.

Gov. Msg. No. 108, dated December 23, 2008, transmitting the Report on NCLB Restructured Schools prepared by the Department of Education in response to HB 0500, HD1, SD1, CD1, Section 68, Act 213 (SLH 2007).

Gov. Msg. No. 109, dated December 16, 2008, transmitting the Status on the Effort to Acquire Turtle Bay report.

Gov. Msg. No. 110, dated December 31, 2008, transmitting the Report from the Department of Transportation (DOT) on Section 19 of Act 213, Session Laws of Hawaii 2007, as amended by Act 158, SLH 2008. The Report contains the Airports Division's planned uses and actual expenditures of all routine repair and maintenance appropriations, up to December 1, 2008.

Gov. Msg. No. 111, dated December 31, 2008, transmitting the Report from the Department of Transpiration (DOT) on Section 25 of Act 213, Session Laws of Hawaii 2007, as amended by Act 158, SLH 2008. The Report identifies the sums of money expended by the Harbors Division for the effects of raised security levels of MARSEC II (Maritime Security) or higher.

Gov. Msg. No. 112, dated December 31, 2008, transmitting the Report from the Department of Transportation (DOT) on Section 22 of Act 213, Session Laws of Hawaii 2007, as amended by Act 158, SLH 2008. The Report contains the Harbors Division's actual expenditures of all security appropriations, as of June 30, 2008.

Gov. Msg. No. 113, dated December 31, 2008, transmitting the Report from the Department of Transportation (DOT) on Sections 18, 21, and 26 of Act 213, Session Laws of Hawaii 2007, as amended by Act 158, SLH 2008. The Report contains DOT's planned uses and actual expenditures of all special repair and maintenance appropriations, up to December 1, 2008. The Report covers the appropriations for the Airports Division (Section 18), the Harbors Division (Section 21), and the Highways Division (Section 26).

Gov. Msg. No. 114, dated December 30, 2008, transmitting the Report from the Department of Transportation on Act 100, Session Laws of Hawaii 1999. The Report is a compilation of the Department's goals and objectives.

Gov. Msg. No. 115, dated December 19, 2008, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, 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. 116, dated December 19, 2008, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, 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. 117, dated December 24, 2008, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, 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 Preformed.

Gov. Msg. No. 118, dated December 24, 2008, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, 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. 119, dated December 24, 2008, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Act 213, Section 53, Session laws of Hawaii, 2007, Requiring the State Council on Developmental Disabilities to Submit an Expenditure and Progress Report of Its Activities to Support a Statewide Self-advocacy Network.

Gov. Msg. No. 120, dated December 24, 2008, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Act 40, Session Laws of Hawaii, 2007, Requiring the State Council on Developmental Disabilities to Submit a Final Report on the Number of Individuals with Developmental Disabilities or Mental Retardation Who Choose to Live Independently, the Financial Impact on the State, and the Findings, Recommendations, and the Financial Impact of Act 303, Session Laws of Hawaii, 2006.

Gov. Msg. No. 121, dated December 19, 2008, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to H.C.R. No. 84, 2006, Requesting the Department of Health to Review the Available Scientific Research on Decabromodiphenyl Ether and Assess the Availability of Safer, Effective, and Technically Feasible Flame Retardants that can be used in its Place.

Gov. Msg. No. 122, dated December 22, 2008, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, 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. 123, dated December 19, 2008, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to H.C.R. 51, Requesting the Department of Health to Assess the Advantages and Disadvantages of Requiring Cervical Cancer Vaccinations for Girls Before They Ender the Seventh Grade.

Gov. Msg. No. 124, dated December 31, 2008, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Act 221, H.B. 2727, H.D.2, S.D.1, C.D.1, Hawaii State Legislature, 2008, Relating to Health Insurance.

Gov. Msg. No. 125, dated December 30, 2008, transmitting the Report of the Temporary Hawaii Inter-Island Ferry Oversight Task Force, prepared pursuant to Act 2 of the Twenty-Fourth Legislature, 2007 Second Special Session.

Gov. Msg. No. 126, dated December 30, 2008, transmitting the Department of Land and Natural Resources' report On Land Dispositions Made Of Public Lands For Calendar Year 2008 in response to Section 171-29, Hawaii Revised Statutes.

Gov. Msg. No. 127, dated December 22, 2008, transmitting the Department of Labor and Industrial Relations' (DLIR) Hawai'i Civil Rights Commission Report for fiscal year ending June 30, 2008 as required by Section 368-3, Hawaii Revised Statutes.

Gov. Msg. No. 128, dated December 18, 2008, transmitting the Department of Labor and Industrial Relations' (DLIR) Employment and Training Fund report for fiscal year ending June 30, 2008 as required by §383-128, Hawaii Revised Statutes (HRS).

Gov. Msg. No. 129, dated December 30, 2008, stating that Pursuant to Section 1, subsection (j) of Act 156, Session Laws of Hawaii 2008, the Department of Human Resources Development reports that there was no employment of retirants in civil service positions under this authority in the Executive Branch for the 2008 calendar year.

Gov. Msg. No. 130, dated December 30, 2008, stating that Pursuant to Part V (Sections 119 and 120) of Act 253, Session Laws of Hawaii 2000, the Department of Human Resources Development reports that there was no selection of Separation of Incentives by any employee as there was no Reduction-in-Force (RIF) in the Executive Branch for the 2008 calendar year.

Gov. Msg. No. 131, dated December 30, 2008, transmitting the Report on Parental Preferences in Government Contracts, Programs, and Services, as required by Act 162, SLH 2002.

Gov. Msg. No. 132, dated December 31, 2008, transmitting the Report on Current and Projected Usage and Costs of Electricity, Sewer, and Water Services report prepared by the Department of Education in response to HB 0500, HD1, SD1, CD1 Section 79 Act 213 (SLH 2007).

Gov. Msg. No. 133, dated December 31, 2008, transmitting the Report on Cost Saving Measures for School Food Services prepared by the Department of Education in response to HB 0500, HD1, SD1, CD1, Section 77, Act 213 (SLH 2007).

Gov. Msg. No. 134, dated December 31, 2008, transmitting the School-by-School Expenditure Report prepared by the Department of Education in response to Section 302A-1004, HRS.

Gov. Msg. No. 135, dated December 31, 2008, transmitting the Re-Engineer the Department of Education's Office of Human Resources report prepared by the Department of Education in response to SCR 114, SD1.

Gov. Msg. No. 136, dated December 31, 2008, transmitting the Requesting DOE and the Hawaii Public School Food Service to Develop Nutritionally-Sound Public School Menu Plans that Include Vegetarian and Vegan Meals report prepared by the Department of Education in response to SCR 84, SD1.

Gov. Msg. No. 137, dated December 31, 2008, transmitting the Seat Belts in School Busses report prepared by the Department of Education in response to HCR 71, HD2, HR 62, HD2.

Gov. Msg. No. 138, dated December 31, 2008, transmitting the Relating to Early Learning report prepared by the Department of Education in response to SB 2878, SD2, HD2, CD1, Act 14 (veto override) (SLH 2008).

Gov. Msg. No. 139, dated December 31, 2008, transmitting the FY 2009 Expenditure Report on the DOE's Mentor and Para-Educator Programs prepared by the Department of Education in response to HB 0500, HD1, SD1, CD1 Section 76 Act 213 (SLH 2007).

Gov. Msg. No. 140, dated December 31, 2008, transmitting the Even-numbered Year's Report of the Classification/Compensation Appeals Board's Educational Officer/Classification/Compensation Plan and Related Cost prepared by the Department of Education in response to Section 302A-620, HRS.

Gov. Msg. No. 141, dated December 31, 2008, transmitting the Annual Report of the State Educational Facilities Improvement Special Fund prepared by the Department of Education in response to Section 36-32, HRS.

Gov. Msg. No. 142, dated December 31, 2008, transmitting the Federal Grant Search, Development, and Application Revolving Fund report

prepared by the Department of Education in response to Section 302A-1405, HRS.

Gov. Msg. No. 143, dated December 31, 2008, transmitting the Office of Information Practices' Annual Report for fiscal year ending June 30, 2008.

Gov. Msg. No. 144, dated December 30, 2008, transmitting the 50th Anniversary of Statehood Commission's preliminary report to the 2009 Legislature.

Gov. Msg. No. 145, dated December 31, 2008, transmitting the joint Report from the Department of Transportation and the Department of Health on Act 72, Session Laws of Hawaii 2005. The Annual Report relates to the Effectiveness of the Graduated Provisional Licensing Program in reducing traffic fatalities and accidents in the State.

Gov. Msg. No. 146, dated December 31, 2008, transmitting the Interim Report from the Department of Transportation on Act 232, Session Laws of Hawaii 2008, relating to Pedestrian Safety.

Gov. Msg. No. 147, dated December 31, 2008, transmitting the Annual Report from the Department of Transportation on Section 264-19(e), Hawaii Revised Statutes, relating to the Transportation Improvement Special Fund.

Gov. Msg. No. 148, dated December 31, 2008, transmitting the Report from the Department of Transportation on Act 10, Special Session Laws of Hawaii 2007, relating to Pedestrian Safety.

Gov. Msg. No. 149, dated December 31, 2008, transmitting the Annual Report from the Department of Transportation on Section 264-18, Hawaii Revised Statutes, relating to Bikeway Projects and Expenditures.

Gov. Msg. No. 150, dated December 27, 2008, transmitting the Small Business Regulatory Review Board Review of Agency Submitted Administrative Rules, prepared by the Department of Business, Economic Development, and Tourism, in compliance with Regulatory Flexibility Act Section 201M-7, Hawaii Revised Statutes.

Gov. Msg. No. 151, dated December 31, 2008, transmitting the Department of Land and Natural Resources' report, Security Breach Of Personal Information in response to Section 287N-4, Hawaii Revised Statutes.

Gov. Msg. No. 152, dated December 29 2008, transmitting the Department of Accounting and General Services' Annual Report on the Wireless Enhanced 911 Board for the period July 1, 2007 through June 30, 2008.

Gov. Msg. No. 153, dated December 29, 2008, transmitting the Department of Accounting and General Services' Annual Report on the Building Code Council for the period December 2008 through December 2008.

Gov. Msg. No. 154, dated December 29, 2008, transmitting the Department of Accounting and General Services' Annual Report of Claims and Lawsuits Arbitrated, Compromised, or Settled for fiscal year ending June 30, 2008.

Gov. Msg. No. 155, dated December 29, 2008, transmitting the Department of Accounting and General Services' Annual Report on Goals and Objectives for fiscal year ending June 30, 2008.

Gov. Msg. No. 156, dated December 24, 2008, transmitting the Hawaii Employer-Union Health Benefits Trust Fund's Report to the Legislature (Section 124.3 of Act 158, Session Laws of Hawaii (SLH) 2008).

Gov. Msg. No. 157, dated January 6, 2009, transmitting the Department of the Attorney General's Final Report of the Compacts of Free Association Task Force.

Gov. Msg. No. 158, dated December 2008, transmitting The FB 2009-11 Executive Biennium Budget, Budget in Brief, Prepared by the Department of Budget and Finance.

Gov. Msg. No. 159, dated December 31, 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 2007-2008 in response to Section 5 of Act 178, Session Laws of Hawaii, 2006.

Gov. Msg. No. 160, dated December 29, 2008, submitting a letter to fulfill the reporting requirements of Act 213, SLH 2008.

Gov. Msg. No. 161, dated January 7, 2009, transmitting the Department of Taxation's Goals and Objectives Report as required by ACT 100, Session Laws of Hawaii 1999.

Gov. Msg. No. 162, dated December 23, 2008, transmitting the Hawaii Employer-Union Health Benefits Trust Fund's Annual Report for fiscal year ending June 30, 2008.

Gov. Msg. No. 163, dated January 7, 2009, transmitting the 2008 Bioenergy Master Plan Report pursuant to Act 253, Session Laws of Hawaii, 2007.

Gov. Msg. No. 164, dated December 31, 2008, transmitting the 2007 Annual Report of the State of Hawaii Project EAST (Environmental and Spatial Technology) Program pursuant to Chapter 302A-1314[(r)], Hawaii Revised Statutes.

Gov. Msg. No. 165, dated December 27, 2008, transmitting the 9th Annual Report Summary of the Small Business Regulatory Review Board, prepared by the Department of Business, Economic Development, And Tourism, pursuant to Chapter 201M, Hawaii Revised Statutes.

Gov. Msg. No. 166, dated January 8, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Section 31.1 of Act 158, Session Laws of Hawaii, 2008 (H.B. 2500, H.D.1, S.D.1, C.D.1), Requiring the Department of Health to Submit to the Legislature an Expenditure Report on the $100,000 General Fund Appropriation for Additional or Continued HIV/AIDS Services in the Community on Oahu for FY 2008-09.

Gov. Msg. No. 167, dated January 7, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, 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. 168, dated December 22, 2008, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Section 340B-12, Hawaii Revised Statutes, Requiring the Department of Health to Provide an Annual Report on the Activities of the Board of Certification of Operating Personnel in Wastewater Treatment Facilities.

Gov. Msg. No. 169, dated January 8, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Part III, Section 32, 33, 34, 36, 36 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. 170, dated January 8, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Section 3, Act 13, First Special Session Laws of Hawaii, 2008, Requiring the Manufacturers of Televisions to Give a Report on the Collection, Transportation, and Recycling of Televisions Sold in the State of Hawaii.

Gov. Msg. No. 171, dated January 8, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Chapters 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, FY 2008.

Gov. Msg. No. 172, dated January 8, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Section 349-5(b)(2), Hawaii Revised Statutes, Requiring the Executive Office on Acing to Provide an Annual Evaluation Report on Elder Programs for the Governor and to the Legislature.

Gov. Msg. No. 173, dated January 8, 2008, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Act 213, General Appropriations Act 2007, Section 41, Requiring a Report on Purchase of Family Planning Services for Women's Health for FY 2008.

Gov. Msg. No. 174, dated January 7, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Section 321-1.5(6), Hawaii Revised Statutes, Primary Care Incentive Program.

Gov. Msg. No. 175, dated January 7, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, 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. 176, dated January 7, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Act 213, Session Laws of Hawaii, 2007 (H.B. 500, H.D.1, S.D.1, C.D.1), Part III, Section 40, Requesting the Early Intervention Services Program to Provide a Detailed Report Evaluating Its Early Interventions Purchase of Service and Fee-for-Service Contracts.

Gov. Msg. No. 177, dated December 29, 2008, transmitting the Department of Labor and Industrial Relations' (DLIR) Reports on the following Non-General Fund Information: Employment and Training Fund for fiscal year ending June 30, 2008, as required by §383-128, Hawaii Revised Statutes (HRS); Premium Supplementation Fund (PHC) for fiscal year ending June 30, 2008, as required by §393-41, HRS; Special Compensation Fund for fiscal year ending June 30, 2008, as required by §386-151, HRS; Special Fund for Temporary Disability Benefits (TDI) for fiscal year ending June 30, 2008, as required by §392-61, HRS; Unemployment Insurance Trust Fund for fiscal year ending June 30, 2008, as required by §383-121, HRS; Special Unemployment Insurance Administration Fund for fiscal year ending June 30, 2008, as required by §383-127, HRS.

Gov. Msg. No. 178, dated January 6, 2009, transmitting the Department of Labor and Industrial Relations' (DLIR) Hoisting Machine Operator's Advisory Board Annual Report for fiscal year ending June 30, 2008, as required by Section 396-20, Hawaii Revised Statutes.

Gov. Msg. No. 179, dated January 2, 2009, transmitting the Department of Labor and Industrial Relations' (DLIR) Office of Language Access for fiscal year ending June 30, 2008, as required by Act 290.

Gov. Msg. No. 180, dated January 8, 2009, transmitting the Small Business Regulatory Review Board "Working Group", Report Findings and Recommendations in compliance with ACT 230, SLH 2008, prepared by the Department of Business, Economic Development, and Tourism, in compliance with Regulatory Flexibility Act Section 201M-7, Hawaii Revised Statutes.

Gov. Msg. No. 181, dated December 31, 2008, transmitting the Report from the Department of Transportation Act 214, Session Laws of Hawaii 2008, relating to the West Maui Transportation Access Plan.

Gov. Msg. No. 182, dated December 29, 2008, transmitting the Department of Human Services' Report to the Legislature as required by Section 346-319, Hawaii Revised Statutes, Hawaii Rx Plus Program Report.

Gov. Msg. No. 183, dated December 29, 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. 184, dated January 7, 2009, transmitting the Act 8 (2007), Special Session, Part 1, Section 7(c) Return of Out-of-State Inmates, Part 2, Section 7, Inmate Transition and Reentry into the Community, and Part 7, Section 21, Inmate Reentry into the Community Report.

Gov. Msg. No. 185, dated January 7, 2009, transmitting the Act 100, Part II, Sections 6 and 7, Session Laws of Hawaii 1999, Annual Report on Strategic Plan, Timetable & Performance Measures.

Gov. Msg. No. 186, dated January 7, 2009, transmitting the Act 158, SLH 2008, Part IV, Section 211.2, Overtime Costs Report.

Gov. Msg. No. 187, dated January 7, 2009, transmitting the Act 213, Part 5, Section 132, Session Laws of Hawaii 2007, Report on Capital Improvement Program Appropriations.

Gov. Msg. No. 188, dated January 7, 2009, transmitting the Act 213 (2007), Part 3, Section 101, Mason Apprenticeship Program, Part 3, Section 102, Comprehensive Offender Reentry Plan, Part 3, Section 103, Inmate Transitional Work Furlough Substance Abuse Treatment Services, and Part 3, Section 104, Inmate Transition and Job Development Program Report.

Gov. Msg. No. 189, dated January 7, 2009, transmitting the H.B. No. 200, Act 213 (2007), Part 3, Section 105, Inmates Mental Health Services at Oahu Community Correctional Center, Halawa Correctional Facility, and Women's Community Correctional Center, and S.B. 914, Act 144 (2007), Mental Health Services for Committed Persons Report.

Gov. Msg. No. 190, dated January 7, 2009, transmitting the Act 219, Strategic Plan to Provide Services to Female Offenders Returning from the Mainland Report.

Gov. Msg. No. 191, dated January 7, 2009, transmitting the Act 240 (2008), Services for Children of Incarcerated Parents Report.

Gov. Msg. No. 192, dated January 7, 2009, transmitting the HRS 353C-7(c), Annual Report on the Status of the Federal Reimbursement Maximization Special Fund.

Gov. Msg. No. 193, dated January 7, 2009, transmitting the HRS 353G, Criminal Offender Treatment Act Report.

Gov. Msg. No. 194, dated January 7, 2009, transmitting the HRS 354D-3.5, Annual Report of Hawaii Correctional Industries.

Gov. Msg. No. 195, dated January 7, 2009, transmitting the HRS 367D-008, Gender Responsive Community Based Programs for Women Report.

Gov. Msg. No. 196, dated December 30, 2008, transmitting the State Energy Resources Coordinator's 2008 Annual Report pursuant to Chapter 196-4(11), Hawaii Revised Statutes.

Gov. Msg. No. 197, dated January 13, 2009, transmitting the Department of Land and Natural Resources' report Requesting The Department Of Land And Natural Resources To Report To The Legislature On The Progress For The Adoption Of Rules To Regulate The Ornamental Reef Fisher Industry In South Maui And Kaneohe Bay, Oahu, To Confer With Geographical Stakeholders, And To Propose Appropriate Legislation in response to House Concurrent Resolution 347, Senate Draft 1, Regular Session of 2008.

Gov. Msg. No. 198, dated December 31, 2008, transmitting the Comprehensive Accountability System report prepared by the Department of Education in response to Section 302A-1004, HRS.

Gov. Msg. No. 199, dated January 9, 2009, transmitting the Hawaii Greenhouse Gas Inventory, 1990 and 2007, pursuant to Act 234, Session Laws of 2007.

Gov. Msg. No. 200, dated January 9, 2009, transmitting the Report on How the Department of Commerce and Consumer Affairs' Expenditures will be Aligned with its Special Fund Revenue Collections, pursuant to Act 213, Part VII, Section 196, Session Laws of Hawaii 2007.

Gov. Msg. No. 201, dated January 14, 2009, appointing Gilbert Keith-Agaran to fill the remaining term of the late Robert Nakasone as the member from the Ninth Representative District, House of Representatives, Twenty-Fifth Legislature, State of Hawaii.

Gov. Msg. No. 202, dated January 13, 2009, transmitting the Department of Land and Natural Resources' report, 20-Year Review of Water Use Permits in response to Section 174C-56, Hawaii Revised Statutes.

Gov. Msg. No. 203, dated January 16, 2009, transmitting the Department of Labor and Industrial Relations' (DLIR) Occupational Safety and Health Division Report on Meeting Staffing Benchmarks, as required by Act 158, Session Laws 2008.

Gov. Msg. No. 204, dated January 16, 2009, transmitting the Department of Human Services' Report to the Legislature as required by Act 2, SLH, Special Session 2008.

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 1 through 50) were received by the Clerk and were placed on file:

Dept. Com. No. 1, from the State of Hawaii Division of Financial Institutions, Department of Commerce and Consumer Affairs, transmitting the 2007 Annual Report.

Dept. Com. No. 2, dated April 2008, from the Hawaii State Department of Health, Family Health Services Division, transmitting the State of Hawai'i Primary Care Needs Assessment Data Book 2007.

Dept. Com. No. 3, dated July 2008, from the Department of Education, transmitting the Annual Employment Report 2007-2008.

Dept. Com. No. 4, dated September 17, 2008, from the Department of Business, Economic Development & Tourism, transmitting DBEDT's CD-ROM, the 2008 Hawaii Data Disc, containing the 2003 through 2007 State of Hawaii Data Books.

Dept. Com. No. 5, dated September 2008, from the Department of the Attorney General, Research & Statistics Branch, Crime Prevention & Justice Assistance Division, transmitting Crime in Hawaii 2006, A Review of Uniform Crime Reports.

Dept. Com. No. 6, dated October 7, 2008, from Marion Higa, State Auditor, transmitting a letter in response to House Concurrent Resolution No. 125, House Draft 1, requesting the Office of the Auditor to examine upcoming condominium leasehold expirations and their impact on the availability of replacement and affordable housing for Hawai'i Residents, informing the House that the study as requested is problematic and cannot be performed.

Dept. Com. No. 7, dated October 10, 2008, from Marion Higa, State Auditor, transmitting a letter informing the House that they are suspending further audit work on the Hawai'i Disabilities Rights Center (HDRC) as required by Act 127, Session Laws of Hawai'i 2008.

Dept. Com. No. 8, from the Department of Labor and Industrial Relations, Research and Statistics Office, transmitting the Workers' Compensation Data Book 2007.

Dept. Com. No. 9, dated November 6, 2008, from Marion Higa, State Auditor, transmitting a copy of the report, Sunrise Analysis of the Industrial Hygiene, Safety, and Health Physics Professions.

Dept. Com. No. 10, dated November 14, 2008, from David McClain, President, University of Hawaii System, transmitting the Annual Report on Hawai'i P-20 Partnerships for Education and Plans for Education in the Twenty-First Century (Act 281, Session Laws of Hawai'i 2007) as requested by the Legislature.

Dept. Com. No. 11, dated November 21, 2008, from Georgina Kawamura, Director of Finance, Department of Budget and Finance, transmitting certified statements and supporting schedules on the debt limit and total outstanding indebtedness of the State of Hawaii as of July 1, 2008.

Dept. Com. No. 12, dated November 25, 2008, from David McClain, President, University of Hawaii System, transmitting the Annual Report on Government Operations (Act 100, Session Laws of Hawai'i, 1999) and Biennium Report on Benchmarks and Performance Indicators (Chapter 304-4.5, Hawaii Revised Statutes, 2005/Chapter 304A-2001, Hawaii Revised Statutes, 2006) as requested by the Legislature.

Dept. Com. No. 13, dated November 26, 2008, from David McClain, President, University of Hawaii system, transmitting the Annual Report on Operations of the Hawai'i Research Center for Future Studies (Section 304A-3253, Hawaii Revised Statutes) as requested by the Legislature.

Dept. Com. No. 14, dated November 25, 2008, from David McClain, President, University of Hawaii System, transmitting the Annual Report on The Construction Academy Curriculum (Section 304A-1144, Hawaii Revised Statutes/Act 234, Session Laws of Hawaii, 2006) as requested by the Legislature.

Dept. Com. No. 15, dated November 26, 2008, from David McClain, President, University of Hawaii System, transmitting the Report on Grandparents Raising Grandchildren for 2009 (Act 11, Special Session 2008, Part IV, Section 9) as requested by the Legislature.

Dept. Com. No. 16, dated December 3, 2008, from David McClain, President, University of Hawaii System, transmitting the Annual Report on the Hawai'i Institute for Educational Partnerships (Section 304A-1203, Hawaii Revised Statutes) as requested by the Legislature.

Dept. Com. No. 17, dated December 5, 2008, from David McClain, President, University of Hawaii System, transmitting the Annual Report from the Medical Education Council (Section 304A-1704, Hawaii Revised Statutes/Act 181, Session Laws of Hawaii 2003) as requested by the Legislature.

Dept. Com. No. 18, dated December 5, 2008, from David McClain, President, University of Hawaii System, transmitting the Report by the College of Tropical Agriculture & Human Resources on the Feasibility of Constructing a Multipurpose, Multi-User Processing Facility in Ewa for 2009 (House Concurrent Resolution 357 HD1, 2008) as requested by the Legislature.

Dept. Com. No. 19, dated December 8, 2008, from David McClain, President, University of Hawaii System, transmitting the Report from the Agricultural Diagnostic Service Center on the Need of Hawaii's Agricultural Industry for 2009, (House Concurrent Resolution 116 SD1, 2008) as requested by the Legislature.

Dept. Com. No. 20, dated December 12, 2008, from David McClain, President, University of Hawaii System, transmitting the Annual Report University of Hawaii of All Revenue Bonds Issued (Section 304A-2689, Hawaii Revised Statutes) as requested by the Legislature.

Dept. Com. No. 21, dated December 16, 2008, from Marion Higa, State Auditor, transmitting a copy of 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 Hawaii Environmental Impact Statement Laws: Phase II.

Dept. Com. No. 22, dated December 11, 2008, from David McClain, President, University of Hawaii System, transmitting the Annual Report on

Transfer of Appropriated Funds and Positions (Section 37-74, Hawaii Revised Statutes) as requested by the Legislature.

Dept. Com. No. 23, dated December 2008, from the Ombudsman, submitting the Report of the Ombudsman, For the Period July 1, 2007 – June 30, 2008, Report No. 39, Presented to the Legislature pursuant to Section 96-16 of the Hawaii Revised Statutes.

Dept. Com. No. 24, dated December 30, 2008, from Marion Higa, State Auditor, transmitting the report, Hawaii Broadband Task Force Final Report.

Dept. Com. No. 25, dated December 30, 2008, from David McClain, President, University of Hawaii System, transmitting the Report on the University of Hawaii's Information Technology Center (Act 158, Part 4, Section 131.2, Session Laws of Hawaii 2008) as requested by the Legislature.

Dept. Com. No. 26, dated December 30, 2008, from David McClain, President, University of Hawaii System, transmitting the Annual Report for the John A. Burns School of Medicine Substance Abuse Pilot Program for 2008 and 2009 (Act 178, Session Laws of Hawaii 2007) as requested by the Legislature.

Dept. Com. No. 27, dated December 30, 2008, from David McClain, President, University of Hawaii System, transmitting the Report on Stem Professional Development Program and Status on the Transition to Teaching Program (Act 111, Session laws of Hawaii 2007, Section 15 & 18) as requested by the Legislature.

Dept. Com. No. 28, dated December 30, 2008, from David McClain, President, University of Hawaii System, transmitting the Annual Report on Nursing Scholars Program (Section 304A-3305, Hawaii Revised Statues) as requested by the Legislature.

Dept. Com. No. 29, dated December 30, 2008, from David McClain, President, University of Hawaii System, transmitting the Report on Hawaii Excellence through Science and Technology Academy Pilot Program (Act 111, Session Laws of Hawaii 2007, Section 8) as requested by the Legislature.

Dept. Com. No. 30, dated December 30, 2008, from David McClain, President, University of Hawaii System, transmitting the Annual Report on the Community College Conference Center Revolving Fund (Section 304A-2273, Hawaii Revised Statutes) as requested by the Legislature.

Dept. Com. No. 31, dated December 30, 2008, from David McClain, President, University of Hawaii System, transmitting the Annual Report of the Student Scholarship and Assistance Special Fund 2007-2008 (Section 304A-2159, Hawaii Revised Statutes) as requested by the Legislature.

Dept. Com. No. 32, dated December 30, 2008, from David McClain, President, University of Hawaii System, transmitting the Annual Report on University of Hawai'i Risk Management Special Fund (Section 304A-2151, Hawaii Revised Statutes/Act 186, Session Laws of Hawaii 2003) as requested by the Legislature.

Dept. Com. No. 33, dated December 30, 2008, from David McClain, President, University of Hawaii System, transmitting the Annual Report from the Hawaii Natural Energy Institute (Section 304A-1891, Hawaii Revised Statutes) as requested by the Legislature.

Dept. Com. No. 34, dated December 30, 2008, from David McClain, President, University of Hawaii System, transmitting the Annual Report on Salaries Paid to Executive/Managerial and Faculty Employees (Section 304A-1004, Hawaii Revised Statutes) as requested by the Legislature.

Dept. Com. No. 35, dated December 30, 2008, from David McClain, President, University of Hawaii System, transmitting the Annual Report on University of Hawaii Uncollectible Accounts FY2007 (Chapter 40-82, Hawaii Revised Statutes) as requested by the Legislature.

Dept. Com. No. 36, dated December 30, 2008, from David McClain, President, University of Hawaii System, transmitting the Annual Report on University of Hawaii Tuition & Fees Special Fund Expenditures (Section 304A-2153, Hawaii Revised Statutes) as requested by the Legislature.

Dept. Com. No. 37, dated December 30, 2008, from David McClain, President, University of Hawaii System, transmitting the Report on University of Hawaii – Community Colleges Enrollment Growth Funding (Act 213, Session Laws of Hawaii, 2007, Section 93) as requested by the Legislature.

Dept. Com. No. 38, from the Legislative Reference Bureau, transmitting Report No. 2, 2008, Fair or Foul? A Sports and Entertainment Management Program at the University of Hawaii.

Dept. Com. No. 39, dated January 7, 2009, from Marion Higa, State Auditor, transmitting the report, Review of Revolving Funds, Trust Funds, and Trust Accounts for the Departments of Accounting and General Services, Agriculture, Budget and Finance, and Land and Natural Resources.

Dept. Com. No. 40, dated January 7, 2009, from David McClain, President, University of Hawaii System, transmitting the Report on the Hawaii Aids Research Program for 2008 and 2009 (Act 213, Session Laws of Hawaii 2007) as requested by the Legislature.

Dept. Com. No. 41, dated January 7, 2009, from David McClain, President, University of Hawaii System, transmitting the Report on the University of Hawaii's Hyperbaric Treatment Center (Act 158, Part 3, Section 90.2, Session Laws of Hawaii 2008) as requested by the Legislature.

Dept. Com. No. 42, dated January 13, 2009, from Marion Higa, State Auditor, transmitting the report, Management and Financial Audit of Hawai'i Tourism Authority's Major Contracts.

Dept. Com. No. 43, dated January 13, 2009, from David McClain, President, University of Hawaii System, transmitting the Annual Report on University of Hawai'i Special, Revolving, and Trust Funds (Section 304A-106 and Section 304A-2007, Hawaii Revised Statutes) as requested by the Legislature.

Dept. Com. No. 44, dated January 13, 2009, from David McClain, President, University of Hawaii System, transmitting the Progress Report by the Public Policy Center to Propose a More Effective and Transparent Public Understanding of the Funding for the Department of Education Programs and Services for 2009 (Senate Concurrent Resolution 118 SD1, HD1 2008) as requested by the Legislature.

Dept. Com. No. 45, dated January 12, 2009, from David McClain, President, University of Hawaii System, transmitting the Interim Report by the Hawai'i State Center for Nursing (Act 173, Session Laws of Hawaii 2008) as requested by the Legislature.

Dept. Com. No. 46, dated January 15, 2009, from David McClain, President, University of Hawaii System, transmitting the Annual Report on Research and Training Revolving Fund 2007-2008 (Section 304A-2253, Hawaii Revised Statutes) as requested by the Legislature.

Dept. Com. No. 47, dated January 15, 2009, from David McClain, President, University of Hawaii System, transmitting the Report on the University of Hawaii at Mānoa Library Collections and Services for 2009 (Act 158, Part 3, Section 90.1, Session Laws of Hawaii 2008) as requested by the Legislature.

Dept. Com. No. 48, dated January 15, 2009, from David McClain, President, University of Hawaii System, transmitting the Preliminary Report by the John A. Burns School of Medicine on the Current Practices of Hawaii Telemedicine System for 2009 (House Concurrent Resolution 138 HD1 SD1, 2008) as requested by the Legislature.

Dept. Com. No. 49, dated January 15, 2009, from David McClain, President, University of Hawaii System, transmitting the Report on the

University of Hawai'i Security and Prevention Measures (Act 158, Part 3, Section 90.3, Session Laws of Hawaii 2008) as requested by the Legislature.

Dept. Com. No. 50, dated January 15, 2009, from David McClain, President, University of Hawaii System, transmitting the Annual Report on the 'Imiloa Astronomy Center of Hawai'i for 2008 and 2009 (Act 213, Session Laws of Hawai'i, 2007, Section 91) as requested by the Legislature.

MISCELLANEOUS COMMUNICATIONS

The following miscellaneous communications (Misc. Com. Nos. 1 through 3) were received by the Clerk and were placed on file:

Misc. Com. No. 1, dated December 8, 2008, from Kevin Cronin, Office of Elections, transmitting copies of the Loyalty Oath or sworn statement on the candidate filing document executed by each member of the House of the 25th Legislature (2009-2010) and copies of the "Certification of Election" documents signed and issued by (Kevin Cronin) for each member of the House of the 25th Legislature (2009-2010).

Misc. Com. No. 2, dated December 30, 2008, from Elisabeth Chun, Executive Director, Good Beginnings Alliance, submitting the 2008 Good Beginnings Alliance Report to the Regular Session of the 2009 Legislature as required in Act 77 – An Act Relating to Early Childhood Education.

Misc. Com. No. 3, dated November 24, 2008, from Wynne Ushigome, Acting Manager and Chief Engineer, Department of Water, County of Kauai, submitting copies of the County of Kauai, Department of Water's proposed CIP projects request for State aid for the 2009 Legislative Session.

ORDER OF THE DAY

INTRODUCTION OF BILLS

On motion by Representative Evans, seconded by Representative Pine and carried, the following bills (H.B. Nos. 1 through 117) passed First Reading by title and were referred to Printing: (Representative McKelvey was excused.)

H. B. Nos.

1 "A BILL FOR AN ACT RELATING TO NUCLEAR ENERGY."

Introduced by: Representatives Takai and Nishimoto.

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

Introduced by: Representative Takai.

3 "A BILL FOR AN ACT RELATING TO THE TRANSFER OF ALOHA STADIUM TO THE UNIVERSITY OF HAWAII."

Introduced by: Representative Takai.

4 "A BILL FOR AN ACT RELATING TO THE ALOHA STADIUM."

Introduced by: Representative Takai.

5 "A BILL FOR AN ACT RELATING TO CALORIE INFORMATION."

Introduced by: Representative Takai.

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

Introduced by: Representative Takai.

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

Introduced by: Representative Takai.

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

Introduced by: Representative Takai.

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

Introduced by: Representative Takai.

10 "A BILL FOR AN ACT RELATING TO WIRELESS ENHANCED 911 SERVICE."

Introduced by: Representative Takai.

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

Introduced by: Representatives Takumi and Berg.

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

Introduced by: Representative Takumi.

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

Introduced by: Representative Takumi.

14 "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY."

Introduced by: Representative Marumoto.

15 "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY."

Introduced by: Representative Marumoto.

16 "A BILL FOR AN ACT RELATING TO PICKUP TRUCKS."

Introduced by: Representative Marumoto.

17 "A BILL FOR AN ACT RELATING TO HELMETS."

Introduced by: Representative Marumoto.

18 "A BILL FOR AN ACT RELATING TO VIDEO MONITOR SAFETY."

Introduced by: Representative Marumoto.

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

Introduced by: Representative Marumoto.

20 "A BILL FOR AN ACT RELATING TO REQUIRING WRITTEN CONSENT FROM A PARENT OR LEGAL GUARDIAN FOR THE ISSUANCE OF PROVISIONAL LICENSES."

Introduced by: Representative Marumoto, by request.

21 "A BILL FOR AN ACT RELATING TO SMALL BUSINESSES."

Introduced by: Representative Aquino.

22 "A BILL FOR AN ACT RELATING TO NUISANCES."

Introduced by: Representatives Marumoto and Berg.

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

Introduced by: Representative Evans.

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

Introduced by: Representative Evans.

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

Introduced by: Representative Evans.

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

Introduced by: Representative Evans.

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

Introduced by: Representative Evans.

28 "A BILL FOR AN ACT RELATING TO DEAD HUMAN BODIES."

Introduced by: Representative M. Oshiro.

29 "A BILL FOR AN ACT RELATING TO DEAD HUMAN BODIES."

Introduced by: Representative M. Oshiro.

30 "A BILL FOR AN ACT RELATING TO TORT LIABILITY."

Introduced by: Representative M. Oshiro.

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

Introduced by: Representative M. Oshiro.

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

Introduced by: Representative M. Oshiro.

33 "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.

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

Introduced by: Representative M. Oshiro.

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

Introduced by: Representative M. Oshiro.

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

Introduced by: Representative M. Oshiro.

37 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 6, OF THE HAWAII CONSTITUTION, TO REPEAL THE REQUIREMENT THAT A TAX REFUND OR TAX CREDIT BE PROVIDED TO TAXPAYERS WHENEVER THE GENERAL FUND BALANCE AT THE CLOSE OF TWO SUCCESSIVE FISCAL YEARS EXCEEDS FIVE PERCENT OF GENERAL FUND REVENUES FOR EACH OF THE TWO FISCAL YEARS."

Introduced by: Representative M. Oshiro.

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

Introduced by: Representative M. Oshiro.

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

Introduced by: Representative M. Oshiro.

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

Introduced by: Representative M. Oshiro.

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

Introduced by: Representative M. Oshiro.

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

Introduced by: Representative M. Oshiro.

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

Introduced by: Representative M. Oshiro.

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

Introduced by: Representative M. Oshiro.

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

Introduced by: Representative M. Oshiro.

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

Introduced by: Representative M. Oshiro.

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

Introduced by: Representative Evans.

48 "A BILL FOR AN ACT RELATING TO ELECTION DAY VOTER REGISTRATION."

Introduced by: Representative Evans.

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

Introduced by: Representative Evans.

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

Introduced by: Representative Evans.

51 "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS."

Introduced by: Representative Evans.

52 "A BILL FOR AN ACT RELATING TO LIBRARIES."

Introduced by: Representative Evans.

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

Introduced by: Representative Choy.

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

Introduced by: Representative Choy.

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

Introduced by: Representative Choy.

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

Introduced by: Representative Choy.

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

Introduced by: Representative Rhoads.

58 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Representative Rhoads.

59 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATED TO RESIDENCE REQUIREMENTS FOR MEMBERS OF THE LEGISLATURE."

Introduced by: Representative Rhoads.

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

Introduced by: Representatives Rhoads and Luke.

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

Introduced by: Representatives Rhoads and Luke.

62 "A BILL FOR AN ACT RELATING TO TRAFFIC COURT RECORDS."

Introduced by: Representative Rhoads.

63 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ALARM SYSTEMS."

Introduced by: Representatives Rhoads and Luke.

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

Introduced by: Representatives Rhoads and Luke.

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

Introduced by: Representative Rhoads.

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

Introduced by: Representative Rhoads.

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

Introduced by: Representative Rhoads.

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

Introduced by: Representative Rhoads.

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

Introduced by: Representative Rhoads.

70 "A BILL FOR AN ACT RELATING TO CIVIL PROCEDURE."

Introduced by: Representative Rhoads.

71 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Representative Rhoads.

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

Introduced by: Representative Rhoads.

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

Introduced by: Representative Rhoads.

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

Introduced by: Representative Rhoads.

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

Introduced by: Representative Rhoads.

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

Introduced by: Representative Rhoads.

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

Introduced by: Representative Rhoads.

78 "A BILL FOR AN ACT RELATING TO MIXED-USE CONDOMINIUM PROJECTS."

Introduced by: Representative Evans.

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

Introduced by: Representative Evans.

80 "A BILL FOR AN ACT RELATING TO LIABILITY OF ROOSTER OWNERS."

Introduced by: Representative Evans.

81 "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT."

Introduced by: Representative Evans.

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

Introduced by: Representative Evans.

83 "A BILL FOR AN ACT RELATING TO MOTORBOATS."

Introduced by: Representative Evans.

84 "A BILL FOR AN ACT RELATING TO JURY DUTY."

Introduced by: Representative Takumi.

85 "A BILL FOR AN ACT RELATING TO LEEWARD COMMUNITY COLLEGE."

Introduced by: Representatives Takumi and Aquino.

86 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION RELATING TO EDUCATION."

Introduced by: Representatives Takumi and Berg.

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

Introduced by: Representative Takumi.

88 "A BILL FOR AN ACT RELATING TO AMMUNITION."

Introduced by: Representatives Mizuno and Brower.

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

Introduced by: Representatives Mizuno, McKelvey, Rhoads, Brower, Carroll and Takumi.

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

Introduced by: Representatives Mizuno, McKelvey, Brower, Carroll, Rhoads and Takumi.

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

Introduced by: Representative Tsuji.

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

Introduced by: Representative Tsuji.

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

Introduced by: Representative Tsuji.

94 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Representative Rhoads.

95 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Representative Rhoads.

96 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Representative Rhoads.

97 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Representative Rhoads.

98 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Representative Rhoads.

99 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Representative Rhoads.

100 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Rhoads.

101 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Representative Rhoads.

102 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Representative Rhoads.

103 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Representative Rhoads.

104 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Representative Rhoads.

105 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Representative Rhoads.

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

Introduced by: Representative Rhoads.

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

Introduced by: Representative Rhoads.

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

Introduced by: Representative Rhoads.

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

Introduced by: Representative Rhoads.

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

Introduced by: Representative Rhoads.

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

Introduced by: Representative Rhoads.

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

Introduced by: Representative Rhoads.

113 "A BILL FOR AN ACT RELATING TO CONDOMINIUM HOTELS."

Introduced by: Representative Evans.

114 "A BILL FOR AN ACT RELATING TO SOLID WASTE POLLUTION."

Introduced by: Representative Evans.

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

Introduced by: Representative Evans.

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

Introduced by: Representative Evans.

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

Introduced by: Representative Evans.

INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 6) was announced by the Clerk and the following action taken:

H.R. No. 6, entitled: "HOUSE RESOLUTION ADOPTING THE RULES OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FIFTH LEGISLATURE, INCLUDING THE OPERATING PROCEDURES FOR THE SELECT COMMITTEE ON STANDARDS OF CONDUCT," was jointly offered by Representatives B. Oshiro and Finnegan.

On motion by Representative B. Oshiro, seconded by Representative Finnegan and carried, H.R. No. 6 was adopted with Representative McKelvey being excused.

By unanimous consent, the following resolution (H.R. No. 7) and concurrent resolution (H.C.R No. 3) were referred to Printing and further action was deferred:

H.R. No. 7, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ESTABLISH A POLICY OF NONDISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION FOR MEMBERS OF THE UNITED STATES ARMED FORCES," was jointly offered by Representatives Mizuno, B. Oshiro, Takumi and Chong.

H.C.R. No. 3, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ESTABLISH A POLICY OF NONDISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION FOR MEMBERS OF THE UNITED STATES ARMED FORCES," was jointly offered by Representatives Mizuno, Luke, B. Oshiro, Takumi, Brower and Chong.

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker and colleagues, on behalf of the Co-Chair of the Small Business Caucus, Angus McKelvey, who is busy making a speech on Maui, we'd like to announce signing of bills tomorrow morning at 9:00 to 12:00. Bring your own bills, the BYOB is still on. But there will be a number of them in Room 309. Tomorrow morning, Room 309 until noon. Thank you, Mr. Speaker."

Representative Carroll: "Thank you, Mr. Speaker. I have an announcement that the Legislative Hawaiian Caucus is having a *kukakuka* meeting in Room 309 today at 4pm. The topic is the ceded lands issue. We have Bill Meheula and Sherry Broder from OHA, as well as the Attorney General, who will be discussing this with the Hawaiian Caucus. So, we'd like to invite all of you to join us. Thank you, very much."

Representative Lee: "I'd like to announce that we have bill signing all day today in Room 434 for both the Women's Caucus and the Kupuna Caucus, and all members are invited to join."

Representative Thielen: "Thank you, Mr. Speaker. I'd like to announce the Climate Change Caucus for all of those who are freezing in here. The Climate Change Caucus bills are available for signing in Room 443, until 4:30 today, and then they're going to be filed."

Representative Ching: "Thank you, Mr. Speaker. The Heritage Caucus would also like to announce bill signing tomorrow, starting at 10:00, I believe, until 2:00 in Room 437, and I encourage everyone to come and sign their bills."

Representative Takai: "Thank you, Mr. Speaker. I was a little disappointed today. When I looked on my desk there were no bills. I know we're doing this paper streamlining project, but I do want to thank a staff member of mine, Desiree Borja, who came yesterday morning at 4:00 am to be very first to file bills. So, we have House Bill No. 1, and it's because of her initiative and willingness to come in that early, and so I want to thank you and thank her."

Representative Mizuno: "Thank you, Mr. Speaker. I just want to remind everyone that Keiki Caucus bill signing is until 2:00 pm today in Conference Room 224. Thank you."

ADJOURNMENT

At 12:14 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, January 23, 2009. (Representative McKelvey was excused.)

THIRD DAY

Friday, January 23, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:06 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Eshin Matsumoto of Palolo Kwannon Temple, after which the Roll was called showing all Members present.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 205 through 212) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 205, dated January 21, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Act 213, Session Laws of Hawaii 2007, (H.B. 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. 206, dated January 21, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Section 342G-102.5(h), 342G-114.5(b), and 342G-123, Hawaii Revised Statutes, Requiring the Department of Health to Give a Report on the Activities of the Deposit Beverage Container Program.

Gov. Msg. No. 207, dated January 21, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Section 2, Act 264, Session Laws of Hawaii, 2007, Requiring the Department of Health and the University of Hawaii to Prepare a Detailed Accounting of All Revenues and Expenditures of the Hawaii Tobacco Settlement Special Fund.

Gov. Msg. No. 208, dated January 21, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, 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. 209, dated January 22, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Chapter 321-33, Section 2, Hawaii Revised Statutes, Requiring the Department of Health to Submit a Report on Shaken Baby Syndrome.

Gov. Msg. No. 210, dated January 22, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Chapter 321H-4, Hawaii Revised Statutes, Requiring the Department of Health to Provide an Annual Report on Activities Under the Neurotrauma Special Fund.

Gov. Msg. No. 211, dated January 16, 2009, transmitting the Department of Taxation's Annual Report as required by Act 213, Session laws of Hawaii (SLH) 2007, Section 120.

Gov. Msg. No. 212, dated January 7, 2009, transmitting the Department of Taxation's Annual Report as required by Act 213, SLH 2007, Section 121.

INTRODUCTIONS

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

The following student shadows participating in the Future Leaders Exchange Program (FLEX) were introduced:

Representative Awana introduced her 'shadow,' Mr. Amgad Abdullah of Yemen attending Kapolei High School.

Representative Brower introduced his 'shadow,' Ms. Leen Al Yaman of Lebanon, accompanied by legislative staff Ms. Jenna Takenouchi and Ms. Cynthia Nyross.

Representative Rhoads introduced his 'shadow,' Ms. Ekaterina Aleksashenkova of Russia attending Castle High School.

Representative Aquino introduced his 'shadow,' Mr. Hussein Alkaff of Yemen.

Representative C. Lee introduced his 'shadow,' Ms. Aziza Artykov of Kyrgyzstan.

Representative Bertram introduced his 'shadow,' Ms. Saniya Bopiyeva of Kazakhstan attending Aiea High School.

Representative Berg introduced her 'shadow,' Ms. Netsanet 'Nina' Woldu of Ethiopia.

Representative Nakashima introduced his 'shadow,' Mr. Dorin Gaibu of Moldova attending Konawaena High School.

Representative M. Lee introduced her 'shadow,' Ms. Shahlo Hamraeva of Uzbekistan attending Kapolei High School, accompanied by legislative staff Ms. Bree Davis.

Representative Tokioka introduced his 'shadow,' Ms. Safiya Ismael of Israel.

Representative Tsuji introduced his 'shadow,' Ms. Taisiya Merkulova of Russia attending Honokaa High School, accompanied by legislative intern Ms. Tehani Ah Loy of UH Hilo.

Representative Ward introduced his 'shadow,' Ms. Tetyana Shekhovtsova of Ukraine attending Keaau High School.

Representative Manahan introduced his 'shadow,' Ms. Nataliya Protyven of Ukraine attending Radford High School, accompanied by legislative staff Ms. Lori Tomczyk.

Representative Carroll introduced her 'shadow,' Ms. Tatiana Romanchenko of Turkmenistan attending Mililani High School.

Representative Evans introduced her 'shadow,' Ms. Shaista Shahbaz of Parkistan.

Representative Mizuno introduced his 'shadow,' Ms. Radna Sodnomova of Russia, accompanied by legislative intern Ms. Arianne Camero of the University of Hawaii.

Representative Marumoto introduced her 'shadow,' Ms. Flora Soghoyan of Armenia attending the Le Jardin Academy.

Representative Magaoay introduced his 'shadow,' Mr. Serhiy Pozniyakou of Ukraine attending the Academy of the Pacific, accompanied by legislative staff Ms. Jody Fomin and Ms. Clarice Purcell.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.B. Nos.	Referred to:

1 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

2 Committee on Transportation, then to the Committee on Finance

3 Committee on Water, Land, & Ocean Resources, then to the Committee on Higher Education, then to the Committee on Finance

4 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Tourism, Culture & International Affairs, then to the Committee on Finance

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

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

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

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

9 Committee on Transportation, then to the Committee on Judiciary

10 Committee on Public Safety, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

11 Committee on Education, then to the Committee on Judiciary

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

13 Committee on Education, then to the Committee on Judiciary

14 Committee on Transportation, then to the Committee on Judiciary

15 Committee on Transportation, then to the Committee on Judiciary

16 Committee on Transportation, then to the Committee on Judiciary

17 Committee on Transportation, then to the Committee on Judiciary

18 Committee on Transportation, then to the Committee on Judiciary

19 Committee on Judiciary, then to the Committee on Finance

20 Committee on Transportation, then to the Committee on Judiciary

21 Committee on Economic Revitalization, Business & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

22 Committee on Judiciary

23 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

24 Committee on Judiciary, then to the Committee on Finance

25 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

26 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

27 Committee on Public Safety, then to the Committee on Tourism, Culture & International Affairs, then to the Committee on Finance

28 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

29 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

30 Committee on Judiciary

31 Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

32 Committee on Finance

33 Committee on Finance

34 Committee on Finance

35 Committee on Finance

36 Committee on Health, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

37 Committee on Judiciary, then to the Committee on Finance

38 Committee on Finance

39 Committee on Finance

40 Committee on Finance

41 Committee on Finance

42 Committee on Finance

43 Committee on Finance

44 Committee on Finance

45 Committee on Finance

46 Committee on Finance

47 Committee on Water, Land, & Ocean Resources

48 Committee on Judiciary, then to the Committee on Finance

49 Committee on Consumer Protection & Commerce

50 Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

51 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

52 Committee on Education, then to the Committee on Finance

53 Committee on Transportation, then to the Committee on Judiciary

54 Committee on Judiciary

55 Committee on Judiciary, then to the Committee on Finance

56 Committee on Consumer Protection & Commerce

57 Committee on Transportation, then to the Committee on Judiciary

58 Committee on Consumer Protection & Commerce

59 Committee on Legislative Management, then to the Committee on Judiciary

60 Committee on Transportation, then to the Committee on Judiciary

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

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

63 Committee on Transportation, then to the Committee on Judiciary

64 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

65 Committee on Transportation, then to the Committee on Judiciary

66 Jointly to the Committee on Housing and the Committee on Health, then to the Committee on Judiciary

67 Jointly to the Committee on Housing and the Committee on Health, then to the Committee on Consumer Protection & Commerce

68 Jointly to the Committee on Transportation and the Committee on Health, then to the Committee on Judiciary

69 Committee on Judiciary, then to the Committee on Finance

70 Committee on Judiciary

71 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

72 Committee on Housing, then to the Committee on Judiciary

73 Committee on Economic Revitalization, Business & Military Affairs, then to the Committee on Consumer Protection & Commerce

74 Committee on Judiciary

75 Committee on Transportation, then to the Committee on Judiciary

76 Committee on Transportation, then to the Committee on Judiciary

77 Committee on Transportation, then jointly to the Committee on Housing and the Committee on Health, then to the Committee on Finance

78 Committee on Tourism, Culture & International Affairs, then to the Committee on Finance

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

80 Committee on Agriculture, then to the Committee on Judiciary

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

82 Committee on Economic Revitalization, Business & Military Affairs, then to the Committee on Finance

83 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

84 Committee on Judiciary

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

86 Committee on Education, then to the Committee on Judiciary

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

88 Committee on Public Safety, then to the Committee on Judiciary, then to the Committee on Finance

89 Committee on Transportation, then to the Committee on Judiciary

90 Committee on Transportation, then to the Committee on Judiciary

91 Committee on Agriculture

92 Committee on Agriculture

93 Committee on Agriculture

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

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

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

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

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

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

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

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

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

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

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

106 Committee on Labor & Public Employment

107 Committee on Labor & Public Employment

108 Committee on Labor & Public Employment

109 Committee on Labor & Public Employment

110 Committee on Labor & Public Employment

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

112 Committee on Housing, then to the Committee on Legislative Management, then to the Committee on Finance

113 Committee on Tourism, Culture & International Affairs, then to the Committee on Consumer Protection & Commerce

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

115 Committee on Energy & Environmental Protection, then to the Committee on Public Safety, then to the Committee on Finance

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

117 Committee on Judiciary

118 Committee on Higher Education

119 Committee on Higher Education

120 Committee on Higher Education

121 Committee on Higher Education

122 Committee on Higher Education

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

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

125 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Transportation, then to the Committee on Finance

126 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources

127 Committee on Water, Land, & Ocean Resources, then to the Committee on Agriculture

128 Committee on Judiciary

129 Committee on Transportation, then to the Committee on Judiciary

130 Committee on Judiciary

131 Committee on Judiciary, then to the Committee on Finance

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

133 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Consumer Protection & Commerce

134 Committee on Transportation, then to the Committee on Judiciary

135 Committee on Tourism, Culture, & International Affairs

136 Committee on Judiciary, then to the Committee on Finance

137 Committee on Consumer Protection & Commerce

138 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary

139 Committee on Transportation, then to the Committee on Finance

H.R. No. **Referred to:**

7 Committee on Economic Revitalization, Business & Military Affairs, then to the Committee on Judiciary

H.C.R. No. **Referred to:**

3 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary

INTRODUCTION OF BILLS

On motion by Representative Evans, seconded by Representative Pine and carried, the following bills (H.B. Nos. 118 through 283) passed First Reading by title and were referred to Printing: (Representatives Chang, Herkes and M. Oshiro were excused.)

H.B. Nos.

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

Introduced by: Representative Chang.

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

Introduced by: Representative Chang.

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

Introduced by: Representative Chang.

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

Introduced by: Representative Chang.

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

Introduced by: Representative Chang.

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

Introduced by: Representatives Chang, Evans, Manahan, Sagum, Berg, Hanohano, Herkes, Ito, McKelvey, Nakashima, Rhoads and Souki.

124 "A BILL FOR AN ACT RELATING TO HEALTH PROFESSIONAL EDUCATION."

Introduced by: Representatives Chang, Berg, Evans, Ito, Manahan, Sagum, Hanohano, Herkes, McKelvey, Nakashima, Nishimoto, Rhoads, Souki and Takumi.

125 "A BILL FOR AN ACT RELATING TO OCEAN RECREATION AND COASTAL AREAS PROGRAMS."

Introduced by: Representative Sagum, by request.

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

Introduced by: Representatives Sagum, Awana, Chang, Hanohano, Ito, Magaoay, Mizuno, Morita and Yamashita.

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

Introduced by: Representatives Sagum, Mizuno, Awana, Chang, Hanohano, Ito, Magaoay, Tokioka and Yamashita.

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

Introduced by: Representatives B. Oshiro and Karamatsu.

129 "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY."

Introduced by: Representative B. Oshiro.

130 "A BILL FOR AN ACT RELATING TO JUDGMENTS."

Introduced by: Representatives B. Oshiro, Karamatsu and Manahan.

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

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

132 "A BILL FOR AN ACT RELATING TO QUALIFIED TUITION PROGRAMS."

Introduced by: Representative B. Oshiro.

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

Introduced by: Representatives B. Oshiro, Coffman, Wakai and Herkes.

134 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING."

Introduced by: Representative B. Oshiro.

135 "A BILL FOR AN ACT RELATING TO THE STATE INSECT."

Introduced by: Representative B. Oshiro and Karamatsu.

136 "A BILL FOR AN ACT RELATING TO GRAFFITI."

Introduced by: Representatives B. Oshiro, Karamatsu, Manahan, Nishimoto, Takumi, Wakai, Aquino and Rhoads.

137 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representatives McKelvey and Herkes.

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

Introduced by: Representatives McKelvey, Bertram, Coffman, Evans, Herkes, Nakashima, Souki and Tsuji.

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

Introduced by: Representatives Cabanilla, Awana, Evans, Hanohano, Nakashima and Souki.

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

Introduced by: Representatives Souki, Awana and Brower.

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

Introduced by: Representative Souki, by request.

142 "A BILL FOR AN ACT RELATING TO INTRA-STATE AVIATION."

Introduced by: Representatives Souki, McKelvey, Yamashita and Awana.

143 "A BILL FOR AN ACT RELATING TO THE USE OF MOBILE PHONES AND ELECTRONIC DEVICES WHILE DRIVING."

Introduced by: Representatives Souki, Hanohano, M. Lee, Rhoads, Aquino, Nakashima, Pine, Takumi and Yamashita.

144 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Representatives Souki, Awana and Bertram.

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

Introduced by: Representatives Souki, Awana, Chong, Har, Ito, McKelvey, Tsuji, Yamashita and Nakashima.

146 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO PERMIT GAMBLING IN THE STATE."

Introduced by: Representatives Souki, Chang, Herkes, McKelvey, Mizuno, Sagum, Har, Ito, Say and Yamashita.

147 "A BILL FOR AN ACT RELATING TO THEFT IN THE SECOND DEGREE."

Introduced by: Representatives Say and Souki.

148 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATING TO EDUCATION."

Introduced by: Representative Takai.

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

Introduced by: Representative Takai.

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

Introduced by: Representative Takai.

151 "A BILL FOR AN ACT RELATING TO THE JUNIOR RESERVE OFFICERS' TRAINING CORPS."

Introduced by: Representative Takai.

152 "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO THE HAWAII CONSTITUTION RELATING TO EDUCATION."

Introduced by: Representative Takai.

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

Introduced by: Representative Takai.

154 "A BILL FOR AN ACT RELATING TO INCOME TAX CHECK-OFF."

Introduced by: Representative Takai.

155 "A BILL FOR AN ACT RELATING TO INFANT AND TODDLER CHILD CARE CENTERS."

Introduced by: Representative Takai.

156 "A BILL FOR AN ACT RELATING TO VEHICLES."

Introduced by: Representative Takai.

157 "A BILL FOR AN ACT RELATING TO PUBLIC RECORDS."

Introduced by: Representative Takai.

158 "A BILL FOR AN ACT RELATING TO DEPARTMENT OF TOURISM."

Introduced by: Representative Takai, by request.

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

Introduced by: Representative Takai.

160 "A BILL FOR AN ACT RELATING TO JURORS."

Introduced by: Representative Takai.

161 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION REGARDING THE CONVENING OF REGULAR LEGISLATIVE SESSIONS IN A PRESIDENTIAL INAUGURATION YEAR."

Introduced by: Representative Takai.

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

Introduced by: Representative Takai.

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

Introduced by: Representative Takai.

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

Introduced by: Representative Takai.

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

Introduced by: Representative Cabanilla.

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

Introduced by: Representative Cabanilla.

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

Introduced by: Representative Cabanilla.

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

Introduced by: Representative Cabanilla.

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

Introduced by: Representative Cabanilla.

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

Introduced by: Representative Choy.

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

Introduced by: Representatives Shimabukuro and Brower.

172 "A BILL FOR AN ACT RELATING TO RECONSTITUTING SCHOOLS."

Introduced by: Representative Takumi.

173 "A BILL FOR AN ACT RELATING TO SCHOOL MEALS."

Introduced by: Representative Takumi.

174 "A BILL FOR AN ACT RELATING TO SALARY RANGES FOR TEACHERS."

Introduced by: Representative Takumi.

175 "A BILL FOR AN ACT RELATING TO SALARY INCREASES FOR TEACHERS AND EDUCATIONAL OFFICERS."

Introduced by: Representative Takumi.

176 "A BILL FOR AN ACT RELATING TO SCHOOL BUSES."

Introduced by: Representatives Wooley, Berg, M. Lee and Takumi.

177 "A BILL FOR AN ACT RELATING TO CAUSES FOR DISCHARGE OR DEMOTION OF TEACHERS."

Introduced by: Representative Takumi.

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

Introduced by: Representative Takumi.

179 "A BILL FOR AN ACT RELATING TO SCHOOL FACILITIES."

Introduced by: Representative Takumi.

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

Introduced by: Representatives Takumi and Berg.

181 "A BILL FOR AN ACT RELATING TO THE FEDERAL GRANTS REVOLVING FUND."

Introduced by: Representative Takumi.

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

Introduced by: Representatives Takumi and Berg.

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

Introduced by: Representative Takumi.

184 "A BILL FOR AN ACT RELATING TO TEACHER EDUCATION COORDINATING COMMITTEE."

Introduced by: Representative Takumi.

185 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-SECOND REPRESENTATIVE DISTRICT."

Introduced by: Representative Saiki.

186 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO ESTABLISH LEGISLATIVE TERM LIMITS."

Introduced by: Representative Saiki.

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

Introduced by: Representative Saiki.

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

Introduced by: Representative Saiki.

189 "A BILL FOR AN ACT RELATING TO SUSTAINABILITY."

Introduced by: Representatives Saiki, Coffman and Morita.

190 "A BILL FOR AN ACT RELATING TO MARIJUANA POSSESSION."

Introduced by: Representatives B. Oshiro, Bertram, Hanohano, Luke and Morita.

191 "A BILL FOR AN ACT RELATING TO AQUARIUM AQUATIC LIFE."

Introduced by: Representatives B. Oshiro, Brower, C. Lee, M. Lee, Luke, Magaoay, Mizuno, Morita, Thielen, Keith-Agaran and Wooley.

192 "A BILL FOR AN ACT RELATING TO CONFIDENTIALITY OF PATIENT PRESCRIPTION INFORMATION."

Introduced by: Representatives B. Oshiro, Herkes, Karamatsu, Mizuno, Takumi and Yamane.

193 "A BILL FOR AN ACT RELATING TO PROCUREMENT PROTESTS."

Introduced by: Representatives B. Oshiro, Magaoay, McKelvey, Mizuno and Herkes.

194 "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYMENT ORGANIZATIONS."

Introduced by: Representatives B. Oshiro, McKelvey and Yamashita.

195 "A BILL FOR AN ACT RELATING TO GAMBLING."

Introduced by: Representatives B. Oshiro and Choy.

196 "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT."

Introduced by: Representatives B. Oshiro, Coffman, C. Lee, Aquino, Choy, Nakashima and Wooley.

197 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representative B. Oshiro.

198 "A BILL FOR AN ACT RELATING TO VEHICLE AUDIO EQUIPMENT."

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

199 "A BILL FOR AN ACT RELATING TO WILDLIFE."

Introduced by: Representatives M. Oshiro, M. Lee, Magaoay and Yamane.

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

Introduced by: Representative Say, by request.

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

Introduced by: Representative M. Oshiro.

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

Introduced by: Representative M. Oshiro.

203 "A BILL FOR AN ACT RELATING TO WIRELESS ENHANCED 911."

Introduced by: Representative Evans.

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

Introduced by: Representative Evans.

205 "A BILL FOR AN ACT RELATING TO WIRELESS ENHANCED 911."

Introduced by: Representative Evans.

206 "A BILL FOR AN ACT RELATING TO CONSUMER CREDIT REPORTING AGENCIES."

Introduced by: Representative Evans.

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

Introduced by: Representative Evans.

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

Introduced by: Representative Evans.

209 "A BILL FOR AN ACT RELATING TO STARLIGHT RESERVE."

Introduced by: Representatives Evans, Carroll, Chang and Nakashima.

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

Introduced by: Representatives Evans and Nakashima.

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

Introduced by: Representative Evans.

212 "A BILL FOR AN ACT RELATING TO FARMERS."

Introduced by: Representatives Evans, Bertram, Nakashima and Sagum.

213 "A BILL FOR AN ACT RELATING TO DEVELOPMENT."

Introduced by: Representatives Evans, Bertram, Nakashima and Sagum.

214 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR WAILUA EMERGENCY BYPASS ROAD REPAIR AND RESURFACING, AND WAIMEA WASTEWATER TREATMENT PLANT UPGRADES FOR THE COUNTY OF KAUA‘I."

Introduced by: Representative Say, by request.

215 "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCING."

Introduced by: Representative Say, by request.

216 "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCING."

Introduced by: Representative Say, by request.

217 "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCING."

Introduced by: Representative Say, by request.

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

Introduced by: Representative Say, by request.

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

Introduced by: Representative Say, by request.

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

Introduced by: Representative Say, by request.

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

Introduced by: Representative Say, by request.

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

Introduced by: Representatives Ward, Brower, Cabanilla, Bertram, Carroll, Chang, Evans, Karamatsu, M. Lee, Magaoay, Marumoto, Nakashima, Sagum and Shimabukuro.

223 "A BILL FOR AN ACT RELATING TO CELLULAR PHONE SAFETY."

Introduced by: Representatives Ward, Brower, Marumoto, Shimabukuro, Belatti, Bertram, Carroll, Evans, Finnegan, M. Lee, Magaoay and Nakashima.

224 "A BILL FOR AN ACT RELATING TO THE RENEWABLE ENERGY FACILITY SITING PROCESS."

Introduced by: Representatives Ward, Bertram, Brower, Cabanilla, Chang, Finnegan, Karamatsu, Marumoto, Shimabukuro, Thielen, Carroll, Evans, M. Lee, Magaoay and Sagum.

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

Introduced by: Representatives Hanohano, Awana, Har, Herkes, Magaoay, Morita, Rhoads, Berg, Bertram, Carroll, Chong, C. Lee, Manahan, Takumi and Yamane.

226 "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA."

Introduced by: Representatives Hanohano and Bertram.

227 "A BILL FOR AN ACT RELATING TO MARIJUANA."

Introduced by: Representatives Hanohano and Bertram.

228 "A BILL FOR AN ACT RELATING TO MURDER."

Introduced by: Representatives Hanohano and Aquino.

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

Introduced by: Representatives Hanohano and Aquino.

230 "A BILL FOR AN ACT RELATING TO PARKING FOR PERSONS WITH DISABILITIES."

Introduced by: Representatives Hanohano, Berg and Mizuno.

231 "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES."

Introduced by: Representatives Hanohano, Berg, Bertram, Morita, Awana, Evans, Nakashima, Saiki, Souki and Yamane.

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

Introduced by: Representatives Hanohano, Awana, Berg, Bertram, Cabanilla, Evans, Morita, Takumi, Yamane, Nakashima, Saiki and Souki.

233 "A BILL FOR AN ACT RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT."

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

235 "A BILL FOR AN ACT RELATING TO A PORT AUTHORITY."

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

240 "A BILL FOR AN ACT MAKING A GRANT-IN-AID APPROPRIATION TO THE COUNTIES TO FINANCE DROUGHT MITIGATION PROJECTS AND MEASURES."

Introduced by: Representatives Tsuji, Berg, Chang, Evans, Herkes, Ito, Magaoay, Manahan, Morita, Nakashima, Tokioka, Wakai, Wooley, Yamashita, Choy and McKelvey.

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

Introduced by: Representatives Tsuji, Chang, Evans, Herkes, Ito, Magaoay, Manahan, McKelvey, Morita, Nakashima, Tokioka, Wakai, Wooley, Yamashita and Berg.

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

Introduced by: Representatives Tsuji, Chang, Ito, Magaoay, Manahan, McKelvey, Morita, Wooley, Yamashita, Berg, Choy, Evans, Herkes, Nakashima and Tokioka.

243 "A BILL FOR AN ACT RELATING TO IRRIGATION SYSTEMS."

Introduced by: Representatives Tsuji, Berg, Chang, Evans, Herkes, Ito, Magaoay, Manahan, McKelvey, Morita, Nakashima, Tokioka, Wakai, Wooley, Yamashita and Choy.

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

Introduced by: Representatives Tsuji, Evans, Herkes, Ito, Manahan, McKelvey, Morita, Nakashima, Tokioka, Wakai, Yamashita, Chang, Choy and Wooley.

245 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES."

Introduced by: Representatives Tsuji, Chang, Evans, Ito, Magaoay, Manahan, McKelvey, Nakashima, Wakai, Yamashita, Choy, Herkes and Tokioka.

246 "A BILL FOR AN ACT RELATING TO BIODIESEL FEEDSTOCK."

Introduced by: Representative Tsuji, by request.

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

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

249 "A BILL FOR AN ACT RELATING TO THE STATE PLAN."

Introduced by: Representative Herkes.

250 "A BILL FOR AN ACT RELATING TO LOANS FOR TEACHERS."

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

252 "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS."

Introduced by: Representative Herkes.

253 "A BILL FOR AN ACT RELATING TO HOTEL RENOVATION TAX CREDIT."

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

267 "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY."

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

270 "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT."

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

272 "A BILL FOR AN ACT RELATING TO THE HAWAII REGISTERED AGENTS ACT."

Introduced by: Representative Herkes.

273 "A BILL FOR AN ACT RELATING TO THE REAL ESTATE LICENSEES."

Introduced by: Representative Herkes.

274 "A BILL FOR AN ACT RELATING TO PATRIOT DAY."

Introduced by: Representatives Mizuno and Brower.

275 "A BILL FOR AN ACT RELATING TO MANDATORY REPORTING OF CHILD ABUSE AND NEGLECT."

Introduced by: Representatives Mizuno and Brower.

276 "A BILL FOR AN ACT RELATING TO CHILD WELFARE SERVICES."

Introduced by: Representatives Mizuno, Brower, Cabanilla, Pine, Ward, Aquino, Bertram and Keith-Agaran.

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

Introduced by: Representatives Mizuno, Brower, Cabanilla, Ching, Keith-Agaran, Marumoto, Pine, Thielen, Ward, Aquino, Bertram and Wooley.

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

Introduced by: Representatives Mizuno, Brower, Cabanilla, Ching, Keith-Agaran, Marumoto, Nakashima, Pine, Thielen, Ward, Aquino and Bertram.

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

Introduced by: Representative Morita.

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

Introduced by: Representative Morita.

281 "A BILL FOR AN ACT RELATING TO ENVIRONMENT."

Introduced by: Representative Morita.

282 "A BILL FOR AN ACT RELATING TO ENVIRONMENT."

Introduced by: Representative Morita.

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

Introduced by: Representative Morita.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 8 through 10) and concurrent resolutions (H.C.R Nos. 4 through 6) were referred to Printing and further action was deferred:

H.R. No. 8, entitled: "HOUSE RESOLUTION DESIGNATING THE FIRST WEEK IN FEBRUARY 2010 AS HAWAII TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK," was jointly offered by Representatives Mizuno, Brower, Cabanilla, Ching, Pine, Thielen, Aquino, Bertram and Keith-Agaran.

H.R. No. 9, entitled: "HOUSE RESOLUTION URGING FAITH-BASED ORGANIZATIONS TO NETWORK AND COOPERATE TO SUPPORT FOSTER FAMILIES IN HAWAII," was jointly offered by Representatives Mizuno, Brower, Cabanilla, Marumoto, Pine, Ward, Bertram and Keith-Agaran.

H.R. No. 10, entitled: "HOUSE RESOLUTION RECOGNIZING SEPTEMBER AS EDUCATION AND APPRECIATION AWARENESS MONTH IN HAWAII," was jointly offered by Representatives Mizuno, Brower, Cabanilla, Ching, Marumoto, Pine, Thielen, Aquino, Berg, Bertram and Keith-Agaran.

H.C.R. No. 4, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING THE FIRST WEEK IN FEBRUARY 2010 AS HAWAII TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK," was jointly offered by Representatives Mizuno, Brower, Cabanilla, Marumoto, Pine, Thielen, Bertram and Keith-Agaran.

H.C.R. No. 5, entitled: "HOUSE CONCURRENT RESOLUTION URGING FAITH-BASED ORGANIZATIONS TO NETWORK AND COOPERATE TO SUPPORT FOSTER FAMILIES IN HAWAII," was jointly offered by Representatives Mizuno, Brower, Cabanilla, Ching, Keith-Agaran, Marumoto, Pine, Ward, Aquino and Bertram.

H.C.R. No. 6, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING SEPTEMBER AS EDUCATION AND

APPRECIATION AWARENESS MONTH IN HAWAII," was jointly offered by Representatives Mizuno, Brower, Cabanilla, Marumoto, Pine, Thielen, Bertram and Keith-Agaran.

ANNOUNCEMENTS

Representative Ching: "Thank you, Mr. Speaker. The Heritage Caucus, Chair Cindy Evans and I, wanted to remind everybody that there still are bills to be signed at the Heritage Caucus.

"I would be remiss not to mention that this weekend starts the celebration of Chinese New Year, the Year of the Ox. And there are a few things that are going on. There is of course, an open house of Chinatown, with the blessings of our small businesses. There's the Chinese parade, the Chinatown parade that goes on, on Saturday.

"But I wanted to share something, because one of the things I share with one of my favorite colleagues in high school is, we're both the Year of the Ox. And this is our President who is the Year of the Ox, President Barry or Barack Obama.

"And I'd like to read just something about the ox, if you don't mind. I'm taking this from someone here, Fran Kirk. Kung Hee Fat Choy: Mine is the stabilizing force that perpetuates the cycle of life. I stand immobile against the test of adversity, resolute, and unimpeachable. I seek to serve integrity, to bear the burden of righteousness. I abide by the laws of nature, patiently pushing the wheel of fate. Thus I wave my destiny. Thus I am the Ox.' And that is our President.

"I just also wanted to mention that this is a beautiful example of heritage tourism, and I know that there has been some talk about that. If anyone has a chance, you'll see visitors and residents alike truly appreciating what's going on right nearby in Chinatown. Thank you."

ADJOURNMENT

At 12:32 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 9:00 o'clock a.m. Monday, January 26, 2009. (Representatives Chang, Herkes, M. Oshiro and Tokioka were excused.)

FOURTH DAY

Monday, January 26, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 9:05 o'clock a.m., with the Speaker presiding.

The invocation was delivered in song by Representative Finnegan, after which the Roll was called showing all Members present with the exception of Representatives Berg, Bertram, Sagum and Takumi, 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. 213 through 216) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 213, dated December 4, 2008, transmitting the Department of Land and Natural Resources' report on Activities Of The Kaneohe Bay Regional Council For The Year 2008 in response to Section 200D-5, Hawaii Revised Statutes.

Gov. Msg. No. 214, dated January 20, 2009, transmitting the Report from the Department of Transportation on Part I of Act 226, Session Laws of Hawaii 2008. The Report documents the Department of Transportation's activities and efforts relating to rental motor vehicle customer facilities at state airports.

Gov. Msg. No. 215, dated January 20, 2009, transmitting the Report from the Department of Transportation on Part II of Act 226, Session laws of Hawaii 2008. The Report contains the Department of Transportation's recommendations for additional revenue-generating initiatives that will replenish the State Highway Fund.

Gov. Msg. No. 216, dated January 22, 2009, transmitting the Department of Human Services' Report to the Legislature as required by Section 346-51.5, Hawaii Revised Statutes.

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, transmitting H.C.R No. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS DAYS FOR THE REGULAR SESSION OF 2009," which was adopted by the Senate on January 23, 2009.

Sen. Com. No. 2, transmitting 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 23, 2009.

Sen. Com. No. 3, transmitting S.C.R No. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO SUPPORT THE PRESIDENT'S PROPOSED ECONOMIC STIMULUS INITIATIVE INCREASING FEDERAL SUPPORT FOR THE MEDICAID PROGRAM," which was adopted by the Senate on January 23, 2009.

Representative B. Oshiro moved that S.C.R. No. 1 be adopted, seconded by Representative Evans.

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

"Mr. Speaker, I am standing in strong support. Mr. Speaker, this resolution, requesting the additional federal funds to assist us during this dire State of economy here is a great idea. I am in strong support, but I'd also like to extend our request for our current Administration to also consider increasing current Medicaid levels of standard for service. Thank you."

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

"Thank you, very much. Just standing in strong support and would ask the Clerk to please include the words of previous speaker enter the Journal as if they were my own."

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

"Mr. Speaker, I rise in support. I rise in support with the comment that as the new Administration takes place, obviously it's still a two Party system. Mr. Speaker, it would be nice to see a bit more of the Minority fingerprint in some of this, even though I know it may be the package. We've got to work together. This is the time that we need to all go shoulder to shoulder. Thank you."

Representative Marumoto rose, stating:

"A point of information. Are we adopting this Resolution?"

The Chair responded, stating:

"Yes, the motion before this Body is for the adoption on Senate Concurrent Resolution No. 1 so that we can fast-track this particular Resolution to our Congressional Delegation and the President."

Representative Marumoto continued, stating:

"Point of parliamentary inquiry. We generally send substantive resolutions to Committee and you are expediting this certain Senate Concurrent Resolution. I hope that you might also consider granting the same favor to Minority resolutions sometime in the future."

Speaker Say: "It all depends on the referral process, Representative Marumoto."

The motion was put to vote by the Chair and carried, and S.C.R. No. 1 was adopted with Representatives Berg, Bertram, Sagum and Takumi being excused.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 51) was received by the Clerk and was placed on file:

Dept. Com. No. 51, dated January 22, 2009, from David McClain, President, University of Hawaii System, transmitting the Annual Report on Hawai'i Tobacco Settlement Special Fund FY2008 (Act 264, Session Laws of Hawaii, 2007/Section 328L-2, Hawaii Revised Statutes) as requested by the Legislature.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

H.B. Nos.	Referred to:
140	Committee on Transportation, then to the Committee on Judiciary

141 Committee on Transportation, then to the Committee on Judiciary

142 Committee on Transportation, then to the Committee on Finance

143 Committee on Transportation, then to the Committee on Judiciary

144 Committee on Transportation, then to the Committee on Judiciary

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

146 Jointly to the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Tourism, Culture, & International Affairs, then to the Committee on Judiciary, then to the Committee on Finance

147 Committee on Judiciary

148 Committee on Education, then to the Committee on Judiciary

149 Committee on Consumer Protection & Commerce

150 Committee on Consumer Protection & Commerce

151 Committee on Education, then to the Committee on Finance

152 Committee on Education, then to the Committee on Judiciary

153 Committee on Transportation, then to the Committee on Judiciary

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

155 Committee on Human Services, then to the Committee on Judiciary

156 Committee on Transportation, then to the Committee on Judiciary

157 Committee on Judiciary

158 Jointly to the Committee on Tourism, Culture, & International Affairs and the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

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

160 Committee on Judiciary

161 Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance

162 Committee on Education, then to the Committee on Finance

163 Committee on Education, then to the Committee on Finance

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

165 Committee on Housing

166 Committee on Housing

167 Committee on Housing

168 Committee on Housing

169 Committee on Housing

170 Committee on Judiciary

171 Committee on Health, then jointly to the Committee on Tourism, Culture, & International Affairs and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

172 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

173 Committee on Education, then to the Committee on Finance

174 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

175 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

176 Committee on Education, then to the Committee on Transportation, then to the Committee on Finance

177 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

178 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

179 Committee on Education, then to the Committee on Finance

180 Committee on Education, then to the Committee on Finance

181 Committee on Education, then to the Committee on Finance

182 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

183 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

184 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

185 Committee on Finance

186 Committee on Legislative Management, then to the Committee on Judiciary

187 Committee on Finance

188 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

189 Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

190 Committee on Judiciary

191 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

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

193 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary

194 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

195 Committee on Judiciary

196 Committee on Legislative Management, then to the Committee on Judiciary

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

198 Committee on Transportation, then to the Committee on Judiciary

199 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

200 Committee on Finance

201 Committee on Judiciary

202 Committee on Housing, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

203 Committee on Public Safety, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

204 Committee on Judiciary

205 Committee on Public Safety, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Legislative Management, then to the Committee on Finance

206 Committee on Consumer Protection & Commerce

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

208 Committee on Consumer Protection & Commerce, then to the Committee on Finance

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

210 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

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

212 Committee on Agriculture, then to the Committee on Finance

213 Committee on Agriculture, then to the Committee on Finance

214 Committee on Finance

215 Committee on Judiciary, then to the Committee on Finance

216 Committee on Judiciary, then to the Committee on Finance

217 Committee on Judiciary

218 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

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

220 Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources

221 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

222 Committee on Higher Education, then to the Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

223 Committee on Transportation, then to the Committee on Judiciary

224 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources

225 Committee on Transportation, then to the Committee on Judiciary

226 Committee on Public Safety, then to the Committee on Judiciary

227 Committee on Judiciary

228 Committee on Judiciary

229 Committee on Human Services, then to the Committee on Judiciary

230 Committee on Health, then to the Committee on Transportation, then to the Committee on Judiciary

231 Committee on Public Safety, then to the Committee on Legislative Management

232 Committee on Public Safety, then to the Committee on Judiciary, then to the Committee on Finance

233 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

234 Committee on Housing, then to the Committee on Finance

235 Committee on Transportation, then to the Committee on Finance

236 Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

237 Committee on Agriculture, then to the Committee on Finance

238 Committee on Health, then to the Committee on Finance

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

240 Committee on Agriculture, then to the Committee on Finance

241 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Finance

242 Committee on Agriculture, then to the Committee on Higher Education, then to the Committee on Finance

243 Committee on Agriculture, then to the Committee on Finance

244 Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

245 Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Energy & Environmental Protection

246 Committee on Agriculture, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

247 Committee on Public Safety, then to the Committee on Finance

248 Committee on Water, Land, & Ocean Resources, then to the Committee on Consumer Protection & Commerce

249 Committee on Water, Land, & Ocean Resources, then jointly to the Committee on Tourism, Culture, & International Affairs and the Committee on Economic Revitalization, Business, & Military Affairs

250 Committee on Education, then to the Committee on Housing, then to the Committee on Finance

251 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture

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

253 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

254 Committee on Consumer Protection & Commerce

255 Committee on Agriculture, then to the Committee on Finance

256 Committee on Consumer Protection & Commerce

257 Committee on Consumer Protection & Commerce

258 Committee on Consumer Protection & Commerce

259 Committee on Consumer Protection & Commerce

260 Committee on Consumer Protection & Commerce

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

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

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

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

265 Committee on Health, then to the Committee on Finance

266 Committee on Consumer Protection & Commerce

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

268 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

269 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

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

271 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

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

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

274 Committee on Tourism, Culture, & International Affairs, then to the Committee on Public Safety

275 Committee on Human Services, then to the Committee on Judiciary

276 Committee on Housing, then to the Committee on Finance

277 Committee on Education, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

278 Committee on Education, then to the Committee on Finance

279 Committee on Energy & Environmental Protection

280 Committee on Energy & Environmental Protection

281 Committee on Energy & Environmental Protection

282 Committee on Energy & Environmental Protection

283 Committee on Energy & Environmental Protection

284 Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

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

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

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

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

289 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Housing

290 Committee on Judiciary, then to the Committee on Finance

291 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

292 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

293 Committee on Judiciary

294 Committee on Judiciary

295 Committee on Transportation, then to the Committee on Judiciary

296 Committee on Human Services, then to the Committee on Judiciary

297 Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

298 Committee on Judiciary, then to the Committee on Finance

299 Committee on Judiciary, then to the Committee on Finance

300 Committee on Judiciary, then to the Committee on Finance

301 Committee on Human Services, then to the Committee on Judiciary

302 Committee on Finance

303 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture and the Committee on Housing

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

305 Committee on Agriculture, then to the Committee on Judiciary, then to the Committee on Finance

306 Committee on Transportation, then to the Committee on Finance

307 Committee on Judiciary, then to the Committee on Finance

308 Jointly to the Committee on Judiciary and the Committee on Public Safety, then to the Committee on Finance

309 Committee on Judiciary

310 Committee on Health, then to the Committee on Judiciary

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

312 Committee on Public Safety, then to the Committee on Health, then to the Committee on Finance

313 Committee on Transportation, then to the Committee on Finance

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

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

316 Committee on Public Safety, then to the Committee on Agriculture, then to the Committee on Finance

317 Committee on Health, then to the Committee on Public Safety, then to the Committee on Finance

318 Jointly to the Committee on Agriculture and the Committee on Higher Education, then to the Committee on Finance

319 Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs

320 Committee on Health, then to the Committee on Finance

321 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

322 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

323 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

324 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

325 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

326 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

327 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

328 Committee on Health, then to the Committee on Finance

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

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

331 Committee on Housing, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

332 Committee on Labor & Public Employment, then to the Committee on Human Services, then to the Committee on Finance

333 Committee on Human Services, then to the Committee on Finance

334 Committee on Public Safety, then to the Committee on Finance

335 Committee on Public Safety, then to the Committee on Judiciary, then to the Committee on Finance

336 Committee on Public Safety, then to the Committee on Judiciary, then to the Committee on Finance

337 Committee on Tourism, Culture, & International Affairs

338 Committee on Tourism, Culture, & International Affairs

339 Committee on Tourism, Culture, & International Affairs

340 Committee on Tourism, Culture, & International Affairs

341 Committee on Tourism, Culture, & International Affairs

342 Committee on Transportation, then to the Committee on Finance

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

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

345 Committee on Judiciary, then to the Committee on Finance

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

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

348 Committee on Transportation, then to the Committee on Finance

349 Committee on Judiciary

350 Committee on Housing, then to the Committee on Consumer Protection & Commerce

351 Committee on Housing, then to the Committee on Finance

352 Committee on Tourism, Culture, & International Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance

353 Committee on Water, Land, & Ocean Resources

354 Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Transportation

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

356 Committee on Transportation, then to the Committee on Finance

357 Committee on Housing, then to the Committee on Labor & Public Employment, then to the Committee on Finance

358 Committee on Public Safety, then to the Committee on Judiciary, then to the Committee on Finance

359 Committee on Housing, then to the Committee on Judiciary

360 Committee on Housing, then to the Committee on Finance

361 Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources

362 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

363 Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

364 Committee on Legislative Management, then to the Committee on Judiciary

365 Committee on Consumer Protection & Commerce

366 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

367 Committee on Agriculture, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

368 Jointly to the Committee on Agriculture and the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Health, then to the Committee on Consumer Protection & Commerce

369 Jointly to the Committee on Agriculture and the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

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

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

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

373 Committee on Transportation

374 Committee on Transportation

375 Committee on Transportation

376 Committee on Transportation

377 Committee on Transportation

378 Committee on Transportation, then to the Committee on Finance

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

380 Committee on Judiciary

381 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

382 Committee on Judiciary, then to the Committee on Finance

383 Committee on Public Safety, then jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

384 Committee on Health, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

385 Committee on Judiciary

386 Committee on Public Safety, then to the Committee on Finance

387 Committee on Public Safety, then to the Committee on Finance

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

389 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, & Ocean Resources

390 Committee on Judiciary, then to the Committee on Finance

391 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

392 Committee on Education

393 Committee on Education

394 Committee on Education

395 Committee on Education, then to the Committee on Finance

396 Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

397 Committee on Public Safety, then to the Committee on Tourism, Culture, & International Affairs, then to the Committee on Judiciary

398 Committee on Public Safety, then to the Committee on Tourism, Culture, & International Affairs, then to the Committee on Judiciary

399 Committee on Agriculture

400 Committee on Agriculture

401 Committee on Education, then to the Committee on Finance

402 Committee on Water, Land, & Ocean Resources

403 Jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization, Business, & Military Affairs, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

404 Committee on Agriculture, then to the Committee on Finance

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

406 Jointly to the Committee on Labor & Public Employment and the Committee on Public Safety, then to the Committee on Finance

407 Jointly to the Committee on Public Safety and the Committee on Labor & Public Employment, then to the Committee on Finance

408 Committee on Public Safety, then to the Committee on Finance

409 Committee on Public Safety, then to the Committee on Legislative Management, then to the Committee on Finance

410 Committee on Public Safety, then to the Committee on Legislative Management, then to the Committee on Finance

411 Committee on Judiciary, then to the Committee on Finance

412 Committee on Public Safety, then to the Committee on Judiciary

413 Committee on Public Safety, then to the Committee on Finance

414 Committee on Public Safety, then to the Committee on Finance

415 Committee on Public Safety

416 Committee on Public Safety

417 Committee on Public Safety

418 Committee on Public Safety

419 Committee on Public Safety

420 Committee on Judiciary

421 Committee on Public Safety, then to the Committee on Judiciary

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

423 Committee on Health, then to the Committee on Judiciary

424 Committee on Energy & Environmental Protection, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

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

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

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

428 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

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

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

431 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Housing, then to the Committee on Finance

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

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

434 Committee on Housing, then to the Committee on Finance

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

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

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

438 Committee on Health, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

439 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

440 Committee on Health, then to the Committee on Finance

441 Committee on Human Services, then to the Committee on Judiciary

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

443 Committee on Housing, then to the Committee on Consumer Protection & Commerce

444 Committee on Judiciary

445 Committee on Water, Land, & Ocean Resources

446 Committee on Public Safety, then to the Committee on Consumer Protection & Commerce

447 Committee on Consumer Protection & Commerce, then to the Committee on Finance

448 Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

449 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

450 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance

451 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance

452 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance

453 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance

454 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

455 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

456 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

457 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Education, then to the Committee on Finance

458 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Consumer Protection & Commerce

459 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

460 Committee on Health, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

461 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance

462 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Transportation, then to the Committee on Finance

463 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

464 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

465 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

466 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

467 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

468 Committee on Judiciary, then to the Committee on Finance

469 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

470 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

471 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

472 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Transportation, then to the Committee on Finance

473 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

474 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

475 Committee on Water, Land, & Ocean Resources

476 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

477 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

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

479 Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

480 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance

481 Committee on Education, then to the Committee on Finance

482 Committee on Education, then to the Committee on Finance

483 Committee on Education, then to the Committee on Finance

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

485 Committee on Transportation, then to the Committee on Judiciary

486 Committee on Agriculture, then to the Committee on Judiciary

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

488 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

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

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

491 Committee on Energy & Environmental Protection, then to the Committee on Housing, then to the Committee on Finance

492 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

493 Committee on Education, then to the Committee on Finance

494 Committee on Judiciary

495 Committee on Legislative Management, then to the Committee on Judiciary

496 Committee on Legislative Management, then to the Committee on Judiciary

497 Committee on Judiciary, then to the Committee on Finance

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

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

500 Committee on Health, then to the Committee on Finance

501 Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

502 Committee on Transportation, then to the Committee on Judiciary

503 Committee on Water, Land, & Ocean Resources

504 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

505 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

506 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

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

508 Committee on Consumer Protection & Commerce, then to the Committee on Economic Revitalization, Business, & Military Affairs

509 Committee on Judiciary

510 Committee on Judiciary

511 Committee on Judiciary

512 Committee on Judiciary

513 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

514 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary

515 Committee on Public Safety, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

516 Committee on Public Safety, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

517 Committee on Judiciary

518 Committee on Public Safety, then to the Committee on Finance

519 Committee on Public Safety, then to the Committee on Finance

520 Committee on Water, Land, & Ocean Resources

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

522 Committee on Housing, then to the Committee on Judiciary

523 Committee on Water, Land, & Ocean Resources

524 Committee on Consumer Protection & Commerce, then to the Committee on Finance

525 Committee on Housing, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

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

527 Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

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

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

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

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

532 Committee on Health, then to the Committee on Judiciary

533 Committee on Health, then to the Committee on Judiciary

534 Committee on Health, then to the Committee on Transportation, then to the Committee on Judiciary

535 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

536 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

537 Committee on Energy & Environmental Protection, then to the Committee on Judiciary, then to the Committee on Finance

538 Committee on Judiciary

539 Committee on Judiciary

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

541 Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance

542 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

543 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

544 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Judiciary

545 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

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

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

548 Committee on Labor & Public Employment, then to the Committee on Human Services, then to the Committee on Finance

549 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

550 Committee on Water, Land, & Ocean Resources

551 Committee on Education, then to the Committee on Finance

552 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

553 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Health, then to the Committee on Finance

554 Committee on Finance

555 Committee on Finance

556 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

557 Committee on Transportation, then to the Committee on Judiciary

558 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

559 Committee on Finance

560 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

561 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

562 Committee on Finance

563 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Consumer Protection & Commerce

564 Committee on Consumer Protection & Commerce, then to the Committee on Finance

565 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

566 Committee on Housing, then to the Committee on Judiciary

567 Jointly to the Committee on Human Services and the Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

568 Committee on Judiciary

569 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance, then to the Committee on Judiciary

570 Committee on Water, Land, & Ocean Resources

571 Committee on Human Services, then to the Committee on Judiciary

572 Committee on Health, then to the Committee on Finance

573 Committee on Finance

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

575 Committee on Health, then to the Committee on Judiciary

576 Committee on Water, Land, & Ocean Resources

577 Committee on Water, Land, & Ocean Resources

578 Committee on Water, Land, & Ocean Resources

579 Committee on Water, Land, & Ocean Resources

580 Committee on Water, Land, & Ocean Resources

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

582 Committee on Judiciary

583 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

584 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection

585 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection

586 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

587 Committee on Health, then to the Committee on Judiciary

588 Committee on Finance

589 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection

590 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection

591 Jointly to the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

592 Committee on Water, Land, & Ocean Resources

593 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

594 Committee on Finance

595 Committee on Water, Land, & Ocean Resources

596 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

597 Committee on Health, then to the Committee on Judiciary

598 Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance

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

600 Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

601 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

602 Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs

603 Committee on Education, then to the Committee on Finance

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

605 Committee on Finance

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

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

608 Committee on Health, then to the Committee on Judiciary

609 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

610 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

611 Committee on Finance

612 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture

613 Committee on Judiciary

614 Committee on Judiciary

615 Committee on Judiciary

616 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

617 Committee on Transportation, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

618 Committee on Consumer Protection & Commerce, then to the Committee on Finance

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

620 Committee on Judiciary, then to the Committee on Finance

621 Committee on Judiciary, then to the Committee on Finance

622 Committee on Judiciary

623 Committee on Judiciary, then to the Committee on Finance

624 Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Judiciary

625 Committee on Judiciary, then to the Committee on Finance

626 Committee on Judiciary, then to the Committee on Finance

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

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

629 Committee on Labor & Public Employment, then to the Committee on Judiciary

630 Committee on Judiciary

631 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

632 Committee on Economic Revitalization, Business, & Military Affairs

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

634 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

635 Committee on Health, then to the Committee on Finance

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

637 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

638 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

639 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

640 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Transportation

641 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

642 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

643 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

644 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

645 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

646 Committee on Agriculture, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

647 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture

648 Committee on Water, Land, & Ocean Resources

649 Committee on Tourism, Culture, & International Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

650 Committee on Education, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

651 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

652 Committee on Health, then to the Committee on Finance

653 Committee on Health, then to the Committee on Finance

654 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

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

656 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

657 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance

658 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

659 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

660 Committee on Energy & Environmental Protection, then to the Committee on Agriculture

661 Committee on Human Services, then to the Committee on Finance

662 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

663 Committee on Agriculture, then to the Committee on Higher Education, then to the Committee on Finance

664 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

665 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

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

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

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

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

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

671 Committee on Water, Land, & Ocean Resources, then to the Committee on Transportation, then to the Committee on Finance

672 Committee on Health, then to the Committee on Finance

673 Committee on Hawaiian Affairs

674 Committee on Hawaiian Affairs

675 Committee on Hawaiian Affairs

676 Committee on Hawaiian Affairs

677 Committee on Hawaiian Affairs

678 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

679 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

680 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

681 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

682 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

683 Committee on Finance

684 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

685 Jointly to the Committee on Public Safety and the Committee on Labor & Public Employment, then to the Committee on Finance

686 Committee on Public Safety, then to the Committee on Finance

687 Committee on Health, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

688 Committee on Public Safety, then to the Committee on Judiciary, then to the Committee on Finance

689 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Education, then to the Committee on Finance

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

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

692 Committee on Health, then to the Committee on Finance

693 Committee on Health, then to the Committee on Finance

694 Committee on Health, then to the Committee on Finance

695 Committee on Health, then to the Committee on Finance

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

697 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Labor & Public Employment, then to the Committee on Finance

698 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Labor & Public Employment, then to the Committee on Finance

699 Committee on Health, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

700 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

701 Committee on Health, then to the Committee on Finance

702 Committee on Health, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

703 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance

704 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance

705 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance

706 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance

707 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Legislative Management, then to the Committee on Finance

708 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

709 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

710 Committee on Health

711 Committee on Health

712 Committee on Health

713 Committee on Health

714 Committee on Health

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

716 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

717 Jointly to the Committee on Public Safety and the Committee on Tourism, Culture, & International Affairs, then to the Committee on Judiciary

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

719 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Consumer Protection & Commerce

720 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance

721 Committee on Agriculture, then to the Committee on Higher Education, then to the Committee on Finance

722 Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

723 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

724 Committee on Human Services, then to the Committee on Finance

725 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary

726 Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

727 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

728 Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

729 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

730 Committee on Judiciary

731 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance

732 Committee on Human Services, then to the Committee on Finance

733 Committee on Finance

734 Committee on Human Services, then to the Committee on Finance

735 Committee on Economic Revitalization, Business, & Military Affairs, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

736 Committee on Human Services, then to the Committee on Finance

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

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

739 Committee on Human Services, then to the Committee on Finance

740 Committee on Judiciary, then to the Committee on Finance

741 Committee on Human Services, then to the Committee on Finance

742 Committee on Energy & Environmental Protection, then to the Committee on Education, then to the Committee on Finance

743 Committee on Education, then jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance

744 Committee on Human Services

745 Committee on Human Services

746 Committee on Human Services

747 Committee on Human Services

748 Committee on Human Services

749 Committee on Housing, then to the Committee on Finance

750 Committee on Judiciary

751 Committee on Judiciary

752 Committee on Judiciary

753 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

754 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

755 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

756 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

757 Committee on Education, then to the Committee on Finance

758 Committee on Transportation, then to the Committee on Judiciary

759 Committee on Transportation, then to the Committee on Finance

760 Committee on Finance

761 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

762 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

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

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

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

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

767 Committee on Tourism, Culture, & International Affairs, then to the Committee on Water, Land, & Ocean Resources

768 Committee on Transportation, then to the Committee on Finance

769 Committee on Water, Land, & Ocean Resources, then to the Committee on Transportation, then to the Committee on Finance

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

771 Committee on Transportation, then to the Committee on Judiciary

772 Jointly to the Committee on Agriculture and the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Consumer Protection & Commerce

773 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

774 Committee on Judiciary

775 Committee on Judiciary

776 Committee on Judiciary

777 Committee on Judiciary

778 Committee on Judiciary

779 Committee on Judiciary, then to the Committee on Finance

780 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary

781 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

782 Committee on Judiciary, then to the Committee on Finance

783 Committee on Legislative Management, then to the Committee on Judiciary

784 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

785 Committee on Legislative Management, then to the Committee on Judiciary

786 Committee on Judiciary

787 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

788 Committee on Judiciary

789 Committee on Judiciary

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

INTRODUCTION OF BILLS

On motion by Representative Evans, seconded by Representative Pine and carried, the following bills (H.B. Nos. 284 through 808) passed First Reading by title and were referred to Printing: (Representatives Berg, Bertram, Sagum and Takumi were excused.)

H. B. Nos.

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

Introduced by: Representatives Morita and Thielen.

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

Introduced by: Representatives Thielen, Awana, Cabanilla, Carroll, Ching, Keith-Agaran, C. Lee, McKelvey and Morita.

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

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

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

Introduced by: Representatives Thielen, Awana, Carroll, Ching, Keith-Agaran, C. Lee, Marumoto and McKelvey.

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

Introduced by: Representatives Thielen, Awana, Cabanilla, Carroll, Ching, Keith-Agaran, C. Lee, Marumoto and Morita.

289 "A BILL FOR AN ACT RELATING TO VERTICAL AXIS WIND TURBINES."

Introduced by: Representatives Thielen, C. Lee, Marumoto, Cabanilla and Morita.

290 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE JUDICIAL SELECTION COMMISSION."

Introduced by: Representative Say, by request.

291 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVI, SECTION 3.5, OF THE HAWAII CONSTITUTION, TO REQUIRE THE SALARY COMMISSION TO RECOMMEND SALARIES FOR THE ADMINISTRATIVE DIRECTOR AND DEPUTY ADMINISTRATIVE DIRECTOR OF THE COURTS."

Introduced by: Representative Say, by request.

292 "A BILL FOR AN ACT RELATING TO COMMISSION ON SALARIES."

Introduced by: Representative Say, by request.

293 "A BILL FOR AN ACT RELATING TO PROTECTIVE PROCEEDINGS."

Introduced by: Representative Say, by request.

294 "A BILL FOR AN ACT RELATING TO PERSONAL LIABILITY OF TRUSTEE TO THIRD PARTIES."

Introduced by: Representative Say, by request.

295 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVOCATION."

Introduced by: Representative Say, by request.

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

Introduced by: Representative Say, by request.

297 "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR JUVENILES."

Introduced by: Representative Say, by request.

298 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS FOR JUDICIARY FACILITIES STATEWIDE."

Introduced by: Representative Say, by request.

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

Introduced by: Representative Say, by request.

300 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Representative Say, by request.

301 "A BILL FOR AN ACT RELATING TO THE CHILDREN'S JUSTICE PROGRAM."

Introduced by: Representative Say, by request.

302 "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.

303 "A BILL FOR AN ACT RELATING TO AGRICULTURAL DISTRICTS."

Introduced by: Representative Sagum, by request.

304 "A BILL FOR AN ACT RELATING TO FORECLOSURES."

Introduced by: Representatives Bertram and Cabanilla.

305 "A BILL FOR AN ACT RELATING TO INDUSTRIAL HEMP."

Introduced by: Representatives Bertram, Thielen, Keith-Agaran and McKelvey.

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

Introduced by: Representatives Bertram, Coffman, Morita and Souki.

307 "A BILL FOR AN ACT RELATING TO VOTING BY MAIL."

Introduced by: Representatives Bertram and Karamatsu.

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

Introduced by: Representatives Bertram, Karamatsu and Keith-Agaran.

309 "A BILL FOR AN ACT RELATING TO FAMILY LAW."

Introduced by: Representatives Bertram and Karamatsu.

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

Introduced by: Representatives Herkes, McKelvey and Yamane.

311 "A BILL FOR AN ACT RELATING TO LIQUOR."

Introduced by: Representative Herkes.

312 "A BILL FOR AN ACT RELATING TO HAZARDOUS SUBSTANCES."

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

313 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

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

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

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

315 "A BILL FOR AN ACT RELATING TO VOLCANIC EMISSIONS."

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

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

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

317 "A BILL FOR AN ACT RELATING TO MOBILE MEDICAL CARE."

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

318 "A BILL FOR AN ACT RELATING TO VOG."

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

319 "A BILL FOR AN ACT RELATING TO FAMILY LEAVE."

Introduced by: Representatives M. Lee, Awana, Belatti, Brower, Cabanilla, Hanohano, Har, Keith-Agaran, Luke, Mizuno, Nakashima, Pine, Thielen, Berg and Marumoto.

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

Introduced by: Representatives M. Lee, Awana, Belatti, Brower, Hanohano, Keith-Agaran, Luke, Marumoto, Mizuno, Nakashima, Pine, Thielen, Berg and Har.

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

Introduced by: Representatives M. Lee, Awana, Belatti, Brower, Hanohano, Har, Keith-Agaran, Luke, Marumoto, Mizuno, Nakashima, Pine, Thielen and Berg.

322 "A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES."

Introduced by: Representatives M. Lee, Awana, Berg, Brower, Cabanilla, Hanohano, Keith-Agaran, Luke, Marumoto, Nakashima, Pine, Thielen and Har.

323 "A BILL FOR AN ACT RELATING TO KUPUNA CARE."

Introduced by: Representatives M. Lee, Awana, Belatti, Berg, Brower, Hanohano, Keith-Agaran, Luke, Marumoto, Mizuno, Nakashima, Pine, Thielen and Har.

324 "A BILL FOR AN ACT RELATING TO SENIOR CENTERS."

Introduced by: Representatives Mizuno, Awana, Brower, Hanohano, Keith-Agaran, M. Lee, Luke, Pine, Belatti and Har.

325 "A BILL FOR AN ACT RELATING TO ELDER CARE."

Introduced by: Representatives M. Lee, Luke, Har and Keith-Agaran.

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

Introduced by: Representatives M. Lee, Awana, Keith-Agaran, Luke and Har.

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

Introduced by: Representatives M. Lee, Brower, Carroll, Evans, Hanohano, Luke, Marumoto, Shimabukuro, Thielen, Belatti, Berg, Coffman, Finnegan, Keith-Agaran, Morita and Wooley.

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

Introduced by: Representatives M. Lee, Awana, Berg, Cabanilla, Carroll, Ching, Hanohano, Luke, Marumoto, Morita, Nishimoto, Pine, Shimabukuro, Thielen, Brower, Coffman, Evans, Har, Keith-Agaran and Nakashima.

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

Introduced by: Representatives Morita, Belatti, Berg, Carroll, Evans, Hanohano, M. Lee, Luke, Marumoto, Shimabukuro, Thielen, Wooley and Keith-Agaran.

330 "A BILL FOR AN ACT RELATING TO COMPREHENSIVE SEXUALITY HEALTH EDUCATION."

Introduced by: Representatives Morita, Awana, Belatti, Berg, Brower, Carroll, Evans, Hanohano, Luke, Marumoto, Nishimoto, Shimabukuro, Thielen, Cabanilla, Keith-Agaran and Wooley.

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

Introduced by: Representatives M. Lee, Belatti, Berg, Brower, Cabanilla, Evans, Finnegan, Hanohano, Luke, Marumoto, Morita, Nishimoto, Pine, Shimabukuro, Thielen, Wooley, Carroll, Keith-Agaran and Nakashima.

332 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Representatives M. Lee, Belatti, Berg, Carroll, Finnegan, Hanohano, Luke, Marumoto, Morita, Pine, Shimabukuro, Thielen, Wooley, Brower, Coffman, Evans, Keith-Agaran and Nakashima.

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

Introduced by: Representatives M. Lee, Belatti, Berg, Hanohano, Luke, Morita, Pine, Shimabukuro, Thielen, Wooley, Awana, Brower, Carroll, Evans, Har, Keith-Agaran and Marumoto.

334 "A BILL FOR AN ACT RELATING TO COMMUNITY REINTEGRATION."

Introduced by: Representatives Morita, Awana, Berg, Cabanilla, Carroll, Evans, Hanohano, Luke, Nishimoto, Pine, Shimabukuro, Thielen, Brower, Ching, Finnegan, Keith-Agaran, Nakashima and Wooley.

335 "A BILL FOR AN ACT RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM."

Introduced by: Representatives Marumoto, Brower, Cabanilla, Carroll, Hanohano, Har, Luke, Nishimoto, Pine, Shimabukuro, Thielen, Awana, Belatti, Berg, Ching, Coffman, Evans, Finnegan, Keith-Agaran, Morita and Wooley.

336 "A BILL FOR AN ACT RELATING TO DNA COLLECTION FOR ARRESTEES OF VIOLENT CRIMES."

Introduced by: Representatives Marumoto, Awana, Berg, Brower, Cabanilla, Carroll, Ching, Evans, Finnegan, Hanohano, Har, M. Lee, Morita, Nishimoto, Pine, Shimabukuro, Thielen, Coffman, Keith-Agaran, Luke and Wooley.

337 "A BILL FOR AN ACT RELATING TO CULTURE."

Introduced by: Representative Manahan.

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

Introduced by: Representative Manahan.

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

Introduced by: Representative Manahan.

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

Introduced by: Representative Manahan.

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

Introduced by: Representative Manahan.

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

Introduced by: Representatives Chang, Bertram, Chong, Coffman, Hanohano, Herkes, Ito, Magaoay, McKelvey, B. Oshiro, Sagum, Tokioka, Tsuji, Carroll, Evans, Nakashima, Say and Shimabukuro.

343 "A BILL FOR AN ACT RELATING TO RURAL PRIMARY HEALTH CARE TRAINING."

Introduced by: Representatives Chang, Bertram, Carroll, Chong, Coffman, Evans, Hanohano, Herkes, Ito, M. Lee, Magaoay, McKelvey, B. Oshiro, Sagum, Shimabukuro, Tsuji, Nakashima, Say, Souki, Takumi and Yamashita.

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

Introduced by: Representatives Chang, Sagum, Berg, Bertram, Coffman, Evans, Hanohano, Ito, Magaoay, Manahan, McKelvey, Mizuno, Nakashima, Nishimoto, Rhoads, Souki, Takumi, Tsuji and Yamashita.

345 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Representatives Chang, Bertram, Coffman, Evans, Herkes, Tsuji, Nakashima, Shimabukuro, Souki, Takumi and Yamashita.

346 "A BILL FOR AN ACT MAKING APPROPRIATIONS TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Chang, Bertram, Coffman, Hanohano, McKelvey, Nakashima, Tsuji, Carroll, Shimabukuro, Souki, Takumi and Yamashita.

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

Introduced by: Representatives Chang, Bertram, Hanohano, Magaoay, McKelvey, Nakashima, Tsuji, Coffman, Shimabukuro, Souki and Takumi.

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

Introduced by: Representatives Tsuji, Chang, Coffman, Evans, Hanohano, Nakashima, Tokioka, Choy and Herkes.

349 "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE."

Introduced by: Representatives Tsuji, Chang, Choy, Coffman, Evans, Hanohano, Herkes, Manahan and Nakashima.

350 "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE."

Introduced by: Representative Belatti.

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

Introduced by: Representatives Shimabukuro, Awana, Belatti, Carroll, Hanohano, Ito, Karamatsu, Keith-Agaran, Manahan, McKelvey, Mizuno, Morita, Nakashima, Nishimoto, Rhoads, Tsuji, Yamane, Aquino, Bertram, Chong and Har.

352 "A BILL FOR AN ACT RELATING TO STATE HOLIDAYS."

Introduced by: Representatives Shimabukuro, Awana, Bertram, Brower, Carroll, Hanohano, Karamatsu, Keith-Agaran, C. Lee, Luke, Manahan, Mizuno, Nishimoto, Takai, Aquino, Belatti, Cabanilla, Choy, Marumoto, Nakashima, Tsuji and Ward.

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

Introduced by: Representatives Thielen and Ito.

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

Introduced by: Representatives Cabanilla, Ching, Coffman, Thielen and Morita.

355 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representatives Cabanilla, Belatti, Carroll, Chong, Karamatsu, Luke, Marumoto, McKelvey, Morita and Souki.

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

Introduced by: Representatives Cabanilla, Awana, Brower, Chong, Keith-Agaran and Souki.

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

Introduced by: Representatives Cabanilla, Coffman, Morita, Thielen and Ching.

358 "A BILL FOR AN ACT RELATING TO DRUG TREATMENT."

Introduced by: Representatives Cabanilla and Keith-Agaran.

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

Introduced by: Representatives Cabanilla, Ching, Chong, Coffman, Herkes, Morita, Luke and Sagum.

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

Introduced by: Representatives Cabanilla, Ching, Coffman, Thielen and Morita.

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

Introduced by: Representatives Cabanilla, Chong, Har, Herkes, Thielen, Coffman and Sagum.

362 "A BILL FOR AN ACT RELATING TO PLANNING."

Introduced by: Representatives Cabanilla and Coffman.

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

Introduced by: Representatives Cabanilla and Ching.

364 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 4, OF THE HAWAII CONSTITUTION TO ESTABLISH LEGISLATIVE TERM LIMITS."

Introduced by: Representative Belatti.

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

Introduced by: Representatives Coffman, Evans, Herkes, B. Oshiro, Say and Rhoads.

366 "A BILL FOR AN ACT RELATING TO MANTA RAYS."

Introduced by: Representatives Coffman, Hanohano, Morita, Bertram, Carroll, Evans, McKelvey, Nakashima, Souki, Tsuji and Yamashita.

367 "A BILL FOR AN ACT RELATING TO GENETICALLY ENGINEERED PLANTS."

Introduced by: Representatives Coffman, Carroll, Evans, Hanohano, Morita, Bertram, Nakashima and Souki.

368 "A BILL FOR AN ACT RELATING TO LABELING OF GENETICALLY ENGINEERED CROPS."

Introduced by: Representatives Coffman, Carroll, Hanohano, Morita, Bertram, Nakashima and Souki.

369 "A BILL FOR AN ACT RELATING TO GENETICALLY ENGINEERED FISH."

Introduced by: Representatives Coffman, Carroll, Hanohano, Morita, Bertram, Nakashima, Sagum and Souki.

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

Introduced by: Representatives Tokioka, Carroll, Chang, Evans, Hanohano, Herkes, McKelvey, Morita, Nakashima, Tsuji, Coffman and Sagum.

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

Introduced by: Representatives Tokioka, Carroll, Evans, Hanohano, Herkes, McKelvey, Morita, Nakashima, Tsuji, Chang, Coffman and Sagum.

372 "A BILL FOR AN ACT RELATING TO LIVING PARKS."

Introduced by: Representative Wooley.

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

Introduced by: Representative Souki.

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

Introduced by: Representative Souki.

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

Introduced by: Representative Souki.

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

Introduced by: Representative Souki.

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

Introduced by: Representative Souki.

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

Introduced by: Representatives Souki and Awana.

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

Introduced by: Representatives Souki, Awana and McKelvey.

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

Introduced by: Representative M. Oshiro.

381 "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII ENDOWMENT FUND."

Introduced by: Representative M. Oshiro.

382 "A BILL FOR AN ACT RELATING TO STATE TORT LIABILITY."

Introduced by: Representative M. Oshiro.

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

Introduced by: Representatives Evans, Hanohano, Herkes and Aquino.

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

Introduced by: Representatives Evans, Hanohano and Aquino.

385 "A BILL FOR AN ACT RELATING TO PEPPER SPRAY."

Introduced by: Representatives Evans and Hanohano.

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

Introduced by: Representatives Evans and Hanohano.

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

Introduced by: Representatives Evans, Hanohano and Aquino.

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

Introduced by: Representatives Souki, Awana, McKelvey, Chang and Karamatsu.

389 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL IMPACT STATEMENT LAW."

Introduced by: Representatives Luke, Belatti, Berg, Carroll, C. Lee and Morita.

390 "A BILL FOR AN ACT RELATING TO PUBLIC RECORDS."

Introduced by: Representative Luke.

391 "A BILL FOR AN ACT RELATING TO LAND DEVELOPMENT."

Introduced by: Representatives Luke, Berg, Carroll, C. Lee, Morita and Belatti.

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

Introduced by: Representative Takumi.

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

Introduced by: Representative Takumi.

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

Introduced by: Representative Takumi.

395 "A BILL FOR AN ACT RELATING TO EARLY LEARNING."

Introduced by: Representatives Wooley, Belatti, Berg, Brower, Carroll, Evans, Hanohano, Ito, C. Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakashima, Nishimoto, Pine, Shimabukuro, Takai, Takumi, Tsuji, Wakai, Yamashita, Aquino, Awana, Bertram, Chang, Ching, Chong, Choy, Coffman, Finnegan, Har, Karamatsu, Keith-Agaran, Marumoto, B. Oshiro, Rhoads, Sagum, Souki and Yamane.

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

Introduced by: Representative Takumi.

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

Introduced by: Representatives Takumi, Bertram, Har, Morita, B. Oshiro, Pine, Awana, Coffman, Keith-Agaran, Sagum, Wooley and Yamane.

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

Introduced by: Representatives Takumi, Berg, Bertram, M. Lee, Marumoto, Morita, B. Oshiro, Pine, Takai, Brower, Coffman, Finnegan, Wooley and Yamane.

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

Introduced by: Representative Tsuji.

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

Introduced by: Representative Tsuji.

401 "A BILL FOR AN ACT RELATING TO SCHOOL COMMUNITY COUNCILS."

Introduced by: Representative Nakashima.

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

Introduced by: Representatives Nakashima, Chang, Yamane, Aquino, Har, Herkes, Ito, Keith-Agaran, Morita, Sagum, Shimabukuro and Takumi.

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

Introduced by: Representatives Nakashima, Bertram and Hanohano.

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

Introduced by: Representatives Nakashima, Chang, Coffman, Hanohano, Tsuji and Bertram.

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

Introduced by: Representatives Nakashima, Bertram, Chang, Coffman, Evans, Hanohano and Tsuji.

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

Introduced by: Representatives Hanohano, Aquino, Awana, M. Lee and Nakashima.

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

Introduced by: Representatives Hanohano, Aquino, Awana, M. Lee, Yamashita, Nakashima, Saiki and Souki.

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

Introduced by: Representatives Hanohano, Aquino, Awana, M. Lee, Nakashima, Saiki and Souki.

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

Introduced by: Representatives Hanohano, Awana, M. Lee, Aquino, Nakashima, Saiki, Souki and Yamashita.

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

Introduced by: Representatives Hanohano, Awana, Aquino, M. Lee, Nakashima and Souki.

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

Introduced by: Representatives Hanohano, Aquino, Awana, M. Lee and Nakashima.

412 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Representatives Hanohano, Takumi, Aquino, M. Lee, Nakashima, Saiki and Souki.

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

Introduced by: Representatives Hanohano, Aquino, M. Lee, Takumi, Nakashima, Saiki, Souki and Yamashita.

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

Introduced by: Representatives Hanohano, Aquino, Awana, M. Lee, Nakashima, Saiki, Souki and Takumi.

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

Introduced by: Representative Hanohano.

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

Introduced by: Representative Hanohano.

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

Introduced by: Representative Hanohano.

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

Introduced by: Representative Hanohano.

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

Introduced by: Representative Hanohano.

420 "A BILL FOR AN ACT RELATING TO DISCHARGE OF SURETIES."

Introduced by: Representatives Hanohano, M. Lee, Aquino, Nakashima, Saiki, Takumi and Yamashita.

421 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Representatives Hanohano, Takumi, Nakashima and Souki.

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

Introduced by: Representative Morita, by request.

423 "A BILL FOR AN ACT RELATING TO EMERGENCY CONTRACEPTIVES FOR SEXUAL ASSAULT SURVIVORS."

Introduced by: Representatives Morita and M. Lee.

424 "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING."

Introduced by: Representatives Morita, Coffman, C. Lee, Thielen, Chong and Sagum.

425 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING, LLC PROJECTS ON OAHU."

Introduced by: Representatives Morita, Chong, Coffman, C. Lee, Thielen and Sagum.

426 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON OAHU."

Introduced by: Representatives Morita, Chong, Coffman, C. Lee, Thielen and Sagum.

427 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST ONE PLANET PACIFIC ENERGY, LLC, A PROCESSING ENTERPRISE."

Introduced by: Representatives Morita, Chong, Coffman, C. Lee, Thielen and Sagum.

428 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE."

Introduced by: Representatives Morita, Coffman, C. Lee, Thielen, Chong and Sagum.

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

Introduced by: Representatives Morita, Ito, C. Lee, Thielen, Ching and Coffman.

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

Introduced by: Representatives Morita, Ito, C. Lee, Thielen, Ching and Coffman.

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

Introduced by: Representatives Morita, Coffman, Ito, C. Lee, Thielen and Ching.

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

Introduced by: Representatives Morita, Coffman, Ito, C. Lee, Thielen and Ching.

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

Introduced by: Representatives Morita, Ito, C. Lee, Thielen, Ching and Coffman.

434 "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSEHOLD RENTERS TAX CREDIT."

Introduced by: Representatives Morita, Ching, Ito, C. Lee and Thielen.

435 "A BILL FOR AN ACT RELATING TO NET ZERO ENERGY BUILDINGS."

Introduced by: Representatives Morita, Coffman, Ito, C. Lee, Thielen and Ching.

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

Introduced by: Representatives Morita, Coffman, Ito, C. Lee, Thielen and Ching.

437 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Representative M. Lee, by request.

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

Introduced by: Representatives M. Lee, Bertram, Mizuno and Manahan.

439 "A BILL FOR AN ACT RELATING TO MEDICAL INJURIES."

Introduced by: Representatives M. Lee, Cabanilla, Karamatsu and Wakai.

440 "A BILL FOR AN ACT RELATING TO SAFE PATIENT HANDLING PROTOCOL."

Introduced by: Representatives M. Lee, Manahan, Wakai, Aquino, Belatti, Karamatsu, Luke, Morita and Rhoads.

441 "A BILL FOR AN ACT RELATING TO CHILD CARE."

Introduced by: Representatives M. Lee, Awana, Cabanilla, Carroll, Evans, Luke, Manahan, Mizuno, Morita, Belatti and Berg.

442 "A BILL FOR AN ACT RELATING TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD."

Introduced by: Representatives M. Lee, Yamashita, Nakashima, Rhoads and Takumi.

443 "A BILL FOR AN ACT RELATING TO LANDLORD-TENANT CODE."

Introduced by: Representatives B. Oshiro, Cabanilla, Karamatsu and Herkes.

444 "A BILL FOR AN ACT RELATING TO CIVIL UNIONS."

Introduced by: Representatives B. Oshiro, Belatti, Berg, Bertram, Brower, Carroll, Chong, Coffman, Hanohano, Karamatsu, Keith-Agaran, C. Lee, M. Lee, Luke, Morita, Nakashima, Nishimoto, M. Oshiro, Rhoads, Saiki, Say, Takai, Takumi, Thielen, Tsuji, Wakai, Yamane, Yamashita, Chang, Herkes, Shimabukuro and Wooley.

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

Introduced by: Representatives Belatti, Brower, C. Lee, Luke, Choy and M. Lee.

446 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representatives Belatti, Brower, C. Lee, M. Lee, Luke, Rhoads and Wakai.

447 "A BILL FOR AN ACT RELATING TO PAYDAY LENDING."

Introduced by: Representatives Belatti, Brower, C. Lee, M. Lee, Luke, Wakai and Choy.

448 "A BILL FOR AN ACT RELATING TO HAWAII PRODUCTS."

Introduced by: Representatives Coffman and Choy.

449 "A BILL FOR AN ACT RELATING TO ARMED SERVICES."

Introduced by: Representative McKelvey, by request.

450 "A BILL FOR AN ACT RELATING TO FAMILY LEAVE."

Introduced by: Representative McKelvey.

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

Introduced by: Representative McKelvey, by request.

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

Introduced by: Representative McKelvey.

453 "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE."

Introduced by: Representative McKelvey, by request.

454 "A BILL FOR AN ACT RELATING TO PLANNING."

Introduced by: Representative McKelvey, by request.

455 "A BILL FOR AN ACT RELATING TO VETERANS CEMETERIES."

Introduced by: Representative McKelvey, by request.

456 "A BILL FOR AN ACT RELATING TO TAXABLE INCOME EXCLUSIONS."

Introduced by: Representative McKelvey, by request.

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

Introduced by: Representative McKelvey.

458 "A BILL FOR AN ACT RELATING TO CONSUMER CREDIT."

Introduced by: Representative McKelvey.

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

Introduced by: Representative McKelvey.

460 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES."

Introduced by: Representative McKelvey.

461 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Representative McKelvey, by request.

462 "A BILL FOR AN ACT RELATING TO MILITARY SPECIAL NUMBER PLATES."

Introduced by: Representative McKelvey.

463 "A BILL FOR AN ACT RELATING TO TAXABLE INCOME EXCLUSIONS."

Introduced by: Representative McKelvey, by request.

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

Introduced by: Representative McKelvey.

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

Introduced by: Representative McKelvey, by request.

466 "A BILL FOR AN ACT RELATING TO A HAWAII RESERVE COMPONENT MILITARY FAMILY RELIEF SPECIAL FUND."

Introduced by: Representative McKelvey, by request.

467 "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE."

Introduced by: Representative McKelvey, by request.

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

Introduced by: Representative McKelvey, by request.

469 "A BILL FOR AN ACT RELATING TO MILITARY RESERVE COMPONENTS."

Introduced by: Representative McKelvey, by request.

470 "A BILL FOR AN ACT RELATING TO MILITARY RESERVE COMPONENTS."

Introduced by: Representative McKelvey, by request.

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

Introduced by: Representative Nishimoto.

472 "A BILL FOR AN ACT RELATING TO THE STATE VEHICLE WEIGHT TAX."

Introduced by: Representative Nishimoto.

473 "A BILL FOR AN ACT RELATING TO KAUAI VETERANS CEMETERY."

Introduced by: Representatives Morita, Sagum, Tokioka and Har.

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

Introduced by: Representatives Ching, Finnegan, Pine and Ward.

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

Introduced by: Representatives Thielen, Ching, Finnegan, Marumoto, Pine and Ward.

476 "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION."

Introduced by: Representatives Ward, Ching, Finnegan and Pine.

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

Introduced by: Representatives Ward, Ching, Finnegan and Marumoto.

478 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT TRUST FUND ADJUSTMENTS."

Introduced by: Representatives Finnegan, Ching, Marumoto, Pine, Thielen and Ward.

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

Introduced by: Representatives Marumoto, Ching, Finnegan, Pine, Thielen and Ward.

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

Introduced by: Representatives Ward, Ching, Finnegan, Marumoto, Pine and Thielen.

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

Introduced by: Representatives Finnegan, Ching, Marumoto, Pine, Thielen and Ward.

482 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."

Introduced by: Representatives Finnegan, Ching, Marumoto, Pine, Thielen and Ward.

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

Introduced by: Representatives Ching, Finnegan, Marumoto, Pine, Thielen and Ward.

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

Introduced by: Representatives Finnegan, Marumoto, Pine and Thielen.

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

Introduced by: Representatives Ching, Finnegan, Marumoto, Pine and Ward.

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

Introduced by: Representatives Marumoto, Ching, Finnegan, Pine, Thielen and Ward.

487 "A BILL FOR AN ACT RELATING TO HAWAII'S CLEAN ENERGY INITIATIVE – ELECTRIC GENERATION AND DELIVERY."

Introduced by: Representatives Thielen, Ching, Finnegan, Marumoto, Pine and Ward.

488 "A BILL FOR AN ACT RELATING TO HAWAII'S CLEAN ENERGY INITIATIVE – ENERGY EFFICIENCY."

Introduced by: Representatives Thielen, Ching, Finnegan, Marumoto, Pine and Ward.

489 "A BILL FOR AN ACT RELATING TO HAWAII'S CLEAN ENERGY INITIATIVE IN TRANSPORTATION ENERGY."

Introduced by: Representatives Ward, Ching, Finnegan, Marumoto and Pine.

490 "A BILL FOR AN ACT RELATING TO TAX INCENTIVES FOR RENEWABLE ENERGY."

Introduced by: Representatives Ward, Ching, Finnegan, Marumoto, Pine and Thielen.

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

Introduced by: Representatives Ward, Ching, Finnegan, Marumoto, Pine and Thielen.

492 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNICATIONS COMMISSION."

Introduced by: Representatives Ward, Ching, Finnegan, Marumoto and Pine.

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

Introduced by: Representatives Pine, Ching, Finnegan, Thielen and Ward.

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

Introduced by: Representatives Pine, Ching, Finnegan, Marumoto, Thielen and Ward.

495 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 6, OF THE HAWAII STATE CONSTITUTION."

Introduced by: Representatives Pine, Ching, Finnegan, Marumoto, Thielen and Ward.

496 "A BILL FOR AN ACT RELATING TO THE LEGISLATURE."

Introduced by: Representatives Pine, Ching, Finnegan, Marumoto, Thielen and Ward.

497 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII OF THE CONSTITUTION OF THE STATE OF HAWAII."

Introduced by: Representatives Pine, Ching, Finnegan, Marumoto, Thielen and Ward.

498 "A BILL FOR AN ACT RELATING TO FISCAL NOTES."

Introduced by: Representatives Pine, Ching, Finnegan, Marumoto, Thielen and Ward.

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

Introduced by: Representatives Marumoto, Ching, Finnegan, Pine, Thielen and Ward.

500 "A BILL FOR AN ACT RELATING TO ACCESS TO HEALTH CARE."

Introduced by: Representatives Finnegan, Ching, Marumoto, Pine, Thielen and Ward.

501 "A BILL FOR AN ACT RELATING TO A SILVER ALERT FOR MISSING SENIOR CITIZENS."

Introduced by: Representatives Ching, Finnegan, Marumoto, Pine, Thielen and Ward.

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

Introduced by: Representatives Finnegan, Ching, Marumoto and Ward.

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

Introduced by: Representatives Ching, Awana, Brower, Hanohano, Marumoto, McKelvey, Mizuno, Morita, Pine and Finnegan.

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

Introduced by: Representatives Ching, Awana, Brower, Evans, Hanohano, Marumoto, McKelvey, Mizuno, Morita, Pine and Finnegan.

505 "A BILL FOR AN ACT RELATING TO HISTORIC PLACES."

Introduced by: Representatives Ching, Awana, Brower, Evans, Finnegan, Hanohano, Marumoto, McKelvey, Morita and Pine.

506 "A BILL FOR AN ACT RELATING TO A MUSEUM ARTIFACT AND ARCHIVAL CONSERVATION SUMMIT."

Introduced by: Representatives Evans, Brower, Ching, Finnegan, Hanohano, Marumoto, Mizuno, Pine, Awana and McKelvey.

507 "A BILL FOR AN ACT RELATING TO HISTORIC BUILDINGS."

Introduced by: Representatives Evans, Awana, Ching, Hanohano, Marumoto, McKelvey, Mizuno, Morita, Pine, Brower and Finnegan.

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

Introduced by: Representative Say.

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

Introduced by: Representative Say.

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

Introduced by: Representative Say.

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

Introduced by: Representative Say.

512 "A BILL FOR AN ACT RELATING TO GAMBLING."

Introduced by: Representative Say.

513 "A BILL FOR AN ACT RELATING TO PUBLIC WORKS."

Introduced by: Representative Say.

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

Introduced by: Representative Say.

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

Introduced by: Representative Say.

516 "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND."

Introduced by: Representative Say.

517 "A BILL FOR AN ACT RELATING TO WITNESSES."

Introduced by: Representative Say.

518 "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS."

Introduced by: Representatives Say and Hanohano.

519 "A BILL FOR AN ACT RELATING TO INMATES."

Introduced by: Representatives Say and Hanohano.

520 "A BILL FOR AN ACT RELATING TO BUILDINGS."

Introduced by: Representative Say.

521 "A BILL FOR AN ACT RELATING TO FUEL TAX."

Introduced by: Representatives Say and Magaoay.

522 "A BILL FOR AN ACT RELATING TO FORECLOSURES."

Introduced by: Representatives Say and Magaoay.

523 "A BILL FOR AN ACT RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Representatives Say and Ito.

524 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representatives Say and Herkes.

525 "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE."

Introduced by: Representatives Say and Herkes.

526 "A BILL FOR AN ACT RELATING TO HAWAII AIR CARRIERS."

Introduced by: Representatives Say and Souki.

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

Introduced by: Representatives Say and Rhoads.

528 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT."

Introduced by: Representatives Say and Rhoads.

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

Introduced by: Representatives Say and Rhoads.

530 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."

Introduced by: Representatives Say, Magaoay and Rhoads.

531 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Representatives Say and Magaoay.

532 "A BILL FOR AN ACT RELATING TO MEDICAL AMNESTY."

Introduced by: Representatives Say and Yamane.

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

Introduced by: Representatives Say and Yamane.

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

Introduced by: Representatives Say and Yamane.

535 "A BILL FOR AN ACT RELATING TO THE OFFICE OF MILITARY AFFAIRS."

Introduced by: Representatives Say and McKelvey.

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

Introduced by: Representatives Say and McKelvey.

537 "A BILL FOR AN ACT A BILL PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATING TO NUCLEAR ENERGY."

Introduced by: Representatives Say and Karamatsu.

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

Introduced by: Representatives Say and Karamatsu.

539 "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS."

Introduced by: Representatives Say and Karamatsu.

540 "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE."

Introduced by: Representatives Say and Ito.

541 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE PERSONNEL."

Introduced by: Representative Takumi.

542 "A BILL FOR AN ACT RELATING TO MAUI NORTH SHORE HERITAGE PARK."

Introduced by: Representatives Keith-Agaran, Carroll, McKelvey, Yamashita, Bertram and Souki.

543 "A BILL FOR AN ACT RELATING TO AQUARIUM AQUATIC LIFE."

Introduced by: Representative Keith-Agaran, by request.

544 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS."

Introduced by: Representative Keith-Agaran.

545 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL IMPACT STATEMENT LAW."

Introduced by: Representatives Keith-Agaran, Aquino, Coffman, C. Lee, Morita, Nakashima, Wooley and Choy.

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

Introduced by: Representative Keith-Agaran, by request.

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

Introduced by: Representative Keith-Agaran.

548 "A BILL FOR AN ACT RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS."

Introduced by: Representative Keith-Agaran.

549 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY."

Introduced by: Representatives McKelvey, Chang, Evans, Karamatsu, Wakai, Ward and Yamashita.

550 "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS."

Introduced by: Representatives McKelvey and Evans.

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

Introduced by: Representatives McKelvey, Ching, Evans, Berg, Carroll and Har.

552 "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY BUSINESS INVESTMENT TAX CREDIT."

Introduced by: Representatives McKelvey, Brower, Evans, Har, Say, Tsuji, Ward, Bertram, Chang and Sagum.

553 "A BILL FOR AN ACT RELATING TO MEDICAL ENTERPRISE ZONES."

Introduced by: Representatives McKelvey, Carroll, Manahan, Souki, Bertram, Evans and Sagum.

554 "A BILL FOR AN ACT RELATING TO ELECTRONIC FILING OF TAX RETURNS."

Introduced by: Representatives McKelvey and Berg.

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

Introduced by: Representatives McKelvey, Evans, Herkes, Say, Tsuji, Wakai, Ward, Choy, Ito, Karamatsu, Sagum and Souki.

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

Introduced by: Representatives McKelvey, Manahan, Souki, Evans, Ito and Sagum.

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

Introduced by: Representatives McKelvey, Berg, Bertram, Carroll and Morita.

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

Introduced by: Representatives McKelvey, Bertram, Brower, Coffman, Evans, Ito, Manahan, Say, Yamashita, Choy, Sagum, Souki and Ward.

559 "A BILL FOR AN ACT RELATING TO CAPITAL GAINS."

Introduced by: Representatives McKelvey, Brower, Ward, Chang, Coffman, Evans, Har, Herkes, Karamatsu, Sagum, Yamane and Yamashita.

560 "A BILL FOR AN ACT RELATING TO VETERANS SERVICES."

Introduced by: Representatives McKelvey, Carroll, Evans, Morita, Berg and Bertram.

561 "A BILL FOR AN ACT RELATING TO MOTION PICTURE, DIGITAL MEDIA, AND FILM PRODUCTION INCOME TAX CREDIT."

Introduced by: Representatives McKelvey, Evans and Tsuji.

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

Introduced by: Representatives McKelvey, Evans, Say, Tsuji and Choy.

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

Introduced by: Representatives McKelvey, Say, Tsuji and Choy.

564 "A BILL FOR AN ACT RELATING TO CABLE TELEVISION SYSTEMS."

Introduced by: Representatives McKelvey, Berg, Carroll, Morita, Bertram and M. Lee.

565 "A BILL FOR AN ACT RELATING TO AQUARIUM AQUATIC LIFE."

Introduced by: Representatives McKelvey, Berg, M. Lee and Morita.

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

Introduced by: Representative Cabanilla.

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

Introduced by: Representatives C. Lee, Brower, Keith-Agaran, Takai, Takumi, Wakai, Nakashima, Rhoads and Wooley.

568 "A BILL FOR AN ACT RELATING TO BILL OF RIGHTS DAY."

Introduced by: Representatives C. Lee, Brower, Keith-Agaran, Nakashima, Rhoads, Takai, Wakai, Takumi and Wooley.

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

Introduced by: Representatives C. Lee, Wakai, Aquino and Nakashima.

570 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Representatives Chong, Har, Keith-Agaran, Magaoay, B. Oshiro and Yamashita.

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

Introduced by: Representatives Chong, Magaoay, and B. Oshiro.

572 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CHILDREN'S HEALTH CARE."

Introduced by: Representatives Chong and Magaoay.

573 "A BILL FOR AN ACT RELATING TO EMERGENCY AND BUDGET RESERVE FUND."

Introduced by: Representatives Chong, Brower, Har, M. Lee, Magaoay, B. Oshiro, M. Oshiro, Rhoads and Yamashita.

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

Introduced by: Representatives Chong, Har, Magaoay, B. Oshiro and Yamashita.

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

Introduced by: Representatives Chong, Ito, Magaoay, Say, and B. Oshiro.

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

Introduced by: Representative Ito.

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

Introduced by: Representative Ito.

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

Introduced by: Representative Ito.

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

Introduced by: Representative Ito.

580 "A BILL FOR AN ACT RELATING TO WATER RESOURCES."

Introduced by: Representative Ito.

581 "A BILL FOR AN ACT RELATING TO INFORMATION."

Introduced by: Representatives Ito, Awana, Chang, Ching, Chong, Har, Herkes, Karamatsu, Marumoto, Shimabukuro, Tokioka, Tsuji, Belatti, Coffman, Evans, Hanohano, Magaoay, Nakashima, Nishimoto, Sagum, Wakai and Yamashita.

582 "A BILL FOR AN ACT RELATING TO USE OF DEADLY FORCE."

Introduced by: Representatives Ito, Awana, Chang, Har, Herkes, Karamatsu, Sagum, Tsuji, Wakai, Yamane, Ching, Chong, Evans, Hanohano, Magaoay, Marumoto, Nakashima, Nishimoto, Tokioka and Yamashita.

583 "A BILL FOR AN ACT RELATING TO OPIHI."

Introduced by: Representatives Ito, Thielen, Chong, Har, Herkes and Sagum.

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

Introduced by: Representatives Ito, Cabanilla, Chang, Ching, Chong, Coffman, Har, Herkes, Sagum and Thielen.

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

Introduced by: Representatives Ito, Cabanilla, Chang, Ching, Chong, Coffman, Har, Herkes, Sagum and Thielen.

586 "A BILL FOR AN ACT RELATING TO THE KANEOHE BAY REGIONAL COUNCIL."

Introduced by: Representative Ito, by request.

587 "A BILL FOR AN ACT RELATING TO DEATH WITH DIGNITY."

Introduced by: Representative Ito, by request.

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

Introduced by: Representatives Ito, Awana, Brower, Chang, Evans, Har, Herkes, Magaoay, Marumoto, McKelvey, Morita, Nishimoto, Sagum, Thielen, Tsuji, Coffman, Nakashima, Shimabukuro and Yamashita.

589 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES."

Introduced by: Representatives Ito, Chang, Har, Herkes, Thielen, Coffman, Morita, Sagum and Tokioka.

590 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES."

Introduced by: Representatives Ito, Chang, Ching, Har, Herkes, Thielen, Tokioka and Sagum.

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

Introduced by: Representatives Ito, Chang, Ching, Har, Herkes, Sagum, Thielen, Tokioka, Tsuji, Coffman and Morita.

592 "A BILL FOR AN ACT RELATING TO HISTORIC STRUCTURES."

Introduced by: Representatives Ito, Chang, Evans, Herkes, Morita, Thielen, Tokioka, Har and Sagum.

593 "A BILL FOR AN ACT RELATING TO SHORELINE SETBACKS."

Introduced by: Representatives Ito, Cabanilla, Ching, Coffman, C. Lee, Luke, Morita, Sagum and Thielen.

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

Introduced by: Representative Ito.

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

Introduced by: Representatives Ito, Carroll, Evans, Marumoto, McKelvey, Nishimoto, Tsuji and Coffman.

596 "A BILL FOR AN ACT RELATING TO A TECHNOLOGY MASTER PLAN."

Introduced by: Representatives Wakai, Belatti, Brower, Berg, Bertram, Finnegan, Hanohano, Ito, Karamatsu, C. Lee, Luke, Manahan, Mizuno, Morita, Nishimoto, Souki and Tsuji.

597 "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS."

Introduced by: Representatives Wakai, Belatti, Brower, Luke, Nishimoto, Thielen, Berg, Bertram, Ching, Coffman, Finnegan, Hanohano, Ito, C. Lee, Manahan, Mizuno, Morita, Souki and Tsuji.

598 "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION, TO LIMIT THE ROLE OF THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO APPOINTING AND REMOVING THE PRESIDENT OF THE UNIVERSITY, AND RAISING FUNDS FOR THE UNIVERSITY."

Introduced by: Representatives Wakai, Bertram, Mizuno, Belatti, Brower, Hanohano, Ito, C. Lee, Luke and Tsuji.

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

Introduced by: Representatives Wakai, Luke, Mizuno, Nishimoto, Takai, Berg, Bertram, Brower, Coffman, Finnegan, Hanohano, Ito, Karamatsu, C. Lee, Manahan, Souki and Thielen.

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

Introduced by: Representatives Wakai, Belatti, Ching, Finnegan, Manahan, Nishimoto, Thielen, Bertram, Brower, Hanohano, Ito, Karamatsu, C. Lee, Luke, Mizuno and Tsuji.

601 "A BILL FOR AN ACT RELATING TO THE WORKS OF ART SPECIAL FUND."

Introduced by: Representatives Yamashita, Chong, Manahan, M. Oshiro, Tsuji, Yamane and Keith-Agaran.

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

Introduced by: Representatives Yamashita, Awana, Chong, Har, Ito, Karamatsu, Keith-Agaran, McKelvey, B. Oshiro, Tsuji, Yamane, Rhoads and Souki.

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

Introduced by: Representatives Yamashita, Chong, Chang, Keith-Agaran, Nakashima and Takumi.

604 "A BILL FOR AN ACT RELATING TO GRAY WATER."

Introduced by: Representatives Yamashita, Chong, Coffman, McKelvey, Morita, Nishimoto, B. Oshiro, Tsuji, Yamane, Bertram, Ito, Keith-Agaran, M. Lee and Souki.

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

Introduced by: Representatives Yamashita, Chong, Souki, Tsuji, Wakai, Yamane and Keith-Agaran.

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

Introduced by: Representatives Yamashita, Aquino, Chong, Hanohano, Ito, M. Oshiro, Tsuji, Karamatsu and Keith-Agaran.

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

Introduced by: Representatives Yamashita, Awana, Chong, Har, Karamatsu, Keith-Agaran, McKelvey, Yamane, Aquino, Chang, Ito, Rhoads and Souki.

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

Introduced by: Representatives Yamashita, Chong, Keith-Agaran, Nishimoto, B. Oshiro, Tsuji, Yamane, Ito and Karamatsu.

609 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PLAN, DESIGN, AND CONSTRUCT A TEST WELL IN UPCOUNTRY MAUI TO SERVE AS THE FIRST PHASE IN THE CONSTRUCTION OF A GROUND WATER WELL TO SUPPLEMENT THE UPCOUNTRY MAUI SURFACE WATER SYSTEM."

Introduced by: Representatives Yamashita, Chong, Keith-Agaran, Souki, Tsuji, Yamane and Ito.

610 "A BILL FOR AN ACT RELATING TO SCIENCE AND TECHNOLOGY."

Introduced by: Representatives Yamashita, Awana, Chang, Chong, Ito, Keith-Agaran, Manahan, B. Oshiro, Tsuji, Yamane, Har, Karamatsu, Magaoay, McKelvey, Souki and Wakai.

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

Introduced by: Representatives Chong, M. Lee, Say and Yamashita.

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

Introduced by: Representatives Karamatsu, Evans and Tsuji.

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

Introduced by: Representatives Karamatsu, Belatti, Herkes, Ito, Morita, Tsuji, Cabanilla, Carroll and Souki.

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

Introduced by: Representatives Karamatsu, Belatti, Cabanilla, Carroll, Ito, Morita, B. Oshiro, M. Oshiro and Tsuji.

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

Introduced by: Representatives Karamatsu, Cabanilla, Carroll, Herkes, Ito, McKelvey, Morita, B. Oshiro, Tsuji and Souki.

616 "A BILL FOR AN ACT RELATING TO THE HAWAII EXPORT CENTER."

Introduced by: Representatives Karamatsu, Evans, Manahan, McKelvey, Tokioka, Tsuji, Wooley and Berg.

617 "A BILL FOR AN ACT RELATING TO MASS TRANSIT ROUTE ECONOMIC ZONES."

Introduced by: Representatives Karamatsu, Aquino, Evans, Tsuji, Wooley, McKelvey, Souki, Takumi and Yamashita.

618 "A BILL FOR AN ACT RELATING TO THE UNIFORM PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS ACT."

Introduced by: Representatives Karamatsu and M. Oshiro.

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

Introduced by: Representatives Karamatsu, Cabanilla, Chang, Herkes, Har, Ito, Morita and Sagum.

620 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Representatives Karamatsu, Cabanilla, Carroll, Herkes, Ito, McKelvey, B. Oshiro, Tsuji and Souki.

621 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO CLARIFY RETIREMENT REQUIREMENTS FOR JUSTICES AND JUDGES IN STATE COURTS."

Introduced by: Representatives Karamatsu, Belatti, Carroll, Herkes, Ito, Morita, B. Oshiro, Tsuji, McKelvey and Souki.

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

Introduced by: Representatives Karamatsu, Cabanilla, Carroll, Herkes, Ito, McKelvey, Morita, Tsuji and Souki.

623 "A BILL FOR AN ACT RELATING TO STATE IDENTIFICATION."

Introduced by: Representatives Karamatsu, Belatti, Cabanilla, Carroll, Herkes, Ito, McKelvey, Morita, B. Oshiro, Tsuji and Souki.

624 "A BILL FOR AN ACT RELATING TO PUBLIC ACCOMMODATIONS."

Introduced by: Representatives Karamatsu, Belatti, Carroll, Herkes, Morita, Tsuji, Ito, McKelvey and Souki.

625 "A BILL FOR AN ACT RELATING TO SURCHARGE FOR INDIGENT LEGAL SERVICES."

Introduced by: Representative Karamatsu, by request.

626 "A BILL FOR AN ACT RELATING TO ETHICS."

Introduced by: Representative Karamatsu, by request.

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

Introduced by: Representative Rhoads.

628 "A BILL FOR AN ACT RELATING TO INTERGOVERNMENTAL MOVEMENTS."

Introduced by: Representative Rhoads.

629 "A BILL FOR AN ACT RELATING TO LIQUOR COMMISSION EMPLOYEES."

Introduced by: Representative Rhoads.

630 "A BILL FOR AN ACT RELATING TO GRAFFITI."

Introduced by: Representative Rhoads.

631 "A BILL FOR AN ACT RELATING TO A VETERANS' CONSERVATION CORPS PROGRAM."

Introduced by: Representatives Evans and McKelvey.

632 "A BILL FOR AN ACT RELATING TO POLICY ADVISORY BOARD ON VETERANS' SERVICES."

Introduced by: Representatives Evans and McKelvey.

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

Introduced by: Representatives Evans and Yamane.

634 "A BILL FOR AN ACT RELATING TO STATE HOLIDAYS."

Introduced by: Representative Evans.

635 "A BILL FOR AN ACT RELATING TO CERTIFICATES OF NEED."

Introduced by: Representatives Evans and Yamane.

636 "A BILL FOR AN ACT RELATING TO BOARD OF PHARMACY."

Introduced by: Representatives Evans and Yamane.

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

Introduced by: Representatives Evans and McKelvey.

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

Introduced by: Representative Evans.

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

Introduced by: Representatives Evans and Manahan.

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

Introduced by: Representatives Magaoay, Awana, Chang, Har, Ito, Tokioka, Aquino, Coffman, Keith-Agaran and Sagum.

641 "A BILL FOR AN ACT RELATING TO BEACH ACCESS."

Introduced by: Representatives Magaoay, Ching, Coffman, Ito, C. Lee, Morita, Chang, Har and Sagum.

642 "A BILL FOR AN ACT RELATING TO NOISE."

Introduced by: Representatives Magaoay, Awana, Hanohano, Rhoads, Aquino and Nakashima.

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

Introduced by: Representatives Magaoay, Awana, Chang, Har, Herkes, Ito, Karamatsu, Tokioka, Aquino, Keith-Agaran and Rhoads.

644 "A BILL FOR AN ACT RELATING TO KAENA POINT STATE PARK."

Introduced by: Representative Magaoay.

645 "A BILL FOR AN ACT RELATING TO KAENA POINT."

Introduced by: Representative Magaoay.

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

Introduced by: Representative Magaoay.

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

Introduced by: Representatives Carroll, Awana, Belatti, Berg, Brower, Hanohano, Keith-Agaran, Luke, Sagum and Saiki.

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

Introduced by: Representatives Carroll, Belatti, Berg, Brower, Hanohano, Luke, Coffman, Keith-Agaran, Sagum and Saiki.

649 "A BILL FOR AN ACT RELATING TO NATURAL RESOURCES."

Introduced by: Representatives Carroll, Berg, Hanohano, Keith-Agaran, Luke, Saiki, Belatti and Sagum.

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

Introduced by: Representatives Carroll, Berg, Hanohano, Keith-Agaran, Saiki, Belatti, Brower and Luke.

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

Introduced by: Representatives Carroll, Belatti, Hanohano and Keith-Agaran.

652 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AMBULANCE SERVICE FOR THE HAIKU REGION OF MAUI."

Introduced by: Representatives Carroll, Keith-Agaran, Luke, Belatti, Berg, Brower, Hanohano, Sagum and Saiki.

653 "A BILL FOR AN ACT RELATING TO TANNING."

Introduced by: Representatives Carroll, Hanohano, Brower, Keith-Agaran and Sagum.

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

Introduced by: Representatives Carroll, Awana, Belatti, Berg, Coffman, Hanohano, Luke, Sagum, Saiki, Brower, Ito and Keith-Agaran.

655 "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING PHARMACIES."

Introduced by: Representatives Carroll, Awana, Berg, Hanohano, Luke, Saiki, Belatti, Brower, Keith-Agaran and Sagum.

656 "A BILL FOR AN ACT RELATING TO LIQUOR."

Introduced by: Representatives Carroll, Belatti, Brower, Hanohano, Keith-Agaran and Sagum.

657 "A BILL FOR AN ACT RELATING TO VETERANS SCHOLARSHIP PROGRAM."

Introduced by: Representatives Carroll, Brower, Awana, Belatti, Berg, Hanohano, Keith-Agaran, Luke, Sagum and Saiki.

658 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI OFFICE OF VETERANS' SERVICES."

Introduced by: Representatives Carroll, Belatti, Berg, Brower, Hanohano, Keith-Agaran and Sagum.

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

Introduced by: Representatives Carroll, Berg, Hanohano, Brower and Keith-Agaran.

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

Introduced by: Representatives Carroll, Belatti, Berg, Brower, Hanohano, Luke, Awana, Keith-Agaran, Sagum and Saiki.

661 "A BILL FOR AN ACT RELATING TO RANDOM DRUG TESTING."

Introduced by: Representatives Carroll, Brower, Coffman, Hanohano and Sagum.

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

Introduced by: Representatives Carroll, Brower, Hanohano and Sagum.

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

Introduced by: Representatives Carroll, Awana, Brower, Hanohano, Belatti, Berg, Keith-Agaran, Luke, Sagum and Saiki.

664 "A BILL FOR AN ACT RELATING TO A PILOT COMMUNITY CONSERVATION PROGRAM."

Introduced by: Representatives Carroll, Brower, Hanohano, Keith-Agaran, Belatti, Berg, Luke, Sagum and Saiki.

665 "A BILL FOR AN ACT RELATING TO FORFEITURE."

Introduced by: Representatives Carroll, Berg, Hanohano, Keith-Agaran, Belatti, Luke, Sagum and Saiki.

666 "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS."

Introduced by: Representatives Carroll, Awana, Belatti, Berg, Hanohano, Luke, Saiki, Keith-Agaran and Sagum.

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

Introduced by: Representatives Carroll, M. Lee and Tsuji.

668 "A BILL FOR AN ACT RELATING TO BIODIESEL."

Introduced by: Representatives Carroll, M. Lee and Chong.

669 "A BILL FOR AN ACT RELATING TO FOOD."

Introduced by: Representative Carroll.

670 "A BILL FOR AN ACT RELATING TO FISHING."

Introduced by: Representatives Carroll, Chong and M. Lee.

671 "A BILL FOR AN ACT RELATING TO THE HAIKU DISTRICT OF THE COUNTY OF MAUI."

Introduced by: Representatives Carroll, Chong, M. Lee and Tsuji.

672 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AMBULANCE SERVICE FOR THE ISLAND OF MOLOKAI."

Introduced by: Representatives Carroll, Berg, Brower, Hanohano, Keith-Agaran, Luke, Belatti, Sagum and Saiki.

673 "A BILL FOR AN ACT RELATING TO CEDED LANDS."

Introduced by: Representative Carroll.

674 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."

Introduced by: Representative Carroll.

675 "A BILL FOR AN ACT RELATING TO OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Representative Carroll.

676 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT."

Introduced by: Representative Carroll.

677 "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS."

Introduced by: Representative Carroll.

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

Introduced by: Representatives Manahan, M. Lee, Say, Tokioka, Tsuji, Yamane, Yamashita, Berg, Evans, Har, McKelvey and Wooley.

679 "A BILL FOR AN ACT RELATING TO STATE PARKS."

Introduced by: Representatives Manahan, Evans, Har, Ito, Tokioka, Wakai, Wooley, M. Lee, McKelvey, Say and Tsuji.

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

Introduced by: Representatives Manahan, Evans, Har, Ito, M. Lee, McKelvey, Say, Tokioka, Tsuji, Wakai and Wooley.

681 "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Representatives Manahan, McKelvey, Say, Tokioka, Tsuji, Yamashita, Evans and Wooley.

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

Introduced by: Representatives Manahan, M. Lee, Say, Tokioka, Tsuji, Wakai, Wooley, Yamashita, Berg, Evans and McKelvey.

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

Introduced by: Representatives Yamane and M. Lee.

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

Introduced by: Representatives Yamane, Evans, Manahan, Wakai, McKelvey, Tsuji and Yamashita.

685 "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL."

Introduced by: Representatives Yamane, Evans, Hanohano, Ito, McKelvey, Tsuji, Aquino and Har.

686 "A BILL FOR AN ACT RELATING TO REDUCED IGNITION PROPENSITY CIGARETTES."

Introduced by: Representatives Yamane, Evans, Hanohano, McKelvey, B. Oshiro, Yamashita, Aquino, Chong, Herkes, Karamatsu and Tsuji.

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

Introduced by: Representatives Yamane, Har, Ito and McKelvey.

688 "A BILL FOR AN ACT RELATING TO FIRE PROTECTION."

Introduced by: Representatives Yamane, Evans, Hanohano, Har, Ito, McKelvey and Karamatsu.

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

Introduced by: Representatives Yamane, Har, Evans, Ito and Takumi.

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

Introduced by: Representatives Yamane, Nishimoto, Herkes, Souki and Yamashita.

691 "A BILL FOR AN ACT RELATING TO PHYSICIAN SHORTAGES."

Introduced by: Representatives Yamane, Evans, Herkes, Nishimoto, Yamashita and Souki.

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

Introduced by: Representatives Yamane, Aquino, Chong, Herkes, M. Lee, Magaoay, Manahan, McKelvey, Nishimoto, Shimabukuro, Yamashita, Ito, and B. Oshiro.

693 "A BILL FOR AN ACT RELATING TO HEALTH CARE SERVICES."

Introduced by: Representatives Yamane, Evans, Hanohano, Herkes, Keith-Agaran, McKelvey, Yamashita, Bertram, Carroll, Morita, Souki and Tsuji.

694 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Representatives Yamane, Bertram, Carroll, Evans, Hanohano, Herkes, Keith-Agaran, McKelvey, Sagum, Souki, Tsuji, Yamashita and Tokioka.

695 "A BILL FOR AN ACT RELATING TO HEALTH CARE SERVICES."

Introduced by: Representatives Yamane, Chong, M. Lee, Magaoay, Nishimoto, B. Oshiro, Tsuji and Yamashita.

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

Introduced by: Representatives Yamane, Chong, Magaoay, B. Oshiro, Yamashita, Herkes, Ito, M. Lee, Nishimoto and Shimabukuro.

697 "A BILL FOR AN ACT RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS."

Introduced by: Representatives Yamane, Evans, B. Oshiro, Yamashita, Chong, Magaoay and Souki.

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

Introduced by: Representatives Yamane, Evans, Herkes, Magaoay, B. Oshiro, Yamashita, Chong and Ito.

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

Introduced by: Representatives Yamane, Tsuji and Yamashita.

700 "A BILL FOR AN ACT RELATING TO NONGOVERNMENT HEALTH PLAN PAYMENTS TO CRITICAL ACCESS HOSPITALS AND FEDERALLY QUALIFIED HEALTH CENTERS."

Introduced by: Representatives Yamane, Carroll, Evans, Hanohano, Keith-Agaran, McKelvey, Nakashima, Yamashita, Bertram, Sagum, Souki and Tsuji.

701 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Representatives Yamane, Evans, Tsuji, Yamashita, Bertram, Carroll, Hanohano, Keith-Agaran, McKelvey, Sagum and Souki.

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

Introduced by: Representatives Yamane, M. Lee, Nishimoto, Tsuji, Yamashita, Chong, Ito, Magaoay, B. Oshiro and Shimabukuro.

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

Introduced by: Representatives Yamane, Belatti, Mizuno, Nishimoto, Shimabukuro, Bertram, Carroll and Finnegan.

704 "A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES."

Introduced by: Representatives Yamane, Shimabukuro, Belatti, Bertram, Carroll, Finnegan and Nishimoto.

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

Introduced by: Representatives Yamane, Belatti, Mizuno, Nishimoto, Shimabukuro, Bertram and Carroll.

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

Introduced by: Representatives Yamane, Belatti, Mizuno, Nishimoto, Shimabukuro, Bertram, Carroll and Finnegan.

707 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE AUDITOR."

Introduced by: Representatives Yamane, Herkes, B. Oshiro, Chong, Magaoay, Souki and Tsuji.

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

Introduced by: Representative Yamane.

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

Introduced by: Representative Yamane.

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

Introduced by: Representative Yamane.

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

Introduced by: Representative Yamane.

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

Introduced by: Representative Yamane.

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

Introduced by: Representative Yamane.

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

Introduced by: Representative Yamane.

715 "A BILL FOR AN ACT RELATING TO PHYSICIANS AND OSTEOPATHIC PHYSICIANS."

Introduced by: Representatives Evans and Yamane.

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

Introduced by: Representatives Evans and Yamane.

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

Introduced by: Representatives Evans, McKelvey and Yamane.

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

Introduced by: Representatives Evans and Yamane.

719 "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING."

Introduced by: Representatives Evans and McKelvey.

720 "A BILL FOR AN ACT RELATING TO FAMILY LEAVE."

Introduced by: Representatives Evans and McKelvey.

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

Introduced by: Representatives Evans and Tsuji.

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

Introduced by: Representatives Evans, Morita and Tsuji.

723 "A BILL FOR AN ACT RELATING TO OFF-HIGHWAY VEHICLES."

Introduced by: Representative Evans.

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

Introduced by: Representative Mizuno.

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

Introduced by: Representatives Mizuno, Bertram, Brower, Karamatsu and Keith-Agaran.

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

Introduced by: Representatives Mizuno, Brower, Chong, Karamatsu and Manahan.

727 "A BILL FOR AN ACT RELATING TO TECHNOLOGY TAX CREDITS."

Introduced by: Representative Mizuno.

728 "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS."

Introduced by: Representatives Mizuno, Brower, Karamatsu, Keith-Agaran, Bertram and Pine.

729 "A BILL FOR AN ACT RELATING TO MANTA RAYS."

Introduced by: Representative Mizuno.

730 "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS."

Introduced by: Representatives Mizuno, Brower, Karamatsu, Luke and McKelvey.

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

Introduced by: Representative Mizuno.

732 "A BILL FOR AN ACT RELATING TO ASSET BUILDING."

Introduced by: Representatives Mizuno, Brower, Cabanilla and Takumi.

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

Introduced by: Representative Mizuno.

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

Introduced by: Representative Mizuno.

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

Introduced by: Representatives Mizuno and Cabanilla.

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

Introduced by: Representative Mizuno.

737 "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES"

Introduced by: Representatives Mizuno, Morita and Thielen.

738 "A BILL FOR AN ACT RELATING TO TAX EXEMPTIONS."

Introduced by: Representatives Mizuno, Cabanilla, Carroll, Keith-Agaran, C. Lee and Thielen.

739 "A BILL FOR AN ACT RELATING TO TEMPORARY ASSISTANCE TO NEEDY FAMILIES."

Introduced by: Representatives Mizuno, Pine, Aquino, Bertram, Brower, Keith-Agaran and Nakashima.

740 "A BILL FOR AN ACT RELATING TO THE COLLECTION OF DNA SAMPLES FROM ARRESTEES OF SEXUAL OFFENSES AGAINST MINORS."

Introduced by: Representatives Marumoto, Brower, Ching, Finnegan, Mizuno, Pine, Thielen, Aquino and Berg.

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

Introduced by: Representatives Marumoto, Berg, Brower, Ching, Finnegan, Mizuno, Pine, Thielen, Ward, Aquino, Bertram and Keith-Agaran.

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

Introduced by: Representatives Mizuno, Brower, Cabanilla, Keith-Agaran, Marumoto, Pine, Thielen, Ward, Aquino, Bertram, Finnegan and Wooley.

743 "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND."

Introduced by: Representatives Mizuno, Cabanilla, Pine, Ward, Bertram, Finnegan and Keith-Agaran.

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

Introduced by: Representative Mizuno.

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

Introduced by: Representative Mizuno.

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

Introduced by: Representative Mizuno.

747 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Representative Mizuno.

748 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Representative Mizuno.

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

Introduced by: Representatives Cabanilla and Mizuno.

750 "A BILL FOR AN ACT RELATING TO APPOINTMENT OF CHIEF ELECTION OFFICER."

Introduced by: Representatives Manahan, Cabanilla, Ito, Karamatsu, McKelvey, Mizuno, B. Oshiro, Tsuji, Wakai, Luke and Souki.

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

Introduced by: Representatives Manahan, Belatti, Cabanilla, Har, Ito, Karamatsu, Luke, Mizuno, B. Oshiro, Tsuji, Wakai and Souki.

752 "A BILL FOR AN ACT RELATING TO APPOINTMENT OF CHIEF ELECTION OFFICER."

Introduced by: Representatives Manahan, Belatti, Cabanilla, Ito, Karamatsu, Luke, Mizuno, B. Oshiro, Tsuji, Wakai, McKelvey and Souki.

753 "A BILL FOR AN ACT TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Representatives Manahan, Say, Cabanilla, Evans, Har, Keith-Agaran, Tsuji and Yamashita.

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

Introduced by: Representatives Manahan, Evans, Keith-Agaran, Mizuno, Say, Tsuji, Yamashita and Cabanilla.

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

Introduced by: Representatives Manahan, Cabanilla, Evans, Mizuno, Say, Tsuji, Wakai, Har, Keith-Agaran and Yamashita.

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

Introduced by: Representatives Manahan, Evans, Mizuno, Say, Tsuji and Yamashita.

757 "A BILL FOR AN ACT RELATING TO THE JUNIOR RESERVE OFFICERS' TRAINING CORPS."

Introduced by: Representative Har.

758 "A BILL FOR AN ACT RELATING TO IMPOUNDMENT OF VEHICLES."

Introduced by: Representative Har.

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

Introduced by: Representative Har.

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

Introduced by: Representative Har.

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

Introduced by: Representatives Har and Aquino.

762 "A BILL FOR AN ACT RELATING TO BEACH ACCESS."

Introduced by: Representative Wooley.

763 "A BILL FOR AN ACT RELATING TO GRAY WATER RECYCLING."

Introduced by: Representative Wooley.

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

Introduced by: Representative Wooley.

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

Introduced by: Representative Wooley.

766 "A BILL FOR AN ACT RELATING TO KAHANA VALLEY."

Introduced by: Representative Wooley.

767 "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY."

Introduced by: Representatives Manahan, Say, Cabanilla, Evans, Mizuno, Tsuji, Yamashita, Har and Keith-Agaran.

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

Introduced by: Representative Coffman.

769 "A BILL FOR AN ACT RELATING TO KEWALO BASIN."

Introduced by: Representative Brower.

770 "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE APPLICATIONS."

Introduced by: Representatives Brower, Manahan, Mizuno, Rhoads, Takai, Awana, Berg, Bertram, Carroll, Chong, Choy, Coffman, Hanohano, C. Lee, M. Lee, Luke, McKelvey, Morita, Nishimoto, Saiki, Say, Shimabukuro, Souki, Takumi and Tsuji.

771 "A BILL FOR AN ACT RELATING TO YOSCOOTERS."

Introduced by: Representatives Brower, Berg, Hanohano, Mizuno, Morita, Nishimoto, Rhoads, Takai, Wakai, Awana, Belatti, Bertram, Carroll, Chong, Choy, Coffman, Keith-Agaran, C. Lee, M. Lee, Luke, Manahan, McKelvey, Say, Shimabukuro, Takumi, Tsuji and Yamashita.

772 "A BILL FOR AN ACT RELATING TO PRODUCT LABELING."

Introduced by: Representatives Brower, Awana, Belatti, Berg, Hanohano, C. Lee, Luke, Mizuno, Morita, Shimabukuro, Takai, Takumi, Tsuji, Bertram, Carroll, Chong, Coffman, M. Lee, McKelvey, Nishimoto, Say and Souki.

773 "A BILL FOR AN ACT RELATING TO DISTRICT-WIDE IMPROVEMENT PROGRAMS."

Introduced by: Representatives Brower, Mizuno, Takai, Wakai, Awana, Berg, Bertram, Carroll, Chong, Coffman, Hanohano, Keith-Agaran, C. Lee, M. Lee, Luke, Manahan, McKelvey, Morita, Nishimoto, Saiki, Say, Shimabukuro, Souki, Tsuji and Yamashita.

774 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Representative Karamatsu.

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

Introduced by: Representative Karamatsu.

776 "A BILL FOR AN ACT RELATING TO CRIMES."

Introduced by: Representative Karamatsu.

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

Introduced by: Representative Karamatsu.

778 "A BILL FOR AN ACT RELATING TO ATTORNEYS."

Introduced by: Representative Karamatsu.

779 "A BILL FOR AN ACT RELATING TO THE UNIFORM FOREIGN-COUNTRY MONEY JUDGMENTS RECOGNITION ACT."

Introduced by: Representative Karamatsu.

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

Introduced by: Representative Karamatsu.

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

Introduced by: Representative Karamatsu.

782 "A BILL FOR AN ACT RELATING TO THE UNIFORM MEDIATION ACT."

Introduced by: Representative Karamatsu.

783 "A BILL FOR AN ACT RELATING TO LEGISLATIVE REAPPORTIONMENT."

Introduced by: Representative Belatti.

784 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVI, SECTION 2, OF THE HAWAII CONSTITUTION, TO AUTHORIZE THE LEGISLATURE TO ALLOW THE JUDICIARY TO REDUCE PENSION BENEFITS OF AN EMPLOYEE OF THE STATE OR A POLITICAL SUBDIVISION WHO IS CONVICTED OF A FELONY RELATED TO THE EMPLOYEE'S EMPLOYMENT."

Introduced by: Representative Belatti.

785 "A BILL FOR AN ACT RELATING TO LEGISLATIVE ETHICS."

Introduced by: Representative Belatti.

786 "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS."

Introduced by: Representative Belatti.

787 "A BILL FOR AN ACT RELATING TO WHISTLEBLOWERS' PROTECTION."

Introduced by: Representative Belatti.

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

Introduced by: Representative Belatti.

789 "A BILL FOR AN ACT RELATING TO COUNTY ETHICS COMMISSIONS."

Introduced by: Representative Belatti.

790 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION AFFORDABILITY."

Introduced by: Representative Belatti.

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

Introduced by: Representative Mizuno.

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

Introduced by: Representatives Awana, Cabanilla, Ching, Finnegan, Marumoto, Mizuno, Pine, Thielen, Ward, Aquino, Bertram, Brower, Keith-Agaran and Nakashima.

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

Introduced by: Representatives Bertram, Brower, Mizuno, Pine, Thielen, Aquino, Marumoto and Ward.

794 "A BILL FOR AN ACT RELATING TO SCHOOL MEALS."

Introduced by: Representatives Bertram, Brower, Ching, Finnegan, Keith-Agaran, Mizuno, Pine, Thielen, Marumoto and Ward.

795 "A BILL FOR AN ACT RELATING TO THE PROHIBITION OF MINORS FROM THE USE OF ALL-TERRAIN VEHICLES."

Introduced by: Representatives Marumoto, Cabanilla, Mizuno, Ward, Aquino, Berg, Bertram and Brower.

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

Introduced by: Representatives Thielen, Brower, Cabanilla, Finnegan, Marumoto, Mizuno, Ward, Wooley, Aquino, Berg, Bertram, Keith-Agaran and Pine.

797 "A BILL FOR AN ACT RELATING TO SCHOOL LUNCHES."

Introduced by: Representatives Thielen, Bertram, Brower, Cabanilla, Ching, Marumoto, Mizuno, Pine, Ward, Aquino, Berg, Keith-Agaran and Nakashima.

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

Introduced by: Representatives Mizuno, Brower, Cabanilla, Keith-Agaran, Bertram and Marumoto.

799 "A BILL FOR AN ACT RELATING TO TOXIC CHEMICALS."

Introduced by: Representatives Thielen, Brower, Marumoto, Mizuno, Pine, Ward, Aquino, Berg, Bertram, Finnegan, Keith-Agaran and Nakashima.

800 "A BILL FOR AN ACT RELATING TO SCHOOL BUSES."

Introduced by: Representatives Awana, Marumoto, Mizuno, Pine, Thielen, Ward, Aquino, Berg, Bertram, Brower, Keith-Agaran and Nakashima.

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

Introduced by: Representatives Pine, Belatti, Finnegan and Nishimoto.

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

Introduced by: Representatives Pine, Ching, Finnegan and Wakai.

803 "A BILL FOR AN ACT RELATING TO FISCAL NOTE."

Introduced by: Representatives Pine, Ching, Finnegan and Thielen.

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

Introduced by: Representatives Pine, Ching and Finnegan.

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

Introduced by: Representatives Pine, Ching and Finnegan.

806 "A BILL FOR AN ACT RELATING TO DEATH WITH DIGNITY."

Introduced by: Representatives B. Oshiro, Belatti, Karamatsu, Marumoto, Say, Thielen and Bertram.

807 "A BILL FOR AN ACT RELATING TO THE MEDICAL CLAIM CONCILIATION PANEL."

Introduced by: Representatives B. Oshiro, Chong, Herkes and Yamane.

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

Introduced by: Representatives B. Oshiro, Chong, Coffman, Hanohano, Herkes, Magaoay, Say, Yamane and Yamashita.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 11 through 28) and concurrent resolutions (H.C.R. Nos. 7 through 26) were referred to Printing and further action was deferred:

H.R. No. 11, entitled: "HOUSE RESOLUTION REQUESTING THE U.S. DEPARTMENT OF AGRICULTURE AND THE COUNTY OF HAWAII TO PROVIDE FINANCIAL SUPPORT TO AGRICULTURAL OPERATIONS THAT HAVE INCURRED SIGNIFICANT LOSSES DUE TO THE EFFECTS OF VOG," was jointly offered by Representatives Herkes, Chang, Coffman, Evans, Hanohano, Nakashima and Tsuji.

H.R. No. 12, entitled: "HOUSE RESOLUTION REQUESTING THE U.S. DEPARTMENT OF AGRICULTURE TO PROVIDE FEDERAL AID TO ASSIST AGRICULTURAL OPERATIONS IN VOG-IMPACTED AREAS IN MEETING THEIR WATER NEEDS," was jointly offered by Representatives Herkes, Chang, Coffman, Evans, Hanohano, Nakashima and Tsuji.

H.R. No. 13, entitled: "HOUSE RESOLUTION URGING THE COUNTY OF HAWAII TO MAKE PERMANENT ITS MASS EMERGENCY NOTIFICATION SYSTEM," was jointly offered by Representatives Herkes, Chang, Coffman, Evans, Hanohano, Nakashima and Tsuji.

H.R. No. 14, entitled: "HOUSE RESOLUTION REQUESTING THE ADJUTANT GENERAL TO IDENTIFY THE LOCATION OF EVERY PUBLIC SAFE ROOM IN HAWAII PROVIDING SUITABLE SHELTER FROM VOG AND DEVELOP PLANS TO ESTABLISH SUCH SAFE ROOMS IN ADDITIONAL AREAS THAT NEED THEM," was jointly offered by Representatives Herkes, Chang, Coffman, Evans, Hanohano, Nakashima and Tsuji.

H.R. No. 15, entitled: "HOUSE RESOLUTION URGING THE COUNTY OF HAWAII TO AMEND ITS BUILDING CODE TO REQUIRE FILTERS AND ULTRAVIOLET LIGHT SYSTEMS IN WATER CATCHMENT SYSTEMS THAT ARE INSTALLED IN VOG-IMPACTED AREAS," was jointly offered by Representatives Herkes, Chang, Coffman, Evans, Hanohano, Nakashima and Tsuji.

H.R. No. 16, entitled: "HOUSE RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE GOVERNOR TO CREATE A HOME FOR LIFE TASK FORCE TO REDUCE BARRIERS TO AGING IN PLACE AND TO FACILITATE MULTIGENERATIONAL LIVING," was jointly offered by Representatives M. Lee, Brower, Cabanilla, Evans, Mizuno, Rhoads and Bertram.

H.R. No. 17, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF VARIOUS UNRESOLVED ISSUES RELATING TO AGING," was jointly offered by Representatives M. Lee, Awana, Brower, Hanohano, Luke, Mizuno, Pine, Har and Keith-Agaran.

H.R. No. 18, entitled: "HOUSE RESOLUTION REQUESTING PUBLIC AND PRIVATE AGENCIES TO MAKE APPROPRIATE EXEMPTIONS FOR GRANDPARENTS CARING FOR GRANDCHILDREN TO REMAIN IN SENIOR HOUSING UNTIL SUITABLE HOUSING IS OBTAINED," was jointly offered by Representatives M. Lee, Belatti, Berg, Hanohano, Keith-Agaran, Luke, Marumoto, Mizuno, Nakashima and Thielen.

H.R. No. 19, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF HEALTH TO MAKE IT A PRIORITY TO EDUCATE THE PUBLIC ON THE PROPER CLEANING OF PRODUCE," was jointly offered by Representatives M. Lee, Mizuno, Rhoads and Thielen.

H.R. No. 20, entitled: "HOUSE RESOLUTION URGING THE HERITAGE TOURISM COMMUNITY TO COLLABORATIVELY WORK TO, AMONG OTHER THINGS, CREATE A HERITAGE TOURISM MARKETING PLAN FOR USE BY THE HAWAII TOURISM AUTHORITY," was jointly offered by Representatives Ching, Finnegan, Marumoto, Pine, Thielen and Ward.

H.R. No. 21, entitled: "HOUSE RESOLUTION STRONGLY URGING THE SECRETARY OF DEFENSE AND THE PRESIDENT OF THE UNITED STATES TO AWARD SGT. RAFAEL PERALTA THE MEDAL OF HONOR," was jointly offered by Representatives Thielen, Finnegan, Marumoto, Ching and Pine.

H.R. No. 22, entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO ENACT LEGISLATION TO PROTECT THE PENSIONS OF EMPLOYEES WHO ARE EMPLOYED BY EMPLOYERS THAT ARE FACING FINANCIAL DIFFICULTIES," was jointly offered by Representatives Pine, Finnegan, Marumoto and Thielen.

H.R. No. 23, entitled: "HOUSE RESOLUTION URGING A COMPREHENSIVE MANAGEMENT REVIEW OF THE DEPARTMENT OF EDUCATION'S OPERATIONS," was jointly offered by Representatives Pine, Ching, Finnegan, Marumoto, Thielen and Ward.

H.R. No. 24, entitled: "HOUSE RESOLUTION REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA," was jointly offered by Representatives Ching, Awana, Brower, Evans, Hanohano, Marumoto, Mizuno, Morita and Pine.

H.R. No. 25, entitled: "HOUSE RESOLUTION URGING THE HERITAGE TOURISM COMMUNITY TO COLLABORATIVELY WORK TO, AMONG OTHER THINGS, CREATE A HERITAGE TOURISM MARKETING PLAN FOR USE BY THE HAWAII TOURISM AUTHORITY," was jointly offered by Representatives Ching, Awana, Brower, Evans, Finnegan, Hanohano, Marumoto, Morita and Pine.

H.R. No. 26, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES POSTAL SERVICE TO ISSUE POSTAL STAMPS HONORING THE WORLD WAR II JAPANESE-AMERICAN NISEI SOLDIERS, OTHER DISTINGUISHED MILITARY UNITS IN UNITED STATES HISTORY, AND AMERICAN'S WHO FOUGHT AGAINST DISCRIMINATION BASED ON RACE OR NATIONAL ORIGIN," was jointly offered by Representatives Mizuno, Brower, Ito, Karamatsu and Marumoto.

H.R. No. 27, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ADOPT, AMEND, OR REPEAL RULES IN ORDER TO RECOGNIZE AND RESPECT THE HAWAIIAN SYSTEM OF HANAI DURING THE LICENSING OF FOSTER PARENTS," was jointly offered by Representatives Mizuno, Keith-Agaran and Bertram.

H.R. No. 28, entitled: "HOUSE RESOLUTION URGING CONGRESS TO DECREASE THE UNITED STATES' DEPENDENCE ON FOREIGN OIL AND INCREASE THE COUNTRY'S ENERGY EFFICIENCY," was jointly offered by Representatives Mizuno, Carroll and Thielen.

H.C.R. No. 7, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE U.S. DEPARTMENT OF AGRICULTURE AND THE COUNTY OF HAWAII TO PROVIDE FINANCIAL SUPPORT TO AGRICULTURAL OPERATIONS THAT HAVE INCURRED SIGNIFICANT LOSSES DUE TO THE EFFECTS OF VOG," was jointly offered by Representatives Herkes, Chang, Coffman, Evans, Hanohano, Nakashima and Tsuji.

H.C.R. No. 8, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE U.S. DEPARTMENT OF AGRICULTURE TO PROVIDE FEDERAL AID TO ASSIST AGRICULTURAL OPERATIONS IN VOG-IMPACTED AREAS IN MEETING THEIR WATER NEEDS," was jointly offered by Representatives Herkes, Chang, Coffman, Evans, Hanohano, Nakashima and Tsuji.

H.C.R. No. 9, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTY OF HAWAII TO MAKE PERMANENT ITS MASS EMERGENCY NOTIFICATION SYSTEM," was jointly offered by Representatives Herkes, Chang, Coffman, Evans, Hanohano, Nakashima and Tsuji.

H.C.R. No. 10, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ADJUTANT GENERAL TO IDENTIFY THE LOCATION OF EVERY PUBLIC SAFE ROOM IN HAWAII PROVIDING SUITABLE SHELTER FROM VOG AND DEVELOP PLANS TO ESTABLISH SUCH SAFE ROOMS IN ADDITIONAL AREAS THAT NEED THEM," was jointly offered by Representatives Herkes, Chang, Coffman, Evans, Hanohano, Nakashima and Tsuji.

H.C.R. No. 11, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTY OF HAWAII TO AMEND ITS BUILDING CODE TO REQUIRE FILTERS AND ULTRAVIOLET LIGHT SYSTEMS IN WATER CATCHMENT SYSTEMS THAT ARE INSTALLED IN VOG-IMPACTED AREAS," was jointly offered by Representatives Herkes, Chang, Coffman, Evans, Hanohano, Nakashima and Tsuji.

H.C.R. No. 12, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE GOVERNOR TO CREATE A HOME FOR LIFE TASK FORCE TO REDUCE BARRIERS TO AGING IN PLACE AND TO FACILITATE MULTIGENERATIONAL LIVING," was jointly offered by Representatives M. Lee, Brower, Cabanilla, Evans, Mizuno, Rhoads and Bertram.

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H.C.R. No. 14, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING PUBLIC AND PRIVATE AGENCIES TO MAKE APPROPRIATE EXEMPTIONS FOR GRANDPARENTS CARING FOR GRANDCHILDREN TO REMAIN IN SENIOR HOUSING UNTIL SUITABLE HOUSING IS OBTAINED," was jointly offered by Representatives M. Lee, Awana, Belatti, Berg, Brower, Hanohano, Har, Keith-Agaran, Luke, Marumoto, Mizuno, Nakashima and Thielen.

H.C.R. No. 15, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING STAKEHOLDERS AND INTERESTED PARTIES TO WORK TOGETHER TO ESTABLISH PAID FAMILY LEAVE OR SIMILAR WAGE REPLACEMENT PROGRAMS TO ASSIST FAMILY CAREGIVERS," was jointly offered by Representatives M. Lee, Awana, Berg, Cabanilla, Carroll, Ching, Evans, Hanohano, Har, Luke, Morita, Nishimoto, Shimabukuro, Brower, Finnegan, Keith-Agaran and Wooley.

H.C.R. No. 16, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING STATE AND COUNTY ACTION TO STIMULATE INDIVIDUAL SAVINGS AND DEVELOPMENT OF CREDIT AND TO FORMULATE AN INVENTORY OF BANKING SERVICES AVAILABLE TO LOW-INCOME PERSONS AND THOSE WITH NO CREDIT HISTORY IN THE STATE," was jointly offered by Representatives M. Lee, Belatti, Berg, Brower, Cabanilla, Carroll, Ching, Evans, Finnegan, Hanohano, Har, Luke, Morita, Shimabukuro, Thielen, Wooley, Marumoto and Pine.

H.C.R. No. 17, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO MAKE IT A PRIORITY TO EDUCATE THE PUBLIC ON THE PROPER CLEANING OF PRODUCE," was jointly offered by Representatives M. Lee, Mizuno, Rhoads and Thielen.

H.C.R. No. 18, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HERITAGE TOURISM COMMUNITY TO COLLABORATIVELY WORK TO, AMONG OTHER THINGS, CREATE A HERITAGE TOURISM MARKETING PLAN FOR USE BY THE HAWAII TOURISM AUTHORITY," was jointly offered by Representatives Ching, Finnegan, Pine, Thielen and Ward.

H.C.R. No. 19, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE SECRETARY OF DEFENSE AND THE PRESIDENT OF THE UNITED STATES TO AWARD SGT. RAFAEL PERALTA THE MEDAL OF HONOR," was jointly offered by Representatives Thielen, Ching, Finnegan, Marumoto, Pine and Ward.

H.C.R. No. 20, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO ENACT LEGISLATION TO PROTECT THE PENSIONS OF EMPLOYEES WHO ARE EMPLOYED BY EMPLOYERS THAT ARE FACING FINANCIAL DIFFICULTIES," was jointly offered by Representatives Pine, Finnegan, Marumoto, Thielen and Ward.

H.C.R. No. 21, entitled: "HOUSE CONCURRENT RESOLUTION URGING A COMPREHENSIVE MANAGEMENT REVIEW OF THE DEPARTMENT OF EDUCATION'S OPERATIONS," was jointly offered by Representatives Pine, Ching, Finnegan, Marumoto, Thielen and Ward.

H.C.R. No. 22, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA," was jointly offered by Representatives Ching, Awana, Brower, Evans, Finnegan, Hanohano, Marumoto, McKelvey, Mizuno, Morita and Pine.

H.C.R. No. 23, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HERITAGE TOURISM COMMUNITY TO COLLABORATIVELY WORK TO, AMONG OTHER THINGS, CREATE A HERITAGE TOURISM MARKETING PLAN FOR USE BY THE HAWAII TOURISM AUTHORITY," was jointly offered by Representatives Ching, Awana, Brower, Finnegan, McKelvey and Morita.

H.C.R. No. 24, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES POSTAL SERVICE TO ISSUE POSTAL STAMPS HONORING THE WORLD WAR II JAPANESE-AMERICAN NISEI SOLDIERS, OTHER DISTINGUISHED MILITARY UNITS IN UNITED STATES HISTORY, AND AMERICAN'S WHO FOUGHT AGAINST DISCRIMINATION BASED ON RACE OR NATIONAL ORIGIN," was jointly offered by Representatives Mizuno, Brower, Ito, Karamatsu and Marumoto.

H.C.R. No. 25, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ADOPT, AMEND, OR REPEAL RULES IN ORDER TO RECOGNIZE AND RESPECT THE HAWAIIAN SYSTEM OF HANAI DURING THE LICENSING OF FOSTER PARENTS," was jointly offered by Representatives Mizuno, Brower, Keith-Agaran, Aquino and Bertram.

H.C.R. No. 26, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO DECREASE THE UNITED STATES' DEPENDENCE ON FOREIGN OIL AND INCREASE THE COUNTRY'S ENERGY EFFICIENCY," was jointly offered by Representatives Mizuno, Cabanilla, Carroll, Keith-Agaran, C. Lee and Thielen.

ANNOUNCEMENT

Representative Ward: "Mr. Speaker. I think that everybody knows that today is Kung Hee Fat Choy. We have to remember that we pass red envelopes and good tidings to one another. So on behalf of my daughter and all the others who are part of the Chinese Caucus, Kung Hee Fat Choy."

At 9:15 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-Fifth 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 and distinguished guests:

Lt. Governor James R. Aiona, Jr., who was presented a lei by Representative Cindy Evans, and Mrs. Vivian Aiona, who was presented a lei by Senator David Ige;

Chief Justice Ronald T.Y. Moon, who was presented a lei by Senator Jill Tokuda;

Ms. Haunani Apoliona, Chair, Office of Hawaiian Affairs, who was presented a lei by Representative Pono Chong;

Former Governor George R. Ariyoshi;

Former Governor and Mrs. John Waihee;

Lieutenant General Benjamin Mixon, US Army Pacific;

Major General Vern Miyagi, US Pacific Command;

Major General Mike Hostage, US Pacific Air Forces;

Rear Admiral Joseph Walsh, US Pacific Fleet;

Col. Cosmas Spofford, US Marine Corps Forces, Pacific;

Captain Stephen Mehling, Fourteenth Coast Guard District;

Associate Justice Paula Nakayama;

Associate Justice Simeon Acoba, Jr.;

Associate Justice James Duffy, Jr.;

Mayor Charmaine Tavares, County of Maui;

Mayor Bernard Carvalho, County of Kauai;

Mayor Billy Kenoi, County of Hawaii;

Managing Director Bill Takaba, County of Hawaii;

Managing Director Kirk Caldwell, City & County of Honolulu;

Council Chair Bill "Kaipo" Asing, County of Kauai;

Council Chair Danny Mateo, County of Maui;

Council Chair Todd Apo, City & County of Honolulu;

Mr. Gaylord Tom and Mr. John Henry Felix, Representatives of the Consular Corps of Hawaii.

The Speaker then asked Representatives Magaoay, B. Oshiro and Finnegan, and Senators Kokubun, 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 Sakamoto on behalf of the Senate. The Speaker then presented to the Members of the Twenty-Fifth Legislature and the audience, the Honorable Linda Lingle, Governor of the State of Hawaii.

The Governor then addressed the Joint Session as follows:

"Thank you, very much. Thank you, very much. You can't see up here on the podium, but besides water, there are some candy bars here. And I wonder if they think I'm going to be that long, but thank you to whoever left them here.

"Senate President Hanabusa, Speaker Say, Lt. Governor and Mrs. Aiona, former Governor Ariyoshi, former Governor Waiheʻe and Mrs. Waiheʻe, members of the Legislature, cabinet members, Chief Justice Moon, Chair Apoliona, Mayor Tavares, Mayor Kenoi, Mayor Carvalho, military leaders, members of the Consular Corps, distinguished guests, and to the people of Hawaiʻi…good morning and Aloha!

"It is a great privilege and a humbling experience to come before you each year to share my thoughts about where our State stands, and where we are headed. The annual State of the State Address is a time-honored tradition in states all across our great nation. It is a time to take stock of where we are as a state, to recognize a few successes, and to lay out a clear roadmap for our future.

"In this sense, it is a fairly typical speech. But this has not been a typical year. We are facing a time like no other in our State's history. And 2009 will be one of the most challenging years in our nation's history as we confront one of the severest economic crises we have ever faced.

"The daunting task we face in the months ahead is making some very difficult decisions in order to address our immediate fiscal problems. These are not decisions that any of us want to make, but they are decisions that must be made. They are the same kinds of decisions being made across our State by individuals, families, businesses and organizations as they too confront a near-term future with substantially fewer financial resources, and a high degree of uncertainty.

"I'm an optimist by nature…and as Winston Churchill said, "An optimist sees the opportunity in every difficulty."

"So, I come before you today with a clear understanding of the enormity of what we face in the near term, but still enthusiastic about planning for our future together and optimistic about Hawai‘i in the 21st century.

"Together we will meet both our near-term and long-term obligations by making those decisions necessary to navigate through the turbulence of the current fiscal crisis and achieve our preferred future.

"That future includes energy independence, increased food self-sufficiency, and a 21st-century infrastructure that supports existing and emerging industries.

"Our future also includes a well-cared for environment that increases recreational opportunities across the State. We cannot afford to merely hunker down and muddle through the next year or two. This is a time for us to work together to address the immediate reality, while searching for those opportunities that will enable us to emerge from this situation stronger than ever.

"This dual effort will take patience and courage because there will be those who want to ignore reality and continue spending at current levels. And others who only want to deal with our immediate revenue shortfall while deferring any talk of the future. Either approach would leave us far short of meeting our duty to the people of Hawai‘i – a duty to both live within our means and position ourselves for a brighter future.

"As we face this historic challenge, it is easy to forget how much success we have enjoyed in recent years.

"I want to review the solid progress we have made in several areas, including home ownership and helping those most in need. Since May of 2006 we have built nine new emergency shelters and transitional housing projects that provide safe and clean places to live for many who previously could only find a night’s rest in our parks, beaches, doorways or in their cars.

"Nearly 2,800 people, including hundreds of children, have received not only safe shelter, but social services and an outpouring of community support to help them transition from homelessness to self-sufficiency. It took many people to achieve so much in just two-and-a-half short years. I want to thank our entire community for embracing and helping those who had lost all hope.

"In an attempt to address a completely different kind of housing need, we’re all aware of the success the Department of Hawaiian Home Lands has had. They’ve awarded more land to their beneficiaries than at any time in the history of the trust, and we all enjoy seeing families who have waited for decades finally receiving their homesteads.

"But there’s a much larger DHHL story that will be fully revealed in the years ahead. It is the story of a native Hawaiian agency that has chosen to meet its fiduciary duty to its beneficiaries by leading in a way that benefits the larger community. Whether it’s their pivotal role in the $110 million Kroc Center, development of the future DeBartolo regional mall, kick-starting the infrastructure UH West O‘ahu needed in order to move forward, or being the first state department to move its entire O‘ahu operation to the Second City of Kapolei, DHHL has chosen to lead.

"We now look to them as an important and integral part of our economic recovery, and as an example of how to develop desirable communities. They are even blazing their own trail in our State’s efforts to achieve energy independence and provide a clean energy future for the generations that will follow.

"Few could have envisioned six years ago the heights to which DHHL and the Hawaiian Homes Commission would soar. I believe their well-recognized success has been achieved partly because of how they contributed to the broader community. DHHL is not just about building homes, it is about building great communities. And they have succeeded because they have demanded more of themselves and their beneficiaries. The bottom line is that they have chosen to lead, not follow…and what a joy it has been to watch their transformation and ongoing journey.

"I want to personally thank the DHHL staff and those who have served on the Hawaiian Homes Commission for showing us all what great things can be achieved when you recognize we are all part of one *'ohana*.

"An important part of that *'ohana* is Hawai‘i’s keiki, especially those who are most vulnerable.

"Two remarkable trends have occurred in Hawai‘i’s child welfare system since 2005. The first is a 50 percent decline in the number of children in state care, to just 1,500 children, which is the lowest number since 1993.

"At the same time, Hawai‘i’s child re-abuse rate also dropped by half to just 3.1 percent, which is one of the lowest re-abuse rates in the United States. These positive trends were the result of a fundamental shift in the State’s approach to child welfare. The Department of Human Services previously removed children from the custody of their biological parents at a rate four times higher than the national average, with no improvement in safety outcomes.

"Today, DHS, and its community partners, uses a comprehensive assessment system to carefully weigh the risk factors in a child’s family environment, and ensure that they receive much-needed social services. Director Lillian Koller has received national recognition for these and other achievements.

"In November of last year, Governing Magazine honored her as a “Public Official of the Year” for widespread improvements at the Department of Human Services, including the overhaul of the child welfare system. This was the first time a public official from Hawai‘i has won this prestigious national award. I know Lillian believes that this success would not have been possible without our many outstanding social service agency partners, as well as her own committed staff. Mahalo to all of you.

"No matter how noteworthy these and other achievements may be, recent reductions in revenue forecasts mean that they and other worthy programs will take a back seat to our more immediate need to balance the budget.

"Today’s struggling economy has created a deep hole in our budget that we need to dig out of this session. The Council on Revenues has never in its history lowered its projections by so much in such a short period of time.

"Over the past eight months, the Council has reduced its general fund revenue projection by $1.4 billion. This downward projection reflects an unprecedented decline in tourism, construction, business activity, and consumer demand brought about by national and international events beyond our control. These events include sub-prime lending, frozen credit markets and volatile oil and other commodity prices – they will impact us for at least the next couple of years.

"Climbing our way out of this hole won’t be easy. It won’t be quick. It won’t be without pain; but it will be done.

"The pain that will be felt by individuals and organizations both in and out of government will cause some to search for a specific reason or person to blame.

"When a recently retired couple watches the value of its 401K drop dramatically…or a family struggles to make the mortgage payment now that their work hours have been cut back…or a social service agency faces the need to lay off employees because the government reduces the purchase of a service contract they were counting on…it is natural to want to understand why this is happening, and to hold someone accountable.

"But we must refrain from playing the blame game because we know this downturn was not caused by any of us. And we know we had been making good decisions in recent years to create a brighter future for Hawai‘i’s people by lowering taxes, increasing science and math

education, moving toward energy independence, and preserving more of our natural and cultural resources.

"We also know that we are all in this together, and it is only by sticking together that we will be able to deal effectively with the immediate fiscal crisis and strengthen our economy in the long run.

"We will need a mixture of courage, compassion, and collaboration to cope with the unprecedented budget gap we face. Collaboration doesn't mean we will see all issues the same way. It means that for the sake of Hawai'i's future, we must acknowledge our predicament and find an acceptable way to move ourselves forward.

"In order to do this, we must start by accepting the fact that in this new economic and fiscal environment, there is simply no possible way to continue operating and spending the way we have.

"Although I am extremely optimistic about Hawai'i's long-term prospects, I am not going to sugarcoat the immediate challenge we face. In order to maintain the public's trust and confidence, we must be open and honest about the nature and magnitude of what we are facing. The reality is that we will have to make some unpopular choices that will reduce some services and cause others to be delivered in a different way. Not because we want to, but because we can't afford business as usual.

"A number of projects will likely be delayed, curtailed, or possibly eliminated. Not because we want to, but because we can't afford business as usual.

"We will have to ask government employees, like those who work in the private sector, to accept some reduction in wages and benefits. Not because we want to, but because we can't afford business as usual.

"Some who currently enjoy special tax credits, exemptions and deductions will see them reduced or eliminated. Not because we want to, but because we can't afford business as usual.

"This is a time of shared sacrifice when everyone must be willing to give up something. This is a time when we must rely on each other, because no one is coming to rescue us.

"We must also keep in mind that the economy will likely continue to soften in the near-term, perhaps causing the Council on Revenues to further reduce projections at its March meeting and then again in May after the budget is adopted.

"We are not alone in facing this new reality and near-term uncertainty. Families and businesses across the country and throughout our state have had to come to terms with this same situation. But we should also recognize that the difficulty we face is temporary. Our nation will regain its economic footing, and so will Hawai'i. How fast we recover here at home will depend to some degree on the decisions we make during this session.

"Our solutions need to be decisive enough to address our immediate situation, but just as important, must prepare the way for our future. Short-term solutions that merely defer the hard choices to those who will follow us are just as bad as no solutions at all. We can't meet our responsibility by kicking the can down the road. We must make meaningful choices now that address the reality we face today while laying the foundation for a better future. That better future is one that transitions us from an economy over-reliant on land development to one that is innovation-driven and relies on the capacity of our people.

"A key area where we must bring innovation to bear is ending our over-reliance on imported foreign oil. Oil pollutes the environment, it sucks billions of dollars out of our economy, and leaves us dependent on the goodwill of foreign countries and companies for our very survival. We remain today the most oil-dependent state in America, but we have made great strides over the past few years.

"Today windmills hum atop Kaheawa Ridge on Maui delivering clean, plentiful power and displacing the need to import 220,000 barrels of foreign oil each year.

"On Lāna'i, a 10-acre solar farm now provides 30 percent of the island's peak power needs. A geothermal project on the Big Island that currently provides power for 30,000 homes is in discussions to increase its output by 50 percent. And on O'ahu, engineers are already figuring out where we will be plugging in the electric cars coming to dealer showrooms in the near future.

"Last year we entered into a unique partnership with the federal Department of Energy called the Hawai'i Clean Energy Initiative or HCEI. It established the goal of a 70 percent clean energy economy by 2030.

"HCEI experts from government, national labs, our military, utilities, universities and the private sector have recommended specific actions to achieve the 70 percent clean energy goal through indigenous renewable resources and energy conservation. My administration and legislators will introduce several bills based on these HCEI recommendations. These changes will significantly increase energy efficiency in our commercial buildings and residences, give consumers more control over their energy costs, transition us to alternative fuel vehicles, such as electric cars, and ban any new fossil fuel power plants in Hawai'i.

"When adopted, these proposals will form the basis for Hawai'i's transformation to one of the world's first economies based primarily on clean energy. Implementing these policy changes will require a large measure of collaboration as we will need public funding, assistance from county governments, conservation by citizens, and investment by the business community.

"To successfully transition to a clean energy economy, we will need the involvement of our entire community, alignment of our efforts, and a continual focus on our objectives.

"I expect there will be a fair amount of spirited debate about the specific energy choices we should make, but if we recognize that we cannot go back to where we were, then I believe the choices are clear. We can either work together toward a clean energy future or continue to operate in a business-as-usual fashion that will leave Hawai'i vulnerable to the vagaries of world oil prices and the whims of foreign countries and companies.

"As the world's most isolated set of islands and our nation's most oil-dependent state, a clean energy future is no longer simply a desire of environmentalists, it is an absolute necessity for our long-term economic survival. This energy transformation is something we owe to future generations, and something they have a right to expect. They have a right to expect energy security.

"They have the right to expect stable and lower energy costs, and a cleaner environment. They have the right to expect higher-paying, green-collar jobs that come with a thriving new energy sector. And they have the right to expect us to stop sending up to $7 billion a year out of Hawai'i to buy foreign oil, instead of keeping most of it here at home, to circulate in our economy.

"Over the past 12 months, remarkable progress has been made toward achieving a secure energy future for our State, and we are being hailed as a national model because of our effort. We must remain steadfast in our pursuit of energy independence and security, regardless of fluctuating oil prices.

"Another area in which we must decrease our over-reliance on outside sources of supply is the food we eat. We import 85 percent of everything we consume. We need to take action now to increase Hawai'i's food self-sufficiency and strengthen and preserve agriculture for future generations as required by our State Constitution. We must increase our efforts to protect the best agricultural lands from development. And, we must strengthen our commitment to provide affordable water for agriculture.

"Increasing our food self-sufficiency will contribute to the State's economic recovery by keeping more of our money here at home. If we

replace just 10 percent of the food we currently import, it would create more than $300 million in economic activity, generate $6 million in taxes, and create 2,300 new jobs.

"I will be asking State agencies such as schools, prisons and hospitals to take the lead by purchasing locally grown fruits, vegetables, poultry, eggs and meat. Under new rules, Hawai‘i farmers will receive a 15 percent price preference when placing their bids for State purchases. If we each make an effort to buy more locally produced food we will be contributing to our economic recovery, helping Hawai‘i farmers lower their unit costs, and protect our open spaces.

"Agriculture keeps Hawai‘i green, it recharges our aquifers and promotes a healthy lifestyle and good nutrition for families. It also diversifies our economy and supports small businesses and rural communities.

"Another requirement for a strong and innovative economy is an advanced communications infrastructure that will serve as the backbone for connecting us to the global economy. This 21st century infrastructure is essential to creating the kind of high-paying jobs we are striving for in the coming years. The communications infrastructure we have in place today barely meets our current needs. We need to be planning for tomorrow’s needs. We shouldn’t be limited in our thinking to believe that what we have in place today is acceptable. We need to dream about tomorrow, and begin now to lay the groundwork for getting there.

"We need a communications infrastructure that will allow us to achieve competitive advancements in the areas of: education, health care diagnosis and treatment, public safety, research and innovation, civic participation, creative media, e-government, and the foundation for overall economic development.

"We have been working with the Legislature’s Broadband Task Force to craft a bill that recognizes the convergence of technologies that are used to provide voice, data and video services through wireline, wireless, cable and satellite communication. The bill consolidates regulation and advocacy of communication services under one agency, a new Hawai‘i Communications Commission, in order to make attainable the latest communications services at the earliest possible time.

"The Commission will not increase the size of government. It will be funded from existing fees, and will focus on achieving specific goals, including: creating broadband access on a competitive basis at reduced prices…streamlining the permitting process…and providing access to businesses and residents by 2012 at prices and speeds that will make us a world leader and a place that will attract investment, while empowering our residents with enhanced communications capability.

"This exciting, high-tech proposal could not have moved forward without the hard work over the last two years of the Broadband Task Force, and I applaud the Legislature for having the foresight to establish it.

"Although I have been discussing ideas that will position us well for the future, I think you would agree that the problem that bothers residents the most today is the everyday annoyance of sitting in traffic. Sitting in a seemingly endless line of cars, burning expensive fuel, missing an appointment or your child’s soccer game, is not the way any of us want to spend our time.

"The status quo has become intolerable, so we have joined with legislators in proposing a six-year, multi-island, Highways Modernization Plan to address known traffic problems with proven solutions. This plan is intended to save lives…save time…and save money.

"The program combines road building, highway and bridge safety improvements, anti-congestion traffic management, and a pavement maintenance program, in addition to safety legislation and increased public outreach and education. The bulk of the near-term projects will be started using existing funds and anticipated federal fiscal stimulus funding. The longer-term projects will be paid for by increases in highway-related taxes and fees that would be triggered at a future date if steady job growth indicates that our economy is growing again. In other words, we will have a plan in place that is ready to go to construction when our economic situation improves.

"This innovative recommendation to tie future increases to measurable economic results in order to address a long-festering problem is the kind of creative approach being used by departments and agencies throughout the government. I have challenged every one of our departments to find new and creative ways to improve our quality of life in these tough economic and fiscal times.

"The Department of Land and Natural Resources has risen to this challenge, and developed a comprehensive proposal to renew our state parks, small boat harbors and our trails, as well as the very way we care for these precious places – a true “Recreational Renaissance” that will benefit all residents and visitors.

"The heart of the plan is $240 million in capital improvements over five years for both land- and ocean-based recreation. The Department will fund this innovative plan by dedicating rents from some existing commercial properties to pay debt service, and developing now-vacant industrial and commercial lands that will fulfill the high demand for light industrial spaces in areas suitable for those uses.

"Additional funding to support maintenance and operations will be generated from leases and concessions in parks and harbors combined with a small entry fee paid by visitors at a limited number of high-destination parks.

"The plan’s final piece is the development of new land and ocean recreational opportunities through a public-private partnership to develop the long-proposed Ke‘ehi Lagoon Triangle adjacent to Lagoon Drive in Honolulu. This centerpiece initiative will include 119 acres of light industrial space as a long-term source of revenue, coupled with new marina slips, canoe club storage and practice areas, boat ramps, storage and dry docks, beach parks and picnic areas.

"I want to thank the staff at DLNR, DBEDT and Budget and Finance who developed this creative and comprehensive proposal which creates brand new, non-tax revenues and a better way of managing and caring for our recreational, natural and cultural resources. It’s sure not business as usual at DLNR!

"Working together, we can set the stage for this long-overdue “Recreational Renaissance” that will provide residents and visitors across our state with new and better recreational areas that are well-maintained, secure and enriching. I am especially enthused about working with the Legislature on this and other proposals as a colleague rather than as an adversary.

"I will do more than reach across the aisle; I will walk across the aisle, and my door will always be wide open to you. Our collaboration will demonstrate to the people of Hawai‘i that when history called on us to do so, we rose to the occasion. I firmly believe that only by working together can we produce the kind of significant results that will enable us to exit this temporary downturn, and to position our economy for a stronger and more sustainable future.

"Before concluding, I want to take a moment to speak about the case pending before the United States Supreme Court involving the issue of ceded lands. The issue involved in this case is not whether ceded lands should be sold or not. Rather the issue involves the fundamental question of whether the State of Hawai‘i has clear title to the land transferred to us by the federal government at the time of statehood.

"The roots of this case date back to a decision made by former Governor Waihe‘e in the 1980s to sell certain ceded lands on Maui and Hawai‘i for the construction of affordable housing. It was a decision he believed was in the best interest of all the people of Hawai‘i.

"It is a decision that former Governor Cayetano defended in court because he believed it was in the best interest of all the people of Hawai‘i to do so.

"And it is a decision that we are appealing to the United States Supreme Court because I believe it is in the best interest of all the people of Hawai‘i.

"Acting in the best interest of all the people is the same standard I applied when supporting the Akaka Bill, fighting to protect federal programs benefiting native Hawaiians, or expediting Hawaiian Homestead leases. And I will continue to advocate for these issues in the coming years just as passionately as I have in years past.

"I call upon all who cherish what is the essence of Hawai‘i to come together with a willingness to understand and respect the nature of this case and its importance to the future of our state.

"Our current fiscal crisis and the ceded lands issue arise during the same year that we commemorate our 50th anniversary as a state. It is a time when we can reflect on just how unique we are among the 50 states. But it is a time, more importantly to remind ourselves that regardless of the short-term decisions we must make in this moment of economic difficulty, we should remain firmly anchored on the sure footing of Hawai‘i’s rich culture, diverse heritage and sometimes complicated history.

"Governors of Japanese, Hawaiian, and Filipino descent have delivered State of the State addresses at this very podium. Hawai‘i elected the first Asian American to the United States Senate. And, less than a week ago, Hawai‘i’s heart swelled with pride as one of its own, Barack Obama, became the first African American to take the presidential oath of office when he was sworn in as our nation’s 44th president.

"We have so much to be proud of in our history, and so much to look forward to in the coming years. We are indeed the most unique among all the 50 states, and we are certainly capable of meeting this current challenge. In my heart, I know that if we work together to make these difficult budget decisions, the people of Hawai‘i will understand that these weren’t the decisions we wanted to make but that we had to make.

"The people of Hawai‘i are counting on us to lead our state through this unprecedented time – and that is exactly what we are going to do.

"When the curtain comes down on our time on this stage, I want our collective legacy to win reviews as a story of pulling together for the good of all rather than being written off as a cast of characters who was each acting in their own one-man show.

"If we deal decisively with the current crisis while keeping our eyes open to the opportunities that these kinds of challenging times create, then the people of Hawai‘i will conclude that we have lived up to our obligation.

"Now, let’s get to work. Mahalo."

President Hanabusa then rose and stated:

"Thank you, Governor Lingle. On behalf of Speaker Say and myself, I want to confirm that we have full confidence in the Members of the House and the Members of the Senate, that they are not only able, but they are willing and ready to meet this challenge.

"We all know that we are facing the most difficult economic crisis that this State has seen in recent history. We all know that the one thing we must do is to work together if we are going to face this crisis and come out of it, so the people of Hawai'i are not caused to suffer any more than they will. And we all know that it is the people of Hawai'i that we serve, and they are the ones that we must protect and understand their needs and face this challenge.

"So on behalf of Speaker Say and myself, and the Members of the House and the Senate, we look forward to working collaboratively with not only you, Governor, the Lieutenant Governor, and members of your Cabinet, but also with the people. The people must be a part of this. They must hear you. You must participate, because these are the times where we cannot say that if the idea doesn't come from here, it is not a good one. We need all the input that we can have. So with that, I declare this Joint Session adjourned."

At 10:51 o'clock a.m., President Hanabusa declared the Joint Session of the House of Representatives and the Senate of the Twenty-Fifth Legislature adjourned.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 12:00 o'clock noon, Wednesday, January 28, 2009.

FIFTH DAY

Wednesday, January 28, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:03 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Ms. Margaret Logotaeao, of Representative Bertram's office, after which the Roll was called showing all Members present with the exception of Representatives Berg, Say and Takumi, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 217 through 219) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 217, dated January 26, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, 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. 218, dated January 26, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Section 31 of Act 213, Session Laws of Hawaii, 2007, Requiring the Department of Health to Increase the Annual Pensions for the Residents of Kalaupapa Settlement.

Gov. Msg. No. 219, dated January 20, 2009, transmitting the Department of Labor and Industrial Relations' (DLIR) Report on Services for Persons with Developmental Disabilities, as required by Act 259, Session Laws 2007.

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. 2, entitled: "SENATE 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 January 26, 2009.

Representative B. Oshiro moved that S.C.R. No. 2 be adopted, seconded by Representative Evans.

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

"Mr. Speaker, I rise to speak in strong support of Senate Concurrent Resolution No. 2. It has been almost six 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 15 of this year, we in Hawaii have lost a total of 240 servicemembers, who have all sacrificed their lives while in the line of duty. This past year, we lost a total of 23 servicemembers. To pay a special tribute to these heroes and to their families, we passed House Bill No. 8 in 2005, which became Act 21. This Act created the Hawaii Medal of Honor.

"This special medal is awarded on behalf of all of us in the State of Hawaii to an individual who has been killed in action while serving our country as part of Operation Iraqi Freedom or Operation Enduring Freedom. Recipients of the Hawaii Medal of Honor include the members of the United States Armed Forces, the United States Military Reserves and the Hawaii National Guard, who are 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 according to this Senate Concurrent Resolution to family representatives of these fine men and women at a ceremony held during a joint Legislative Session on Tuesday, March 31, 2009 at 2 p.m. this year in the Senate Chambers. Families from towns like Brockport, New York, and Jacksonville, Florida, to as far as Saipan, American Samoa, and the Marshall Islands will be invited to attend this ceremony.

"In the past six years, the War Against Terrorism has changed our world and our lives in a profound way. And ultimately Mr. Speaker, it's not about the politics, it's not even about the money, and it's not even about winning. I believe it's all about the families and their loved ones and what these brave men and women have given and sacrificed to our country. Thank you, Mr. Speaker."

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

"I also would like to speak in strong support. As a new military family through marriage, I can tell you that it's very rough for military families. And I just really want to thank the previous Representative for bestowing a great legacy of honor on this Chamber. It really means a lot to the families. And the sacrifices that the families make to serve their country is just as great. So thank you so much."

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

"Mr. Speaker, I also rise in strong support. As with the previous two speakers, either by service or by family who are veterans, I feel compelled as a Vietnam veteran to stand up in strong support.

"I feel, Mr. Speaker this measure is probably one of the most honorable things that will pass this desk on this Floor. And I think it's a good foreboding of what this Session will be like. I see it as the equivalent for honor to veterans as what the GI Bill was for education for veterans. It is simply a good, good measure. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and S.C.R. No. 2 was adopted with Representatives Berg, Say and Takumi being excused.

INTRODUCTIONS

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

Representative Thielen introduced 5th grade students from the Le Jardin Academy. They were accompanied by teachers, Ms. Dale Corsey, Ms. Joyceline Lee and Ms. Suzie Gamble; teaching assistant, Ms. Barbara Ennis; and parents, Ms. Sylvia McCord, Ms. Theresa Greaney, Ms. Genette Simpkins and Ms. Laura Black.

Representative C. Lee also recognized and greeted the students of Le Jardin, who he would see every morning.

Representative Awana introduced the Honorable Ronald Allan Nalupta, Vice Mayor of Bata City, Ilocos Norte of the Philippines, and his wife, Mrs. Ivy Pimicias Nalupta. They were accompanied by Mr. Roger Acosta, President of Annac ti Batac iti Hawaii (children of Batac City) of Hawaii; Ms. Liza Romualdo, Treasurer and Past President of Annac ti Batac iti Hawaii; Mr. Richard Cuanang, member from the North Carolina Chapter of Annac ti Batac; and Ms. Jenny Quezon, legislative aide to Representative Awana.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

H.B. Nos.	Referred to:
791	Committee on Human Services, then to the Committee on Water, Land, & Ocean Resources
792	Committee on Education, then to the Committee on Judiciary
793	Committee on Education, then to the Committee on Health, then to the Committee on Finance
794	Committee on Education, then to the Committee on Health, then to the Committee on Finance
795	Committee on Transportation, then to the Committee on Judiciary
796	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
797	Committee on Education, then to the Committee on Agriculture, then to the Committee on Finance
798	Jointly to the Committee on Human Services and the Committee on Hawaiian Affairs, then to the Committee on Finance
799	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
800	Committee on Transportation, then to the Committee on Education, then to the Committee on Finance
801	Committee on Transportation, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
802	Committee on Health, then to the Committee on Judiciary
803	Committee on Legislative Management, then to the Committee on Finance
804	Committee on Health, then to the Committee on Judiciary
805	Committee on Health, then to the Committee on Judiciary
806	Committee on Health, then to the Committee on Judiciary
807	Committee on Health, then to the Committee on Judiciary
808	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
809	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
810	Committee on Finance
811	Committee on Health, then to the Committee on Consumer Protection & Commerce
812	Jointly to the Committee on Human Services and the Committee on Housing, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
813	Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance
814	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
815	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
816	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
817	Committee on Finance
818	Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance
819	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
820	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then jointly to the Committee on Housing and the Committee on Agriculture and the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
821	Committee on Finance
822	Committee on Labor & Public Employment
823	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
824	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
825	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
826	Committee on Labor & Public Employment, then to the Committee on Finance
827	Committee on Public Safety, then to the Committee on Finance
828	Committee on Housing, then to the Committee on Finance
829	Committee on Transportation, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
830	Committee on Legislative Management, then to the Committee on Finance
831	Committee on Human Services, then to the Committee on Judiciary
832	Committee on Public Safety, then to the Committee on Judiciary, then to the Committee on Finance
833	Committee on Transportation, then to the Committee on Finance

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

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

836 Committee on Transportation, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Finance

837 Committee on Transportation, then jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

838 Committee on Judiciary, then to the Committee on Finance

839 Committee on Judiciary, then to the Committee on Finance

840 Committee on Judiciary

841 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

842 Committee on Education, then to the Committee on Finance

843 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

844 Committee on Human Services, then to the Committee on Finance

845 Committee on Public Safety, then to the Committee on Finance

846 Committee on Transportation, then to the Committee on Finance

847 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

848 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

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

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

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

852 Committee on Judiciary

853 Committee on Legislative Management, then to the Committee on Judiciary

854 Committee on Judiciary

855 Committee on Legislative Management, then to the Committee on Judiciary

856 Committee on Judiciary

857 Committee on Judiciary, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

858 Committee on Judiciary, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

859 Committee on Judiciary, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

860 Committee on Judiciary, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

861 Committee on Judiciary, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

862 Committee on Judiciary, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

863 Committee on Transportation, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Finance

864 Committee on Transportation, then jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

865 Committee on Transportation, then to the Committee on Water, Land, & Ocean Resources

866 Committee on Transportation, then to the Committee on Judiciary

867 Committee on Education, then to the Committee on Finance

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

869 Committee on Transportation, then to the Committee on Judiciary

870 Committee on Finance

871 Committee on Finance

872 Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

873 Committee on Human Services, then to the Committee on Judiciary

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

875 Committee on Consumer Protection & Commerce

876 Committee on Human Services, then to the Committee on Consumer Protection & Commerce

877 Committee on Transportation, then to the Committee on Judiciary

878 Committee on Judiciary

879 Committee on Economic Revitalization, Business, & Military Affairs, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

880 Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance

881 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

882 Committee on Education, then to the Committee on Finance

883 Committee on Finance

884 Committee on Human Services, then to the Committee on Finance

885 Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

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

887 Jointly to the Committee on Tourism, Culture, & International Affairs and the Committee on Public Safety and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

888 Jointly to the Committee on Tourism, Culture, & International Affairs and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

889 Committee on Agriculture

890 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

891 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

892 Committee on Human Services, then to the Committee on Judiciary

893 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

894 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

895 Committee on Health, then to the Committee on Finance

896 Committee on Health, then to the Committee on Finance

897 Committee on Health

898 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

899 Committee on Hawaiian Affairs, then to the Committee on Finance

900 Committee on Hawaiian Affairs, then to the Committee on Finance

901 Jointly to the Committee on Hawaiian Affairs and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

902 Jointly to the Committee on Hawaiian Affairs and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

903 Committee on Hawaiian Affairs, then to the Committee on Housing, then to the Committee on Finance

904 Committee on Agriculture, then to the Committee on Finance

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

906 Jointly to the Committee on Hawaiian Affairs and the Committee on Water, Land, & Ocean Resources, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

907 Committee on Education, then to the Committee on Finance

908 Committee on Hawaiian Affairs, then to the Committee on Higher Education, then to the Committee on Finance

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

910 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

911 Jointly to the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Tourism, Culture, & International Affairs, then to the Committee on Judiciary

912 Committee on Human Services, then to the Committee on Judiciary

913 Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

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

915 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

916 Committee on Consumer Protection & Commerce, then to the Committee on Finance

917 Committee on Transportation, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

918 Committee on Agriculture, then to the Committee on Water, Land, & Ocean Resources

919 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Finance

920 Committee on Transportation, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

921 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

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

923 Committee on Transportation, then to the Committee on Judiciary

924 Committee on Economic Revitalization, Business, & Military Affairs, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, then to the Committee on Finance

925 Committee on Judiciary, then to the Committee on Finance

926 Committee on Finance

927 Committee on Public Safety, then to the Committee on Judiciary

928 Committee on Hawaiian Affairs, then to the Committee on Finance

929 Committee on Health, then to the Committee on Finance

930 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

931 Jointly to the Committee on Agriculture and the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Consumer Protection & Commerce

932 Jointly to the Committee on Transportation and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

933 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

934 Committee on Finance

935 Committee on Finance

936 Committee on Transportation, then to the Committee on Finance

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

938 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

939 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

940 Jointly to the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Agriculture, then to the Committee on Finance

941 Jointly to the Committee on Public Safety and the Committee on Labor & Public Employment, then to the Committee on Judiciary

942 Committee on Agriculture, then to the Committee on Finance

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

944 Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

945 Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

946 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

947 Committee on Transportation, then to the Committee on Judiciary

948 Committee on Water, Land, & Ocean Resources and the Committee on Housing

949 Jointly to the Committee on Hawaiian Affairs and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

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

951 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

952 Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

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

954 Committee on Public Safety, then to the Committee on Finance

955 Committee on Labor & Public Employment, then to the Committee on Judiciary

956 Committee on Consumer Protection & Commerce, then to the Committee on Finance

957 Jointly to the Committee on Human Services and the Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

958 Committee on Housing, then to the Committee on Judiciary, then to the Committee on Finance

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

960 Committee on Tourism, Culture, & International Affairs, then to the Committee on Public Safety, then to the Committee on Finance

961 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

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

963 Committee on Tourism, Culture, & International Affairs, then to the Committee on Hawaiian Affairs, then to the Committee on Finance

964 Committee on Judiciary, then to the Committee on Finance

965 Committee on Finance

966 Jointly to the Committee on Health and the Committee on Tourism, Culture, & International Affairs and the Committee on Public Safety, then to the Committee on Judiciary

967 Jointly to the Committee on Public Safety and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

968 Committee on Judiciary, then to the Committee on Finance

969 Committee on Public Safety, then to the Committee on Legislative Management, then to the Committee on Finance

970 Committee on Legislative Management, then to the Committee on Judiciary

971 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

972 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance

973 Committee on Legislative Management, then to the Committee on Judiciary

974 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

975 Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

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

977 Committee on Judiciary

978 Committee on Finance

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

980 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

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

982 Committee on Labor & Public Employment, then jointly to the Committee on Higher Education and the Committee on Legislative Management, then to the Committee on Finance

983 Committee on Transportation, then to the Committee on Education, then to the Committee on Finance

984 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

985 Committee on Education, then to the Committee on Finance

986 Committee on Energy & Environmental Protection, then to the Committee on Education, then to the Committee on Finance

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

988 Jointly to the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Agriculture, then to the Committee on Judiciary, then to the Committee on Finance

989 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

990 Committee on Public Safety, then to the Committee on Finance

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

992 Committee on Education, then to the Committee on Agriculture, then to the Committee on Finance

993 Committee on Judiciary, then to the Committee on Finance

994 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

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

996 Committee on Economic Revitalization, Business, & Military Affairs, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

997 Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

998 Jointly to the Committee on Tourism, Culture, & International Affairs and the Committee on Agriculture, then to the Committee on Finance

999 Committee on Judiciary

1000 Committee on Energy & Environmental Protection, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1001 Committee on Judiciary, then to the Committee on Finance

1002 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1003 Committee on Transportation, then to the Committee on Judiciary

1004 Committee on Finance

1005 Committee on Finance

1006 Committee on Legislative Management, then to the Committee on Judiciary

1007 Committee on Judiciary, then to the Committee on Finance

1008 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture

1009 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Finance

1010 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Hawaiian Affairs

1011 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Agriculture, then to the Committee on Finance

1012 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1013 Committee on Labor & Public Employment, then to the Committee on Finance

1014 Committee on Public Safety, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1015 Committee on Hawaiian Affairs, then to the Committee on Finance

1016 Committee on Judiciary, then to the Committee on Finance

1017 Committee on Judiciary, then to the Committee on Finance

1018 Committee on Judiciary, then to the Committee on Finance

1019 Committee on Judiciary

1020 Committee on Human Services, then to the Committee on Judiciary

1021 Committee on Human Services, then to the Committee on Judiciary

1022 Committee on Judiciary

1023 Committee on Judiciary

1024 Committee on Judiciary

1025 Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

1026 Committee on Health, then to the Committee on Judiciary

1027 Committee on Judiciary

1028 Committee on Judiciary

1029 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1030 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1031 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1032 Committee on Consumer Protection & Commerce

1033 Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

1034 Committee on Judiciary

1035 Committee on Judiciary

1036 Committee on Judiciary, then to the Committee on Finance

1037 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1038 Committee on Judiciary

1039 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1040 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1041 Committee on Human Services, then to the Committee on Judiciary

1042 Committee on Judiciary, then to the Committee on Finance

1043 Committee on Housing, then to the Committee on Finance

1044 Committee on Housing, then to the Committee on Finance

1045 Committee on Housing, then to the Committee on Finance

1046 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1047 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture

1048 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture

1049 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1050 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1051 Jointly to the Committee on Public Safety and the 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

1052 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1053 Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1054 Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Finance

1055 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1056 Jointly to the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Agriculture, then to the Committee on Housing, then to the Committee on Finance

1057 Committee on Higher Education, then to the Committee on Finance

1058 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

1059 Committee on Consumer Protection & Commerce, then to the Committee on Finance

INTRODUCTION OF BILLS

On motion by Representative Evans, seconded by Representative Pine and carried, the following bills (H.B. Nos. 809 through 1843) 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.

809 "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY INFORMATION REPORTING ACT."

Introduced by: Representative Choy.

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

Introduced by: Representative Berg.

811 "A BILL FOR AN ACT RELATING TO REGISTERED NURSES."

Introduced by: Representatives Aquino, Brower, Ching, Finnegan, Ito, Keith-Agaran, Magaoay, Manahan, Pine, Saiki, Shimabukuro, Tsuji, Wakai, Yamane, Chang, Har and Tokioka.

812 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Representatives Mizuno, Brower, Ito, Karamatsu, Magaoay, Pine, Shimabukuro, Aquino, Bertram and Keith-Agaran.

813 "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS."

Introduced by: Representatives Keith-Agaran, Brower, Ito, Karamatsu, Magaoay, Mizuno, Pine, Shimabukuro, Aquino and Bertram.

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

Introduced by: Representatives Mizuno, Bertram, Brower, Ching, Karamatsu, Keith-Agaran, Magaoay, Manahan, Pine, Shimabukuro, Aquino, Berg and Chang.

815 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Representatives Mizuno, Bertram, Brower, Shimabukuro, Aquino, Ito, Karamatsu, Keith-Agaran, Magaoay and Pine.

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

Introduced by: Representatives Ward and Thielen.

817 "A BILL FOR AN ACT RELATING TO SALARIES."

Introduced by: Representatives Pine, Ching, Finnegan, Marumoto, Thielen and Ward.

818 "A BILL FOR AN ACT RELATING TO THE SUPER BOWL."

Introduced by: Representatives Mizuno, Brower and Manahan.

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

Introduced by: Representatives Mizuno, Bertram, Brower, Cabanilla, Karamatsu, Pine, Say and Ward.

820 "A BILL FOR AN ACT RELATING TO SUSTAINABILITY."

Introduced by: Representatives Saiki and Morita.

821 "A BILL FOR AN ACT RELATING TO TAX EXPENDITURES."

Introduced by: Representative Nishimoto, by request.

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

Introduced by: Representative Nishimoto, by request.

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

Introduced by: Representatives Nishimoto and Mizuno.

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

Introduced by: Representative Nishimoto.

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

Introduced by: Representative Nishimoto.

826 "A BILL FOR AN ACT RELATING TO PUBLIC WORKS."

Introduced by: Representatives Sagum, Awana, Hanohano, Takumi, Chang, Ito, Karamatsu, Magaoay, McKelvey, Morita, Souki and Yamashita.

827 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII CIVIL AIR PATROL FOR OPERATING EXPENSES."

Introduced by: Representatives Sagum, Awana, Carroll, Chang, Hanohano, Ito, Magaoay, McKelvey, Morita and Tokioka.

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

Introduced by: Representatives Shimabukuro, Brower, Carroll and McKelvey.

829 "A BILL FOR AN ACT RELATING TO ARMED SERVICES."

Introduced by: Representatives Shimabukuro and Carroll.

830 "A BILL FOR AN ACT RELATING TO THE OFFICE OF THE AUDITOR."

Introduced by: Representatives Shimabukuro, Belatti, Chang, Evans, Hanohano, Har, C. Lee, Luke, Magaoay, McKelvey, Morita, Nakashima, Takai, Wooley, Aquino, Bertram, Karamatsu, Keith-Agaran, Saiki and Tokioka.

831 "A BILL FOR AN ACT RELATING TO SERVICE OF COURT ORDERS."

Introduced by: Representatives Shimabukuro, Chang, Evans, Har, Karamatsu, C. Lee, Luke, Magaoay, McKelvey, Morita, Nakashima, Takai, Belatti, Bertram, Keith-Agaran, Saiki, Tokioka and Wooley.

832 "A BILL FOR AN ACT RELATING TO THE CLEANSING OF STREAMS AND WATERWAYS."

Introduced by: Representatives Shimabukuro, Bertram, Chang, Evans, Hanohano, Karamatsu, Keith-Agaran, C. Lee, Luke, Magaoay, Morita, Nakashima, Takai, Tokioka, Wooley, Aquino, Belatti, Har and Saiki.

833 "A BILL FOR AN ACT RELATING TO THE WITHHOLDING OF TEN PER CENT OF COUNTY SURCHARGE ON STATE TAX."

Introduced by: Representative Say, by request.

834 "A BILL FOR AN ACT RELATING TO WATER QUALITY STANDARDS."

Introduced by: Representative Say, by request.

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

Introduced by: Representative Say, by request.

836 "A BILL FOR AN ACT RELATING TO ESTABLISHING A COUNTY TRANSIT ORIENTED DEVELOPMENT INFRASTRUCTURE REVOLVING FUND."

Introduced by: Representative Say, by request.

837 "A BILL FOR AN ACT RELATING TO ESTABLISHING A LOAN GUARANTY PROGRAM FOR TRANSIT ORIENTED DEVELOPMENT."

Introduced by: Representative Say, by request.

838 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATING TO RATIFICATION OF CONSTITUTIONAL AMENDMENTS."

Introduced by: Representative Say, by request.

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

Introduced by: Representative Say, by request.

840 "A BILL FOR AN ACT RELATING TO CHARGING BY WRITTEN INFORMATION."

Introduced by: Representative Say, by request.

841 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR NORTH KOHALA WATER SYSTEM IMPROVEMENTS."

Introduced by: Representative Say, by request.

842 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SAFE HAVEN AFTER SCHOOL PROGRAM."

Introduced by: Representative Say, by request.

843 "A BILL FOR AN ACT MAKING A APPROPRIATION FOR SOUTH KOHALA WATER RESERVOIR."

Introduced by: Representative Say, by request.

844 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BIG ISLAND JUVENILE INTAKE AND ASSESSMENT CENTER."

Introduced by: Representative Say, by request.

845 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A COMMUNITY CENTER AND DISASTER SHELTER IN HAWAIIAN OCEAN VIEW COMMUNITY ESTATES, HAWAII."

Introduced by: Representative Say, by request.

846 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COUNTY OF HAWAII MASS TRANSIT."

Introduced by: Representative Say, by request.

847 "A BILL FOR AN ACT RELATING TO THE HAMAKUA WATER SYSTEM."

Introduced by: Representative Say, by request.

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

Introduced by: Representative Say, by request.

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

Introduced by: Representative Say, by request.

850 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Representative Say, by request.

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

Introduced by: Representative Say, by request.

852 "A BILL FOR AN ACT RELATING TO CONFLICTS OF INTERESTS."

Introduced by: Representative Say, by request.

853 "A BILL FOR AN ACT RELATING TO PUBLIC DISCLOSURE OF FINANCIAL INTERESTS STATEMENTS."

Introduced by: Representative Say, by request.

854 "A BILL FOR AN ACT RELATING TO NEPOTISM."

Introduced by: Representative Say, by request.

855 "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF FINANCIAL INTERESTS DISCLOSURE STATEMENTS."

Introduced by: Representative Say, by request.

856 "A BILL FOR AN ACT RELATING TO LOBBYING STATEMENT OF EXPENDITURES."

Introduced by: Representative Say, by request.

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

Introduced by: Representative Say, by request.

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

Introduced by: Representative Say, by request.

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

Introduced by: Representative Say, by request.

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

Introduced by: Representative Say, by request.

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

Introduced by: Representative Say, by request.

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

Introduced by: Representative Say, by request.

863 "A BILL FOR AN ACT RELATING TO ESTABLISHING A COUNTY TRANSIT ORIENTED DEVELOPMENT INFRASTRUCTURE REVOLVING FUND."

Introduced by: Representatives Har, Bertram, McKelvey, Aquino, M. Lee, Rhoads, Souki and Yamane.

864 "A BILL FOR AN ACT RELATING TO ESTABLISHING A LOAN GUARANTY PROGRAM FOR TRANSIT ORIENTED DEVELOPMENT."

Introduced by: Representatives Har, Bertram, M. Lee, McKelvey, Aquino, Rhoads, Souki and Yamane.

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

Introduced by: Representatives Har, Carroll, Chang, Hanohano, Herkes, Ito, Karamatsu, M. Lee, Magaoay, McKelvey, Nakashima, Souki, Tokioka, Yamane, Yamashita, Aquino and Coffman.

866 "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES."

Introduced by: Representatives Har, Ito, M. Lee, Magaoay, M. Oshiro, Shimabukuro, Yamane, Aquino, Awana, Karamatsu and Souki.

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

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes, by request.

869 "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLES."

Introduced by: Representative Herkes.

870 "A BILL FOR AN ACT RELATING TO THE REPEAL OF TAXES ON FOOD."

Introduced by: Representatives Pine, Ching, Finnegan, Marumoto, Thielen and Ward.

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

Introduced by: Representatives Pine, Ching, Finnegan, Marumoto, Thielen and Ward.

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

Introduced by: Representatives Mizuno, Brower, Karamatsu, Pine, Aquino, Bertram and Keith-Agaran.

873 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Representative Mizuno.

874 "A BILL FOR AN ACT RELATING TO RESIDENTIAL REAL PROPERTY."

Introduced by: Representative B. Oshiro.

875 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representative B. Oshiro.

876 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representative B. Oshiro.

877 "A BILL FOR AN ACT RELATING TO DISPOSITION OF CRIMINAL OFFENDERS."

Introduced by: Representatives B. Oshiro, Awana, Har, Karamatsu and Souki.

878 "A BILL FOR AN ACT RELATING TO MARRIAGE."

Introduced by: Representatives B. Oshiro, Bertram, Hanohano, Luke, Morita, Rhoads, Coffman, C. Lee and Saiki.

879 "A BILL FOR AN ACT RELATING TO CIVIL RELIEF FOR MILITARY RESERVE COMPONENT PERSONNEL."

Introduced by: Representative McKelvey, by request.

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

Introduced by: Representative Takai.

881 "A BILL FOR AN ACT RELATING TO DETENTION AND RETENTION PONDS."

Introduced by: Representative Takai.

882 "A BILL FOR AN ACT RELATING TO THE EDUCATION REVITALIZATION ACT OF 2009."

Introduced by: Representatives Takai, Belatti, Brower, Coffman, Hanohano, C. Lee, Mizuno, Morita, Nakashima, Nishimoto, Saiki, Takumi, Choy, Har, M. Lee, Marumoto and Souki.

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

Introduced by: Representative M. Lee and Yamane.

884 "A BILL FOR AN ACT RELATING TO CHILD DEVELOPMENT ACCOUNT."

Introduced by: Representatives M. Lee, Belatti, Manahan, Mizuno, Morita, Thielen, Karamatsu and Luke.

885 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO USE A PORTION OF THE GENERAL FUND BALANCE EXCESS TO FUND THE CHILD DEVELOPMENT ACCOUNT PROGRAM."

Introduced by: Representatives M. Lee, Brower, Mizuno, Morita and Belatti.

886 "A BILL FOR AN ACT RELATING TO ENFORCEMENT OF THE SMOKING PROHIBITION."

Introduced by: Representatives M. Lee, Brower, C. Lee, Thielen, Aquino, Belatti, Choy and Nishimoto.

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

Introduced by: Representatives M. Lee, Takumi and Wakai.

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

Introduced by: Representatives Evans, Awana, Carroll, Ching, Finnegan, Hanohano, Ito, Marumoto, McKelvey, Pine and Tsuji.

889 "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS."

Introduced by: Representatives Evans, Awana, Brower, Carroll, Ching, Finnegan, Hanohano, Marumoto, McKelvey, Mizuno, Pine, Thielen and Tsuji.

890 "A BILL FOR AN ACT RELATING TO ALL TERRAIN VEHICLES."

Introduced by: Representative Evans.

891 "A BILL FOR AN ACT RELATING TO UNIFORM MAINTENANCE ALLOWANCE FOR ENLISTED PERSONNEL."

Introduced by: Representative Evans.

892 "A BILL FOR AN ACT RELATING TO PROTECTIVE ORDERS."

Introduced by: Representative Evans.

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

Introduced by: Representatives Yamane, Belatti, Brower, Carroll, Mizuno, Nishimoto, Bertram and Finnegan.

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

Introduced by: Representative Yamane.

895 "A BILL FOR AN ACT RELATING TO TAX ON TOBACCO PRODUCTS OTHER THAN CIGARETTES."

Introduced by: Representative Yamane.

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

Introduced by: Representative Yamane.

897 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER UNION HEALTH BENEFITS TRUST."

Introduced by: Representative Yamane.

898 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS."

Introduced by: Representative Har.

899 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Representative Say, by request.

900 "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Representative Say, by request.

901 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Representative Say, by request.

902 "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE."

Introduced by: Representative Say, by request.

903 "A BILL FOR AN ACT RELATING TO HOMELESSNESS."

Introduced by: Representative Say, by request.

904 "A BILL FOR AN ACT RELATING TO TARO."

Introduced by: Representative Say, by request.

905 "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS."

Introduced by: Representative Say, by request.

906 "A BILL FOR AN ACT RELATING TO MAKUA."

Introduced by: Representative Say, by request.

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

Introduced by: Representative Say, by request.

908 "A BILL FOR AN ACT RELATING TO TUITION WAIVERS IN THE UNIVERSITY OF HAWAII SYSTEM."

Introduced by: Representative Say, by request.

909 "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN ARCHITECTURE."

Introduced by: Representative Say, by request.

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

Introduced by: Representative Say, by request.

911 "A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS."

Introduced by: Representative Say, by request.

912 "A BILL FOR AN ACT RELATING TO CHILD WELFARE SERVICES."

Introduced by: Representative Say, by request.

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

Introduced by: Representatives Ward, Brower, Hanohano, Aquino, Nishimoto and Souki.

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

Introduced by: Representatives Ward, Marumoto, Mizuno, Pine, Brower and Nakashima.

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

Introduced by: Representatives Ward, Brower, Marumoto, Bertram, Mizuno, Nakashima and Pine.

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

Introduced by: Representative Ward.

917 "A BILL FOR AN ACT RELATING TO AN EXEMPTION TO THE RENTAL VEHICLE AND TOUR VEHICLE SURCHARGE TAX."

Introduced by: Representatives Ward, Hanohano, Bertram, Magaoay, Nishimoto and Souki.

918 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LAND USE."

Introduced by: Representative Wooley.

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

Introduced by: Representative Wooley.

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

Introduced by: Representative Wooley.

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

Introduced by: Representative Wooley.

922 "A BILL FOR AN ACT RELATING TO JOB-SHARING FOR PUBLIC EMPLOYEES."

Introduced by: Representative Wooley.

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

Introduced by: Representatives Souki and Awana.

924 "A BILL FOR AN ACT RELATING TO BINGO GAMES."

Introduced by: Representatives Souki, Chang, Herkes, Ito, Har, McKelvey, Mizuno and Sagum.

925 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Representatives Souki, Hanohano and Karamatsu.

926 "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.

927 "A BILL FOR AN ACT RELATING TO FIRE PROTECTION."

Introduced by: Representatives McKelvey, Bertram, Evans, Morita, Yamane, Awana and Shimabukuro.

928 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT AND CONSTRUCTION OF A DOUBLE HULLED CANOE."

Introduced by: Representatives McKelvey, Bertram, Evans, Hanohano, Herkes, Sagum, Shimabukuro and Souki.

929 "A BILL FOR AN ACT RELATING TO STATE HEALTH PLANNING."

Introduced by: Representatives Herkes, Bertram, Evans and McKelvey.

930 "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS."

Introduced by: Representatives McKelvey, Awana, Ward, Herkes, Ito, Nakashima, Souki and Yamashita.

931 "A BILL FOR AN ACT RELATING TO COFFEE PRODUCTS."

Introduced by: Representatives Coffman, Bertram, Evans, Hanohano, Ito, Morita, Sagum, Souki and Tokioka.

932 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Representative Keith-Agaran.

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

Introduced by: Representative Keith-Agaran.

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

Introduced by: Representative Keith-Agaran.

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

Introduced by: Representative Pine.

936 "A BILL FOR AN ACT RELATING TO COUNTY SURCHARGE ON STATE GENERAL EXCISE TAX."

Introduced by: Representatives Pine, Ward, Belatti, Finnegan, Marumoto and Mizuno.

937 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representatives Pine, Thielen, Wakai, Ward, Ching and Mizuno.

938 "A BILL FOR AN ACT RELATING TO CAFETERIA WORKERS."

Introduced by: Representative Takumi.

939 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Representatives Yamashita, Awana, Har, Morita, Nishimoto, Tokioka, Tsuji, Aquino, Cabanilla, Chong, Choy, Ito, Keith-Agaran and Yamane.

940 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY."

Introduced by: Representatives Yamashita, Awana, Chang, Chong, Herkes, Ito, Karamatsu, Keith-Agaran, Tokioka, Tsuji, Aquino, Har, McKelvey, Souki and Yamane.

941 "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS."

Introduced by: Representatives Yamashita, Awana, Herkes, Karamatsu, Tokioka, Yamane, Aquino, Chong, Ito, Keith-Agaran, Souki and Tsuji.

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

Introduced by: Representatives Yamashita, Awana, Chong and Tsuji.

943 "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANTS."

Introduced by: Representative Choy.

944 "A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS."

Introduced by: Representative Choy.

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

Introduced by: Representative Choy.

946 "A BILL FOR AN ACT RELATING TO STATE FOUNDATION ON CULTURE AND THE ARTS."

Introduced by: Representative Choy.

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

Introduced by: Representatives Ito, Brower, Nishimoto, Thielen, Tokioka, Tsuji, Yamashita, Chang, Chong, Magaoay, Souki and Yamane.

948 "A BILL FOR AN ACT RELATING TO KAKAAKO."

Introduced by: Representatives Ito, Brower, Chong, Magaoay, Nishimoto, Souki, Thielen, Tokioka, Tsuji, Yamane and Yamashita.

949 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT."

Introduced by: Representatives Ito, Brower, Chang, Magaoay, Souki, Thielen, Tokioka, Yamane, Chong, Tsuji and Yamashita.

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

Introduced by: Representatives Ito, Brower, Chang, Chong, Magaoay, Souki, Tsuji and Yamashita.

951 "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY."

Introduced by: Representative Ito.

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

Introduced by: Representatives Takumi, Belatti, Brower, C. Lee, M. Lee, Luke, Mizuno, Morita, Nakashima, Shimabukuro, Wakai, Aquino, Awana, Berg, Bertram, Carroll, Chong, Coffman, Hanohano, Herkes, Karamatsu, Keith-Agaran, Magaoay, Manahan, McKelvey, Nishimoto, B. Oshiro, Rhoads, Sagum, Saiki, Souki, Tokioka, Tsuji, Wooley and Yamane.

953 "A BILL FOR AN ACT RELATING TO REAL ESTATE LICENSES."

Introduced by: Representative Evans.

954 "A BILL FOR AN ACT RELATING TO A MAJOR DISASTER RESERVE TRUST FUND."

Introduced by: Representative Evans.

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

Introduced by: Representatives Say and Karamatsu.

956 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representatives Say and Karamatsu.

957 "A BILL FOR AN ACT RELATING TO JUVENILE COURT RECORDS."

Introduced by: Representatives Pine, Ching, Finnegan, Ward, Karamatsu, M. Lee, Marumoto and Mizuno.

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

Introduced by: Representatives Pine, Ching, Finnegan, Mizuno, Thielen, Wakai, Ward, Karamatsu, Marumoto and Nishimoto.

959 "A BILL FOR AN ACT RELATING TO PHOTOVOLTAIC ENERGY SYSTEMS."

Introduced by: Representative Coffman.

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

Introduced by: Representatives Manahan, Brower, Evans, M. Lee, McKelvey, Say, Tokioka, Tsuji and Wakai.

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

Introduced by: Representatives Manahan, Brower, M. Lee, Luke, Mizuno, Nishimoto, Wakai, Cabanilla, Karamatsu, Keith-Agaran, C. Lee, McKelvey, Souki and Yamashita.

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

Introduced by: Representatives Manahan, Mizuno, Brower, Cabanilla, Karamatsu, C. Lee, M. Lee, Luke, Nishimoto, Rhoads and Souki.

963 "A BILL FOR AN ACT RELATING TO WORKS OF ART SPECIAL FUND."

Introduced by: Representatives Manahan, Brower, M. Lee, Luke, Mizuno, Nishimoto, Souki, Tokioka, Yamashita, Karamatsu and Rhoads.

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

Introduced by: Representatives Manahan, Luke, Brower, Cabanilla, Keith-Agaran, C. Lee, M. Lee, McKelvey, Nishimoto, Souki and Yamashita.

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

Introduced by: Representative Hanohano.

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

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

967 "A BILL FOR AN ACT RELATING TO MEDICAL CANNABIS."

Introduced by: Representatives Hanohano, Bertram and Say.

968 "A BILL FOR AN ACT RELATING TO RIGHTS OF THE ACCUSED."

Introduced by: Representatives Hanohano and Aquino.

969 "A BILL FOR AN ACT RELATING TO PRIVATE PRISON PERFORMANCE AUDIT."

Introduced by: Representatives Hanohano and Aquino.

970 "A BILL FOR AN ACT RELATING TO LOBBYISTS."

Introduced by: Representatives C. Lee, Aquino, Belatti, Hanohano, Luke, Morita, and B. Oshiro.

971 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS."

Introduced by: Representatives C. Lee, Brower, Hanohano, Luke, Morita, B. Oshiro, Takai, Aquino, Belatti, Nishimoto and Thielen.

972 "A BILL FOR AN ACT RELATING TO FUEL."

Introduced by: Representatives C. Lee, Hanohano, Morita, B. Oshiro, Takai, Aquino, Belatti, Brower, Luke and Nishimoto.

973 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO ESTABLISH LEGISLATIVE TERM LIMITS."

Introduced by: Representative C. Lee.

974 "A BILL FOR AN ACT RELATING TO LAND CONSERVATION."

Introduced by: Representatives C. Lee, Keith-Agaran, Luke, Aquino, Choy, Coffman, Finnegan, McKelvey and Nakashima.

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

Introduced by: Representative M. Oshiro.

976 "A BILL FOR AN ACT RELATING TO FORECLOSURE."

Introduced by: Representative M. Oshiro.

977 "A BILL FOR AN ACT RELATING TO SOCIAL SECURITY NUMBERS."

Introduced by: Representative Chong.

978 "A BILL FOR AN ACT RELATING TO STATE MONEYS."

Introduced by: Representatives Chong, Brower, M. Lee, Say, Tokioka and Yamashita.

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

Introduced by: Representatives Chong, Tsuji, Yamashita and Ito.

980 "A BILL FOR AN ACT RELATING TO RECREATIONAL RENAISSANCE."

Introduced by: Representatives Ito, Bertram, Brower, Cabanilla, Carroll, Chong, Evans, Hanohano, Har, Karamatsu, Keith-Agaran, C. Lee, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakashima, Nishimoto, B. Oshiro, Shimabukuro, Tokioka, Tsuji, Wakai, Yamashita, Aquino, Awana, Belatti, Chang, Choy, Coffman, M. Lee, Sagum, Say and Souki.

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

Introduced by: Representatives Har, Belatti, Berg, Brower, Carroll, Chang, Chong, Coffman, Evans, Hanohano, Keith-Agaran, C. Lee, M. Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakashima, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Say, Takai, Takumi, Tokioka, Tsuji, Yamane, Yamashita, Aquino, Awana, Bertram, Cabanilla, Choy, Sagum, Saiki and Souki.

982 "A BILL FOR AN ACT RELATING TO FAMILY LEAVE."

Introduced by: Representatives M. Lee, Belatti, Bertram, Brower, Chang, Chong, Coffman, Evans, Hanohano, Har, Ito, Karamatsu, Luke, Magaoay, Mizuno, Morita, Nakashima, Nishimoto, B. Oshiro, M. Oshiro, Shimabukuro, Tsuji, Wakai, Yamane, Aquino, Awana, Berg, Cabanilla, Carroll, Keith-Agaran, C. Lee, Manahan, Sagum, Say, Souki, Tokioka and Wooley.

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

Introduced by: Representatives M. Lee, Aquino, Belatti, Bertram, Brower, Cabanilla, Carroll, Chong, Coffman, Evans, Hanohano, Har, Ito, Karamatsu, Keith-Agaran, Magaoay, Manahan, Mizuno, Morita, Nakashima, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Say, Shimabukuro, Souki, Takai, Tokioka, Tsuji, Wakai, Wooley, Yamane, Yamashita, Choy and Takumi.

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

Introduced by: Representatives M. Oshiro, Awana, Carroll, Chong, Coffman, Evans, Hanohano, Keith-Agaran, C. Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakashima, Nishimoto, B. Oshiro, Rhoads, Say, Tokioka, Tsuji, Yamane, Yamashita, Aquino, Belatti, Berg, Bertram, Cabanilla, Har, M. Lee, Sagum, Saiki and Takai.

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

Introduced by: Representatives Nakashima, Awana, Carroll, Chong, Coffman, Evans, Karamatsu, C. Lee, M. Lee, Luke, Magaoay, McKelvey, Mizuno, Morita, B. Oshiro, M. Oshiro, Rhoads, Say, Shimabukuro, Takai, Tsuji, Aquino, Bertram, Brower, Cabanilla, Har, Herkes, Keith-Agaran, Souki, Tokioka, Yamane and Yamashita.

986 "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES."

Introduced by: Representatives Morita, Awana, Belatti, Berg, Bertram, Brower, Carroll, Chong, Coffman, Evans, Hanohano, Har, Herkes, Karamatsu, C. Lee, M. Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Nakashima, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Saiki, Takai, Takumi, Tsuji, Yamashita, Aquino, Choy, Keith-Agaran, Say, Souki, Tokioka and Yamane.

987 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT."

Introduced by: Representatives Coffman, Awana, Belatti, Berg, Brower, Carroll, Chong, Evans, Hanohano, Herkes, Karamatsu, Keith-Agaran, M. Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakashima, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Say, Shimabukuro, Takai, Tokioka, Tsuji, Yamashita, Aquino, Bertram, C. Lee, Sagum, Saiki, Souki, Wooley and Yamane.

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

Introduced by: Representatives B. Oshiro, Awana, Belatti, Bertram, Brower, Carroll, Chong, Coffman, Evans, Hanohano, Herkes, Keith-Agaran, C. Lee, M. Lee, Luke, Magaoay, Manahan, McKelvey, Morita, Nakashima, Nishimoto, M. Oshiro, Rhoads, Say, Shimabukuro, Takai, Takumi, Tokioka, Tsuji, Yamane, Yamashita, Berg, Karamatsu, Sagum and Souki.

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

Introduced by: Representatives Yamane, Awana, Belatti, Berg, Brower, Chong, Coffman, Evans, Hanohano, Har, Herkes, Keith-Agaran, C. Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakashima, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Shimabukuro, Takai, Takumi, Tokioka, Tsuji, Yamashita, Aquino, Bertram, Karamatsu, M. Lee, Sagum, Saiki, Say and Souki.

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

Introduced by: Representatives Herkes, Awana, Belatti, Chong, Coffman, Evans, Har, Keith-Agaran, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakashima, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Say, Shimabukuro, Takai, Tokioka, Tsuji, Yamane, Aquino, Bertram, Brower, Cabanilla, Carroll, Hanohano, Karamatsu, M. Lee, Souki and Yamashita.

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

Introduced by: Representatives Yamane, Awana, Belatti, Berg, Brower, Chong, Coffman, Evans, Hanohano, Herkes, Keith-Agaran, C. Lee, M. Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakashima, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Say, Shimabukuro, Takai, Takumi, Tsuji, Yamashita, Aquino, Bertram, Cabanilla, Carroll, Har, Karamatsu, Sagum, Saiki, Souki and Tokioka.

992 "A BILL FOR AN ACT RELATING TO NUTRITION."

Introduced by: Representatives Bertram, Awana, Brower, Chong, Evans, Hanohano, Herkes, Keith-Agaran, C. Lee, Luke, Magaoay, Mizuno, Morita, Nakashima, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Shimabukuro, Takai, Tsuji, Yamane, Yamashita, Aquino, Belatti, Cabanilla, Carroll, Coffman, Har, Karamatsu, M. Lee, Sagum, Saiki, Say, Souki and Takumi.

993 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION, RELATING TO THE DISPOSITION OF PROJECTED EXCESS REVENUES."

Introduced by: Representatives Rhoads, Cabanilla, Chang, Chong, Coffman, Evans, Ito, Luke, Magaoay, Manahan, Morita, B. Oshiro, M. Oshiro, Say, Souki, Tokioka, Tsuji, Wakai, Aquino, Carroll, Keith-Agaran, Nakashima and Yamane.

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

Introduced by: Representatives Wakai, Herkes, Marumoto, B. Oshiro, Pine, Ward, Cabanilla, Chang, Ito and Mizuno.

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

Introduced by: Representatives Wakai, Brower, Bertram, Herkes, Ito, Karamatsu, Luke, Marumoto, B. Oshiro and Pine.

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

Introduced by: Representatives Wakai, Herkes, Ito, B. Oshiro and Pine.

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

Introduced by: Representatives Wakai, Cabanilla, Herkes, Ito, Mizuno, B. Oshiro and Tokioka.

998 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Representatives Wakai, B. Oshiro, Pine, Ward, Ito, Marumoto and Mizuno.

999 "A BILL FOR AN ACT RELATING TO MEETINGS OF PUBLIC AGENCIES."

Introduced by: Representatives Tokioka, Bertram, Carroll, Chang, Coffman, Evans, Hanohano, Herkes, McKelvey, Morita, Nakashima, Sagum, Souki, Tsuji, Yamashita and Keith-Agaran.

1000 "A BILL FOR AN ACT RELATING TO DAYLIGHT SAVING TIME."

Introduced by: Representative Tokioka, by request.

1001 "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS."

Introduced by: Representative Luke.

1002 "A BILL FOR AN ACT RELATING TO ZONING."

Introduced by: Representative Luke.

1003 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Representative Luke.

1004 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-FIFTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Belatti.

1005 "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION."

Introduced by: Representative Belatti.

1006 "A BILL FOR AN ACT RELATING TO ETHICS."

Introduced by: Representatives Belatti, C. Lee, B. Oshiro, Wakai, Aquino, Hanohano, Marumoto and Nakashima.

1007 "A BILL FOR AN ACT RELATING TO LOBBYISTS."

Introduced by: Representative Belatti.

1008 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representative Say, by request.

1009 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS WHICH ARE IMPORTANT AGRICULTURAL LANDS."

Introduced by: Representative Say, by request.

1010 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representative Say, by request.

1011 "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC PROCUREMENT CODE."

Introduced by: Representative Say, by request.

1012 "A BILL FOR AN ACT RELATING TO GOVERNMENT SHARED SERVICES TECHNOLOGY."

Introduced by: Representative Say, by request.

1013 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES."

Introduced by: Representative Say, by request.

1014 "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES."

Introduced by: Representative Say, by request.

1015 "A BILL FOR AN ACT RELATING TO OBLIGATIONS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS TRUST FUND."

Introduced by: Representative Say, by request.

1016 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES."

Introduced by: Representative Say, by request.

1017 "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.

1018 "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.

1019 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Representative Say, by request.

1020 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Representative Say, by request.

1021 "A BILL FOR AN ACT RELATING TO CHILD ABUSE."

Introduced by: Representative Say, by request.

1022 "A BILL FOR AN ACT RELATING TO PUBLIC ADMINISTRATION."

Introduced by: Representative Say, by request.

1023 "A BILL FOR AN ACT RELATING TO FORENSIC IDENTIFICATION."

Introduced by: Representative Say, by request.

1024 "A BILL FOR AN ACT RELATING TO APPEALS."

Introduced by: Representative Say, by request.

1025 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Representative Say, by request.

1026 "A BILL FOR AN ACT RELATING TO THE DISCLOSURE OF VITAL STATISTICS RECORDS TO LAW ENFORCEMENT OFFICERS."

Introduced by: Representative Say, by request.

1027 "A BILL FOR AN ACT RELATING TO COURT ADVISEMENT OF ALIENS."

Introduced by: Representative Say, by request.

1028 "A BILL FOR AN ACT RELATING TO POST CONVICTION PROCEEDINGS."

Introduced by: Representative Say, by request.

1029 "A BILL FOR AN ACT RELATING TO TOBACCO."

Introduced by: Representative Say, by request.

1030 "A BILL FOR AN ACT RELATING TO METAL."

Introduced by: Representative Say, by request.

1031 "A BILL FOR AN ACT RELATING TO CHAPTER 480, HAWAII REVISED STATUTES."

Introduced by: Representative Say, by request.

1032 "A BILL FOR AN ACT RELATING TO NOTARY PUBLIC SEALS."

Introduced by: Representative Say, by request.

1033 "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT."

Introduced by: Representative Say, by request.

1034 "A BILL FOR AN ACT RELATING TO CIVIL ACTIONS."

Introduced by: Representative Say, by request.

1035 "A BILL FOR AN ACT RELATING TO APPEALS."

Introduced by: Representative Say, by request.

1036 "A BILL FOR AN ACT RELATING TO CIVIL ACTIONS."

Introduced by: Representative Say, by request.

1037 "A BILL FOR AN ACT RELATING TO CIVIL ACTIONS."

Introduced by: Representative Say, by request.

1038 "A BILL FOR AN ACT RELATING TO IDENTIFICATION."

Introduced by: Representative Say, by request.

1039 "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY."

Introduced by: Representative Say, by request.

1040 "A BILL FOR AN ACT RELATING TO TORT LIABILITY."

Introduced by: Representative Say, by request.

1041 "A BILL FOR AN ACT RELATING TO PERSONS COMMITTED TO THE HAWAII YOUTH CORRECTIONAL FACILITIES OR TO THE CUSTODY OR CARE OF THE EXECUTIVE DIRECTOR OF THE OFFICE OF YOUTH SERVICES."

Introduced by: Representative Say, by request.

1042 "A BILL FOR AN ACT RELATING TO THE TAX LIEN AND ENCUMBRANCE RECORD."

Introduced by: Representative Say, by request.

1043 "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING TAX CREDITS."

Introduced by: Representative Say, by request.

1044 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Say, by request.

1045 "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION."

Introduced by: Representative Say, by request.

1046 "A BILL FOR AN ACT RELATING TO THE SALE OF REAL PROPERTY BY THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Representative Say, by request.

1047 "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS."

Introduced by: Representative Say, by request.

1048 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representative Say, by request.

1049 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Representative Say, by request.

1050 "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES."

Introduced by: Representative Say, by request.

1051 "A BILL FOR AN ACT RELATING TO ENERGY EMERGENCY PREPAREDNESS."

Introduced by: Representative Say, by request.

1052 "A BILL FOR AN ACT RELATING TO HAWAII'S CLEAN ENERGY INITIATIVE IN ELECTRIC GENERATION AND DELIVERY."

Introduced by: Representative Say, by request.

1053 "A BILL FOR AN ACT RELATING TO HAWAII'S CLEAN ENERGY INITIATIVE IN ENERGY EFFICIENCY."

Introduced by: Representative Say, by request.

1054 "A BILL FOR AN ACT RELATING TO HAWAII'S CLEAN ENERGY INITIATIVE IN TRANSPORTATION ENERGY."

Introduced by: Representative Say, by request.

1055 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representative Say, by request.

1056 "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM HAWAII PUBLIC PROCUREMENT CODE."

Introduced by: Representative Say, by request.

1057 "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII COLLEGE SAVINGS PROGRAM."

Introduced by: Representative Say, by request.

1058 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representative Say, by request.

1059 "A BILL FOR AN ACT RELATING TO THE ONE CALL CENTER."

Introduced by: Representative Say, by request.

1060 "A BILL FOR AN ACT RELATING TO PUBLICATION OF HEARING NOTICES."

Introduced by: Representative Say, by request.

1061 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Representative Say, by request.

1062 "A BILL FOR AN ACT RELATING TO GAS PIPELINE SYSTEMS."

Introduced by: Representative Say, by request.

1063 "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS."

Introduced by: Representative Say, by request.

1064 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES TO ADDRESS THE BUDGET SHORTFALL."

Introduced by: Representative Say, by request.

1065 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES TO ADDRESS THE BUDGET SHORTFALL."

Introduced by: Representative Say, by request.

1066 "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS."

Introduced by: Representative Say, by request.

1067 "A BILL FOR AN ACT RELATING TO DEPOSITS INTO THE EMERGENCY AND BUDGET RESERVE FUND."

Introduced by: Representative Say, by request.

1068 "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION."

Introduced by: Representative Say, by request.

1069 "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES."

Introduced by: Representative Say, by request.

1070 "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS."

Introduced by: Representative Say, by request.

1071 "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS."

Introduced by: Representative Say, by request.

1072 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say, by request.

1073 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say, by request.

1074 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say, by request.

1075 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say, by request.

1076 "A BILL FOR AN ACT RELATING TO THE APPLICABILITY OF THE MORTGAGE RESCUE FRAUD PREVENTION ACT TO REAL ESTATE LICENSEES."

Introduced by: Representative Say, by request.

1077 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNICATIONS COMMISSION."

Introduced by: Representative Say, by request.

1078 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW."

Introduced by: Representative Say, by request.

1079 "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN."

Introduced by: Representative Say, by request.

1080 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Representative Say, by request.

1081 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."

Introduced by: Representative Say, by request.

1082 "A BILL FOR AN ACT RELATING TO THE SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH INCOME TAX CREDIT."

Introduced by: Representative Say, by request.

1083 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Say, by request.

1084 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."

Introduced by: Representative Say, by request.

1085 "A BILL FOR AN ACT RELATING TO PLANNING."

Introduced by: Representative Say, by request.

1086 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."

Introduced by: Representative Say, by request.

1087 "A BILL FOR AN ACT RELATING TO THE OFFICE OF COMMUNITY SERVICES."

Introduced by: Representative Say, by request.

1088 "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS."

Introduced by: Representative Say, by request.

1089 "A BILL FOR AN ACT RELATING TO THE DEDICATION OF HOUSING INFRASTRUCTURE TO COUNTIES."

Introduced by: Representative Say, by request.

1090 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."

Introduced by: Representative Say, by request.

1091 "A BILL FOR AN ACT RELATING TO THIRD-PARTY REVIEW OF AFFORDABLE HOUSING PROJECTS."

Introduced by: Representative Say, by request.

1092 "A BILL FOR AN ACT RELATING TO THE TRANSFER OF HOMELESS PROGRAMS WITHIN THE DEPARTMENT OF HUMAN SERVICES."

Introduced by: Representative Say, by request.

1093 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT."

Introduced by: Representative Say, by request.

1094 "A BILL FOR AN ACT RELATING TO PERMANENCY HEARINGS."

Introduced by: Representative Say, by request.

1095 "A BILL FOR AN ACT RELATING TO NOTICE OF GUARDIANSHIP PROCEEDINGS."

Introduced by: Representative Say, by request.

1096 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."

Introduced by: Representative Say, by request.

1097 "A BILL FOR AN ACT RELATING TO ASSISTANCE FOR AGED, BLIND, AND PERMANENTLY AND TOTALLY DISABLED PERSONS."

Introduced by: Representative Say, by request.

1098 "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE."

Introduced by: Representative Say, by request.

1099 "A BILL FOR AN ACT RELATING TO THIRD PARTY LIABILITY FOR MEDICAID."

Introduced by: Representative Say, by request.

1100 "A BILL FOR AN ACT RELATING TO MEDICAID LIENS."

Introduced by: Representative Say, by request.

1101 "A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF HUMAN SERVICES."

Introduced by: Representative Say, by request.

1102 "A BILL FOR AN ACT RELATING TO RECORD CHECKS FOR THE OFFICE OF YOUTH SERVICES."

Introduced by: Representative Say, by request.

1103 "A BILL FOR AN ACT RELATING TO FEDERAL FINANCIAL ASSISTANCE FOR INDEPENDENT LIVING SERVICES AND CENTERS."

Introduced by: Representative Say, by request.

1104 "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII DEFERRED COMPENSATION PLAN."

Introduced by: Representative Say, by request.

1105 "A BILL FOR AN ACT RELATING TO GOVERNMENT CONTRACTS FOR SERVICES."

Introduced by: Representative Say, by request.

1106 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Representative Say, by request.

1107 "A BILL FOR AN ACT RELATING TO THE UNIFORM ARBITRATION ACT."

Introduced by: Representative Say, by request.

1108 "A BILL FOR AN ACT RELATING TO INTEREST ARBITRATION."

Introduced by: Representative Say, by request.

1109 "A BILL FOR AN ACT RELATING TO SALARIES."

Introduced by: Representative Say, by request.

1110 "A BILL FOR AN ACT RELATING TO SOCIAL SECURITY NUMBER PROTECTION."

Introduced by: Representative Say, by request.

1111 "A BILL FOR AN ACT RELATING TO THE REPEAL OF THE DIETITIAN LICENSURE PROGRAM."

Introduced by: Representative Say, by request.

1112 "A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES."

Introduced by: Representative Say, by request.

1113 "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS."

Introduced by: Representative Say, by request.

1114 "A BILL FOR AN ACT RELATING TO INFECTIOUS DISEASE TESTING."

Introduced by: Representative Say, by request.

1115 "A BILL FOR AN ACT RELATING TO TEMPORARY LICENSURE OF DENTISTS."

Introduced by: Representative Say, by request.

1116 "A BILL FOR AN ACT RELATING TO WATER POLLUTION."

Introduced by: Representative Say, by request.

1117 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL RESPONSE LAW. "

Introduced by: Representative Say, by request.

1118 "A BILL FOR AN ACT RELATING TO DEPARTMENT OF HEALTH CERTIFICATES."

Introduced by: Representative Say, by request.

1119 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Representative Say, by request.

1120 "A BILL FOR AN ACT RELATING TO MEDICAL LIABILITY."

Introduced by: Representative Say, by request.

1121 "A BILL FOR AN ACT RELATING TO ACCESS TO HEALTH CARE."

Introduced by: Representative Say, by request.

1122 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say, by request.

1123 "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION BACKGROUND CHECKS."

Introduced by: Representative Say, by request.

1124 "A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS."

Introduced by: Representative Say, by request.

1125 "A BILL FOR AN ACT RELATING TO CERTAIN FUNDS UNDER THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS."

Introduced by: Representative Say, by request.

1126 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representative Say, by request.

1127 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE."

Introduced by: Representative Say, by request.

1128 "A BILL FOR AN ACT RELATING TO LIFELONG LEARNING ACCOUNTS."

Introduced by: Representative Say, by request.

1129 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT CONTRIBUTION RATES."

Introduced by: Representative Say, by request.

1130 "A BILL FOR AN ACT RELATING TO THE BOILER AND ELEVATOR SAFETY LAW."

Introduced by: Representative Say, by request.

1131 "A BILL FOR AN ACT RELATING TO RECREATIONAL RENAISSANCE."

Introduced by: Representative Say, by request.

1132 "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS."

Introduced by: Representative Say, by request.

1133 "A BILL FOR AN ACT RELATING TO NATURAL RESOURCE VIOLATIONS."

Introduced by: Representative Say, by request.

1134 "A BILL FOR AN ACT RELATING TO RIGHTS OF INSPECTION FOR AQUATIC LIFE."

Introduced by: Representative Say, by request.

1135 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PENALTIES FOR THE DAMAGING OR BREAKING OF STONY CORAL AND LIVE ROCK."

Introduced by: Representative Say, by request.

1136 "A BILL FOR AN ACT RELATING TO PHOTOGRAPHS OF HISTORIC BUILDINGS."

Introduced by: Representative Say, by request.

1137 "A BILL FOR AN ACT RELATING TO FILINGS IN THE BUREAU OF CONVEYANCES."

Introduced by: Representative Say, by request.

1138 "A BILL FOR AN ACT RELATING TO COPIES IN THE BUREAU OF CONVEYANCES."

Introduced by: Representative Say, by request.

1139 "A BILL FOR AN ACT RELATING TO THE LAND COURT SYSTEM."

Introduced by: Representative Say, by request.

1140 "A BILL FOR AN ACT RELATING TO LAND FAILURE."

Introduced by: Representative Say, by request.

1141 "A BILL FOR AN ACT RELATING TO THRILL CRAFT OPERATION."

Introduced by: Representative Say, by request.

1142 "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS."

Introduced by: Representative Say, by request.

1143 "A BILL FOR AN ACT RELATING TO HUNTING."

Introduced by: Representative Say, by request.

1144 "A BILL FOR AN ACT RELATING TO CONSERVATION OF THREATENED AND ENDANGERED SPECIES."

Introduced by: Representative Say, by request.

1145 "A BILL FOR AN ACT RELATING TO REMNANT LANDS."

Introduced by: Representative Say, by request.

1146 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS."

Introduced by: Representative Say, by request.

1147 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS."

Introduced by: Representative Say, by request.

1148 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS."

Introduced by: Representative Say, by request.

1149 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Representative Say, by request.

1150 "A BILL FOR AN ACT RELATING TO ESCAPE."

Introduced by: Representative Say, by request.

1151 "A BILL FOR AN ACT RELATING TO RESTRICTED ACCESS TO CORRECTIONAL FACILITIES."

Introduced by: Representative Say, by request.

1152 "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS' ACCOUNTS."

Introduced by: Representative Say, by request.

1153 "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.

1154 "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION."

Introduced by: Representative Say, by request.

1155 "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION."

Introduced by: Representative Say, by request.

1156 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY BUSINESS INVESTMENT TAX CREDIT."

Introduced by: Representative Say, by request.

1157 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY BUSINESS INVESTMENT TAX CREDIT."

Introduced by: Representative Say, by request.

1158 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Representative Say, by request.

1159 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Representative Say, by request.

1160 "A BILL FOR AN ACT RELATING TO MOPEDS."

Introduced by: Representative Say, by request.

1161 "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS."

Introduced by: Representative Say, by request.

1162 "A BILL FOR AN ACT RELATING TO PENALTIES FOR COMMERCIAL DRIVER'S LICENSE VIOLATIONS."

Introduced by: Representative Say, by request.

1163 "A BILL FOR AN ACT RELATING TO HARBORS."

Introduced by: Representative Say, by request.

1164 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL REVIEW."

Introduced by: Representative Say, by request.

1165 "A BILL FOR AN ACT RELATING TO HARBORS."

Introduced by: Representative Say, by request.

1166 "A BILL FOR AN ACT RELATING TO THE PASSENGER FACILITY CHARGE SPECIAL FUND."

Introduced by: Representative Say, by request.

1167 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Representative Say, by request.

1168 "A BILL FOR AN ACT RELATING TO AIRPORTS."

Introduced by: Representative Say, by request.

1169 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Representative Say, by request.

1170 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Representative Say, by request.

1171 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representative Say, by request.

1172 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representative Say, by request.

1173 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representative Say, by request.

1174 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representative Say, by request.

1175 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Say, by request.

1176 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Representative Say, by request.

1177 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Representative Say, by request.

1178 "A BILL FOR AN ACT RELATING TO HURRICANE RELIEF FUND."

Introduced by: Representative Say, by request.

1179 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Representative Say, by request.

1180 "A BILL FOR AN ACT RELATING TO STATE BUDGET."

Introduced by: Representative Say, by request.

1181 "A BILL FOR AN ACT RELATING TO STATE EMPLOYMENT."

Introduced by: Representative Say, by request.

1182 "A BILL FOR AN ACT RELATING TO STATE FINANCES."

Introduced by: Representative Say, by request.

1183 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Representative Say, by request.

1184 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."

Introduced by: Representative Say, by request.

1185 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Representative Say, by request.

1186 "A BILL FOR AN ACT RELATING TO HOUSING DEVELOPMENT."

Introduced by: Representatives Cabanilla, Brower, Chong, Ito, Keith-Agaran, C. Lee, Luke, Morita, Nakashima and Souki.

1187 "A BILL FOR AN ACT RELATING TO THE HOMELESS."

Introduced by: Representatives Cabanilla, Brower, Chang, Chong, Ito, C. Lee, Luke, Morita and Souki.

1188 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."

Introduced by: Representatives Cabanilla, Chang, Chong, Brower, Ito, C. Lee, Luke, Morita, Nakashima and Souki.

1189 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representatives Cabanilla, Chong, C. Lee, Luke, Morita, Brower, Ito, Keith-Agaran, Nakashima and Souki.

1190 "A BILL FOR AN ACT RELATING TO TRAFFIC ACCIDENT INVESTIGATION."

Introduced by: Representatives Cabanilla, Brower, Chong, M. Lee, Souki, Aquino, Hanohano, Keith-Agaran and Nakashima.

1191 "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA."

Introduced by: Representative Say, by request.

1192 "A BILL FOR AN ACT RELATING TO MARIJUANA."

Introduced by: Representative Say, by request.

1193 "A BILL FOR AN ACT RELATING TO MARIJUANA."

Introduced by: Representative Say, by request.

1194 "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA."

Introduced by: Representative Say, by request.

1195 "A BILL FOR AN ACT RELATING TO BIOPROSPECTING."

Introduced by: Representative Say, by request.

1196 "A BILL FOR AN ACT RELATING TO NATUROPATHIC MEDICINE."

Introduced by: Representative Say, by request.

1197 "A BILL FOR AN ACT RELATING TO ALCOHOL FUELS."

Introduced by: Representative Say, by request.

1198 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION."

Introduced by: Representative Say, by request.

1199 "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.

1200 "A BILL FOR AN ACT RELATING TO AN AUDIT OF THE HAWAII STATE COALITION AGAINST DOMESTIC VIOLENCE."

Introduced by: Representative Say, by request.

1201 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Representative Say.

1202 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representative Say.

1203 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."

Introduced by: Representative Say.

1204 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Representative Say.

1205 "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: Representative Say.

1206 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representative Say.

1207 "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT."

Introduced by: Representatives Say and McKelvey.

1208 "A BILL FOR AN ACT RELATING TO DENTAL CARE."

Introduced by: Representatives Say and Yamane.

1209 "A BILL FOR AN ACT RELATING TO DENTISTRY."

Introduced by: Representatives Say and Yamane.

1210 "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS."

Introduced by: Representatives Say and Yamane.

1211 "A BILL FOR AN ACT RELATING TO DENTISTS."

Introduced by: Representatives Say and Yamane.

1212 "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES."

Introduced by: Representatives Say and Yamane.

1213 "A BILL FOR AN ACT RELATING TO DENTISTRY."

Introduced by: Representatives Say and Yamane.

1214 "A BILL FOR AN ACT RELATING TO HOMELAND SECURITY."

Introduced by: Representatives Yamane and Say.

1215 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Representative Say.

1216 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Representative Say.

1217 "A BILL FOR AN ACT RELATING TO EDUCATION PROJECTS."

Introduced by: Representative Say.

1218 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."

Introduced by: Representatives Say and Chong.

1219 "A BILL FOR AN ACT RELATING TO INFRASTRUCTURE."

Introduced by: Representatives Say and Chong.

1220 "A BILL FOR AN ACT RELATING TO PUBLIC HOSPITAL PROJECTS."

Introduced by: Representatives Say and Yamane.

1221 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING PROJECTS."

Introduced by: Representatives Say and Cabanilla.

1222 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representatives Say and Cabanilla.

1223 "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT RELATING TO FUNDING LONG TERM CARE."

Introduced by: Representatives Say, Brower, M. Lee and Mizuno.

1224 "A BILL FOR AN ACT RELATING TO WORKS OF ART SPECIAL FUND."

Introduced by: Representative Say.

1225 "A BILL FOR AN ACT RELATING TO REGULATION."

Introduced by: Representative Say.

1226 "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED PLANT ORGANISMS."

Introduced by: Representative Say.

1227 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Representative Say.

1228 "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES."

Introduced by: Representative Say.

1229 "A BILL FOR AN ACT RELATING TO NOTICE."

Introduced by: Representative Say.

1230 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Representative Say.

1231 "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Representative Say.

1232 "A BILL FOR AN ACT RELATING TO SUSTAINABLE AFFORDABLE HOUSING."

Introduced by: Representative Say.

1233 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representative Say.

1234 "A BILL FOR AN ACT RELATING TO THE LEGISLATURE."

Introduced by: Representative Say.

1235 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Representative Say.

1236 "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS."

Introduced by: Representative Say.

1237 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Representative Say.

1238 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representative Say.

1239 "A BILL FOR AN ACT RELATING TO CONSERVATION."

Introduced by: Representative Say.

1240 "A BILL FOR AN ACT RELATING TO PLANNING."

Introduced by: Representative Say.

1241 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Representative Say.

1242 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Say.

1243 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representative Say.

1244 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representative Say.

1245 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Say.

1246 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Say.

1247 "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES."

Introduced by: Representative Say.

1248 "A BILL FOR AN ACT RELATING TO LABOR."

Introduced by: Representative Say.

1249 "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS."

Introduced by: Representative Say.

1250 "A BILL FOR AN ACT RELATING TO CORPORATIONS."

Introduced by: Representative Say.

1251 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say.

1252 "A BILL FOR AN ACT RELATING TO PROFESSIONS AND OCCUPATIONS."

Introduced by: Representative Say.

1253 "A BILL FOR AN ACT RELATING TO TRADE."

Introduced by: Representative Say.

1254 "A BILL FOR AN ACT RELATING TO UNIFORM COMMERCIAL CODE."

Introduced by: Representative Say.

1255 "A BILL FOR AN ACT RELATING TO PROPERTY."

Introduced by: Representative Say.

1256 "A BILL FOR AN ACT RELATING TO UNIFORM PROBATE CODE."

Introduced by: Representative Say.

1257 "A BILL FOR AN ACT RELATING TO FAMILY."

Introduced by: Representative Say.

1258 "A BILL FOR AN ACT RELATING TO COURTS."

Introduced by: Representative Say.

1259 "A BILL FOR AN ACT RELATING TO PENAL CODE."

Introduced by: Representative Say.

1260 "A BILL FOR AN ACT RELATING TO GOVERNMENT."

Introduced by: Representative Say.

1261 "A BILL FOR AN ACT RELATING TO THE ECONOMY."

Introduced by: Representative Say.

1262 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Representative Say.

1263 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Say.

1264 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."

Introduced by: Representative Say.

1265 "A BILL FOR AN ACT RELATING TO ENVIRONMENT."

Introduced by: Representative Say.

1266 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representative Say.

1267 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Representative Say.

1268 "A BILL FOR AN ACT RELATING TO JUDICIARY."

Introduced by: Representative Say.

1269 "A BILL FOR AN ACT RELATING TO DISASTER."

Introduced by: Representative Say.

1270 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Representatives Morita, Coffman, Evans, C. Lee, Nishimoto, Thielen, Tsuji and Chang.

1271 "A BILL FOR AN ACT RELATING TO GOVERNMENT."

Introduced by: Representatives Morita, Nishimoto, B. Oshiro, Thielen, Evans and Tsuji.

1272 "A BILL FOR AN ACT RELATING TO ELECTRONIC WASTE RECYCLING."

Introduced by: Representatives Morita, Chang, Coffman, C. Lee and Thielen.

1273 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representatives Morita, Coffman, Evans, C. Lee, Nishimoto, Thielen and Tsuji.

1274 "A BILL FOR AN ACT RELATING TO DISCRIMINATION."

Introduced by: Representatives Morita, Cabanilla, Chang, Har, Herkes and Tokioka.

1275 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Representatives McKelvey, Bertram, Carroll, Evans, Hanohano, Herkes, Morita, Nakashima, Shimabukuro, Souki, Tokioka, Yamashita, Chang and Coffman.

1276 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Nakashima, Brower, Carroll, Chang, Coffman, Hanohano, Herkes, Ito, Keith-Agaran, C. Lee, Luke, McKelvey, Pine, Saiki, Shimabukuro, Souki, Tokioka, Tsuji, Yamashita, Aquino, Bertram, Evans, M. Lee and Rhoads.

1277 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY PRODUCERS."

Introduced by: Representatives Nakashima, Chang, Ito, Luke, Saiki, M. Lee, Pine and Souki.

1278 "A BILL FOR AN ACT RELATING TO COQUI FROGS."

Introduced by: Representatives Nakashima, Chang, Evans, Ito, Luke, McKelvey, Tsuji, Yamashita, M. Lee, Pine, Saiki, Shimabukuro and Souki.

1279 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Nakashima, Ito, M. Lee, Luke, Rhoads, Souki and Saiki.

1280 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Representatives Nakashima, M. Lee, Luke, Rhoads, Ito, Saiki and Souki.

1281 "A BILL FOR AN ACT RELATING TO CRIMES."

Introduced by: Representatives Brower and Mizuno.

1282 "A BILL FOR AN ACT RELATING TO RELIGIOUS FREEDOM DAY IN HAWAII."

Introduced by: Representative Mizuno.

1283 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Mizuno and Brower.

1284 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Mizuno and Brower.

1285 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Representatives Mizuno and Manahan.

1286 "A BILL FOR AN ACT RELATING TO TERMS OF IMPRISONMENT."

Introduced by: Representatives Mizuno and Brower.

1287 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Representative Rhoads.

1288 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Rhoads, Brower, Cabanilla, Hanohano, Mizuno, Morita, Nishimoto, Takai, Aquino, Belatti, Carroll, Chang, Chong, Choy, Coffman, Har, Herkes, Ito, Karamatsu, Keith-Agaran, C. Lee, M. Lee, Luke, Magaoay, McKelvey, Nakashima, B. Oshiro, Souki, Tokioka, Wooley and Yamashita.

1289 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Representative Rhoads.

1290 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representative Rhoads, by request.

1291 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRD REPRESENTATIVE DISTRICT."

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

1292 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STATE QUALIFYING SHOOTING RANGE AT KULANI CORRECTIONAL FACILITY IN EAST HAWAII ON THE ISLAND OF HAWAII."

Introduced by: Representatives Tsuji, Chang, Hanohano, Yamashita and Evans.

1293 "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT."

Introduced by: Representatives Tsuji, Chang, Evans, Hanohano, Magaoay, Manahan, Nakashima, Souki, Takai, Yamashita, Chong, Morita and Tokioka.

1294 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Representative Carroll.

1295 "A BILL FOR AN ACT RELATING TO LAND ACQUISITION."

Introduced by: Representative Carroll.

1296 "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS."

Introduced by: Representative Carroll.

1297 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Representative Carroll.

1298 "A BILL FOR AN ACT RELATING TO FISHING."

Introduced by: Representatives Carroll and Shimabukuro.

1299 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representatives Brower, M. Lee, Manahan, Mizuno, Shimabukuro, Aquino, Awana, Bertram, Carroll, Choy, Coffman, Evans, Hanohano, C. Lee, Luke, Magaoay, Morita, Nishimoto, Saiki, Say, Takumi, Tokioka and Tsuji.

1300 "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE."

Introduced by: Representatives Brower, Belatti, Berg, Hanohano, Ito, C. Lee, M. Lee, Manahan, McKelvey, Mizuno, Morita, Pine, Takai, Tsuji, Aquino, Awana, Carroll, Chong, Choy, Coffman, Karamatsu, Keith-Agaran, Luke, Magaoay, Say, Shimabukuro, Souki, Takumi and Yamashita.

1301 "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT."

Introduced by: Representatives Brower, Mizuno, Takai, Wakai, Aquino, Awana, Belatti, Berg, Bertram, Cabanilla, Carroll, Chong, Choy, Coffman, Evans, Hanohano, Ito, Keith-Agaran, C. Lee, M. Lee, Luke, Magaoay, Manahan, McKelvey, Morita, Nakashima, Say, Shimabukuro, Souki, Tokioka, Tsuji and Yamashita.

1302 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Brower, Cabanilla, Evans, Hanohano, C. Lee, M. Lee, Mizuno, Nishimoto, Pine, Rhoads, Shimabukuro, Souki, Takai, Wakai, Aquino, Belatti, Bertram, Choy, Coffman, Magaoay, Nakashima, Say and Yamashita.

1303 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representatives Brower, Cabanilla, Chang, M. Lee, Magaoay, Mizuno, Nishimoto, Pine, Rhoads, Souki, Takai, Wakai, Aquino, Belatti, Carroll, Choy, Hanohano, Nakashima, Say, Tsuji and Yamashita.

1304 "A BILL FOR AN ACT RELATING TO ACT 204, SESSION LAWS OF HAWAII 2008."

Introduced by: Representatives McKelvey, Bertram, Marumoto, Pine, Ward, Awana, Berg, Brower, Ching, Ito, Nishimoto and Sagum.

1305 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives McKelvey, Awana, Brower, Ching, Marumoto, Pine, Thielen, Ward, Bertram, Ito, Nishimoto and Sagum.

1306 "A BILL FOR AN ACT RELATING TO A GENERAL EXCISE TAX EXEMPTION."

Introduced by: Representatives McKelvey, Awana, Brower, Ching, Marumoto, Pine, Ward, Bertram, Ito and Sagum.

1307 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY."

Introduced by: Representatives Ward, Brower, Ching, McKelvey, Pine, Ito and Sagum.

1308 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives McKelvey, Awana, Berg, Brower, Ching, Evans, Finnegan, Karamatsu, Marumoto, Pine, Sagum, Thielen, Ward, Belatti, Bertram, Cabanilla, Chang, Har, Herkes, Ito, Magaoay, Nishimoto, Shimabukuro, Souki and Tsuji.

1309 "A BILL FOR AN ACT RELATING TO EMPLOYEE INCREASE TAX CREDIT."

Introduced by: Representatives McKelvey, Brower, Cabanilla, Ching, Finnegan, Pine, Thielen, Ward, Awana, Bertram, Carroll, Evans, Ito, Marumoto, Nishimoto, Sagum and Shimabukuro.

1310 "A BILL FOR AN ACT RELATING TO OCEAN RECREATION."

Introduced by: Representatives Ward, Marumoto, Pine, Manahan and McKelvey.

1311 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Awana, McKelvey, Sagum and Ward.

1312 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Awana, Hanohano, Sagum, Ward and McKelvey.

1313 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Representatives McKelvey and Ward.

1314 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-FIRST REPRESENTATIVE DISTRICT."

Introduced by: Representative Karamatsu.

1315 "A BILL FOR AN ACT RELATING TO PEACE DAY."

Introduced by: Representative Karamatsu.

1316 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Representative Karamatsu.

1317 "A BILL FOR AN ACT RELATING TO RURAL PHYSICIANS TAX CREDIT."

Introduced by: Representative Karamatsu.

1318 "A BILL FOR AN ACT RELATING TO ALCOHOLIC BEVERAGES."

Introduced by: Representatives Sagum, Hanohano, Mizuno, Ito and Souki.

1319 "A BILL FOR AN ACT RELATING TO RESISTING AN ORDER TO STOP A MOTOR VEHICLE."

Introduced by: Representatives Sagum, Aquino, Awana, Hanohano, M. Lee, Mizuno, Carroll, Chang, Ito, Karamatsu and Magaoay.

1320 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIFTIETH REPRESENTATIVE DISTRICT."

Introduced by: Representative Thielen.

1321 "A BILL FOR AN ACT RELATING TO ANIMALS."

Introduced by: Representative Thielen, by request.

1322 "A BILL FOR AN ACT RELATING TO NOISE."

Introduced by: Representative Thielen, by request.

1323 "A BILL FOR AN ACT RELATING TO HOURS OF WORK."

Introduced by: Representatives Ward, Pine, Bertram, Brower and Nakashima.

1324 "A BILL FOR AN ACT RELATING TO RENEWABLE PORTFOLIO STANDARDS."

Introduced by: Representatives Ward, Bertram, Mizuno, Pine, Belatti, Brower, Coffman, Evans and Nakashima.

1325 "A BILL FOR AN ACT RELATING TO GASOLINE."

Introduced by: Representatives Ward, Marumoto, Bertram, Brower and Nakashima.

1326 "A BILL FOR AN ACT RELATING TO LAND PRESERVATION."

Introduced by: Representatives Ward, Brower, Marumoto, Bertram, Coffman, Evans, Mizuno, Nakashima and Pine.

1327 "A BILL FOR AN ACT RELATING TO LEGACY LANDS."

Introduced by: Representatives Ward, Brower, Marumoto, Belatti, Bertram, Coffman, Evans, Mizuno, Nakashima and Pine.

1328 "A BILL FOR AN ACT RELATING TO WORLD OCEAN DAY."

Introduced by: Representatives Berg, Brower, Carroll, Coffman, Hanohano, C. Lee, Aquino and Bertram.

1329 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Representatives Berg, Brower, Hanohano, Aquino, Choy and C. Lee.

1330 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Representatives Berg, Hanohano, Aquino, Choy, C. Lee and Tokioka.

1331 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS."

Introduced by: Representatives Berg, Hanohano, Choy and C. Lee.

1332 "A BILL FOR AN ACT RELATING TO NOISE POLLUTION."

Introduced by: Representatives Berg, Brower, Hanohano, Aquino, Choy and C. Lee.

1333 "A BILL FOR AN ACT RELATING TO ZONING."

Introduced by: Representatives Marumoto, Thielen, Aquino, Awana, Belatti, Chong, Choy, Finnegan, M. Lee, Luke, Tokioka, Tsuji, Wakai and Yamashita.

1334 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Representatives Marumoto, Finnegan, Ito, Karamatsu, Luke, Mizuno, Tsuji, Wakai, Aquino and Choy.

1335 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Representatives Marumoto, Finnegan, Ito, Karamatsu, Luke, Mizuno, Tsuji, Aquino, Choy and Wakai.

1336 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST DIAMOND HEAD RENEWABLE RESOURCES, LLC."

Introduced by: Representatives Marumoto and Morita.

1337 "A BILL FOR AN ACT RELATING TO HEALTH PLANNING."

Introduced by: Representatives Bertram, Brower, Nishimoto and Yamane.

1338 "A BILL FOR AN ACT RELATING TO A SINGLE-PAYOR HEALTH CARE SYSTEM."

Introduced by: Representatives Bertram, Brower, M. Lee, Nishimoto and Yamane.

1339 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-FIFTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Aquino.

1340 "A BILL FOR AN ACT ELATING [*sic*] TO A NEW MARKETS TAX CREDIT."

Introduced by: Representative Keith-Agaran.

1341 "A BILL FOR AN ACT RELATING TO DEVELOPMENT RIGHTS."

Introduced by: Representative Keith-Agaran.

1342 "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO ESTABLISH THE DEPARTMENT OF EDUCATION AS A POLITICAL SUBDIVISION HEADED BY THE BOARD OF EDUCATION AND TO AUTHORIZE THE BOARD TO ASSESS TAXES."

Introduced by: Representative Keith-Agaran.

1343 "A BILL FOR AN ACT RELATING TO LONG-TERM INSURANCE TAX CREDIT FOR SMALL BUSINESS."

Introduced by: Representative Keith-Agaran.

1344 "A BILL FOR AN ACT RELATING TO VOTING."

Introduced by: Representative Keith-Agaran.

1345 "A BILL FOR AN ACT RELATING TO INTEREST."

Introduced by: Representatives Pine, Finnegan, Marumoto, Thielen, Belatti, M. Lee and Mizuno.

1346 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Representatives Pine, Brower, Finnegan, Thielen, Aquino, Mizuno and Souki.

1347 "A BILL FOR AN ACT RELATING TO FEES."

Introduced by: Representatives Pine, Brower, Chang, Hanohano, Mizuno and Souki.

1348 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representative Evans.

1349 "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS."

Introduced by: Representative Evans.

1350 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Representative Evans.

1351 "A BILL FOR AN ACT RELATING TO PRIVATE AGRICULTURAL PARKS."

Introduced by: Representative Evans.

1352 "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY."

Introduced by: Representatives Evans, Herkes, Hanohano and Nakashima.

1353 "A BILL FOR AN ACT RELATING TO ESTABLISHING A YOUTH CENTER."

Introduced by: Representatives Mizuno, Brower, Chang and Manahan.

1354 "A BILL FOR AN ACT RELATING TO CHILDREN."

Introduced by: Representatives Mizuno and Brower.

1355 "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT."

Introduced by: Representatives Mizuno and Brower.

1356 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Introduced by: Representatives Mizuno, Brower, Hanohano and Manahan.

1357 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

Introduced by: Representatives Shimabukuro, Brower and Carroll.

1358 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

Introduced by: Representatives Shimabukuro and Carroll.

1359 "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION."

Introduced by: Representative Shimabukuro.

1360 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representative Wooley.

1361 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SIXTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Coffman.

1362 "A BILL FOR AN ACT RELATING TO GENETIC COUNSELORS."

Introduced by: Representative Magaoay.

1363 "A BILL FOR AN ACT RELATING TO WORKERS' RIGHTS."

Introduced by: Representatives Magaoay, Aquino, Awana, Hanohano, Keith-Agaran, Nakashima, Pine, Rhoads and Souki.

1364 "A BILL FOR AN ACT RELATING TO THE BUDGET."

Introduced by: Representatives Choy, Aquino, Coffman, Keith-Agaran, C. Lee, Nakashima and Wooley.

1365 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-FOURTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Choy.

1366 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Representative Shimabukuro.

1367 "A BILL FOR AN ACT RELATING TO SOLID WASTE."

Introduced by: Representative Shimabukuro.

1368 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Representatives Chang, Ito, Magaoay, Nakashima, Nishimoto, Tsuji, Yamashita, Awana, Cabanilla, Hanohano and Shimabukuro.

1369 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Chang, Hanohano, Ito, Magaoay, Nakashima, Nishimoto, Shimabukuro, Tsuji, Awana, Cabanilla and Yamashita.

1370 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Chang, Awana, Ito, Magaoay, Nakashima, Nishimoto, Hanohano, Tsuji and Yamashita.

1371 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Representatives Yamane, Chong, Herkes, Ito, Nishimoto, B. Oshiro, M. Oshiro, Say, Yamashita, Aquino and Rhoads.

1372 "A BILL FOR AN ACT RELATING TO THE TRANSITIONING OF THE REGIONS AND FACILITIES OF HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Representatives Yamane, Keith-Agaran, McKelvey, Souki, Yamashita and Carroll.

1373 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Yamane, Carroll, Nishimoto and Belatti.

1374 "A BILL FOR AN ACT RELATING TO DENTISTS."

Introduced by: Representatives Yamane, Belatti, Carroll, Finnegan and Nishimoto.

1375 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Yamane, Belatti, Carroll, Finnegan and Nishimoto.

1376 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Takai.

1377 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."

Introduced by: Representative Nishimoto.

1378 "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES."

Introduced by: Representatives M. Lee, Cabanilla, Evans, Mizuno and Rhoads.

1379 "A BILL FOR AN ACT RELATING TO PHYSICIAN ORDERS FOR LIFE SUSTAINING TREATMENT."

Introduced by: Representatives M. Lee, Cabanilla, Karamatsu, C. Lee, Luke, Morita, Rhoads, Brower and Evans.

1380 "A BILL FOR AN ACT RELATING TO PHYSICIAN WORKFORCE ASSESSMENT."

Introduced by: Representatives M. Lee, Aquino, Brower, Cabanilla, Evans, Karamatsu, Mizuno, Nishimoto and Rhoads.

1381 "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS."

Introduced by: Representative M. Lee.

1382 "A BILL FOR AN ACT RELATING TO BILL OF RIGHTS FOR VICTIMS."

Introduced by: Representatives M. Lee, Evans, Mizuno, Wakai, Aquino and Rhoads.

1383 "A BILL FOR AN ACT RELATING TO FEES."

Introduced by: Representatives Ching, Pine, Hanohano, Ito, Magaoay, Marumoto, B. Oshiro and Ward.

1384 "A BILL FOR AN ACT RELATING TO REAL PROPERTY."

Introduced by: Representatives Ching, Hanohano, Pine, Ward, Ito, Magaoay, Marumoto, and B. Oshiro.

1385 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Ching, Cabanilla, Chang, Hanohano, Marumoto, Nishimoto, Pine, Thielen, Ward, Aquino, Ito and Magaoay.

1386 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representatives Souki and Awana.

1387 "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS."

Introduced by: Representatives Souki and Awana.

1388 "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONS."

Introduced by: Representatives Souki and Awana.

1389 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION."

Introduced by: Representatives Souki and Awana.

1390 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Souki, Yamashita and Rhoads.

1391 "A BILL FOR AN ACT RELATING TO THE STATE HISTORIC PRESERVATION OFFICER."

Introduced by: Representatives Carroll, Cabanilla, B. Oshiro, Awana, Chong, Choy, Magaoay, McKelvey, Nishimoto, Sagum and Souki.

1392 "A BILL FOR AN ACT RELATING TO MAKAPIPI STREAM, MAUI."

Introduced by: Representatives Carroll, McKelvey, B. Oshiro, Awana, Cabanilla, Chong, Choy, Magaoay, Nishimoto, Sagum and Souki.

1393 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Carroll, Awana, Cabanilla, McKelvey, Choy, B. Oshiro and Sagum.

1394 "A BILL FOR AN ACT RELATING TO AQUARIUM AQUATIC LIFE."

Introduced by: Representatives Carroll, Chong, B. Oshiro, Thielen, Cabanilla, Choy, Magaoay, McKelvey, Nishimoto and Souki.

1395 "A BILL FOR AN ACT RELATING TO DEPARTMENT OF HAWAIIAN HOME LANDS."

Introduced by: Representatives Carroll, Awana, Hanohano, Luke, McKelvey, Nishimoto, Shimabukuro, Thielen, Chong, Choy, C. Lee, Magaoay, Manahan, B. Oshiro and Souki.

1396 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS."

Introduced by: Representatives Carroll, McKelvey, B. Oshiro, Shimabukuro, Awana, Cabanilla, Chong, Choy, Magaoay, Nishimoto and Souki.

1397 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS."

Introduced by: Representatives Carroll, Awana, Hanohano, Luke, Shimabukuro, Brower, Cabanilla, Chong, C. Lee, Magaoay, Manahan, McKelvey, B. Oshiro, Saiki and Souki.

1398 "A BILL FOR AN ACT RELATING TO DEPARTMENT OF HAWAIIAN HOME LANDS."

Introduced by: Representatives Carroll, Awana, Shimabukuro, Cabanilla, Chong, Magaoay, McKelvey, B. Oshiro and Souki.

1399 "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT."

Introduced by: Representatives Carroll, B. Oshiro, Awana, Cabanilla, Chong, Choy, Magaoay, McKelvey, Nishimoto, Sagum and Souki.

1400 "A BILL FOR AN ACT RELATING TO LEGISLATIVE MANAGEMENT AFFAIRS."

Introduced by: Representative Tokioka.

1401 "A BILL FOR AN ACT RELATING TO ETHICS."

Introduced by: Representative Tokioka.

1402 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Representative Tokioka.

1403 "A BILL FOR AN ACT RELATING TO GOVERNMENT EXPENDITURES."

Introduced by: Representative Tokioka.

1404 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Representative Tokioka.

1405 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Representative Choy.

1406 "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICES AND THE STATE HOMELESS PROGRAMS."

Introduced by: Representatives Chang, Brower, Cabanilla, Karamatsu, Magaoay, Nakashima, Awana, Manahan, B. Oshiro, Rhoads, Shimabukuro, Souki, Tsuji and Yamashita.

1407 "A BILL FOR AN ACT RELATING TO PRESERVATION."

Introduced by: Representatives Pine, Evans, Finnegan, Marumoto, McKelvey, Awana, Rhoads and Souki.

1408 "A BILL FOR AN ACT RELATING TO THE UNAUTHORIZED PRACTICE OF LAW."

Introduced by: Representatives Pine, Chang, Finnegan, Marumoto, McKelvey, Awana, Evans, Souki and Thielen.

1409 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Finnegan.

1410 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representatives Finnegan, Karamatsu, Marumoto, B. Oshiro, Souki and Thielen.

1411 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-SECOND REPRESENTATIVE DISTRICT."

Introduced by: Representative Finnegan.

1412 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY."

Introduced by: Representatives Yamashita, Awana, Chang, Chong, Har, Karamatsu, Keith-Agaran, Manahan, B. Oshiro, Tsuji, Wakai, Yamane, Choy, Ito, Magaoay, McKelvey and Souki.

1413 "A BILL FOR AN ACT RELATING TO FISHING."

Introduced by: Representatives Yamashita, Chong, Carroll, Chang, Ito, Keith-Agaran, McKelvey, Souki, Tokioka and Tsuji.

1414 "A BILL FOR AN ACT RELATING TO METAL."

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

1415 "A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS."

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

1416 "A BILL FOR AN ACT RELATING TO HAWAII GROWN PRODUCE."

Introduced by: Representative B. Oshiro.

1417 "A BILL FOR AN ACT RELATING TO MOBILE BILLBOARDS."

Introduced by: Representatives B. Oshiro, Brower, C. Lee and Luke.

1418 "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING."

Introduced by: Representatives B. Oshiro, Luke, Brower, Chong and C. Lee.

1419 "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS."

Introduced by: Representative Takai.

1420 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Takai, Chang, Shimabukuro and Manahan.

1421 "A BILL FOR AN ACT RELATING TO LEAF BLOWERS."

Introduced by: Representative Nishimoto.

1422 "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES."

Introduced by: Representative Nishimoto, by request.

1423 "A BILL FOR AN ACT RELATING TO HOURS OF WORK."

Introduced by: Representative Nishimoto.

1424 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-FIRST REPRESENTATIVE DISTRICT."

Introduced by: Representative Nishimoto.

1425 "A BILL FOR AN ACT RELATING TO MOPEDS."

Introduced by: Representative Nishimoto, by request.

1426 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative McKelvey.

1427 "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS."

Introduced by: Representative McKelvey, by request.

1428 "A BILL FOR AN ACT RELATING TO SMALL BUSINESS."

Introduced by: Representatives McKelvey, Karamatsu, Keith-Agaran, Manahan, Tokioka and Yamashita.

1429 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ABOUT FACE PROGRAM."

Introduced by: Representatives McKelvey, Carroll, Souki, Ito and Mizuno.

1430 "A BILL FOR AN ACT APPROPRIATING FUNDS FOR THE LEIALII WATER SOURCE."

Introduced by: Representatives McKelvey, Carroll, Bertram and Hanohano.

1431 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Takai.

1432 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Representative Takai, by request.

1433 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."

Introduced by: Representatives Tsuji, Chang, Chong, Evans, Herkes, Ito, Karamatsu, Magaoay, Manahan, McKelvey, Nakashima, Wooley, Yamane, Souki and Yamashita.

1434 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Tsuji, Chang, Chong, Evans, Herkes, Ito, Karamatsu, Magaoay, Manahan, McKelvey, Nakashima, Tokioka, Wooley, Yamashita, Souki and Yamane.

1435 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE GIVING CAMPAIGN."

Introduced by: Representatives Ito, Karamatsu, Carroll, Chang, Chong, Magaoay, Manahan, Marumoto, McKelvey, B. Oshiro, Rhoads, Thielen, Tsuji and Yamashita.

1436 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Ito, Chang, Karamatsu, Magaoay, Carroll, Chong, Evans, Manahan, Marumoto, McKelvey, B. Oshiro, Rhoads, Tsuji and Yamashita.

1437 "A BILL FOR AN ACT RELATING TO DAMS."

Introduced by: Representatives Ito, Evans, Karamatsu, Magaoay, Carroll, Chong, Marumoto, McKelvey, B. Oshiro, Rhoads, Tsuji and Yamashita.

1438 "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATORS."

Introduced by: Representative Herkes, by request.

1439 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Herkes, by request.

1440 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Representatives Cabanilla, Ching, Chong, Brower, Chang, Ito, Luke, Nakashima, Sagum and Souki.

1441 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Representatives Cabanilla, Brower, Chang, Chong, Ching, Ito, Keith-Agaran, C. Lee, Luke, Morita, Nakashima, Sagum and Souki.

1442 "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS."

Introduced by: Representatives Cabanilla, Ito, B. Oshiro and Sagum.

1443 "A BILL FOR AN ACT RELATING TO HOME OCCUPATIONS."

Introduced by: Representatives Cabanilla, Brower, Chang, Chong, Ito, B. Oshiro and Souki.

1444 "A BILL FOR AN ACT RELATING TO MEDICINE."

Introduced by: Representatives Cabanilla, Belatti, Finnegan and B. Oshiro.

1445 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Representatives C. Lee, Belatti, Hanohano, Keith-Agaran, Rhoads, Choy and Nakashima.

1446 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES."

Introduced by: Representatives C. Lee, Hanohano and Nakashima.

1447 "A BILL FOR AN ACT RELATING TO SHORELINE MANAGEMENT."

Introduced by: Representatives C. Lee, Hanohano, Thielen, Belatti, Chong, Choy, Nakashima and Rhoads.

1448 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATING TO THE LEGISLATURE."

Introduced by: Representatives C. Lee, Belatti, Choy, Takai, Hanohano, Nakashima, Rhoads and Thielen.

1449 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives C. Lee, Rhoads, Belatti, Choy, Hanohano and Nakashima.

1450 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Representatives Wakai, B. Oshiro, Herkes, Ito, Marumoto, Mizuno and Pine.

1451 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Wakai, Finnegan, Ito, Mizuno, Nishimoto, Takai, Tsuji, Ward, Awana, Belatti, C. Lee, Marumoto, B. Oshiro and Rhoads.

1452 "A BILL FOR AN ACT RELATING TO THE TOURISM AUTHORITY."

Introduced by: Representatives Wakai, Awana, Belatti, Finnegan, Ito, Karamatsu, C. Lee, Marumoto, Mizuno, Nishimoto, B. Oshiro, Takai, Tsuji and Ward.

1453 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-EIGHTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Rhoads.

1454 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Representative Luke.

1455 "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS."

Introduced by: Representative Luke, by request.

1456 "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS."

Introduced by: Representative Luke, by request.

1457 "A BILL FOR AN ACT RELATING TO NET ENERGY METERING."

Introduced by: Representative Luke, by request.

1458 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Representative Luke, by request.

1459 "A BILL FOR AN ACT RELATING TO GIFTED AND TALENTED CHILDREN."

Introduced by: Representatives Awana, Cabanilla, Evans, Ito, M. Lee, Marumoto, B. Oshiro, Takai, Yamashita, Aquino, Carroll, Choy, Hanohano, Karamatsu, Keith-Agaran, C. Lee, Magaoay, Manahan, McKelvey, Mizuno, Nakashima, Nishimoto, Pine, Sagum, Saiki, Souki, Tokioka and Tsuji.

1460 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Representatives Awana, Cabanilla, Carroll, Chong, Evans, Hanohano, Ito, Keith-Agaran, M. Lee, Magaoay, Marumoto, Mizuno, B. Oshiro, Pine, Takai, Tokioka, Tsuji, Ward, Yamashita, Aquino, Choy, C. Lee, Manahan, McKelvey, Nakashima, Rhoads, Sagum, Saiki and Souki.

1461 "A BILL FOR AN ACT RELATING TO THE CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-FOURTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Awana.

1462 "A BILL FOR AN ACT RELATING TO RESIDENTIAL DEVELOPMENT."

Introduced by: Representatives Awana, Cabanilla, Hanohano, Karamatsu, M. Lee, McKelvey, B. Oshiro, Pine, Takai, Ward, Aquino, Ito, Keith-Agaran, Magaoay, Nishimoto, Souki and Yamashita.

1463 "A BILL FOR AN ACT RELATING TO COUNTY HIGHWAY PATROLS."

Introduced by: Representatives Awana, Hanohano, C. Lee, M. Lee, Marumoto, McKelvey, B. Oshiro, Pine, Takai, Tsuji, Ward, Aquino, Carroll, Evans, Ito, Keith-Agaran, Magaoay, Manahan, Mizuno, Nakashima, Rhoads, Sagum, Souki and Tokioka.

1464 "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES."

Introduced by: Representatives Morita, Awana, Belatti, Cabanilla, Chang, Evans, C. Lee, Manahan, Marumoto, Mizuno, Nishimoto, B. Oshiro, Pine, Say, Shimabukuro, Thielen, Chong, Ito, Sagum and Tsuji.

1465 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Representatives Morita, Awana, Belatti, Cabanilla, Evans, C. Lee, Manahan, Mizuno, Nishimoto, B. Oshiro, Pine, Rhoads, Shimabukuro, Thielen, Chong, Ito, Marumoto, Say and Tsuji.

1466 "A BILL FOR AN ACT RELATING TO TRANSPORTATION ENERGY INITIATIVES."

Introduced by: Representatives Morita, Awana, Belatti, Cabanilla, Evans, C. Lee, Marumoto, Mizuno, Nishimoto, B. Oshiro, Pine, Rhoads, Shimabukuro, Thielen, Chang, Chong, Ito, Manahan, Sagum, Say and Tsuji.

1467 "A BILL FOR AN ACT RELATING TO PROPERLY INFLATED TIRES."

Introduced by: Representatives Morita, C. Lee, Belatti, Ito, Say and Tsuji.

1468 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Representative Morita, by request.

1469 "A BILL FOR AN ACT RELATING TO HAWAIIAN MUSIC AND DANCE."

Introduced by: Representatives Manahan, Awana, Carroll, Hanohano, Herkes, Keith-Agaran, Tokioka, Yamane, Yamashita and Chong.

1470 "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC PROCUREMENT CODE."

Introduced by: Representatives Manahan, Keith-Agaran, McKelvey, Mizuno, Brower, M. Lee, Luke and Souki.

1471 "A BILL FOR AN ACT RELATING TO FARMS."

Introduced by: Representatives Manahan, Magaoay, Say, Tsuji and Yamane.

1472 "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY."

Introduced by: Representatives Manahan, Tokioka, Choy and Yamashita.

1473 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representatives Belatti, Brower, Hanohano, C. Lee, Morita, Shimabukuro, Takai, Thielen, Wakai, Ward, Aquino, Bertram, Ching, Marumoto, Nakashima, B. Oshiro, Saiki and Say.

1474 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representatives Belatti, Brower, Ching, Hanohano, C. Lee, Marumoto, Morita, B. Oshiro, Takai, Thielen, Wakai, Aquino, Bertram, Rhoads, Say and Shimabukuro.

1475 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Representatives Belatti, Brower, Ching, Hanohano, C. Lee, Marumoto, Morita, Nishimoto, Shimabukuro, Takai, Thielen, Wakai, Ward, Aquino, Bertram, Nakashima, B. Oshiro, Rhoads, Saiki and Say.

1476 "A BILL FOR AN ACT RELATING TO VOTING."

Introduced by: Representatives Belatti, Brower, Hanohano, C. Lee, Morita, B. Oshiro, Shimabukuro, Takai, Wakai, Aquino, Bertram, Rhoads, Say and Thielen.

1477 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCIES AND BOARDS."

Introduced by: Representatives Belatti, Brower, Hanohano, C. Lee, Marumoto, Morita, Say, Takai, Wakai, Ward, Aquino, Bertram, Nakashima, B. Oshiro, Saiki and Shimabukuro.

1478 "A BILL FOR AN ACT RELATING TO THE CIVIL RIGHTS COMMISSION."

Introduced by: Representatives Nakashima, Hanohano, Aquino, Awana, Chang, Magaoay, Manahan, Rhoads and Souki.

1479 "A BILL FOR AN ACT RELATING TO LABOR."

Introduced by: Representatives Nakashima, Chang, Hanohano, Magaoay, Manahan, Aquino, Awana, Rhoads, Souki, Tokioka and Yamashita.

1480 "A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRACTICES."

Introduced by: Representatives Nakashima, Hanohano, Aquino, Awana, Chang, Magaoay, Manahan, Rhoads, Souki and Yamashita.

1481 "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES."

Introduced by: Representatives Nakashima and Chang.

1482 "A BILL FOR AN ACT RELATED [*sic*] TO EDUCATION."

Introduced by: Representative Nakashima.

1483 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR BETTER PLACE HAWAII, INC."

Introduced by: Representatives Coffman and Morita.

1484 "A BILL FOR AN ACT RELATING TO AIR POLLUTION FEES."

Introduced by: Representatives Coffman and Morita.

1485 "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE."

Introduced by: Representative Coffman.

1486 "A BILL FOR AN ACT RELATING TO SMOKING."

Introduced by: Representative Hanohano, by request.

1487 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Representatives Hanohano, Awana, Carroll, Aquino and Belatti.

1488 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Hanohano, Carroll, Evans, Luke, Nishimoto, Shimabukuro, Belatti and M. Lee.

1489 "A BILL FOR AN ACT RELATING TO MEDICAL CLAIM CONCILIATION."

Introduced by: Representatives Chong, Brower, Ito, Magaoay, Mizuno, B. Oshiro, Say, Souki, Yamashita, Evans, Herkes, Karamatsu and Yamane.

1490 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-NINTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Chong.

1491 "A BILL FOR AN ACT RELATING TO ETHANOL FACILITY TAX CREDIT."

Introduced by: Representative Chong.

1492 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Chong, Ito, C. Lee, Thielen and Chang.

1493 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Chong, Brower, Nishimoto and Yamane.

1494 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Chong, Herkes, Mizuno, Yamane and Evans.

1495 "A BILL FOR AN ACT RELATING TO STATE INCOME TAX."

Introduced by: Representatives Chong, and B. Oshiro.

1496 "A BILL FOR AN ACT RELATING TO TEMPORARY ASSISTANCE FOR NEEDY FAMILIES."

Introduced by: Representatives Mizuno, Brower, Pine, Wooley and M. Lee.

1497 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Representatives Mizuno, Brower, M. Lee and Pine.

1498 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY DOMESTIC VIOLENCE SHELTERS."

Introduced by: Representatives Mizuno, Brower and Pine.

1499 "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS."

Introduced by: Representatives Mizuno, Brower and Ward.

1500 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Har and Rhoads.

1501 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII SYSTEM."

Introduced by: Representative Har, by request.

1502 "A BILL FOR AN ACT RELATING TO TELEWORK."

Introduced by: Representatives Har and Pine.

1503 "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES."

Introduced by: Representative M. Oshiro.

1504 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives M. Oshiro, M. Lee, Mizuno and Yamane.

1505 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative M. Oshiro.

1506 "A BILL FOR AN ACT RELATING TO PEDESTRIAN SAFETY."

Introduced by: Representatives Brower, M. Lee, Manahan, Aquino, Awana, Bertram, Choy, Evans, Magaoay, Souki, Wakai and Yamashita.

1507 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Representatives Brower, Cabanilla, Karamatsu, Manahan, Mizuno, Nishimoto, Tsuji, Aquino, Awana, Choy, Magaoay, Rhoads, Sagum, Souki and Yamashita.

1508 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Representatives Brower, Finnegan, Herkes, Manahan, Marumoto, Mizuno, Morita, Pine, Shimabukuro, Souki, Takai, Takumi, Thielen, Wakai, Wooley, Aquino, Awana, Belatti, Berg, Bertram, Carroll, Chang, Coffman, Evans, Hanohano, Har, Keith-Agaran, C. Lee, M. Lee, Luke, Magaoay, McKelvey, Nakashima, Nishimoto, B. Oshiro, Rhoads, Sagum, Saiki, Say, Tokioka, Tsuji and Ward.

1509 "A BILL FOR AN ACT RELATING TO SMOKING."

Introduced by: Representatives Brower, Carroll, Herkes, M. Lee, Manahan, Mizuno, Nakashima, Nishimoto, M. Oshiro, Rhoads, Shimabukuro, Takai, Thielen, Wakai, Aquino, Berg, Bertram, Coffman, Finnegan, Hanohano, Magaoay, Marumoto, Morita, B. Oshiro, Pine, Say, Takumi, Tokioka, Tsuji and Yamane.

1510 "A BILL FOR AN ACT RELATING TO THE HUMANE TREATMENT OF PET ANIMALS."

Introduced by: Representatives Brower, Cabanilla, Manahan, Awana, Keith-Agaran, C. Lee, Nakashima, Sagum, Tsuji and Wakai.

1511 "A BILL FOR AN ACT RELATING TO THE PRIMARY HEALTH CARE INCENTIVE PROGRAM."

Introduced by: Representatives Karamatsu, Carroll, Chang, Hanohano, Herkes, M. Lee, Mizuno, B. Oshiro, Tsuji, Evans, Say and Tokioka.

1512 "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS."

Introduced by: Representative Karamatsu.

1513 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER."

Introduced by: Representative Karamatsu, by request.

1514 "A BILL FOR AN ACT RELATING TO MEDICAL TORTS."

Introduced by: Representative Karamatsu.

1515 "A BILL FOR AN ACT RELATING TO THE HAWAII PATIENT COMPENSATION FUND."

Introduced by: Representative Karamatsu.

[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.]

1516 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE EIGHTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Souki.

1517 "A BILL FOR AN ACT RELATING TO GAMING."

Introduced by: Representatives Souki, Cabanilla, Chang, Herkes, Karamatsu, Har, Ito, McKelvey, Mizuno and Sagum.

1518 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representative Souki.

1519 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Introduced by: Representative Souki.

1520 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVOCATION."

Introduced by: Representatives Souki and Awana.

1521 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Representatives Cabanilla, Ito and Sagum.

1522 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Representatives Cabanilla, Aquino, Bertram, Sagum and Yamashita.

1523 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE."

Introduced by: Representatives Cabanilla and Souki.

1524 "A BILL FOR AN ACT RELATING TO CRIMINAL CONTEMPT OF COURT."

Introduced by: Representatives Mizuno, M. Lee, Pine and Wooley.

1525 "A BILL FOR AN ACT RELATING TO MEDICAID."

Introduced by: Representatives Mizuno and Brower.

1526 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Mizuno.

1527 "A BILL FOR AN ACT RELATING TO TOBACCO."

Introduced by: Representative Mizuno.

1528 "A BILL FOR AN ACT RELATING TO CAREGIVERS."

Introduced by: Representatives Mizuno, Brower, Cabanilla, Carroll, Chang, Finnegan, Karamatsu, Marumoto, Shimabukuro, Thielen, Ward, Belatti, Bertram, Evans, M. Lee, Magaoay, Nakashima and Sagum.

1529 "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE."

Introduced by: Representatives Belatti, Brower, B. Oshiro, Say, Wakai, Aquino, Bertram, Ching, Hanohano, C. Lee, Marumoto, Morita, Nakashima, Saiki, Shimabukuro and Thielen.

1530 "A BILL FOR AN ACT RELATING TO FREEDOM OF INFORMATION."

Introduced by: Representatives Belatti, Hanohano, C. Lee, Morita, Shimabukuro, Takai, Thielen, Wakai, Ward, Aquino, Bertram, Brower, Marumoto, Nakashima, B. Oshiro, Rhoads and Say.

1531 "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS."

Introduced by: Representatives Belatti, Brower, Hanohano, C. Lee, Marumoto, Morita, Say, Shimabukuro, Takai, Thielen, Wakai, Ward, Aquino, Bertram, Ching, and B. Oshiro.

1532 "A BILL FOR AN ACT RELATING TO KAKAAKO."

Introduced by: Representatives Cabanilla, Brower, Chong, Herkes, Magaoay, Aquino, Coffman, Keith-Agaran, C. Lee, M. Lee, Luke, Mizuno, Morita, M. Oshiro, Rhoads and Shimabukuro.

1533 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-SEVENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Wooley.

1534 "A BILL FOR AN ACT RELATED TO COLLECTIVE BARGAINING."

Introduced by: Representative Wooley.

1535 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE NINETEENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Marumoto.

1536 "A BILL FOR AN ACT RELATING TO SALARIES."

Introduced by: Representatives Aquino, Choy, Coffman, Keith-Agaran, C. Lee, Nakashima and Wooley.

1537 "A BILL FOR AN ACT RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS."

Introduced by: Representatives Brower, Berg, Cabanilla, Chang, Ching, Finnegan, Hanohano, Herkes, Ito, Karamatsu, C. Lee, M. Lee, Manahan, Marumoto, Mizuno, Morita, Nakashima, Nishimoto, B. Oshiro, Pine, Shimabukuro, Takai, Takumi, Thielen, Tokioka, Wakai, Ward, Yamane, Aquino, Awana, Belatti, Bertram, Carroll, Chong, Choy, Coffman, Evans, Har, Keith-Agaran, Luke, Magaoay, McKelvey, M. Oshiro, Rhoads, Sagum, Saiki, Say, Souki, Tsuji, Wooley and Yamashita.

1538 "A BILL FOR AN ACT RELATING TO ENVIRONMENTALLY-SENSITIVE PRODUCTS."

Introduced by: Representatives Nishimoto, Belatti, Brower, Carroll, Hanohano, Ito, Karamatsu, C. Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, B. Oshiro, M. Oshiro, Pine, Rhoads, Saiki, Shimabukuro, Souki, Takai, Tsuji, Wakai, Wooley, Yamane, Aquino, Bertram, Choy, Coffman, Evans, Har, Herkes, M. Lee, Nakashima, Sagum and Tokioka.

1539 "A BILL FOR AN ACT RELATING TO MEDICAL TREATMENT."

Introduced by: Representative Nishimoto.

1540 "A BILL FOR AN ACT RELATING TO MEDICAL TREATMENT."

Introduced by: Representative Nishimoto.

1541 "A BILL FOR AN ACT RELATING TO WASTE MANAGEMENT."

Introduced by: Representative Nishimoto.

1542 "A BILL FOR AN ACT RELATING TO ENERGY PROJECTORIES."

Introduced by: Representative Nishimoto, by request.

1543 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Chong, Chang, Ito, C. Lee, Nakashima and Thielen.

1544 "A BILL FOR AN ACT RELATING TO TAX EXEMPTIONS."

Introduced by: Representatives Chong and Yamashita.

1545 "A BILL FOR AN ACT RELATING TO TAX DEDUCTIONS."

Introduced by: Representatives Chong and Yamashita.

1546 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Chong, M. Lee, and B. Oshiro.

1547 "A BILL FOR AN ACT RELATING TO PARKING VIOLATIONS."

Introduced by: Representatives Chong, B. Oshiro and M. Lee.

1548 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Chong, M. Lee, B. Oshiro, and M. Oshiro.

1549 "A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE."

Introduced by: Representatives Chong, Say, Tokioka and Yamashita.

1550 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Chong, Say and Yamashita.

1551 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Chong, Say and Yamashita.

1552 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Representative Wooley.

1553 "A BILL FOR AN ACT RELATING TO A SPECIAL COUNSEL."

Introduced by: Representatives Saiki, Luke, and B. Oshiro.

1554 "A BILL FOR AN ACT RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Representative Har.

1555 "A BILL FOR AN ACT RELATING TO RESPIRATORY CARE."

Introduced by: Representative Har, by request.

1556 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Representatives Say and Karamatsu.

1557 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Representatives Say and Karamatsu.

1558 "A BILL FOR AN ACT RELATING TO GOVERNMENT."

Introduced by: Representatives Say and Karamatsu.

1559 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representatives Say and Karamatsu.

1560 "A BILL FOR AN ACT RELATING TO ATTORNEYS."

Introduced by: Representatives Say and Karamatsu.

1561 "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS."

Introduced by: Representatives Say and Karamatsu.

1562 "A BILL FOR AN ACT RELATING TO HEALTH CARE PROFESSIONALS."

Introduced by: Representatives M. Lee, Cabanilla, Herkes, Morita, Shimabukuro, Tsuji, Bertram, Evans, C. Lee, McKelvey, Saiki and Souki.

1563 "A BILL FOR AN ACT RELATING TO RESPIRATORY CARE."

Introduced by: Representatives M. Lee, Brower, Chang, Mizuno, Shimabukuro, Bertram, Cabanilla and Wakai.

1564 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE HAWAII CONSTITUTION TO ESTABLISH RIGHTS OF CRIME VICTIMS."

Introduced by: Representatives M. Lee, Chang, Shimabukuro, Brower, Mizuno and Wakai.

1565 "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY."

Introduced by: Representatives M. Lee, Evans, Shimabukuro, Thielen, Bertram, C. Lee, Tsuji and Wakai.

1566 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-SIXTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Magaoay.

1567 "A BILL FOR AN ACT RELATING TO SKILLED NURSING FACILITIES."

Introduced by: Representatives Magaoay, Brower, Cabanilla, Carroll, Evans, Karamatsu, Sagum, Shimabukuro, Bertram, Nishimoto, Tsuji, Wakai and Yamane.

1568 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE AMERICAN RED CROSS."

Introduced by: Representatives Magaoay, Brower, Chang, Ito, Nishimoto, Sagum, Shimabukuro, Yamane, Bertram, Cabanilla, Coffman, Evans, Karamatsu, M. Lee, Mizuno, Souki, Tsuji and Wakai.

1569 "A BILL FOR AN ACT RELATING TO HOTEL RENOVATION AND NEW CONSTRUCTION TAX CREDIT."

Introduced by: Representatives Magaoay, Chang, Ito, Mizuno, Nishimoto, Sagum, Cabanilla, Evans, M. Lee, Souki, Tsuji and Yamane.

1570 "A BILL FOR AN ACT RELATING TO THE OFFICE OF LANGUAGE ACCESS."

Introduced by: Representatives Magaoay, Brower, Cabanilla, Chang, Evans, Karamatsu, Mizuno, Nishimoto, Sagum, Shimabukuro, Tsuji, Bertram, Coffman, Ito, M. Lee, Souki, Wakai and Yamane.

1571 "A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS."

Introduced by: Representative Rhoads.

1572 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Representative Rhoads.

1573 "A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS."

Introduced by: Representative Rhoads.

1574 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 1, OF THE HAWAII CONSTITUTION, TO DELETE THE ONE-YEAR RESIDENCY AND VOTER REGISTRATION REQUIREMENT FOR VOTING AND TO FORTIFY THE RIGHT TO VOTE."

Introduced by: Representative Keith-Agaran.

1575 "A BILL FOR AN ACT RELATING TO TAX."

Introduced by: Representative Keith-Agaran.

1576 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Keith-Agaran.

1577 "A BILL FOR AN ACT RELATING TO REAL ESTATE APPRAISAL MANAGEMENT COMPANIES."

Introduced by: Representative Keith-Agaran, by request.

1578 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Representatives Brower, Awana, Cabanilla, Karamatsu, Manahan, Mizuno, Nakashima, Nishimoto, Wakai, Aquino, Bertram, Keith-Agaran, Magaoay, Sagum and Souki.

1579 "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES."

Introduced by: Representatives Brower, Cabanilla, M. Lee, Mizuno, Wakai, Bertram, Chong, Coffman, Evans, Karamatsu, Keith-Agaran, C. Lee, Magaoay and Nakashima.

1580 "A BILL FOR AN ACT RELATING TO DATA COLLECTION."

Introduced by: Representatives Brower, Cabanilla, Chong, Karamatsu, Mizuno, Shimabukuro, Tsuji, Aquino, Belatti, Bertram, Keith-Agaran, M. Lee, Magaoay, Morita and Nakashima.

1581 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Representatives Brower, Bertram, Aquino, Awana, Belatti, Chong, Coffman, Ito, Karamatsu, Keith-Agaran, C. Lee, M. Lee, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakashima, Shimabukuro, Souki, Tsuji, Wakai and Yamashita.

1582 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."

Introduced by: Representative Say.

1583 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Say.

1584 "A BILL FOR AN ACT RELATING TO THE RATE OF INTEREST APPLICABLE TO OVERPAYMENTS OF TAX."

Introduced by: Representative Say.

1585 "A BILL FOR AN ACT RELATING TO THE TAXATION OF ONLINE TRAVEL COMPANIES."

Introduced by: Representative Say.

1586 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Say.

1587 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Say.

1588 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Say.

1589 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Representative Say.

1590 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representative Say.

1591 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Say.

1592 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Say.

1593 "A BILL FOR AN ACT RELATING TO REAL PROPERTY."

Introduced by: Representative Say.

1594 "A BILL FOR AN ACT RELATING TO THE CONDITION OF LAND."

Introduced by: Representative Say.

1595 "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII."

Introduced by: Representative Say.

1596 "A BILL FOR AN ACT RELATING TO CHAPTER 92, HAWAII REVISED STATUTES."

Introduced by: Representative Say.

1597 "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS."

Introduced by: Representative Say.

1598 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Say.

1599 "A BILL FOR AN ACT RELATING TO REAL PROPERTY."

Introduced by: Representative Say.

1600 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Representative Say.

1601 "A BILL FOR AN ACT RELATING TO REAL PROPERTY."

Introduced by: Representative Say.

1602 "A BILL FOR AN ACT RELATING TO APPRAISALS."

Introduced by: Representative Say.

1603 "A BILL FOR AN ACT RELATING TO HAWAII'S ECONOMY."

Introduced by: Representative Say.

1604 "A BILL FOR AN ACT RELATING TO REAL PROPERTY."

Introduced by: Representative Say.

1605 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Say.

1606 "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION."

Introduced by: Representative Say.

1607 "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Representative Say.

1608 "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN REAL PROPERTY TRANSACTIONS."

Introduced by: Representative Say, by request.

1609 "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN REAL PROPERTY TRANSACTIONS."

Introduced by: Representative Say, by request.

1610 "A BILL FOR AN ACT RELATING TO TORT ACTIONS."

Introduced by: Representative Say, by request.

1611 "A BILL FOR AN ACT RELATING TO LABELING OF MEAT AND FISH PRODUCTS."

Introduced by: Representative Say, by request.

1612 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."

Introduced by: Representative Say, by request.

1613 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Say, by request.

1614 "A BILL FOR AN ACT RELATING TO VOTING."

Introduced by: Representatives Coffman, Evans, Hanohano and Tsuji.

1615 "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS."

Introduced by: Representatives Sagum and McKelvey.

1616 "A BILL FOR AN ACT RELATING TO GAMING."

Introduced by: Representatives Chang, Karamatsu, Ito, Nakashima, Sagum, Say, Souki and Tsuji.

1617 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII AT HILO."

Introduced by: Representatives Chang, Awana, Brower, Ito, Karamatsu, Magaoay, Manahan, Nakashima, Nishimoto, B. Oshiro, Say, Yamashita, Rhoads, Sagum and Souki.

1618 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SMALL BUSINESS DEVELOPMENT."

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

1619 "A BILL FOR AN ACT RELATING TO HEALTH CARE PROVIDER TAXES."

Introduced by: Representative M. Lee.

1620 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE COMMISSION ON FATHERHOOD."

Introduced by: Representatives Mizuno, Brower, Cabanilla, Pine, Ward, Aquino, Bertram and Finnegan.

1621 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWELFTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Yamashita.

1622 "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD."

Introduced by: Representatives Yamashita, Chong, Evans, Manahan, McKelvey, Tokioka, Tsuji, Yamane, Choy, Keith-Agaran and Souki.

1623 "A BILL FOR AN ACT RELATING TO TIME SHARE PLANS."

Introduced by: Representative Manahan, by request.

1624 "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY."

Introduced by: Representative Manahan, by request.

1625 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Representative Manahan.

1626 "A BILL FOR AN ACT RELATING TO A FIRE SPRINKLER TAX DEDUCTION."

Introduced by: Representatives Evans, Yamane and McKelvey.

1627 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS."

Introduced by: Representatives Evans, Hanohano, Herkes and Nakashima.

1628 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIOENERGY HAWAII, LLC."

Introduced by: Representatives Evans, Hanohano, Herkes and Nakashima.

1629 "A BILL FOR AN ACT RELATING TO EMERGENCY SHELTERS."

Introduced by: Representative Evans.

1630 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SEVENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Evans.

1631 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Representative Choy, by request.

1632 "A BILL FOR AN ACT RELATING TO BICYCLING."

Introduced by: Representative Choy, by request.

1633 "A BILL FOR AN ACT RELATING TO TOXIC PRODUCTS."

Introduced by: Representatives Mizuno, Awana, Brower, Nishimoto and Thielen.

1634 "A BILL FOR AN ACT RELATING TO TOBACCO."

Introduced by: Representatives Yamane, Belatti, Brower, Finnegan, Nishimoto, Bertram and Carroll.

1635 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Representatives Yamane, Ito, Nishimoto, Say, Yamashita, Belatti, Carroll and Souki.

1636 "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL PHYSICIANS."

Introduced by: Representatives Yamane, Chong, Evans, Magaoay, B. Oshiro, M. Oshiro, Say, Yamashita, M. Lee and Souki.

1637 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Luke, by request.

1638 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-SIXTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Luke.

1639 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Representatives Luke, Belatti, Brower, Finnegan, Nishimoto, Saiki, Wakai and Rhoads.

1640 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-FIFTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Shimabukuro.

1641 "A BILL FOR AN ACT RELATING TO WAIANAE COAST COMPREHENSIVE HEALTH CENTER."

Introduced by: Representatives Shimabukuro, Hanohano, Aquino, Carroll and Coffman.

1642 "A BILL FOR AN ACT RELATING TO THE PURCHASES OF HEALTH AND HUMAN SERVICES."

Introduced by: Representatives Shimabukuro, Hanohano, Nishimoto, Yamane, Belatti, Cabanilla, Carroll and Choy.

1643 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Shimabukuro, Cabanilla, Hanohano and Carroll.

1644 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE HAWAII STATE CONSTITUTION TO REQUIRE THE ADMISSION OF RELEVANT EVIDENCE IN CRIMINAL CASES UNLESS EXCLUDED BY LAW."

Introduced by: Representatives Wakai, Brower, Thielen, Yamashita, Bertram, Carroll, Evans, Mizuno and Tsuji.

1645 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-FIRST REPRESENTATIVE DISTRICT."

Introduced by: Representative Wakai.

1646 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representative Coffman.

1647 "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS."

Introduced by: Representatives Sagum, by request, and Mizuno.

1648 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Sagum, by request, Awana, Brower, Mizuno, Shimabukuro, M. Lee and Nishimoto.

1649 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Representatives Sagum, by request, Brower, Mizuno, Awana, Karamatsu and Pine.

1650 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representatives Sagum, by request, Cabanilla, Carroll, Mizuno, Brower and Nishimoto.

1651 "A BILL FOR AN ACT RELATING TO MEDICAL LIABILITY."

Introduced by: Representative Herkes.

1652 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIFTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Herkes.

1653 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-SEVENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Ching.

1654 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representative Ching, Brower, Cabanilla, Coffman, Evans, Karamatsu, McKelvey, Nishimoto, Pine, Ward, Bertram, Chang, Finnegan, Har, Ito, Magaoay, Marumoto and Sagum.

1655 "A BILL FOR AN ACT RELATING TO MOPEDS."

Introduced by: Representatives Ching, Brower, Finnegan, Nishimoto, Pine, Ward, Chang, Ito, Karamatsu, Magaoay, Marumoto and Sagum.

1656 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Ching, Brower, Chang, Evans, Finnegan, McKelvey, Nishimoto, Pine, Sagum, Ward, Har, Ito, Karamatsu, Magaoay and Marumoto.

1657 "A BILL FOR AN ACT RELATING TO JURISDICTION."

Introduced by: Representatives Ching, Brower, Evans, Finnegan, Ward, Bertram, Chang, Coffman, Har, Ito, Karamatsu, Magaoay, Marumoto, McKelvey, Nishimoto, Pine and Sagum.

1658 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Awana, Belatti, Brower, Carroll, Hanohano, C. Lee, Luke, Manahan, McKelvey, Morita, Shimabukuro, Ward, Coffman, Har and Wooley.

1659 "A BILL FOR AN ACT RELATING TO STATE BUILDING CODE."

Introduced by: Representatives Carroll, Awana, Brower, Coffman, Hanohano, C. Lee, Luke, Manahan, Morita, Shimabukuro, Wooley and Belatti.

1660 "A BILL FOR AN ACT RELATING TO HAWAIIANS."

Introduced by: Representatives Carroll, Awana, Belatti, Coffman, Hanohano, Har, Luke, Morita, Shimabukuro, Wooley, Brower, C. Lee, Manahan, McKelvey and Saiki.

1661 "A BILL FOR AN ACT RELATING TO KULEANA LANDS."

Introduced by: Representatives Hanohano, Awana, Brower, Luke, Morita, Shimabukuro, Belatti, Har, C. Lee, Manahan, Saiki and Wooley.

1662 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Representatives Hanohano, Awana, Belatti, Brower, Har, C. Lee, Luke, Morita, Shimabukuro, Ward, Wooley, Coffman, Manahan, McKelvey and Saiki.

1663 "A BILL FOR AN ACT RELATING TO TARO SECURITY."

Introduced by: Representatives Carroll, Belatti, Hanohano, Luke, McKelvey, Morita, Shimabukuro, Aquino, Awana, Brower, Coffman, C. Lee and Saiki.

1664 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Representatives Hanohano, Belatti, Brower, Evans, C. Lee, Luke, McKelvey, Morita, Shimabukuro, Ward, Carroll, Coffman, Saiki and Wooley.

1665 "A BILL FOR AN ACT RELATING TO HAWAIIAN FISHPONDS."

Introduced by: Representatives Hanohano, Awana, Belatti, Berg, Brower, Evans, Har, C. Lee, Luke, McKelvey, Morita, Shimabukuro, Ward, Carroll, Coffman, Saiki and Wooley.

1666 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE."

Introduced by: Representatives Carroll, Belatti, C. Lee, Luke, Morita, Saiki, Wooley, Chong and Har.

1667 "A BILL FOR AN ACT RELATING TO CEDED LANDS."

Introduced by: Representatives Carroll, Awana, Belatti, Hanohano, Luke, Morita, Har, McKelvey, Nakashima and Wooley.

1668 "A BILL FOR AN ACT RELATING TO ATTRACTIONS AND EDUCATIONAL FACILITIES TAX CREDIT."

Introduced by: Representatives Takai and Takumi.

1669 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Takai.

1670 "A BILL FOR AN ACT RELATING TO THE COMMISSION ON SALARIES."

Introduced by: Representative Belatti.

1671 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Finnegan, Ching, Ward, McKelvey, Tsuji and Wakai.

1672 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Finnegan, Ching, Marumoto, Pine, Thielen and Tsuji.

1673 "A BILL FOR AN ACT RELATING TO ELECTRONIC MONITORING."

Introduced by: Representatives Finnegan, Carroll, Ching, Marumoto, Pine, Thielen, Ito, Karamatsu, B. Oshiro, Souki and Tsuji.

1674 "A BILL FOR AN ACT RELATING TO ADVERTISING."

Introduced by: Representative Finnegan.

1675 "A BILL FOR AN ACT RELATING TO MOKAUEA ISLAND."

Introduced by: Representatives Berg, Carroll and Hanohano.

1676 "A BILL FOR AN ACT RELATING TO PUBLIC WORKS."

Introduced by: Representative B. Oshiro.

1677 "A BILL FOR AN ACT RELATING TO VITAL STATISTICS."

Introduced by: Representatives B. Oshiro, Karamatsu and Mizuno.

1678 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS."

Introduced by: Representatives B. Oshiro, Chong, Morita, Say and Yamashita.

1679 "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.

1680 "A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN."

Introduced by: Representatives Takai and Takumi.

1681 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-THIRD REPRESENTATIVE DISTRICT."

Introduced by: Representative Brower.

1682 "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES."

Introduced by: Representatives Tsuji, Brower, Chang, Evans, Hanohano, Har, Herkes, Ito, Magaoay, Manahan, Mizuno, Morita, Nakashima, B. Oshiro, Tokioka, Yamane, Bertram, Cabanilla, Chong, Karamatsu, C. Lee, Nishimoto, Rhoads, Sagum, Saiki, Souki and Yamashita.

1683 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE."

Introduced by: Representatives Tsuji, Brower, Cabanilla, Chang, Evans, Hanohano, Har, Herkes, Ito, Karamatsu, Magaoay, Manahan, Mizuno, Morita, Nakashima, B. Oshiro, Sagum, Thielen, Tokioka, Wooley, Yamane, Yamashita, Bertram, C. Lee, Nishimoto, Rhoads, Saiki and Souki.

1684 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."

Introduced by: Representatives Tsuji, Awana, Brower, Chang, Evans, Hanohano, Herkes, Ito, Karamatsu, Keith-Agaran, C. Lee, M. Lee, Magaoay, Manahan, Mizuno, Morita, Nakashima, Nishimoto, B. Oshiro, Rhoads, Souki, Thielen, Wooley, Yamane, Yamashita, Bertram, Cabanilla, Coffman, Har, Sagum, Saiki and Tokioka.

1685 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representatives Saiki and C. Lee.

1686 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."

Introduced by: Representative Takumi.

1687 "A BILL FOR AN ACT RELATING TO SICK LEAVE."

Introduced by: Representative Takumi.

1688 "A BILL FOR AN ACT RELATING TO INCOME TAX CHECK-OFF."

Introduced by: Representative Takumi.

1689 "A BILL FOR AN ACT RELATING TO PRESCRIPTION RECORDS PRIVACY."

Introduced by: Representatives Takumi and Thielen.

1690 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Takai and Takumi.

1691 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representative Takai.

1692 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Cabanilla.

1693 "A BILL FOR AN ACT RELATING TO WEST OAHU."

Introduced by: Representative Cabanilla.

1694 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Representatives Cabanilla, Herkes, Ito and Say.

1695 "A BILL FOR AN ACT RELATING TO MORTGAGES."

Introduced by: Representative Souki.

1696 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTAL INDUSTRY."

Introduced by: Representative Souki.

1697 "A BILL FOR AN ACT RELATING TO BICYCLES."

Introduced by: Representative Souki.

1698 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII TO LEGALIZE SLOT MACHINE GAMBLING AND GAMBLING BY VIDEO POKER MACHINES."

Introduced by: Representatives Souki and Chang.

1699 "A BILL FOR AN ACT RELATING TO GAMING."

Introduced by: Representatives Souki and Chang.

1700 "A BILL FOR AN ACT RELATING TO GAMBLING."

Introduced by: Representative Souki.

1701 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXES."

Introduced by: Representatives Hanohano and Carroll.

1702 "A BILL FOR AN ACT RELATING TO PUBLIC ROADS."

Introduced by: Representatives Hanohano, Carroll and Shimabukuro.

1703 "A BILL FOR AN ACT RELATING TO BUSINESS."

Introduced by: Representative McKelvey.

1704 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Representative McKelvey.

1705 "A BILL FOR AN ACT RELATING TO ECONOMY."

Introduced by: Representative McKelvey.

1706 "A BILL FOR AN ACT RELATING TO ECONOMY."

Introduced by: Representative McKelvey.

1707 "A BILL FOR AN ACT RELATING TO THE MILITARY."

Introduced by: Representative McKelvey.

1708 "A BILL FOR AN ACT RELATING TO UNENCUMBERED PUBLIC LANDS."

Introduced by: Representatives McKelvey, Evans, Manahan, Sagum, Yamashita and Carroll.

1709 "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS' ACCOUNTS."

Introduced by: Representatives McKelvey, B. Oshiro, Hanohano and Say.

1710 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives McKelvey and Say.

1711 "A BILL FOR AN ACT RELATING TO WATER FOR IMPORTANT AGRICULTURAL LANDS."

Introduced by: Representatives Ito, Tsuji and Har.

1712 "A BILL FOR AN ACT RELATING TO FISHING."

Introduced by: Representative Ito.

1713 "A BILL FOR AN ACT RELATING TO HAZARDS."

Introduced by: Representative Wooley.

1714 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."

Introduced by: Representative Wooley.

1715 "A BILL FOR AN ACT RELATING TO RETIREMENT."

Introduced by: Representative Say.

1716 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representative Say.

1717 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Representative Say.

1718 "A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS."

Introduced by: Representative Say.

1719 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."

Introduced by: Representative Say.

1720 "A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS."

Introduced by: Representative Say.

1721 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Representative Say.

1722 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Representative Say.

1723 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."

Introduced by: Representative Say.

1724 "A BILL FOR AN ACT RELATING TO THE HEALTH TRUST FUND."

Introduced by: Representative Say.

1725 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Representative Say.

1726 "A BILL FOR AN ACT RELATING TO THE HEALTH FUND."

Introduced by: Representative Say.

1727 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Representative Say.

1728 "A BILL FOR AN ACT RELATING TO FEES."

Introduced by: Representative Say.

1729 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS."

Introduced by: Representative Say.

1730 "A BILL FOR AN ACT RELATING TO STATE FINANCES."

Introduced by: Representative Say.

1731 "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND."

Introduced by: Representative Say.

1732 "A BILL FOR AN ACT RELATING TO STATE FINANCES."

Introduced by: Representative Say.

1733 "A BILL FOR AN ACT RELATING TO INTEREST."

Introduced by: Representative Say.

1734 "A BILL FOR AN ACT RELATING TO MANAGEMENT OF STATE FUNDS."

Introduced by: Representative Say.

1735 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Representative Say.

1736 "A BILL FOR AN ACT RELATING TO EXCLUDED EMPLOYEES."

Introduced by: Representative Say.

1737 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representative Say.

1738 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representative Say.

1739 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Say and Yamashita.

1740 "A BILL FOR AN ACT RELATING TO FUNDS."

Introduced by: Representative Say.

1741 "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX."

Introduced by: Representative Say.

1742 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Say.

1743 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Say.

1744 "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Representative Say.

1745 "A BILL FOR AN ACT RELATING TO LOW-INCOME REFUNDABLE TAX CREDIT."

Introduced by: Representatives Say and Evans.

1746 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Say.

1747 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Say.

1748 "A BILL FOR AN ACT RELATING TO INSURANCE PREMIUM TAXES."

Introduced by: Representative Say.

1749 "A BILL FOR AN ACT RELATING TO THE INSURANCE PREMIUM TAX."

Introduced by: Representative Say.

1750 "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN REAL PROPERTY TRANSACTIONS."

Introduced by: Representatives Say and Karamatsu.

1751 "A BILL FOR AN ACT RELATING TO COMMUNICATIONS FRAUD."

Introduced by: Representatives Say and Karamatsu.

1752 "A BILL FOR AN ACT RELATING TO REPEAT OFFENDERS."

Introduced by: Representative Say.

1753 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Representative Say.

1754 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Representative Say.

1755 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representative Say.

1756 "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE."

Introduced by: Representative Say, by request.

1757 "A BILL FOR AN ACT RELATING TO LANDFILLS."

Introduced by: Representative Say, by request.

1758 "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC PROCUREMENT CODE."

Introduced by: Representative Say, by request.

1759 "A BILL FOR AN ACT RELATING TO THE STATE WORK OPPORTUNITY TAX CREDIT."

Introduced by: Representative Say, by request.

1760 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Say, by request.

1761 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES."

Introduced by: Representative Say, by request.

1762 "A BILL FOR AN ACT RELATING TO PENALTIES."

Introduced by: Representative Say, by request.

1763 "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY."

Introduced by: Representatives Manahan, Awana, Bertram, Carroll, Hanohano, Herkes, M. Lee, Mizuno, B. Oshiro, Shimabukuro, Tokioka, Yamane, Aquino, Belatti, Cabanilla, Chong, Choy, Evans, Har, Karamatsu, Keith-Agaran, McKelvey, Nishimoto, M. Oshiro, Rhoads, Saiki and Yamashita.

1764 "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.

1765 "A BILL FOR AN ACT RELATING TO MANDATORY BOATING SAFETY EDUCATION."

Introduced by: Representatives Tokioka, Har, Ito, Morita, Chong, Herkes, C. Lee and Sagum.

1766 "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS."

Introduced by: Representatives Tokioka, Har, Ito, Sagum, Ching, Coffman and Herkes.

1767 "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN."

Introduced by: Representative Tokioka.

1768 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Representatives Tokioka and Har.

1769 "A BILL FOR AN ACT RELATING TO LABOR."

Introduced by: Representative M. Oshiro.

1770 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Representative M. Oshiro.

1771 "A BILL FOR AN ACT RELATING TO INCOME TAXES."

Introduced by: Representative M. Oshiro.

1772 "A BILL FOR AN ACT RELATING TO INCOME TAXES."

Introduced by: Representative M. Oshiro.

1773 "A BILL FOR AN ACT RELATING TO INCOME TAXES."

Introduced by: Representative M. Oshiro.

1774 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Awana, Finnegan, Hanohano, Chong, Evans, Herkes, Ito, Magaoay, McKelvey, Mizuno, B. Oshiro, Sagum, Souki and Tsuji.

1775 "A BILL FOR AN ACT RELATING TO FISHING."

Introduced by: Representatives Awana, Mizuno, Sagum, Belatti, Bertram, Chong, Coffman, Herkes, Karamatsu, M. Lee, Magaoay, McKelvey, Saiki, Souki and Tsuji.

1776 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."

Introduced by: Representatives Awana, Cabanilla, Chong, Hanohano, M. Lee, Mizuno, Nishimoto, Takai, Bertram, Carroll, Chang, Coffman, Evans, Herkes, Ito, Keith-Agaran, Magaoay, McKelvey, Nakashima, B. Oshiro, Sagum, Saiki, Souki, Tokioka and Tsuji.

1777 "A BILL FOR AN ACT RELATING TO CONSERVATION DISTRICTS."

Introduced by: Representative Bertram.

1778 "A BILL FOR AN ACT RELATING TO WALKING TRAILS."

Introduced by: Representative Bertram.

1779 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE ELEVENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Bertram.

1780 "A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT OFFENDERS."

Introduced by: Representative Bertram.

1781 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE ATTORNEY GENERAL."

Introduced by: Representative Bertram.

1782 "A BILL FOR AN ACT RELATING TO HEALTH INFORMATION EXCHANGE."

Introduced by: Representative Karamatsu.

1783 "A BILL FOR AN ACT RELATING TO THE MEDICAL CLAIM CONCILIATION PANEL."

Introduced by: Representatives Karamatsu, Ching, Chong, Marumoto, Mizuno, Say, Yamane and Brower.

1784 "A BILL FOR AN ACT RELATING TO MEDICAL TORTS."

Introduced by: Representative Karamatsu, by request.

1785 "A BILL FOR AN ACT RELATING TO MEDICAL MALPRACTICE CLAIMS."

Introduced by: Representatives Karamatsu, Carroll, Ching, Evans, Finnegan, Hanohano, Herkes, Ito, M. Lee, Magaoay, Marumoto, Mizuno, B. Oshiro, Sagum, Shimabukuro, Tokioka, Tsuji, Yamane, Bertram and Souki.

1786 "A BILL FOR AN ACT RELATING TO GAMING."

Introduced by: Representatives Karamatsu, Herkes, Chang and Souki.

1787 "A BILL FOR AN ACT RELATING TO LANDLORD-TENANT CODE."

Introduced by: Representatives Pine, Brower, Ching, C. Lee and Thielen.

1788 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

Introduced by: Representatives Pine, Brower, Ching, Finnegan, Marumoto, Thielen, Herkes and C. Lee.

1789 "A BILL FOR AN ACT RELATING TO MORTGAGE FEES."

Introduced by: Representatives Pine, Ching, Finnegan, Brower, Herkes, C. Lee and Marumoto.

1790 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON."

Introduced by: Representatives Pine, Finnegan, Brower and Ching.

1791 "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS."

Introduced by: Representatives Pine, by request, Brower, Ching, Herkes, C. Lee and Marumoto.

1792 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representatives Pine, Brower, Ching, Finnegan and Herkes.

1793 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Representatives Pine, Brower, Finnegan, C. Lee, Marumoto, Thielen and Herkes.

1794 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Representatives Pine, Awana and Cabanilla.

1795 "A BILL FOR AN ACT RELATING TO AFTER-SCHOOL PROGRAMS."

Introduced by: Representatives Carroll, Belatti, Coffman, Har, Tsuji and Wooley.

1796 "A BILL FOR AN ACT RELATING TO KUPUNA HONORARY DEGREE PROGRAM."

Introduced by: Representatives Carroll, Har, Belatti, Coffman, Tsuji and Wooley.

1797 "A BILL FOR AN ACT RELATING TO VOTING."

Introduced by: Representatives Carroll, Belatti, Coffman, Har, Tsuji and Wooley.

1798 "A BILL FOR AN ACT RELATING TO THE NATURAL AREA RESERVES SYSTEM."

Introduced by: Representatives Carroll and Tsuji.

1799 "A BILL FOR AN ACT RELATING TO A SEX OFFENDER MANAGEMENT BOARD."

Introduced by: Representative Carroll.

1800 "A BILL FOR AN ACT RELATING TO STATE LEASES."

Introduced by: Representative Carroll.

1801 "A BILL FOR AN ACT RELATING TO FARMING."

Introduced by: Representatives Carroll, Belatti, Har, Coffman and Wooley.

1802 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Representatives Carroll and McKelvey.

1803 "A BILL FOR AN ACT RELATING TO VOTING."

Introduced by: Representatives Carroll and Har.

1804 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE."

Introduced by: Representatives Carroll, Belatti, Coffman and Har.

1805 "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE."

Introduced by: Representatives Carroll and Shimabukuro.

1806 "A BILL FOR AN ACT RELATING TO HAWAIIAN NATURAL RESOURCE MANAGEMENT."

Introduced by: Representative Carroll.

1807 "A BILL FOR AN ACT RELATING TO WATER QUALITY."

Introduced by: Representative Morita.

1808 "A BILL FOR AN ACT RELATING TO COASTAL AREAS."

Introduced by: Representatives Morita, Awana, Belatti, Brower, Cabanilla, Coffman, Evans, C. Lee, Manahan, Marumoto, Mizuno, B. Oshiro, Pine, Saiki, Shimabukuro, Thielen, Har, Ito, Rhoads, Say and Tsuji.

1809 "A BILL FOR AN ACT RELATING TO RECYCLING."

Introduced by: Representatives Morita, Brower, Carroll, Ching, Coffman, Evans, Herkes, C. Lee, Mizuno, Nishimoto, Shimabukuro, Thielen, Cabanilla, Tsuji and Yamashita.

1810 "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY."

Introduced by: Representatives Morita, Belatti, Coffman, Har, C. Lee, Saiki, Say, Chong, Ito, Pine and Tsuji.

1811 "A BILL FOR AN ACT RELATING TO TRANSPORTATION ENERGY."

Introduced by: Representative Morita, by request.

1812 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII CONSTITUTION, RELATING TO SPECIAL PURPOSE REVENUE BONDS."

Introduced by: Representatives Cabanilla, Brower, Ito, McKelvey and Herkes.

1813 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HAWAII MEDICAL CENTER."

Introduced by: Representatives Cabanilla, Brower, Ito, Herkes and Mizuno.

1814 "A BILL FOR AN ACT RELATING TO MANDATORY OVERTIME FOR NURSES."

Introduced by: Representative Cabanilla.

1815 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE 42ND REPRESENTATIVE DISTRICT."

Introduced by: Representative Cabanilla.

1816 "A BILL FOR AN ACT RELATING TO SALARIES."

Introduced by: Representative Belatti.

1817 "A BILL FOR AN ACT RELATING TO TATTOOING."

Introduced by: Representatives Awana, Brower, Manahan, Pine, Belatti, Bertram, Carroll, Hanohano, M. Lee, Nishimoto and Ward.

1818 "A BILL FOR AN ACT RELATING TO COGNITIVE RESTRUCTURING."

Introduced by: Representatives Awana, Brower, Hanohano, M. Lee, Manahan, Pine and Souki.

1819 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representative Wooley.

1820 "A BILL FOR AN ACT RELATING TO ACCESS TO REAL PROPERTY."

Introduced by: Representative Nakashima.

1821 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIRST REPRESENTATIVE DISTRICT."

Introduced by: Representative Nakashima.

1822 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Representatives Nakashima, Bertram, Carroll, Chang, Herkes, Keith-Agaran, C. Lee, M. Lee, Magaoay, Morita, Nishimoto, B. Oshiro, Sagum, Shimabukuro, Tsuji, Aquino, Belatti, Cabanilla, Coffman, Evans, Rhoads, Souki and Tokioka.

1823 "A BILL FOR AN ACT RELATING TO RESPIRATORY CARE."

Introduced by: Representatives Nakashima, Awana, Cabanilla, Chong, Nishimoto, Shimabukuro, Thielen, Belatti, Carroll, Evans, Keith-Agaran, M. Lee, Magaoay, Sagum and Souki.

1824 "A BILL FOR AN ACT RELATING TO REAL PROPERTY CONVEYANCES."

Introduced by: Representatives C. Lee, Brower, Morita and Hanohano.

1825 "A BILL FOR AN ACT RELATING TO FORECLOSURES."

Introduced by: Representatives C. Lee, Brower, Hanohano, Morita, Belatti and Rhoads.

1826 "A BILL FOR AN ACT RELATING TO CEDED LANDS."

Introduced by: Representatives C. Lee, Belatti, Brower, Hanohano, Morita, Nishimoto and Rhoads.

1827 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIFTY-FIRST REPRESENTATIVE DISTRICT."

Introduced by: Representative C. Lee.

1828 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representative C. Lee.

1829 "A BILL FOR AN ACT RELATING TO ECONOMIC STIMULUS."

Introduced by: Representatives Chong and Say.

1830 "A BILL FOR AN ACT RELATING TO BUREAU OF CONVEYANCES."

Introduced by: Representative Chong.

1831 "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS."

Introduced by: Representatives Chong, McKelvey and Choy.

1832 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."

Introduced by: Representative Coffman.

1833 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTEENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Carroll.

1834 "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS."

Introduced by: Representative Chong.

1835 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Representative Nakashima.

1836 "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES."

Introduced by: Representatives Ward, Awana, Bertram, Brower, Ching, Ito, Magaoay, Mizuno, Pine, Souki and Yamashita.

1837 "A BILL FOR AN ACT RELATING TO EMERGENCIES."

Introduced by: Representatives Ward, Awana, Brower, Cabanilla, Hanohano, Marumoto, Evans, Finnegan, C. Lee, Magaoay, Pine and Saiki.

1838 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representatives Ward, Awana, Cabanilla, Brower, Evans, Hanohano, C. Lee, Magaoay, Marumoto, Pine, Rhoads and Saiki.

1839 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SEVENTEENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Ward.

1840 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Representatives Ward, Awana, Ching, Hanohano, Mizuno, Pine, Bertram, Brower, Ito, Magaoay, Marumoto, Souki and Yamashita.

1841 "A BILL FOR AN ACT RELATING TO THE PUBLIC LANDS TRUST."

Introduced by: Representatives Shimabukuro and Carroll.

1842 "A BILL FOR AN ACT RELATING TO ANIMALS."

Introduced by: Representative Shimabukuro.

1843 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Representative Morita.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 29 through 37) and concurrent resolution (H.C.R No. 27 through 46) were referred to Printing and further action was deferred:

H.R. No. 29, entitled: "HOUSE RESOLUTION SUPPORTING INTERNATIONAL WHITE RIBBON CAMPAIGNS TO END MEN'S VIOLENCE AGAINST WOMEN AND ENCOURAGING THE ESTABLISHMENT OF A WHITE RIBBON CAMPAIGN ORGANIZATION IN HAWAII," was jointly offered by Representatives Mizuno, Brower, Karamatsu, Pine and Bertram.

H.R. No. 30, entitled: "HOUSE RESOLUTION REQUESTING THAT THE TAX REVIEW COMMISSION APPOINTED BEFORE JULY 1, 2005, MEET TO SUBMIT AN UPDATED REPORT IN LIGHT OF THE CURRENT ECONOMIC DOWNTURN FACING THE STATE OF HAWAII," was offered by Representative Belatti.

H.R. No. 31, entitled: "HOUSE RESOLUTION REQUESTING RELIGIOUS AND FAITH-BASED ORGANIZATIONS TO SERVE AS SAFE HAVENS FOR VICTIMS OF DOMESTIC VIOLENCE," was offered by Representative Mizuno.

H.R. No. 32, entitled: "HOUSE RESOLUTION RECOGNIZING OCTOBER 2009 AS DOMESTIC VIOLENCE AWARENESS MONTH," was jointly offered by Representatives Mizuno, Brower and Karamatsu.

H.R. No. 33, entitled: "HOUSE RESOLUTION RECOGNIZING THE MONTH OF MAY AS "FOSTER CARE AWARENESS MONTH", A TIME TO EDUCATE THE PUBLIC ABOUT THE VARIOUS COMPONENTS OF FOSTER CARE, INCLUDING FOSTER PARENTS, CHILDREN, AND FAMILIES," was offered by Representative Mizuno.

H.R. No. 34, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF DEFENSE TO ALLOW AVAILABLE SURPLUS HELICOPTERS TO BE USED FOR MEDICAL EVACUATION SERVICES," was jointly offered by Representatives Yamane, Belatti, Evans, Herkes, McKelvey, Mizuno, Tsuji, Yamashita, Bertram, Carroll, Finnegan and Hanohano.

H.R. No. 35, entitled: "HOUSE RESOLUTION DECLARING APRIL AS CHILD ABUSE PREVENTION MONTH," was jointly offered by Representatives Mizuno, Brower, M. Lee, Pine and Wooley.

H.R. No. 36, 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 and Brower.

H.R. No. 37, entitled: "HOUSE RESOLUTION URGING CONGRESS TO PROTECT FUNDING AND MAINTAIN PROGRAMS, LAWS, REGULATIONS, AND POLICIES THAT ASSIST VICTIMS OF DOMESTIC VIOLENCE," was jointly offered by Representatives Mizuno, Brower, M. Lee, Pine and Wooley.

H.C.R. No. 27, 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. 28, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE ESTABLISHMENT OF A COMMUNITY-BASED CARETAKING AND EDUCATIONAL PROGRAM FOR AREAS OF STATE PARKS THAT CONTAIN HEIAU AND OTHER SACRED SITES," was offered by Representative Say, by request.

H.C.R. No. 29, entitled: "HOUSE CONCURRENT RESOLUTION AFFIRMING THAT THE DESCENDANTS OF THE RACES INHABITING THE ISLANDS OF HAWAI`I, MAUI, MOLOKA`I, LANA`I, KAHO`OLAWE, O`AHU, KAUA`I, NI`IHAU, AND NIHOA TO KANEMILOHA`I (KURE ATOLL) PRIOR TO WESTERN

CONTACT IN 1778 COMPRISE THE INDIGENOUS, ABORIGINAL, "MAOLI" PEOPLES OF HAWAI`I," was offered by Representative Say, by request.

H.C.R. No. 30, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ENCOURAGE THE PUBLIC ELEMENTARY SCHOOLS TO ESTABLISH RESOURCE CENTERS ON THEIR CAMPUSES IN ORDER TO COMBAT HOMELESSNESS," was offered by Representative Say, by request.

H.C.R. No. 31, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO AMEND ITS ADMINISTRATIVE RULES RELATING TO CAMPING AT STATE PARKS," was offered by Representative Say, by request.

H.C.R. No. 32, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING INTERNATIONAL WHITE RIBBON CAMPAIGNS TO END MEN'S VIOLENCE AGAINST WOMEN AND ENCOURAGING THE ESTABLISHMENT OF A WHITE RIBBON CAMPAIGN ORGANIZATION IN HAWAII," was jointly offered by Representatives Mizuno, Bertram, Brower, Karamatsu, Aquino, Keith-Agaran and Pine.

H.C.R. No. 33, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CENTERS FOR MEDICARE AND MEDICAID SERVICES TO CONSIDER RAISING THE MEDICARE FEE SCHEDULE PAYMENT AMOUNTS FOR PHYSICIANS RENDERING SERVICES IN HAWAII," was jointly offered by Representatives Yamane, Belatti, Brower, Finnegan, Mizuno, Nishimoto and Bertram.

H.C.R. No. 34, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO RAISE MEDICARE FEE SCHEDULE PAYMENT AMOUNTS FOR PHYSICIANS RENDERING SERVICES IN HAWAII," was jointly offered by Representatives Yamane, Belatti, Bertram, Brower, Finnegan, Mizuno and Nishimoto.

H.C.R. No. 35, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE A PROPOSED MEASURE TO REGULATE HOME CARE AGENCIES BY THE DEPARTMENT OF HEALTH," was jointly offered by Representatives Yamane, Brower, Mizuno, Nishimoto, Belatti and Bertram.

H.C.R. No. 36, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A COMPREHENSIVE FINANCIAL AUDIT OF ALL FEDERAL FUNDS DESIGNATED FOR HEALTH CARE RECEIVED BY THE DEPARTMENT OF HUMAN SERVICES," was jointly offered by Representatives Yamane, Belatti, Brower, Mizuno, Nishimoto and Bertram.

H.C.R. No. 37, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING RELIGIOUS AND FAITH-BASED ORGANIZATIONS TO SERVE AS SAFE HAVENS FOR VICTIMS OF DOMESTIC VIOLENCE," was offered by Representative Mizuno.

H.C.R. No. 38, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING OCTOBER 2009 AS DOMESTIC VIOLENCE AWARENESS MONTH," was jointly offered by Representatives Mizuno, Brower and Karamatsu.

H.C.R. No. 39, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE MONTH OF MAY AS "FOSTER CARE AWARENESS MONTH", A TIME TO EDUCATE THE PUBLIC ABOUT THE VARIOUS COMPONENTS OF FOSTER CARE, INCLUDING FOSTER PARENTS, CHILDREN, AND FAMILIES," was offered by Representative Mizuno.

H.C.R. No. 40, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF ATHLETIC TRAINERS," was offered by Representative Choy.

H.C.R. No. 41, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE ANALYSIS OF LOCKSMITHS," was jointly offered by Representatives Chang, Yamashita, Awana, Cabanilla, Magaoay and Nishimoto.

H.C.R. No. 42, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF DEFENSE TO ALLOW AVAILABLE SURPLUS HELICOPTERS TO BE USED FOR MEDICAL EVACUATION SERVICES," was jointly offered by Representatives Yamane, Belatti, Carroll, Evans, Herkes, McKelvey, Mizuno, Tsuji, Yamashita, Bertram, Finnegan and Hanohano.

H.C.R. No. 43, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO INVESTIGATE HAZARDS POSED BY POLYSTYRENE FOOD CONTAINERS AND TO ESTABLISH STANDARDS FOR BIODEGRADABLE PLASTIC FOOD CONTAINERS AND GROCERY BAGS," was jointly offered by Representatives Yamane, Herkes, Nishimoto, Carroll, McKelvey, Souki and Wakai.

H.C.R. No. 44, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING APRIL AS CHILD ABUSE PREVENTION MONTH," was jointly offered by Representatives Mizuno, Brower, M. Lee, Pine and Wooley.

H.C.R. No. 45, 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 and Brower.

H.C.R. No. 46, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO PROTECT FUNDING AND MAINTAIN PROGRAMS, LAWS, REGULATIONS, AND POLICIES THAT ASSIST VICTIMS OF DOMESTIC VIOLENCE," was jointly offered by Representatives Mizuno, Brower, M. Lee, Pine and Wooley.

ANNOUNCEMENTS

Representative Yamane, for the Committee on Health, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing H.B. No. 808 on January 30 at 8:30 a.m. in Conference Room 329, stating:

"I know it's early. HB 808, Relating to Health, makes amendments to clarify the support and expansion of the new technology in the use of telemedicine, and clarifies that telehealth is within the scope of a physician's practice," and the Chair "so ordered."

Representative Luke: "Thank you, Mr. Speaker. Today is the birthday of the youngest member of the Legislature. The freshman of the freshman class. He's so young, I sometimes nag him like he's my son. In fact, he could be my son, and it kind of sickens me every time I look at him because I'm thinking 'Oh my gosh. He could be my son.'

"So, if everybody could give a round of applause to Representative Chris Lee, who turns 21 today. That means anyone who offered drinks to him, you know he wasn't legal until today. Thank you."

Representative Thielen: "Thank you, Mr. Speaker. On behalf of Co-Chairs Representative Hermina Morita and Representative Marilyn Lee, I'd like to remind Women's Caucus Members that the press conference is tomorrow at 12:00 noon in Room 312. I hope we'll see all the Women's Caucus Members there. It's a very good Legislative package, and I hope all members will give it strong consideration. Maybe we can reach a 100 percent success rate this year. Thank you."

Representative Awana: "Thank you, Mr. Speaker. Today at 1:30 p.m. in Conference Room 329, the House Committee on Transportation will be holding an informational briefing with the Department of Transportation. Thank you, Mr. Speaker."

At this time, Representative Evans 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 Pine and carried. (Representatives Berg, Say and Takumi were excused.)

At 12:20 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives stood in recess until 12:00 o'clock noon, Friday, January 30, 2009. (Representatives Berg, Say and Takumi were excused.)

ADJOURNMENT

At 6:00 o'clock p.m., the House of Representatives adjourned until 12:00 o'clock noon, Friday, January 30, 2009.

SIXTH DAY

Friday, January 30, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:04 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by in song by Representative Finnegan, after which the Roll was called showing all Members present with the exception of Representatives McKelvey, Shimabukuro and Wakai, who were 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. 220 through 229) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 220, dated January 26, 2009, transmitting the Hawaii Community Development Authority's Annual Report for fiscal year ending June 30, 2008.

Gov. Msg. No. 221, dated January 21, 2009, transmitting the Department of Business, Economic Development, and Tourism's Report to the Legislature regarding Act 242, Session Laws of Hawaii 2008, H.B. 2519, H.D.2, S.D.2, C.D.1, on the Health Professional Loan Repayment Program, Hawaii Health Corps Program.

Gov. Msg. No. 222, dated January 27, 2009, transmitting the Department of Agriculture's Transfer of Revolving Fund Monies Annual Report for calendar year ending December 31, 2008.

Gov. Msg. No. 223, dated January 26, 2009, transmitting the Department of the Attorney General's Recommendations for Denial of Claims for Legislative Relief.

Gov. Msg. No. 224, dated January 27, 2009, transmitting the Department of Human Services' Report to the Legislature as required by Act 59, SLH 2008.

Gov. Msg. No. 225, dated January 27, 2009, transmitting the Department of Human Services' Report to the Legislature as required by Section 346-29.5, Hawaii Revised Statutes, Home Property Lien Report.

Gov. Msg. No. 226, dated January 27, 2009, transmitting the Department of Human Services' Report to the Legislature as required by Act 236, SLH 2007.

Gov. Msg. No. 227, dated January 27, 2009, transmitting the Department of Human Services' Report to the Legislature as required by Act 158, Part 7, Section 204.1, SLH 2008.

Gov. Msg. No. 228, dated January 28, 2009, transmitting the Senate Concurrent Resolution 125 Report.

Gov. Msg. No. 229, dated January 28, 2009, transmitting the 2008 DBEDT Annual Report as required under Chapter 201-10, Hawaii Revised Statutes.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

H.B. Nos.	Referred to:
1060	Committee on Consumer Protection & Commerce, then to the Committee on Finance
1061	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1062	Committee on Consumer Protection & Commerce, then to the Committee on Finance
1063	Committee on Labor & Public Employment, then to the Committee on Education, then to the Committee on Finance
1064	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
1065	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
1066	Jointly to the Committee on Public Safety and the Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1067	Committee on Finance
1068	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
1069	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1070	Committee on Consumer Protection & Commerce
1071	Committee on Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1072	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1073	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
1074	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1075	Committee on Health, then to the Committee on Consumer Protection & Commerce
1076	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
1077	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1078	Jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
1079	Committee on Education, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1080 Committee on Public Safety, then to the Committee on Judiciary

1081 Committee on Education, then to the Committee on Finance

1082 Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1083 Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1084 Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1085 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1086 Jointly to the Committee on Agriculture and the Committee on Transportation, then to the Committee on Finance

1087 Committee on Human Services, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1088 Committee on Judiciary

1089 Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1090 Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1091 Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1092 Committee on Housing, then to the Committee on Human Services, then to the Committee on Finance

1093 Committee on Hawaiian Affairs, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1094 Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

1095 Committee on Human Services, then to the Committee on Judiciary

1096 Committee on Human Services, then to the Committee on Finance

1097 Committee on Human Services, then to the Committee on Finance

1098 Committee on Human Services, then to the Committee on Finance

1099 Jointly to the Committee on Health and the Committee on Human Services, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1100 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

1101 Committee on Human Services, then to the Committee on Judiciary

1102 Committee on Human Services, then to the Committee on Judiciary

1103 Committee on Human Services, then to the Committee on Finance

1104 Committee on Labor & Public Employment, then to the Committee on Finance

1105 Committee on Labor & Public Employment, then to the Committee on Finance

1106 Committee on Labor & Public Employment, then to the Committee on Finance

1107 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

1108 Committee on Labor & Public Employment, then to the Committee on Finance

1109 Committee on Labor & Public Employment, then to the Committee on Finance

1110 Committee on Health, then to the Committee on Judiciary

1111 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1112 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

1113 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

1114 Committee on Health, then to the Committee on Judiciary

1115 Committee on Health, then to the Committee on Consumer Protection & Commerce

1116 Committee on Energy & Environmental Protection, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1117 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1118 Committee on Health, then to the Committee on Consumer Protection & Commerce

1119 Committee on Health, then to the Committee on Judiciary

1120 Committee on Health, then to the Committee on Judiciary

1121 Committee on Health, then to the Committee on Finance

1122 Committee on Health, then to the Committee on Consumer Protection & Commerce

1123 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

1124 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

1125 Committee on Labor & Public Employment, then to the Committee on Finance

1126 Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1127 Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1128 Committee on Labor & Public Employment, then to the Committee on Finance

1129 Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1130 Committee on Labor & Public Employment, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1131 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1132 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Public Safety, then to the Committee on Judiciary

1133 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

1134 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1135 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

1136 Committee on Water, Land, & Ocean Resources

1137 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

1138 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1139 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

1140 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

1141 Committee on Water, Land, & Ocean Resources, then jointly to the Committee on Tourism, Culture, & International Affairs and the Committee on Economic Revitalization, Business, & Military Affairs

1142 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1143 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1144 Committee on Water, Land, & Ocean Resources

1145 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1146 Committee on Judiciary

1147 Committee on Judiciary

1148 Committee on Judiciary

1149 Committee on Public Safety, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1150 Committee on Judiciary

1151 Committee on Public Safety, then to the Committee on Judiciary

1152 Committee on Public Safety, then to the Committee on Finance

1153 Committee on Finance

1154 Committee on Judiciary, then to the Committee on Finance

1155 Committee on Judiciary, then to the Committee on Finance

1156 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1157 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1158 Committee on Transportation, then to the Committee on Judiciary

1159 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1160 Committee on Transportation, then to the Committee on Judiciary

1161 Committee on Transportation, then to the Committee on Judiciary

1162 Committee on Transportation, then to the Committee on Judiciary

1163 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1164 Committee on Energy & Environmental Protection, then to the Committee on Finance

1165 Committee on Transportation, then to the Committee on Water, Land, & Ocean Resources

1166 Committee on Transportation, then to the Committee on Finance

1167 Committee on Transportation, then to the Committee on Finance

1168 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1169 Committee on Transportation, then to the Committee on Judiciary

1170 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1171 Jointly to the Committee on Transportation and the Committee on Energy & Environmental Protection, then to the Committee on Finance

1172 Committee on Higher Education, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1173 Committee on Higher Education, then to the Committee on Finance

1174 Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance

1175 Committee on Finance

1176 Committee on Finance

1177 Committee on Finance

1178 Committee on Finance

1179 Committee on Finance

1180 Committee on Finance

1181 Committee on Finance

1182 Committee on Finance

1183 Committee on Finance

1184 Committee on Finance

1185 Committee on Finance

1186 Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources

1187 Committee on Housing, then to the Committee on Judiciary, then to the Committee on Finance

1188 Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources

1189 Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources

1190 Committee on Transportation, then to the Committee on Judiciary

1191 Jointly to the Committee on Health and the Committee on Public Safety, then to the Committee on Judiciary, then to the Committee on Finance

1192 Jointly to the Committee on Public Safety and the Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

1193 Committee on Judiciary, then to the Committee on Finance

1194 Jointly to the Committee on Public Safety and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

1195 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Judiciary, then to the Committee on Finance

1196 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1197 Committee on Energy & Environmental Protection, then to the Committee on Finance

1198 Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1199 Committee on Judiciary

1200 Committee on Human Services, then to the Committee on Legislative Management, then to the Committee on Finance

1201 Committee on Labor & Public Employment, then to the Committee on Finance

1202 Committee on Judiciary

1203 Committee on Labor & Public Employment, then to the Committee on Finance

1204 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

1205 Committee on Judiciary, then to the Committee on Finance

1206 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1207 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1208 Committee on Health, then to the Committee on Consumer Protection & Commerce

1209 Committee on Health, then to the Committee on Consumer Protection & Commerce

1210 Committee on Health, then to the Committee on Consumer Protection & Commerce

1211 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1212 Committee on Judiciary

1213 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1214 Committee on Public Safety, then to the Committee on Finance

1215 Committee on Labor & Public Employment, then to the Committee on Judiciary

1216 Committee on Labor & Public Employment, then to the Committee on Judiciary

1217 Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance

1218 Committee on Finance

1219 Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1220 Committee on Health, then to the Committee on Finance

1221 Committee on Housing, then to the Committee on Finance

1222 Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1223 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

1224 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

1225 Committee on Transportation, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1226 Committee on Agriculture, then to the Committee on Judiciary

1227 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing

1228 Jointly to the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Agriculture, then to the Committee on Finance

1229 Committee on Judiciary

1230 Jointly to the Committee on Hawaiian Affairs and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1231 Committee on Health, then to the Committee on Finance

1232 Committee on Housing, then to the Committee on Finance

1233 Committee on Judiciary

1234 Committee on Legislative Management

1235 Committee on Water, Land, & Ocean Resources

1236 Committee on Labor & Public Employment

1237 Committee on Public Safety

1238 Committee on Agriculture

1239 Committee on Water, Land, & Ocean Resources

1240 Committee on Economic Revitalization, Business, & Military Affairs

1241 Committee on Economic Revitalization, Business, & Military Affairs

1242 Committee on Finance

1243 Committee on Transportation

1244 Committee on Transportation

1245 Committee on Education

1246 Committee on Health

1247 Committee on Human Services

1248 Committee on Labor & Public Employment

1249 Committee on Consumer Protection & Commerce

1250 Committee on Consumer Protection & Commerce

1251 Committee on Consumer Protection & Commerce

1252 Committee on Consumer Protection & Commerce

1253 Committee on Consumer Protection & Commerce

1254 Committee on Consumer Protection & Commerce

1255 Committee on Consumer Protection & Commerce

1256 Committee on Judiciary

1257 Committee on Human Services

1258 Committee on Judiciary

1259 Committee on Judiciary

1260 Committee on Finance

1261 Committee on Economic Revitalization, Business, & Military Affairs

1262 Committee on Human Services

1263 Committee on Housing

1264 Committee on Hawaiian Affairs

1265 Committee on Energy & Environmental Protection

1266 Committee on Water, Land, & Ocean Resources

1267 Committee on Judiciary

1268 Committee on Judiciary

1269 Committee on Public Safety

1270 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

1271 Committee on Energy & Environmental Protection, then to the Committee on Agriculture, then to the Committee on Finance

1272 Committee on Energy & Environmental Protection, then to the Committee on Economic Revitalization, Business, & Military Affairs

1273 Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing

1274 Committee on Housing, then to the Committee on Judiciary

1275 Committee on Transportation, then to the Committee on Finance

1276 Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1277 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Finance

1278 Committee on Energy & Environmental Protection, then to the Committee on Finance

1279 Committee on Labor & Public Employment, then to the Committee on Finance

1280 Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1281 Committee on Judiciary

1282 Committee on Tourism, Culture, & International Affairs

1283 Committee on Health, then to the Committee on Finance

1284 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance

1285 Committee on Judiciary

1286 Committee on Judiciary

1287 Committee on Labor & Public Employment, then to the Committee on Finance

1288 Committee on Labor & Public Employment, then to the Committee on Finance

1289 Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1290 Committee on Labor & Public Employment, then to the Committee on Finance

1291 Committee on Finance

1292 Committee on Public Safety, then to the Committee on Finance

1293 Committee on Judiciary, then to the Committee on Finance

1294 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

1295 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1296 Committee on Hawaiian Affairs, then to the Committee on Finance

1297 Committee on Hawaiian Affairs, then to the Committee on Finance

1298 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

1299 Committee on Judiciary

1300 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1301 Committee on Judiciary

1302 Committee on Transportation, then to the Committee on Judiciary

1303 Committee on Transportation, then to the Committee on Judiciary

1304 Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing, then to the Committee on Finance

1305 Committee on Energy & Environmental Protection, then to the Committee on Finance

1306 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1307 Committee on Higher Education, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1308 Committee on Labor & Public Employment, then to the Committee on Finance

1309 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1310 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1311 Committee on Public Safety, then to the Committee on Finance

1312 Committee on Education, then to the Committee on Finance

1313 Committee on Water, Land, & Ocean Resources, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1314 Committee on Finance

1315 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

1316 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1317 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

1318 Committee on Consumer Protection & Commerce

1319 Committee on Transportation, then to the Committee on Judiciary

1320 Committee on Finance

1321 Committee on Agriculture, then to the Committee on Judiciary

1322 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

1323 Committee on Labor & Public Employment, then to the Committee on Finance

1324 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

1325 Committee on Energy & Environmental Protection, then to the Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

1326 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1327 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1328 Committee on Water, Land, & Ocean Resources, then to the Committee on Tourism, Culture, & International Affairs

1329 Committee on Transportation, then to the Committee on Judiciary

1330 Committee on Water, Land, & Ocean Resources, then to the Committee on Hawaiian Affairs, then to the Committee on Finance

1331 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1332 Committee on Energy & Environmental Protection, then to the Committee on Finance

1333 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Water, Land, & Ocean Resources

1334 Committee on Public Safety, then to the Committee on Judiciary

1335 Committee on Judiciary

1336 Committee on Energy & Environmental Protection, then to the Committee on Finance

1337 Committee on Health, then to the Committee on Finance

1338 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1339 Committee on Finance

1340 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1341 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Judiciary

1342 Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

1343 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1344 Committee on Judiciary

1345 Committee on Housing, then to the Committee on Consumer Protection & Commerce

1346 Committee on Education, then to the Committee on Judiciary

1347 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1348 Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1349 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1350 Committee on Finance

1351 Committee on Agriculture, then jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources

1352 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1353 Committee on Higher Education, then to the Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

1354 Committee on Human Services, then to the Committee on Finance

1355 Committee on Human Services, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1356 Committee on Judiciary

1357 Committee on Energy & Environmental Protection, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1358 Committee on Energy & Environmental Protection, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1359 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1360 Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Finance

1361 Committee on Finance

1362 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1363 Committee on Labor & Public Employment, then to the Committee on Judiciary

1364 Committee on Legislative Management, then to the Committee on Finance

1365 Committee on Finance

1366 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

1367 Committee on Energy & Environmental Protection, then to the Committee on Finance

1368 Committee on Energy & Environmental Protection, then to the Committee on Finance

1369 Committee on Higher Education, then to the Committee on Health, then to the Committee on Finance

1370 Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance

1371 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

1372 Committee on Health, then to the Committee on Finance

1373 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

1374 Committee on Health, then to the Committee on Consumer Protection & Commerce

1375 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

1376 Committee on Education, then to the Committee on Finance

1377 Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1378 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1379 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

1380 Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance

1381 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1382 Committee on Judiciary

1383 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

1384 Committee on Housing, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1385 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

1386 Committee on Transportation, then to the Committee on Judiciary

1387 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

1388 Committee on Transportation, then to the Committee on Finance

1389 Committee on Transportation, then to the Committee on Judiciary

1390 Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1391 Committee on Water, Land, & Ocean Resources, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1392 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1393 Committee on Education

1394 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

1395 Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance

1396 Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Finance

1397 Committee on Hawaiian Affairs, then to the Committee on Judiciary

1398 Committee on Hawaiian Affairs, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1399 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

1400 Committee on Legislative Management

1401 Committee on Legislative Management

1402 Committee on Legislative Management

1403 Committee on Legislative Management

1404 Committee on Finance

1405 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1406 Committee on Housing, then to the Committee on Judiciary, then to the Committee on Finance

1407 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1408 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1409 Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1410 Committee on Judiciary, then to the Committee on Finance

1411 Committee on Finance

1412 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1413 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1414 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1415 Jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce

1416 Committee on Education, then to the Committee on Agriculture, then to the Committee on Finance

1417 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

1418 Committee on Housing, then to the Committee on Judiciary

1419 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary

1420 Committee on Higher Education, then to the Committee on Finance

1421 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

1422 Committee on Transportation, then to the Committee on Judiciary

1423 Jointly to the Committee on Labor & Public Employment and the Committee on Transportation, then to the Committee on Finance

1424 Committee on Finance

1425 Committee on Transportation, then to the Committee on Judiciary

1426 Committee on Finance

1427 Committee on Economic Revitalization, Business, & Military Affairs, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1428 Committee on Economic Revitalization, Business, & Military Affairs, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1429 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Human Services, then to the Committee on Finance

1430 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1431 Committee on Education, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1432 Committee on Transportation, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1433 Jointly to the Committee on Agriculture and the Committee on Transportation, then to the Committee on Finance

1434 Committee on Agriculture, then jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance

1435 Committee on Human Services, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1436 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Education

1437 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

1438 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1439 Committee on Consumer Protection & Commerce, then to the Committee on Finance

1440 Committee on Housing, then to the Committee on Judiciary

1441 Committee on Housing, then to the Committee on Finance

1442 Committee on Consumer Protection & Commerce, then to the Committee on Finance

1443 Committee on Economic Revitalization, Business, & Military Affairs, then jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources

1444 Committee on Health, then to the Committee on Consumer Protection & Commerce

1445 Committee on Transportation, then to the Committee on Judiciary

1446 Committee on Energy & Environmental Protection, then to the Committee on Finance

1447 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1448 Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance

1449 Committee on Transportation, then to the Committee on Judiciary

1450 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

1451 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1452 Committee on Tourism, Culture, & International Affairs, then to the Committee on Agriculture

1453 Committee on Finance

1454 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance

1455 Committee on Judiciary

1456 Committee on Judiciary

1457 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

1458 Committee on Energy & Environmental Protection, then to the Committee on Finance

1459 Committee on Education, then to the Committee on Finance

1460 Jointly to the Committee on Public Safety and the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1461 Committee on Finance

1462 Committee on Transportation, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing

1463 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1464 Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1465 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1466 Committee on Energy & Environmental Protection, then jointly to the Committee on Transportation and the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1467 Committee on Energy & Environmental Protection, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1468 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1469 Committee on Tourism, Culture, & International Affairs, then to the Committee on Hawaiian Affairs, then to the Committee on Finance

1470 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1471 Jointly to the Committee on Tourism, Culture, & International Affairs and the Committee on Agriculture, then to the Committee on Finance

1472 Committee on Tourism, Culture, & International Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1473 Committee on Judiciary

1474 Committee on Judiciary

1475 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1476 Committee on Judiciary, then to the Committee on Finance

1477 Committee on Judiciary

1478 Committee on Judiciary

1479 Committee on Labor & Public Employment, then to the Committee on Finance

1480 Committee on Labor & Public Employment, then to the Committee on Judiciary

1481 Committee on Health, then to the Committee on Finance

1482 Committee on Education

1483 Committee on Energy & Environmental Protection, then to the Committee on Finance

1484 Committee on Energy & Environmental Protection, then to the Committee on Finance

1485 Committee on Transportation, then to the Committee on Judiciary

1486 Committee on Health, then to the Committee on Public Safety

1487 Committee on Public Safety, then to the Committee on Hawaiian Affairs, then to the Committee on Finance

1488 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Judiciary

1489 Committee on Health, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1490 Committee on Finance

1491 Committee on Energy & Environmental Protection, then to the Committee on Finance

1492 Committee on Water, Land, & Ocean Resources, then to the Committee on Higher Education, then to the Committee on Finance

1493 Committee on Health, then to the Committee on Finance

1494 Committee on Finance

1495 Committee on Finance

1496 Committee on Human Services, then to the Committee on Finance

1497 Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1498 Committee on Human Services, then to the Committee on Finance

1499 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1500 Committee on Labor & Public Employment, then to the Committee on Finance

1501 Committee on Higher Education, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

1502 Jointly to the Committee on Transportation and the Committee on Labor & Public Employment, then to the Committee on Finance

1503 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary

1504 Committee on Health, then to the Committee on Finance

1505 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1506 Committee on Transportation, then to the Committee on Judiciary

1507 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1508 Committee on Human Services, then to the Committee on Finance

1509 Committee on Health, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1510 Committee on Judiciary

1511 Committee on Health, then to the Committee on Finance

1512 Committee on Judiciary

1513 Committee on Judiciary

1514 Committee on Health, then to the Committee on Judiciary

1515 Committee on Health, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1516 Committee on Finance

1517 Jointly to the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Tourism, Culture, & International Affairs, then to the Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1518 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1519 Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1520 Committee on Transportation, then to the Committee on Judiciary

1521 Committee on Housing, then to the Committee on Finance

1522 Committee on Health, then to the Committee on Finance

1523 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary

1524 Committee on Human Services, then to the Committee on Judiciary

1525 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

1526 Committee on Health, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1527 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

1528 Committee on Human Services, then to the Committee on Finance

1529 Committee on Legislative Management, then to the Committee on Judiciary

1530 Committee on Judiciary, then to the Committee on Finance

1531 Committee on Judiciary

1532 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing

1533 Committee on Finance

1534 Jointly to the Committee on Transportation and the Committee on Labor & Public Employment, then jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Finance

1535 Committee on Finance

1536 Committee on Labor & Public Employment, then to the Committee on Finance

1537 Committee on Health, then to the Committee on Judiciary

1538 Committee on Energy & Environmental Protection, then jointly to the Committee on Health and the Committee on Education, then to the Committee on Finance

1539 Committee on Health, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce

1540 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1541 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

1542 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1543 Committee on Water, Land, & Ocean Resources, then to the Committee on Higher Education, then to the Committee on Finance

1544 Committee on Finance

1545 Committee on Finance

1546 Committee on Higher Education, then to the Committee on Finance

1547 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1548 Committee on Finance

1549 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1550 Committee on Labor & Public Employment, then to the Committee on Finance

1551 Committee on Finance

1552 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1553 Committee on Judiciary, then to the Committee on Finance

1554 Committee on Water, Land, & Ocean Resources

1555 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1556 Committee on Judiciary

1557 Committee on Judiciary

1558 Committee on Judiciary

1559 Committee on Judiciary

1560 Committee on Judiciary

1561 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1562 Committee on Health, then to the Committee on Consumer Protection & Commerce

1563 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1564 Committee on Judiciary, then to the Committee on Finance

1565 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1566 Committee on Finance

1567 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1568 Committee on Public Safety, then to the Committee on Finance

1569 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

1570 Committee on Labor & Public Employment, then to the Committee on Finance

1571 Committee on Labor & Public Employment

1572 Committee on Labor & Public Employment

1573 Committee on Labor & Public Employment

1574 Committee on Judiciary, then to the Committee on Finance

1575 Committee on Education, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1576 Committee on Water, Land, & Ocean Resources, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1577 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1578 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1579 Committee on Health, then to the Committee on Public Safety

1580 Committee on Housing, then jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance

1581 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1582 Committee on Labor & Public Employment, then to the Committee on Finance

1583 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1584 Committee on Finance

1585 Committee on Tourism, Culture, & International Affairs, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1586 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1587 Committee on Judiciary, then to the Committee on Finance

1588 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1589 Committee on Finance

1590 Committee on Labor & Public Employment, then to the Committee on Finance

1591 Committee on Housing, then to the Committee on Finance

1592 Committee on Housing, then to the Committee on Finance

1593 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary

1594 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

1595 Committee on Labor & Public Employment, then to the Committee on Finance

1596 Committee on Judiciary

1597 Committee on Judiciary, then to the Committee on Finance

1598 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1599 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary

1600 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1601 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1602 Committee on Consumer Protection & Commerce

1603 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Legislative Management, then to the Committee on Finance

1604 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1605 Committee on Finance

1606 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1607 Committee on Health, then to the Committee on Finance

1608 Committee on Housing, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1609 Committee on Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1610 Committee on Judiciary

1611 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1612 Jointly to the Committee on Hawaiian Affairs and the Committee on Housing, then to the Committee on Finance

1613 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

1614 Committee on Judiciary, then to the Committee on Finance

1615 Committee on Water, Land, & Ocean Resources

1616 Jointly to the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Tourism, Culture, & International Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1617 Committee on Higher Education, then to the Committee on Finance

1618 Committee on Higher Education, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1619 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

1620 Committee on Human Services, then to the Committee on Finance

1621 Committee on Finance

1622 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1623 Committee on Tourism, Culture, & International Affairs, then to the Committee on Water, Land, & Ocean Resources

1624 Committee on Water, Land, & Ocean Resources

1625 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

1626 Committee on Public Safety, then to the Committee on Finance

1627 Committee on Energy & Environmental Protection, then to the Committee on Finance

1628 Committee on Energy & Environmental Protection, then to the Committee on Finance

1629 Committee on Public Safety, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1630 Committee on Finance

1631 Committee on Public Safety, then to the Committee on Judiciary

1632 Committee on Transportation, then to the Committee on Judiciary

1633 Committee on Health, then to the Committee on Judiciary

1634 Committee on Health, then to the Committee on Judiciary

1635 Committee on Public Safety, then to the Committee on Judiciary, then to the Committee on Finance

1636 Committee on Health, then to the Committee on Judiciary

1637 Committee on Energy & Environmental Protection, then to the Committee on Finance

1638 Committee on Finance

1639 Committee on Consumer Protection & Commerce

1640 Committee on Finance

1641 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

1642 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

1643 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance

1644 Committee on Judiciary, then to the Committee on Finance

1645 Committee on Finance

1646 Committee on Judiciary, then to the Committee on Finance

1647 Committee on Judiciary

1648 Committee on Education, then to the Committee on Health, then to the Committee on Finance

1649 Committee on Human Services, then to the Committee on Judiciary

1650 Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1651 Committee on Health, then to the Committee on Judiciary

1652 Committee on Finance

1653 Committee on Finance

1654 Jointly to the Committee on Energy & Environmental Protection and the Committee on Transportation, then to the Committee on Finance

1655 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1656 Committee on Education, then to the Committee on Health, then to the Committee on Finance

1657 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1658 Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance

1659 Committee on Water, Land, & Ocean Resources, then to the Committee on Consumer Protection & Commerce

1660 Committee on Hawaiian Affairs, then to the Committee on Judiciary

1661 Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1662 Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1663 Committee on Hawaiian Affairs, then to the Committee on Agriculture

1664 Committee on Hawaiian Affairs, then to the Committee on Public Safety, then to the Committee on Finance

1665 Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1666 Committee on Hawaiian Affairs, then to the Committee on Finance

1667 Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, then to the Committee on Finance

1668 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

1669 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1670 Committee on Judiciary, then to the Committee on Finance

1671 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1672 Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

1673 Committee on Judiciary, then to the Committee on Finance

1674 Committee on Education, then to the Committee on Health, then to the Committee on Judiciary

1675 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1676 Committee on Labor & Public Employment, then to the Committee on Finance

1677 Committee on Health, then to the Committee on Judiciary

1678 Committee on Energy & Environmental Protection, then to the Committee on Finance

1679 Committee on Finance

1680 Committee on Education, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1681 Committee on Finance

1682 Jointly to the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Agriculture, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

1683 Jointly to the Committee on Agriculture and the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1684 Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Judiciary

1685 Committee on Judiciary, then to the Committee on Finance

1686 Committee on Education, then to the Committee on Finance

1687 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

1688 Committee on Education, then to the Committee on Finance

1689 Jointly to the Committee on Health and the Committee on Human Services, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1690 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

1691 Committee on Judiciary

1692 Committee on Housing, then to the Committee on Judiciary, then to the Committee on Finance

1693 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1694 Committee on Housing, then to the Committee on Finance

1695 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1696 Committee on Transportation, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1697 Committee on Transportation, then to the Committee on Judiciary

1698 Jointly to the Committee on Transportation and the Committee on Tourism, Culture, & International Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1699 Jointly to the Committee on Transportation and the Committee on Tourism, Culture, & International Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1700 Jointly to the Committee on Transportation and the Committee on Tourism, Culture, & International Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1701 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

1702 Committee on Transportation, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1703 Committee on Economic Revitalization, Business, & Military Affairs

1704 Committee on Economic Revitalization, Business, & Military Affairs

1705 Committee on Economic Revitalization, Business, & Military Affairs

1706 Committee on Economic Revitalization, Business, & Military Affairs

1707 Committee on Economic Revitalization, Business, & Military Affairs

1708 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1709 Committee on Public Safety, then to the Committee on Finance

1710 Committee on Finance

1711 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Judiciary, then to the Committee on Finance

1712 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1713 Committee on Judiciary, then to the Committee on Finance

1714 Committee on Labor & Public Employment, then to the Committee on Finance

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1736 Committee on Labor & Public Employment, then to the Committee on Finance

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1749 Committee on Finance

1750 Committee on Housing, then to the Committee on Judiciary

1751 Committee on Judiciary

1752 Committee on Judiciary

1753 Committee on Transportation, then to the Committee on Judiciary

1754 Committee on Transportation, then to the Committee on Judiciary

1755 Committee on Transportation, then to the Committee on Judiciary

1756 Committee on Judiciary

1757 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

1758 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1759 Committee on Labor & Public Employment, then to the Committee on Finance

1760 Committee on Education, then to the Committee on Finance

1761 Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing, then to the Committee on Finance

1762 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

1763 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

1764 Committee on Finance

1765 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

1766 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1767 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1768 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1769 Committee on Labor & Public Employment, then to the Committee on Agriculture, then to the Committee on Judiciary

1770 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

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1773 Committee on Finance

1774 Committee on Education, then to the Committee on Health, then to the Committee on Finance

1775 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

1776 Committee on Public Safety, then to the Committee on Human Services, then to the Committee on Finance

1777 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1778 Committee on Water, Land, & Ocean Resources, then to the Committee on Hawaiian Affairs, then to the Committee on Finance

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1780 Committee on Judiciary, then to the Committee on Finance

1781 Committee on Judiciary, then to the Committee on Finance

1782 Committee on Health, then to the Committee on Finance

1783 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

1784 Committee on Health, then to the Committee on Judiciary

1785 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1786 Committee on Tourism, Culture, & International Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1787 Committee on Housing, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1788 Committee on Human Services, then to the Committee on Public Safety, then to the Committee on Judiciary

1789 Committee on Housing, then to the Committee on Consumer Protection & Commerce

1790 Committee on Health, then to the Committee on Judiciary

1791 Committee on Judiciary

1792 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1793 Jointly to the Committee on Public Safety and the Committee on Transportation, then to the Committee on Tourism, Culture, & International Affairs, then to the Committee on Judiciary

1794 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1795 Committee on Education, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1796 Committee on Hawaiian Affairs, then to the Committee on Finance

1797 Committee on Judiciary, then to the Committee on Finance

1798 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1799 Committee on Judiciary, then to the Committee on Finance

1800 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Agriculture, then to the Committee on Finance

1801 Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1802 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1803 Committee on Judiciary, then to the Committee on Finance

1804 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1805 Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, then to the Committee on Finance

1806 Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1807 Committee on Energy & Environmental Protection

1808 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

1809 Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1810 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1811 Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Finance

1812 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

1813 Committee on Health, then to the Committee on Finance

1814 Committee on Health, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1815 Committee on Finance

1816 Committee on Labor & Public Employment, then to the Committee on Finance

1817 Committee on Health, then to the Committee on Hawaiian Affairs

1818 Committee on Public Safety, then to the Committee on Hawaiian Affairs, then to the Committee on Finance

1819 Committee on Transportation, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1820 Committee on Agriculture, then to the Committee on Housing, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1821 Committee on Finance

1822 Committee on Labor & Public Employment, then to the Committee on Health, then to the Committee on Finance

1823 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1824 Committee on Housing, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1825 Committee on Housing, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1826 Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, then to the Committee on Finance

1827 Committee on Finance

1828 Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce

1829 Committee on Finance

1830 Committee on Water, Land, & Ocean Resources, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1831 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1832 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

1833 Committee on Finance

1834 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1835 Committee on Transportation, then to the Committee on Finance

1836 Jointly to the Committee on Housing and the Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

1837 Committee on Public Safety, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

1838 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Consumer Protection & Commerce

1839 Committee on Finance

1840 Committee on Finance

1841 Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, then to the Committee on Finance

1842 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1843 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

INTRODUCTION OF RESOLUTION (FLOOR PRESENTATION)

The following resolution (H.R. No. 40) was announced by the Clerk and the following action taken:

H.R. No. 40, entitled: "HOUSE RESOLUTION COMMENDING COASTAL WINDOWS, INC., AND ITS VICE PRESIDENT MR. BOB BARRETT FOR RECEIVING THE 2008 SECRETARY OF DEFENSE EMPLOYER SUPPORT FREEDOM AWARD," was offered by Representative Takai.

Representative Takai moved that H.R. No. 40 be adopted, seconded by Representative Choy.

Representative Takai congratulated Coastal Windows, Inc. for being one of fifteen companies nationwide to receive the 2008 Secretary of Defense Employer Support Freedom Award.

Representative Choy then introduced the honorees seated on the Floor of the House:

Mr. Robert Barrett, Vice President of Coastal Windows, Inc., accompanied by his wife, Mrs. Pamela Barrett; and

Maj. Gen. 'Putt' Richards, Chair of the Hawaii State Committee for Employer Support of the Guard and Reserve.

Representative Choy also introduced friends and family seated in the gallery:

Mr. Barrett's parents, Mr. Bob Winner, founder of Coastal Windows, and Mrs. Marie Winner;

Mr. Bob Borek, member of the Hawaii State Committee for Employer Support; and

Mr. Matt Sweeney, family friend.

The motion was put to vote by the Chair and carried, and H.R. No. 40 was adopted, with Representatives Chang, McKelvey, Tokioka and Wakai being excused.

At 12:16 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:21 o'clock p.m.

LATE INTRODUCTION

The following late introduction was made to the Members of the House:

Representative Shimabukuro introduced Ms. Joyce Chen of New York City, and former City Council member in Connecticut.

STANDING COMMITTEE REPORTS

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1) recommending that H.B. No. 28, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 28, entitled: "A BILL FOR AN ACT RELATING TO DEAD HUMAN BODIES," passed Second Reading and was referred to the Committee on

Judiciary with Representatives Chang, McKelvey, Sagum, Say, Tokioka and Wakai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 2) recommending that H.B. No. 29, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 29, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Mr. Speaker, I just wanted to say a couple of things in support of HB 29. I am in support in the sense of raising a number of questions, which this bill probably responds to. This is, by the way, the 'cadaver bill.' The Human Bodies bill. And it raises probably more questions than it may answer. It's provocative.

"But my concern is that the next Committee look at the line in the sand between science and commercialism and exploitation; between the need to educate and the need to titillate. And, quite frankly, I was in Red Square. I saw Lenin, looking at that for scientific, historical purposes. We see fetuses that are less than eight weeks old to show you what abortion can do. There's a number of things that this kind of opens the box up for.

"I just wanted to say for the next Committee that looks at this, please don't get overtaken with the commercial aspect, but be very scientifically exacting and beware of geopolitical motives, which I think are somewhat underlying within this bill. Thank you, Mr. Speaker."

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

"Mr. Speaker, I rise to speak in favor of this measure, but to express some reservations. I have no desire to attend the exhibit that is now at one of our shopping centers, but I have no objection if other people do wish to visit this exhibit. I understand it's quite remarkable.

"My objection to this particular resolution has to do with the governmental functions that will attend this bill. The Department of Health did not want to administrate this program, and suggested another department do it. It would take certain people to run the program to be experts in it. And there's a fee involved in it to cover the administrative expenses of this program, and I'm not sure any fee would be sufficient to administrate this program and pay for the expertise.

"So, I just think that we should take another look at this before we move this measure on final passage. 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. 29, entitled: "A BILL FOR AN ACT RELATING TO DEAD HUMAN BODIES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, McKelvey, Sagum, Say, Tokioka and Wakai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 3) recommending that H.B. No. 36, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 36, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Energy & Environmental Protection with Representatives Chang, McKelvey, Sagum, Say, Tokioka and Wakai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 4) recommending that H.B. No. 358, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 358, entitled: "A BILL FOR AN ACT RELATING TO DRUG TREATMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, McKelvey, Sagum, Say, Tokioka and Wakai being excused.

INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 38) was announced by the Clerk and the following action taken:

H.R. No. 38, entitled: "HOUSE RESOLUTION ADOPTING THE HOUSE ADMINISTRATIVE AND FINANCIAL MANUAL OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FIFTH LEGISLATURE," was jointly offered by Representatives B. Oshiro and Finnegan.

On motion by Representative B. Oshiro, seconded by Representative Finnegan and carried, H.R. No. 38 was adopted with Representatives Chang, McKelvey, Sagum, Say, Tokioka and Wakai being excused.

The following resolution (H.R. No. 39) was announced by the Clerk and the following action taken:

H.R. No. 39, entitled: "HOUSE RESOLUTION AMENDING THE RULES OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FIFTH LEGISLATURE OF THE STATE OF HAWAII TO CORRECT TECHNICAL ERRORS," was jointly offered by Representatives B. Oshiro and Finnegan.

In accordance with House Rule No. 57, H.R. No. 39 was deferred for a period of 24 hours.

By unanimous consent, the following concurrent resolutions (H.C.R. Nos. 47 through 49) were referred to Printing and further action was deferred:

H.C.R. No. 47, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE A MEASURE TO REGULATE RESPIRATORY CARE PRACTITIONERS," was offered by Representative Har, by request.

H.C.R. No. 48, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE A MEASURE TO REGULATE RESPIRATORY CARE PRACTITIONERS," was jointly offered by Representatives M. Lee, Brower, Mizuno, Shimabukuro, Thielen, Bertram, Cabanilla and Wakai.

H.C.R. No. 49, entitled: "HOUSE CONCURRENT RESOLUTION URGING FULL PRESERVATION OF UNITED STATES MARINE CORPS AIR STATION EWA AS A NATIONAL MONUMENT, MUSEUM, AND RESTORED PARK FOR THE STATE OF HAWAII," was jointly offered by Representatives Har and Herkes.

ADJOURNMENT

At 12:26 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, February 2, 2009. (Representatives Chang, McKelvey, Sagum, Say, Tokioka and Wakai were excused.)

HOUSE COMMUNICATION

The following communication was received by the Clerk:

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

January 29, 2009

The Honorable Calvin K.Y. Say
State Capitol Room 431
Honolulu, HI 96813

Dear Speaker Say:

I am writing to inform you that I have received orders from the Hawaii Army National Guard to serve our country in Kuwait for six months. I will be deployed beginning February 4, 2009, with the Hawaii Army National Guard's 29th Brigade Combat Team.

While I am dedicated to my service as a State Representative, Department of Defense regulations require that my civil office functions not interfere with the performance of military duties. Please be assured that the 34th House District will be well-served while I am performing my military duties in the Middle East. My Office Manager, Lisa Vargas, is prepared to assist my constituents with their inquiries and requests until I am able to handle them personally.

Thank you very much for your understanding and support. I am proud and honored to serve as a member of the Hawaii State House of Representatives, as well as serve our country as a member of the Hawaii Army National Guard.

With warmest aloha,

K. Mark Takai
State Representative
District 34

2009012901

Representative K. Mark Takai
State Capitol, Room 305 • Honolulu, Hawaii 96813
Phone: (808) 586-8455 • Fax: (808) 586-8459 • E-mail: reptakai@capitol.hawaii.gov

REAR DETACHMENT
29TH INFANTRY BRIGADE COMBAT TEAM
Hawaii Army National Guard
91-1227 Enterprise Avenue, Kapolei, Hawaii 96707

HIIB-CO 17 January 2009

MEMORANDUM FOR RECORD

SUBJECT: Verification of Mobilization for MAJ Takai, K.

1. This is to certify that MAJ Kyle Mark Takai has been ordered to Active Duty status in the Hawaii Army National Guard in a Mobilized Status with Official Orders from 04 FEB 09 until 18 AUG 09.

2. This command certifies that the above named Soldier is in good standings with the unit and will continue to be on Official Military Orders until the completion of this current combat tour.

DAVID W. KAHANU JR.
LTC, QM, HIARNG
Commanding

SEVENTH DAY

Monday, February 2, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:07 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend James Reed of Friendship Bible Church, after which the Roll was called showing all Members present.

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

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. Nos. 230) was received and announced by the Clerk:

Gov. Msg. No. 230, dated January 27, 2009, requesting immediate passage of H.B. No. 1064 authorizing an emergency appropriation of $60,000,000 out of the Emergency and Budget Reserve Fund for the health care payments program of the Department of Human Services.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R. Nos.	Referred to:
8	Jointly to the Committee on Human Services and the Committee on Health
9	Committee on Human Services
10	Committee on Education
11	Jointly to the Committee on Public Safety and the Committee on Agriculture, then to the Committee on Finance
12	Jointly to the Committee on Public Safety and the Committee on Agriculture, then to the Committee on Finance
13	Committee on Public Safety, then to the Committee on Finance
14	Jointly to the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Public Safety, then to the Committee on Finance
15	Committee on Public Safety, then to the Committee on Consumer Protection & Commerce
16	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
17	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Higher Education, then to the Committee on Finance
18	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Housing
19	Committee on Health, then to the Committee on Finance
20	Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance
21	Committee on Economic Revitalization, Business, & Military Affairs
22	Committee on Labor & Public Employment, then to the Committee on Finance
23	Committee on Education, then to the Committee on Legislative Management, then to the Committee on Finance
24	Committee on Tourism, Culture, & International Affairs, then to the Committee on Water, Land, & Ocean Resources
25	Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance
26	Committee on Economic Revitalization, Business, & Military Affairs
27	Jointly to the Committee on Hawaiian Affairs and the Committee on Human Services, then to the Committee on Judiciary
28	Committee on Energy & Environmental Protection, then to the Committee on Finance
29	Committee on Human Services
30	Committee on Finance
31	Committee on Human Services, then to the Committee on Judiciary
32	Committee on Human Services
33	Committee on Human Services
34	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Health
35	Committee on Human Services
36	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
37	Committee on Human Services

H.C.R. Nos.	Referred to:
4	Jointly to the Committee on Human Services and the Committee on Health
5	Committee on Human Services
6	Committee on Education
7	Jointly to the Committee on Public Safety and the Committee on Agriculture, then to the Committee on Finance
8	Jointly to the Committee on Public Safety and the Committee on Agriculture, then to the Committee on Finance
9	Committee on Public Safety, then to the Committee on Finance

10 Jointly to the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Public Safety, then to the Committee on Finance

11 Committee on Public Safety, then to the Committee on Consumer Protection & Commerce

12 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

13 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Higher Education, then to the Committee on Finance

14 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Housing

15 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Labor & Public Employment

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

17 Committee on Health, then to the Committee on Finance

18 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

19 Committee on Economic Revitalization, Business, & Military Affairs

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

21 Committee on Education, then to the Committee on Legislative Management, then to the Committee on Finance

22 Committee on Tourism, Culture, & International Affairs, then to the Committee on Water, Land, & Ocean Resources

23 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

24 Committee on Economic Revitalization, Business, & Military Affairs

25 Jointly to the Committee on Hawaiian Affairs and the Committee on Human Services, then to the Committee on Judiciary

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

27 Committee on Public Safety, then to the Committee on Hawaiian Affairs

28 Jointly to the Committee on Hawaiian Affairs and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

29 Committee on Hawaiian Affairs, then to the Committee on Judiciary

30 Committee on Education, then to the Committee on Housing, then to the Committee on Finance

31 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

32 Committee on Human Services

33 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

34 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

35 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance

36 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Legislative Management, then to the Committee on Finance

37 Committee on Human Services, then to the Committee on Judiciary

38 Committee on Human Services

39 Committee on Human Services

40 Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Legislative Management

41 Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

42 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Health

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

44 Committee on Human Services

45 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance

46 Committee on Human Services

47 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

48 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

49 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Water, Land, & Ocean Resources

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
26	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance
59	Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance
86	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance
148	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

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

155 Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

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

186 Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance

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

218 Jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce

231 Committee on Public Safety, then to the Committee on Legislative Management, then to the Committee on Finance

251 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Finance

268 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

269 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

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

312 Jointly to the Committee on Public Safety and the Committee on Health, then to the Committee on Finance

316 Jointly to the Committee on Public Safety and the Committee on Agriculture, then to the Committee on Finance

317 Jointly to the Committee on Health and the Committee on Public Safety, then to the Committee on Finance

359 Committee on Housing, then to the Committee on Judiciary, then to the Committee on Finance

364 Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance

389 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

423 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

495 Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance

523 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

533 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

541 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

545 Committee on Energy & Environmental Protection, then to the Committee on Judiciary, then to the Committee on Finance

583 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

602 Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

630 Committee on Judiciary, then to the Committee on Finance

642 Committee on Energy & Environmental Protection, then to the Committee on Judiciary, then to the Committee on Finance

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

761 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

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

866 Committee on Transportation

873 Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

880 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

902 Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, then to the Committee on Finance

915 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

932 Committee on Transportation, then to the Committee on Finance

973 Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance

1276 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

1377 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

1409 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

UNFINISHED BUSINESS

Representative B. Oshiro moved for the adoption of H.R. No. 39, seconded by Representative Finnegan.

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

"Mr. Speaker, I rise in support of the measure. Mr. Speaker, I rise with a bit of history in my support for this measure, in that I appreciate you, Mr. Speaker, and the leadership that every year entertains the possible changes that the Minority would suggest. This year, five changes were suggested and though they weren't successful, well maybe there was a half of one,

there's one more that I wanted to bring forward that some of us are a little bit sensitive to and would like to remind the Members about, and that was one of the real changes was to use the Mason's Rules *vis-a-vis* the call for recess.

"In Mason's Rules, section 216, Rules Governing Motions for Recess. The motion to recess cannot be made while another has the floor or during the voting or the verification of the vote. Unfortunately, the Rules of the House is silent on this. When some Members were speaking and someone called for a recess, they said, 'Well yeah, it's against Mason's Rules but, it's a tradition here.' So I would only say, Members, let's be respectful of each of us as we speak, and if you don't like what somebody's saying, stand up and refute it, rather than stand up and recess it because that, according to the rules, is not 'kosher.' Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.R. No. 39, entitled: "HOUSE RESOLUTION AMENDING THE RULES OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FIFTH LEGISLATURE OF THE STATE OF HAWAII TO CORRECT TECHNICAL ERRORS," was adopted with Representative M. Oshiro being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 41) and concurrent resolution (H.C.R No. 50) were referred to Printing and further action was deferred:

H.R. No. 41, entitled: "HOUSE 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 jointly offered by Representatives Evans, Hanohano and Aquino.

H.C.R. No. 50, 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 jointly offered by Representatives Evans, Hanohano and Aquino.

ANNOUNCEMENTS

Representative Har: "Thank you, Mr. Speaker. As this body knows, last year my father passed away at the age of 70. Yesterday was a very difficult day for me and my family because yesterday would have been my father's 71st birthday. But, the flipside is, it was also a very joyous day and I'd like to ask the Members in joining me to wish our Speaker of the House of Representatives, Calvin Say, a very happy birthday."

Speaker Say: "Thank you, very much. I believe there was also another birthday boy on Saturday, and that young man is Representative Manahan. Representative Manahan, please stand to be recognized.

"And if you saw the article yesterday in the *Advertiser's* Hot Seat, 'Paloloboy56.' I'm 57 now."

At 12:16 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 12:17 o'clock p.m.

Representative Carroll, for the Committee on Hawaiian Affairs, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing HB No. 902, relating to the ceded land issue on Wednesday, February 4 at 9:00 a.m. in Room 329.

Representative Chong: "Thank you, Mr. Speaker. I would also like to recognize someone on this Floor who had a birthday a couple weeks ago, and that is our illustrious Majority Leader, from the Aiea area, Representative Blake Oshiro."

ADJOURNMENT

At 12:18 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, February 3, 2009.

EIGHTH DAY

Tuesday, February 3, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:03 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Father Van Culin of Saint Luke Episcopalian Church, after which the Roll was called showing all Members present.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 231 through 235) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 231, dated January 21, 2009, transmitting the report, Efforts to Support Engineering Growth Industries, pursuant to Act 148 (SLH 2007).

Gov. Msg. No. 232, dated January 20, 2009, transmitting the report, Self-Sufficiency Income Standard: Estimates for Hawaii 2007, pursuant to Act 12 (SLH 2008 First Special Session).

Gov. Msg. No. 233, dated January 20, 2009, transmitting the 2007-2008 Annual Report of the State of Hawaii Act 111 (SLH 2007) Business/Education Internship and Mentorship Program pursuant to Act 111 (SLH 2007), Part VI, Section 13 (c), Hawaii Revised Statutes.

Gov. Msg. No. 234, dated January 21, 2009, transmitting the Report from the Department of Transportation on Section 24 of Act 213, Session Laws of Hawaii 2007, as amended by Act 158, Session Laws of Hawaii 2008. The Report identifies the sums of money expended by the Department of Transportation, Harbors Division, for formally declared disasters.

Gov. Msg. No. 235, dated January 7, 2009, transmitting the FY 07-08 Hawaii Coastal Zone Management Annual Report, pursuant to Section 205A-3(10), Hawaii Revised Statutes.

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 52 and 53) were received by the Clerk and were placed on file:

Dept. Com. No. 52, dated January 27, 2009, from David McClain, President, University of Hawaii System, transmitting the Annual Inventive & Performance Report and Report by the UH Task Force on Developing a Budgetary System and Funding Formula for Distribution of Fiscal Resources of UH Campuses for 2009 (Act 188, Session Laws of Hawaii 2008, Section 2 & 3) as requested by the Legislature.

Dept. Com. No. 53, dated January 29, 2009, from David McClain, President, University of Hawaii System, transmitting the Report by the University of Hawaii at Manoa on a Plan to Develop, Offer, or Expand Philippine Language and Related Courses at the University of Hawaii Campuses and Public Schools for 2009 (Senate Concurrent Resolution 120, 2008) as requested by the Legislature.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
569	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
1102	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
1321	Committee on Agriculture, then to the Committee on Judiciary, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 5) recommending that H.B. No. 124, as amended in HD 1, pass Second Reading and be referred to the Committee on Health.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 124, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PROFESSIONAL EDUCATION," passed Second Reading and was referred to the Committee on Health, with Representative Morita being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 6) recommending that H.B. No. 302, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 302, 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, with Representative Morita being excused.

INTRODUCTION OF RESOLUTION

By unanimous consent, the following concurrent resolution (H.C.R. No. 51) was referred to Printing and further action was deferred:

H.C.R. No. 51, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO INCREASE EDUCATIONAL EFFORTS TO PREVENT AND ERADICATE CERVICAL CANCER," was jointly offered by Representatives Marumoto, Belatti, Berg, Brower, Carroll, Ching, Evans, Hanohano, Har, M. Lee, Luke, Magaoay, Morita, Nakashima, B. Oshiro, Pine, Shimabukuro, Thielen, Tokioka, Ward, Wooley and Bertram.

ANNOUNCEMENTS

Representative B. Oshiro: "Mr. Speaker, I'd just like to announce that after session, we'll be having some cake in Room 437 to bid a fond farewell to our Representative Mark Takai. So everyone, please come to Room 437."

Representative Luke: "Thank you, Mr. Speaker. Today is probably one of our beloved colleagues' last day of Session before he heads on off to Kuwait. Joining us in the Gallery, if I may be permitted a late introduction, are his parents. Mr. Erik and Mrs. Naomi Takai, if you would stand up. And the person who will be doing all the work while he's gone, taking care of his children, Sami Takai. Thank you."

Representative Takai: "Thank you, Mr. Speaker. I wasn't going to say anything today. I told the Speaker yesterday that I just want to kind of disappear. But let me just say this: I really appreciate the emails, the visits to the office, the phone calls, everything that our colleagues and friends, some of whom I haven't seen or heard from for quite a while. All the good wishes, the prayers and everything are much appreciated.

"I have the awesome privilege of not only serving in this House with you and all of our colleagues, but also serving in the Hawaii Army National Guard. It's truly a double honor to be able to do that.

"While I'm away, as you know, we've got great representation by what I call the Aiea/Pearl City team on the Floor, and also in my office. I wanted to, at this time, recognize them since they're here too. And by the way, I didn't even know my family was going to be here, so thank you for coming. I believe it's the first time they're here and being introduced. Thank you, very much.

"Lisa Vargas, our Office Manager. Please stand, Lisa. And then Session staff, we have Kristine Duong, Desiree Borja, and Darlene Claveria. Please stand and be recognized.

"So while I'm away, Mr. Speaker, everything will go on without a hitch, and you can be confident and know that my staff will be working very hard, especially on things like the Hawaii Medal of Honor.

"The last thing I'd like to say is that I truly appreciate the good thoughts and prayers, but there are a lot of other people there. In fact, there's 1,700 National Guard and Reservists from Hawaii currently serving and I'll be meeting up with them. So please, keep them in your prayers, but more importantly, remember our families.

"My family, being away from them is going to be the most difficult thing. I've gone on trips before and have been away, but this is truly going to be a challenge. My wife Sami and all of the other spouses here who are left behind to care for our loved ones; they need to be watched over, and prayers need to be directed towards them.

"But I'm going to miss this place, and I know you have some very tough decisions ahead. I do know, as the Chief Clerk reminded me yesterday, that I have the awesome opportunity of watching you on the Internet. Although it's 13 hours and it's going to be at some ungodly hour, I'll keep track of all of you. Thank you, very much. Mahalo."

Vice-Speaker Magaoay: "Representative Takai, as you leave, two things I want to ask of you. Be sure you make us proud as a Member of this legislative body of the House. And also we ask you to come home safely. Your family is here in Hawaii, good luck to you, and Godspeed with you."

Representative Ward: "Mr. Speaker, on behalf of the Minority, we also wish you Godspeed, happy return. Thank you for serving your country. Aloha."

ADJOURNMENT

At 12:16 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 4, 2009. (Representative Morita was excused.)

NINTH DAY

Wednesday, February 4, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:04 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Dr. Lei Ahu Isa, after which the Roll was called showing all Members present with the exception of Representatives Takai and Wakai, who were excused.

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

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R. No.	Referred to:
41	Committee on Public Safety, then to the Committee on Finance

H.C.R. Nos.	Referred to:
50	Committee on Public Safety, then to the Committee on Finance
51	Committee on Health, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following bill was re-referred to committee by the Speaker:

H.B. No.	Re-referred to:
812	Committee on Human Services, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

STANDING COMMITTEE REPORTS

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 7) recommending that H.B. No. 123, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 123, 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 Takai and Wakai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 8) recommending that H.B. No. 618, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 618, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS ACT," passed Second Reading and was referred to the Committee on Finance with Representatives Takai and Wakai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 9) recommending that H.B. No. 194, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 194, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYMENT ORGANIZATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Takai and Wakai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 10) recommending that H.B. No. 656, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 656, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Takai and Wakai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 11) recommending that H.B. No. 452, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 452, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Higher Education with Representatives Takai and Wakai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 12) recommending that H.B. No. 457, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 457, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Education with Representatives Takai and Wakai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 13) recommending that H.B. No. 264, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 264, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai and Wakai being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 42) and concurrent resolution (H.C.R. No. 52) were referred to Printing and further action was deferred:

H.R. No. 42, entitled: "HOUSE RESOLUTION DECLARING FEBRUARY 6, 2009 AS RONALD REAGAN DAY," was jointly offered by Representatives Ward, Awana, Brower, Ching, Evans, Finnegan, Herkes, Ito, Magaoay, Marumoto, McKelvey, Pine, Thielen, Aquino and Coffman.

H.C.R. No. 52, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING FEBRUARY 6, 2009 AS RONALD REAGAN DAY," was jointly offered by Representatives Ward, Awana, Brower, Ching, Evans, Finnegan, Herkes, Ito, Magaoay, Marumoto, McKelvey, Pine, Thielen, Aquino and Coffman.

ANNOUNCEMENTS

Representative Ward: "Just for the record, and for all the various countries in the world and what they're doing. Today is Sri Lanka's National Day. And I know we have a number of citizens in Hawaii from that place, and they are celebrating as such. Thank you, Mr. Speaker."

Representative M. Oshiro: "Thank you, Mr. Speaker. On Monday, January 26th, former Chief Justice, Herman T. F. Lum passed away. While Chief Justice Lum was best known as a lifelong jurist, first in the Circuit Court and subsequently as the head of Hawaii's Judicial branch of government, Chief Justice Lum served also as the Clerk of this House from 1957 through 1961, a seat now occupied by one of his former law clerks, our own Pat Mau-Shimizu.

"Like so many other local boys of that generation, Chief Justice Lum served in the Army. After completing his term, he came home, purchased a one-way ticket to the mainland and earned his college and law degree through the G.I. Bill of Rights. And after purchasing another one-way ticket home, he returned to Hawaii and joined other progressives, such as Governor John Burns, Senator Dan Inouye, Sakae Takahashi, Governor Ariyoshi, and others to form Hawaii's modern day Democratic Party.

"That was a difficult decision for Chief Justice Lum, as the local Chinese community was predominantly Republican, due to the popularity of the late Senator Hiram Fong.

"Chief Justice Lum was interned yesterday in a simple, private military service at Punchbowl. Mr. Speaker, at the appropriate time, I request that this body observe a moment of silence for our former House Clerk and Chief Justice, the late Herman T. F. Lum. Thank you."

At this time, the House of Representatives stood for a moment of silence in memory of the late Chief Justice Herman T.F. Lum.

At 12:18 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 12:19 o'clock p.m.

Representative Carroll: "Thank you, Mr. Speaker. The Committee on Hawaiian Affairs has decision-making today at 2:15 p.m. in Room 329."

Representative Choy: "Mr. Speaker, the Committee on Economic Revitalization, Business, & Military Affairs will be having a hearing tomorrow, Thursday, February 5th 2009 in Conference Room 312. Thank you, Mr. Speaker."

ADJOURNMENT

At 12:20 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 5, 2009. (Representatives Takai and Wakai were excused.)

TENTH DAY

Thursday, February 5, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:11 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Corinne W.L. Ching, after which the Roll was called showing all Members present with the exception of Representatives Takai and Wakai, who were excused.

On motion by Representative Evans, seconded by Representative Pine and carried, reading of the Journal was dispensed with and the Journals of the First, Second, Third, Fourth, Fifth, Sixth and Seventh Days were approved. (Representatives Saiki, Takai and Wakai were excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 236 and 237) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 236, dated January 19, 2009, transmitting the High Technology Development Corporation's 2008 Annual Report, pursuant to Section 206M-3.5, Hawaii Revised Statutes.

Gov. Msg. No. 237, dated January 19, 2009, transmitting the High Technology Innovation Corporation's 2008 Annual Report, pursuant to Section 206M-56, Hawaii Revised Statutes.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 54) was received by the Clerk and was placed on file:

Dept. Com. No. 54, from the Legislative Reference Bureau, transmitting the Report, Vocational Services For The Deaf And Hard Of Hearing Through A Comprehensive Service Center, Report No. 1, 2009.

INTRODUCTIONS

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

Representative Awana introduced Ms. Melanie McLellan, daughter of murder victim, Ms. Karen Ertell.

Representative Brower introduced his friends, Mrs. Sharyn and Mr. Tony Murtha of New Jersey.

Representative Herkes introduced Mr. Paul Russinoff of Washington DC, Vice President of State Relations for Visa, Inc.; and Ms. Nancy Panter of California, Manager of Global Public Relations for Visa, Inc., who were here to support a program to teach about money management. They were accompanied by Honolulu attorney, Mr. Marvin Dang.

Representative Chang introduced Mr. Alexander Chang, Ms. Elizabeth Hsu and their delegation from Taiwan here to promote their sister-county relationship with the County of Maui. They were accompanied by former Senator Joe Tanaka of Maui.

Representative Berg introduced members of the United Nations Association, Hawaii Division, who were promoting the UN Peace Calendar: President Joanne Tachibana; Board Members, Joshua Cooper and Don Peel; and HPU students, Daniyal Saud and Isabelle Gardnert.

Representative Chong introduced Mr. Chuck Freedman, Executive Director of the Democratic Party of Hawaii.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R. No.	Referred to:
42	Committee on Tourism, Culture, & International Affairs

H.C.R. No.	Referred to:
52	Committee on Tourism, Culture, & International Affairs

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
666	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1273	Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 14) recommending that H.B. No. 1519, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1519, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Takai and Wakai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 15) recommending that H.B. No. 1497, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1497, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Takai and Wakai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 16) recommending that H.B. No. 815, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 815, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Takai and Wakai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 17) recommending that H.B. No.

819, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 819, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Takai and Wakai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 18) recommending that H.B. No. 176, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 176, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUSES," passed Second Reading and was referred to the Committee on Transportation with Representatives Awana, Takai and Wakai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 19) recommending that H.B. No. 87, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 87, 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, Takai and Wakai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 20) recommending that H.B. No. 617, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 617, entitled: "A BILL FOR AN ACT RELATING TO MASS TRANSIT ROUTE ECONOMIC ZONES," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Awana, Takai and Wakai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 21) recommending that H.B. No. 829, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 829, entitled: "A BILL FOR AN ACT RELATING TO ARMED SERVICES," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Awana, Takai and Wakai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 22) recommending that H.B. No. 800, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 800, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUSES," passed Second Reading and was referred to the Committee on Education with Representatives Awana, Takai and Wakai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 23) recommending that H.B. No. 679, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 679, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," passed Second Reading and was referred to the Committee on Finance with Representatives Awana, Takai and Wakai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 24) recommending that H.B. No. 1369, pass Second Reading and be referred to the Committee on Health.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1369, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Health with Representatives Awana, Takai and Wakai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 25) recommending that H.B. No. 50, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 50, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Takai and Wakai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 26) recommending that H.B. No. 297, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 297, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR JUVENILES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Takai and Wakai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 27) recommending that H.B. No. 1025, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1025, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Takai and Wakai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 28) recommending that H.B. No. 728, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 728, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Takai and Wakai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 29) recommending that H.B. No. 872, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 872, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL VIOLENCE AGAINST WOMEN ACT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Takai and Wakai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 30) recommending that H.B. No. 885, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 885, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Yes, Mr. Speaker. I wish to speak on Stand. Com. Report No. 30 with reservations. The reservations I have are twofold. One is that we're requesting to set some money aside from the surplus that we have, if we have any. Right now we have a deficit. I don't know if they should share in the deficit also, whatever it is.

"But, as much as we favor these children's programs, the *keiki* programs, there are so many other needs. There are needs in housing. There are the needs for the disabled. The needs for the aged. The needs for the poor, etc., that we must look at. To single out only one program to use this surplus, I believe is basically unfair to the rest of the needy that we have. I think we need to look at it in a broad prospective area, rather than just singly choose one particular item.

"Also, for the referral, I believe this also should go to Finance. Right now it only goes to Judiciary, and if it's going to be using money, it should become a financial item. That's all, Mr. Speaker. Thank you."

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

"I speak in favor of the measure. Mr. Speaker, the financial troubles facing us have highlighted the failure of our society to save and be prepared for unseen crises.

"This bill encourages the habit of saving, by establishing a custom that is very successful in Great Britain, Tahiti, and more recently in the State of Maine, where at birth, each child has established for him a savings account, with the initial deposit made from taxes collected in years of surplus. I think the financial crisis before us makes this something that we should consider very carefully. 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. 885, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO USE A PORTION OF THE GENERAL FUND BALANCE EXCESS TO FUND THE CHILD DEVELOPMENT ACCOUNT PROGRAM," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Takai and Wakai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 31) recommending that H.B. No. 1087, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1087, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF COMMUNITY SERVICES," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Awana, Takai and Wakai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 32) recommending that H.B. No. 1355, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1355, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Awana, Takai and Wakai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 33) recommending that H.B. No. 726, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 726, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Takai and Wakai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 34) recommending that H.B. No. 242, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 242, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Higher Education with Representatives Awana, Takai and Wakai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 35) recommending that H.B. No. 663, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 663, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Higher Education with Representatives Awana, Takai and Wakai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 36) recommending that H.B. No. 111, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 111, entitled: "A BILL FOR AN ACT RELATING TO STATE SALARIES," passed Second Reading and was referred to the Committee on Finance with Representatives Awana, Takai and Wakai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 37) recommending that H.B. No. 332, as amended in HD 1, pass Second Reading and be referred to the Committee on Human Services.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 332, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Human Services with Representatives Awana, Takai and Wakai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 38) recommending that H.B. No. 982, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Higher Education and the Committee on Legislative Management.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 982, HD 1, pass Second Reading and be referred jointly to the Committee on Higher Education and the Committee on Legislative Management, seconded by Representative Evans.

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

"Mr. Speaker, I rise to speak in favor of Standing Committee Report No. 38. I'd just like to express a reservation. Although I favor the use of family leave so an employee can care for a sick family member, I'm not sure this is exactly the right time for us to lower the number of employees before family leave is allowed, because our economy is very weak at this point. We have just seen two popular restaurants go out of business very recently. It's another imposition on businesses with 50 employees, and I think we should wait to make this change. 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. 982, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed Second Reading and was referred jointly to the Committee on Higher Education and the Committee on Legislative Management with Representatives Awana, Takai and Wakai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 39) recommending that H.B. No. 396, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 396, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Awana, Takai and Wakai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 40) recommending that H.B. No. 479, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 479, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Awana, Takai and Wakai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 41) recommending that H.B. No. 744, as amended in HD 1, be recommitted to the Committee on Human Services.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 744, HD 1, be recommitted to the Committee on Human Services, seconded by Representative Evans.

The Chair addressed Representative Aquino, stating:

"Representative Aquino, what is the motion before this House?"

Representative Aquino responded, stating:

"Mr. Speaker, the motion on the Floor is for House Bill No. 744, House Draft 1 to be recommitted to Human Services."

Speaker Say: "You're absolutely correct. 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. 744, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," was recommitted to the Committee on Human Services with Representatives Awana, Takai and Wakai being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering a certain House Bill for Third Reading by consent calendar. (Representatives Awana, Takai and Wakai were excused.)

THIRD READING

H.B. No. 302, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 302, 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, with Representatives Awana, Takai and Wakai being excused.

At 12:29 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 302, HD 1

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, this is the time of day when everybody's hungry, and on behalf of Representative Mizuno and Senator Sakamoto, we invite you to the Fellowship Luncheon that's going to be in about a minute in Room 437.

"It is interesting with the discussion from Representative Ching before she prayed, she talked about slavery. We're going to talk about the role of Wilberforce and the slave trade that was outlawed by his actions in the British Parliament. So come and have food and a discussion. Room 437. Thank you."

Representative C. Lee: "Thank you, Mr. Speaker. I want to echo my good colleague from Hawaii Kai's comments. Everybody is hungry this time of year, and many of us are struggling with many issues of economy, resources, programs, and budgets here in the House. But at the heart of it, what we are struggling for are really the lives of the people who we represent.

"This year there have been a growing number of laid-off employees and working families that we'll need to help, who have been having trouble getting ends to meet. And more than 131,000 individuals, including over 33,000 children have come to rely on the Hawaii Foodbank to put food on their tables this year. My office, along with the Honorable Representative from the 19th District spent this morning with delegates of the Hawaii Foodbank, and we've been moved by the growing need in our communities for this basic support. Not fancy cuisine or plate lunches even, but the need is for real food, basic resources, things that anybody needs to survive.

"This year, I'm quite honored to have been appointed as the House designee to run the Foodbank Coordinated Program. And I know each of us wants to help. The laws we make and the budgets we craft will be an important part of helping our people cope. But on a more personal level, we can all help by giving generously to the Hawaii Foodbank. And I know in years past we've had some fantastic offices put together some awesome programs, selling hot dogs and *natto* and things of that sort.

"I finally ask that we all support the Hawaii Foodbank by wearing an orange ribbon, which each of us will find on our desk today, which represents hunger awareness, and tells everybody that we will not allow our *ohana* to go hungry. So please give generously. Thank you very much, Mr. Speaker."

ADJOURNMENT

At 12:32 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 6, 2009. (Representatives Awana, Takai and Wakai were excused.)

ELEVENTH DAY

Friday, February 6, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Pono Chong, after which the Roll was called showing all Members present with the exception of Representatives Cabanilla, Ching, Takai, Takumi and Wakai, 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 MESSAGE

The following message from the Governor (Gov. Msg. No. 238) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 238, dated February 6, 2009, transmitting the Department of Accounting and General Services' Report on The Museum of Hawaiian Music and Dance Committee in accordance with Act 230/07 and as amended by Act 48/08.

INTRODUCTIONS

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

Representative Keith-Agaran introduced Mr. Keith Regan, President of the Japanese Cultural Society of Maui.

Representative Bertram introduced Ms. Annie Kemper and Ms. Ann Anusewicz, members of the Hawaii State Teachers Association, Maui Chapter, and teachers at Kihei Elementary School.

Representative McKelvey introduced Mr. Justin Hughey, a member of the Hawaii State Teachers Association, Maui Chapter, and teacher at the King Kamehameha III Elementary School.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
744, HD1	Committee on Human Services, then to the Committee on Finance
877	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 42) recommending that H.B. No. 1187, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1187, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative McKelvey 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 a no vote for her, and the Chair "so ordered."

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

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

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

"Mr. Speaker, I rise in support of this measure. I believe this is an innovative way to address our homeless population here in the islands. Forty percent of homeless are not *kama'aina*. This bill is a pilot program in an attempt to reduce the number of homeless people, and also decrease our State budget and our liability towards this type of population.

"As you know Mr. Speaker, when they enter the social services system in our State, the State liability is not anything lower than $2,000 a month. This measure, if they are to go back, and they volunteer to go back, please understand, we're not forcing anyone to go back home. It's just a voluntary program. The way the non-profits would handle it, is that it would be a discounted fare to those bulk travel agencies who cannot fill in the seats. So the fares could be as low as $200 for those that are available on that day of travel and they could travel, because they don't know when the seats are going to be available. So those people that are available that day can be all dressed and be taken to the airport and go back to their family and state of origin. So, considering that the State liability for these people is not anything lower than $2,000 a month, a one-way ticket to the place they want to go, I believe is much lower than the $2,000.

"Granted that there are concerns that this matter can be abused. But I think, and I believe with those people that are allocating these tickets, that they know the difference if they're being taken advantage of or not. So, those are my arguments, Mr. Speaker, and I believe this measure is not just to benefit the State budget, but also, it's known that the people when they go back to their families, that they're better taken care of. Thank you, Mr. Speaker."

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

"Mr. Speaker, I'm standing with reservations. I understand the Chair's intent and I support the intent as this measure moves forward. I just have concerns that we may be displacing some of our needy, and they might need adequate mental health issues, other health issues addressed before we ship them off to be somebody else's responsibility. Thank you."

Representative Morita 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. 1187, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," passed Second Reading and was referred to the Committee on Judiciary with Representative Thielen voting no, and with Representatives Takai, Takumi and Wakai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 43) recommending that H.B. No. 1692, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1692, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Yes, Mr. Speaker. I rise to vote in support, but with some reservations on this measure, Stand. Com. No. 43, House Bill 1692. Basically what this bill does, is it prohibits certain people from living in an affordable housing facility for more than 5 years. I completely understand the intent, because we do have a two-year backlog for a lot of our housing in the State, for affordable housing. But I think perhaps what we should concentrate more on, is why are some of them staying so long.

"I do want to reveal a conflict. I do work for a homeless shelter which also deals with affordable housing," and the Chair ruled, "no conflict."

Representative Pine continued, stating:

"With my experiences in this area, I found that some programs have very comprehensive programs. As soon as they enter an affordable housing facility, or a homeless shelter, they are immediately evaluated. Why are you in this situation? Is it for mental reasons? Is it for health reasons? Or is it just that you lack some of the education or training that will allow you to perhaps move forward in life, get a higher paying job? And sometimes it's just a simple fact of having certain programs and classes that you need to take to advance you and your family to the next level; to get out of the affordable housing situation.

"So I don't know if it's so much that we should emphasize so much on the time factor. We should perhaps have more reevaluations as people do succeed. There have been some cases, and I understand that that's why this bill was put forth, where people don't qualify for affordable housing anymore, because they are more successful and they're using their spot where someone that's more disadvantaged than them should be in that spot instead. So perhaps we should focus more on more programs that would teach them to get out of their situation and move on so that others can replace them, as well as reevaluate their economic status instead."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1692, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takumi and Wakai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 44) recommending that H.B. No. 357, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 357, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Takai, Takumi and Wakai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 45) recommending that H.B. No. 77, pass Second Reading and be referred jointly to the Committee on Housing and the Committee on Health.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 77, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred jointly to the Committee on Housing and the Committee on Health with Representatives Takai, Takumi and Wakai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 46) recommending that H.B. No. 981, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 981, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takumi and Wakai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 47) recommending that H.B. No. 1037, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1037, entitled: "A BILL FOR AN ACT RELATING TO CIVIL ACTIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takumi and Wakai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 48) recommending that H.B. No. 145, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 145, 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 Takai, Takumi and Wakai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 49) recommending that H.B. No. 702, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 702, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Takai, Takumi and Wakai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 50) recommending that H.B. No. 687, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 687, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Takai, Takumi and Wakai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 51) recommending that H.B. No. 699, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No.

699, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Takai, Takumi and Wakai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 52) recommending that H.B. No. 343, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 343, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RURAL PRIMARY HEALTH CARE TRAINING," passed Second Reading and was referred to the Committee on Higher Education with Representatives Takai, Takumi and Wakai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 53) recommending that H.B. No. 691, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 691, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN SHORTAGES," passed Second Reading and was referred to the Committee on Higher Education with Representatives Takai, Takumi and Wakai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 54) recommending that H.B. No. 329, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 329, HD 1, pass Second Reading and be referred to the Committee on Education, seconded by Representative Evans.

Representative Finnegan 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 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 M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of HB329 HD1. This bill would require the State to reject all Title V federal funding.

"Title V funding requires grantees to teach sexual education in a manner that emphasizes abstinence only until marriage. Grantees are prohibited by law from providing information about the health benefits of condoms and birth control in protecting unwanted pregnancy, sexually transmitted diseases, and human immunodeficiency viruses.

"In 2007 a study commissioned by Congress and done by Mathematica Policy, studied two thousand children that found that teaching abstinence does not keep teenagers from having sex, nor does it increase the likelihood that they will use contraception if they do.

"Another study done in 2003 showed that over eighty per cent of the curricula used by Special Programs of Regional and National Significance Community-Based Abstinence Education grantees contained false, misleading or distorted information. It is in the best interest of Hawaii's youth to obtain accurate information with which they can make educated decisions.

"This bill should go forward so the discussion can continue."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 329, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Education with Representative Finnegan voting no, and with Representatives Takai, Takumi and Wakai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 55) recommending that H.B. No. 330, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 330, HD 1, pass Second Reading and be referred to the Committee on Education, seconded by Representative Evans.

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

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

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of HB330 HD1. This bill would require that any recipient of state funding that provides sexuality health education to provide medically accurate, factual, and comprehensive information that is age appropriate and includes education on abstinence and contraception.

"Between 2005 and 2006, teen pregnancies in Hawaii have actually spiked by 12%. It is not certain what the cause is. However, national studies have shown abstinence only education to be ineffective in this regard.

"Mr. Speaker, I believe youth should be provided with factual, accurate information so they can make responsible decisions to protect themselves against unwanted pregnancy and sexually transmitted diseases. Giving our youth the opportunity to receive a comprehensive sexual education would do just that. Therefore, the State should only fund programs that provide comprehensive sexual education."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 330, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE SEXUALITY HEALTH EDUCATION," passed Second Reading and was referred to the Committee on Education with Representative Finnegan voting no, and with Representatives Takai, Takumi and Wakai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 56) recommending that H.B. No. 230, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 230, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR PERSONS WITH DISABILITIES," passed Second Reading and was referred to the Committee on Transportation with Representatives Takai, Takumi and Wakai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 57) recommending that H.B. No. 808, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 808, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Takai, Takumi and Wakai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 58) recommending that H.B. No. 690, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 690, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Mr. Speaker. On Stand. Com. Report No. 58, with reservations. This would offer the ability to buy health insurance for employees who work at least 15 to 19 hours a week. And, if they're willing to pay for it, it should be okay, but I think we should be aware that this will create a lot of administrative work for the employer. It might be a for-profit business or a non-profit, and it doesn't spell out how long these people are employed.

"A lot of people are seasonal workers, construction workers, Christmas-time workers, or any short-time workers. So, it might be very onerous to have people coming on and off the health insurance rolls, if they're only employed for a few weeks at time. 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. 690, 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 Takai, Takumi and Wakai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 59) recommending that H.B. No. 814, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 814, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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:

"I stand in support of HB 814, HD1, as this measure advocates for Continuing Education training requirements for the recertification of Hawaii's Certified Nursing Assistants.

"This clarification in statute and requirement will assure consumer safety and keep our Certified Nursing Assistants with up to date professional standards of 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. 814, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Takai, Takumi and Wakai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 60) recommending that H.B. No. 327, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 327, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takumi and Wakai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 61) recommending that H.B. No. 1526, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1526, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Takai, Takumi and Wakai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 62) recommending that H.B. No. 991, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 991, 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 Takai, Takumi and Wakai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 63) recommending that H.B. No. 384, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 384, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Takai, Takumi and Wakai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 64) recommending that H.B. No. 1033, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1033, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takumi and Wakai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 65) recommending that H.B. No. 1050, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1050, 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 Takai, Takumi and Wakai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 66) recommending that H.B. No. 371, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No.

371, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Takai, Takumi and Wakai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 67) recommending that H.B. No. 429, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 429, HD 1, 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 Takai, Takumi and Wakai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 68) recommending that H.B. No. 986, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 986, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," passed Second Reading and was referred to the Committee on Education with Representatives Takai, Takumi and Wakai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 69) recommending that H.B. No. 1116, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1116, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Takai, Takumi and Wakai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 70) recommending that H.B. No. 1843, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1843, 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 Takai, Takumi and Wakai being excused.

Representatives Morita and Cabanilla, for the Committee on Energy & Environmental Protection and the Committee on Housing presented a report (Stand. Com. Rep. No. 71) recommending that H.B. No. 1464, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1464, 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 Takai, Takumi and Wakai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 72) recommending that H.B. No. 1660, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1660, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIANS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takumi and Wakai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 73) recommending that H.B. No. 1667, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1667, entitled: "A BILL FOR AN ACT RELATING TO CEDED LANDS," passed Second Reading and was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary with Representatives Takai, Takumi and Wakai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 74) recommending that H.B. No. 902, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 902, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed Second Reading and was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary with Representatives Takai, Takumi and Wakai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 75) recommending that H.B. No. 1841, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1841, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LANDS TRUST," passed Second Reading and was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary with Representatives Takai, Takumi and Wakai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 76) recommending that H.B. No. 1805, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1805, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed Second Reading and was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary with Representatives Takai, Takumi and Wakai being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 77) recommending that H.B. No. 431, as amended in HD 1, pass Second Reading and be referred to the Committee on Housing.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 431, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," passed Second Reading and was referred to the Committee on Housing with Representatives Takai, Takumi and Wakai being excused.

ANNOUNCEMENTS

Representative Carroll: "Thank you, Mr. Speaker. I have an announcement that the Committee on Hawaiian Affairs will be holding an informational briefing on Saturday, on the Island of Molokai at Halau

Kulana O'iwi at 11 a.m. Also on Monday, on the Island of Maui, at the Paukukalo Community Center. It is to hear from the Office of Hawaiian Affairs regarding House Bill 901. Thank you."

Representative Evans: "Mr. Speaker, I'd like to announce that on Saturday morning, at 9 a.m., we will be holding the vog hearings. The Vog Package bills will be heard, and our esteemed colleague from the Volcano area worked on a Vog Sub-Committee this summer and generated a lot of bills. We will have, I think, five or six Committees meeting. I just want to announce to everyone that this is a very important issue and it's being held tomorrow at the Capitol. Thank you."

ADJOURNMENT

At 12:23 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, February 9, 2009. (Representatives Takai, Takumi and Wakai were excused.)

TWELFTH DAY

Monday, February 9, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:06 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Pastor Peter Kamakawiwoole of Kalihi Union Church, after which the Roll was called showing all Members present with the exception of Representatives Carroll, Chang and Takai, 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. 239 and 240) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 239, dated February 2, 2009, transmitting the Hawaii Housing Finance & Development Corporation 2008 Annual Report.

Gov. Msg. No. 240, dated February 6, 2009, transmitting the Annual Report as required by Act 100, Session Laws of Hawaii 1999.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 55) was received by the Clerk and was placed on file:

Dept. Com. No. 55, dated February 6, 2009, from Patricia Hamamoto, Superintendent, State of Hawaii Department of Education, transmitting the 2008 Superintendent's Nineteenth Annual Report, providing summary information and accomplishments on Hawaii's public education system for the school year 2007-2008.

INTRODUCTION

The following introduction was made to the Members of the House:

Representative Mizuno introduced students, teachers, parents and members of the Christian Homeschoolers of Hawaii: Pastor Peter Kamakawiwoole, Vice-President and his wife, Mrs. Rhonda Kamakawiwoole; and Mrs. Lora Burbage, board member.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
242	Committee on Agriculture, then to the Committee on Finance
268	Committee on Judiciary, then to the Committee on Finance
269	Committee on Judiciary, then to the Committee on Finance
452, HD1	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
663	Committee on Agriculture, then to the Committee on Finance
694	Committee on Finance
901	Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, then to the Committee on Finance
1231	Committee on Finance

STANDING COMMITTEE REPORTS

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 78) recommending that H.B. No. 272, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 272, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGISTERED AGENTS ACT," passed Second Reading and was referred to the Committee on Finance with Representatives Carroll, Chang and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 79) recommending that H.B. No. 155, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 155, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFANT AND TODDLER CHILD CARE CENTERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Carroll, Chang and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 80) recommending that H.B. No. 625, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 625, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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. At the Legal Aid Society, I am a Board director and they are one of the potential recipients under this bill," and the Chair ruled, "no conflict."

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"I also would like to get a ruling on a potential conflict. I do practice law and I would be one of the people who would be filing lawsuits and being charged an additional surcharge under Standing Committee Report No. 80," and the Chair ruled, "no conflict."

Representative Shimabukuro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I also would like to declare a potential conflict. I work for the Legal Aid Society of Hawaii in Waianae," and the Chair ruled, "no conflict."

The motion was out to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 625, 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 Carroll, Chang and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 81) recommending that H.B. No. 472, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 472, HD 1, pass Second Reading and be referred to the Committee on Transportation, seconded by Representative Evans.

Representative Cabanilla rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I would like to get a ruling on Stand. Com. Rep. No. 81, regarding the veterans, and I also want to give a few comments in support. I'm also a veteran, Mr. Speaker and I would like a ruling on a potential conflict," and the Chair ruled, "no conflict."

Representative Cabanilla continued, stating:

"Last Session, Mr. Speaker, we passed a bill that would exempt the Reservists and National Guard members from this weight tax, and as a result of that, the veterans want this same provision. I feel that it's also fair for them to have it. That's my statement in support for 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. 472, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE VEHICLE WEIGHT TAX," passed Second Reading and was referred to the Committee on Transportation with Representatives Carroll, Chang and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 82) recommending that H.B. No. 553, as amended in HD 1, pass Second Reading and be referred to the Committee on Health.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 553, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ENTERPRISE ZONES," passed Second Reading and was referred to the Committee on Health with Representatives Carroll, Chang and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 83) recommending that H.B. No. 651, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 651, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Carroll, Chang and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 84) recommending that H.B. No. 657, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 657, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS SCHOLARSHIP PROGRAM," passed Second Reading and was referred to the Committee on Higher Education with Representatives Carroll, Chang and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 85) recommending that H.B. No. 1603, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1603, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII'S ECONOMY," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Carroll, Chang and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 86) recommending that H.B. No. 1622, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1622, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD," passed Second Reading and was referred to the Committee on Judiciary with Representatives Carroll, Chang and Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 87) recommending that H.B. No. 1057, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1057, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII COLLEGE SAVINGS PROGRAM," passed Second Reading and was referred to the Committee on Finance with Representatives Carroll, Chang and Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 88) recommending that H.B. No. 1546, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1546, 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 Carroll, Chang and Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 89) recommending that H.B. No. 1617, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1617, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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. 1617, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII AT HILO," passed Second Reading and was referred to the Committee on Finance with Representatives Carroll, Chang and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 90) recommending that H.B. No. 628, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 628, entitled: "A BILL FOR AN ACT RELATING TO INTERGOVERNMENTAL MOVEMENTS," passed Second Reading and

was referred to the Committee on Finance with Representatives Carroll, Chang and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 91) recommending that H.B. No. 629, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 629, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR COMMISSION EMPLOYEES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Carroll, Chang and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 92) recommending that H.B. No. 643, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 643, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Carroll, Chang and Takai being excused.

Representatives Hanohano and Morita, for the Committee on Public Safety and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 93) recommending that H.B. No. 1051, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1051, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EMERGENCY PREPAREDNESS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Carroll, Chang and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 94) recommending that H.B. No. 270, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 270, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Carroll, Chang and Takai being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 95) recommending that H.B. No. 1031, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1031, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 480, HAWAII REVISED STATUTES," passed Second Reading and was referred to the Committee on Finance with Representatives Carroll, Chang and Takai being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 96) recommending that H.B. No. 311, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 311, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Second Reading and was referred to the Committee on Finance with Representatives Carroll, Chang and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 97) recommending that H.B. No. 62, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 62, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC COURT RECORDS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Carroll, Chang and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 98) recommending that H.B. No. 1168, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1168, entitled: "A BILL FOR AN ACT RELATING TO AIRPORTS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Carroll, Chang and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 99) recommending that H.B. No. 1518, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1518, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Mr. Speaker, I'm rising to speak against House Bill 1518, which is the motor vehicle towing-charge increase bill. Thank you. Mr. Speaker, this is Standing Committee Report No. 99. What this bill does, is it will now allow tow companies to pass on the General Excise Tax. At least on Oahu, that's 4.5 percent to anyone who has had a car towed. It's another way of increasing what people have to pay in the event that they are unfortunate enough to have a car towed away.

"Last Session, Mr. Speaker, I talked about some of the tow companies that were 'fishing', and they were going around and waiting for people to maybe leave their car briefly, run in to do something, and come back out. But they were not called to come and move their car. They were driving around to areas where they knew that they could nab one and pull it away.

"I don't like to keep encouraging those tow companies by increasing the money that they're going to be able to retain, and I believe I will hear back from the Chair of Transportation in rebuttal to what I'm saying. 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 Cabanilla 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. 1518, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Cabanilla and Thielen voting no, and with Representatives Carroll, Chang and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 100) recommending that H.B. No. 877, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No.

877, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF CRIMINAL OFFENDERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Carroll, Chang and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 101) recommending that H.B. No. 983, pass Second Reading and be referred to the Committee on Education.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 983, pass Second Reading and be referred to the Committee on Education, seconded by Representative Evans.

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

"Mr. Speaker, on Stand. Com. Rep. No. 101, in support. I just wanted to say that I had recently received a letter from the Director of Health, Dr. Chiyomi Fukino, on behalf of the Hawaii Health Initiative. And in this letter, there is support for the recommendations made in this bill; particularly those for a state-wide travel mode evaluation, and many grants for schools, safe-routes to school workshops. And I would like permission to insert this letter into the record. Thank you," and the Chair "so ordered."

Representative M. Lee submitted the following letter from the Department of Health:

LINDA LINGLE
GOVERNOR OF HAWAII

CHIYOME L. FUKINO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

February 4, 2009

The Honorable Marilyn Lee
38th Representative District
Hawaii State Capitol, Room 421
415 South Beretania Street
Honolulu, HI 96813

Dear Representative Lee:

The Department of Health, Healthy Hawaii Initiative would like to thank you for your participation in the recent Policy Makers Breakfast. We hope that the presentation provided you with insightful information on the Healthy Hawaii Initiative and their efforts in the promotion of active living communities.

Knowing that policy changes can have the greatest population-based impact, three policy opportunities were highlighted during the presentation. The following is a summary of the recommendations discussed at the breakfast.

- **Adopt a Statewide Complete Streets Policy**
  Complete streets provides an opportunity to plan and design for all modes of transportation i.e. vehicles, bikes, pedestrians and transit. Anytime a street is built, retrofitted, or repaired all modes of transportation would need to be accommodated. The adoption of a complete streets policy provides the opportunity for people of all ages and abilities to travel safely within the public right of way.

  A Complete Streets policy could contain the following recommendations:
  - Tie receipt of state DOT funds to "completeness" – requiring projects to address all four modes of transportation
  - Require accommodations for all modes (pedestrians, bicycles, transit and motor vehicles) all the time
  - Determine a process for exemptions and provide a detailed description of those exemptions. Projects may, on occasion, be unable to accommodate all modes and considerations for this should be made.
  - Identify topical areas for professional development of state, county, city, and private engineers and planners and provide funding to support the delivery of training
  - Recognize and reward efforts to retrofit areas to accommodate all modes of travel

Representative Marilyn Lee
February 4, 2009
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- **Support Safe Routes to School Programs**
  Safe Routes to School programs encourage and enable more children to safely walk and bike to school. National programs have provided increased opportunities for physical activity and have helped to alleviate traffic congestion and motor vehicle emissions around schools.

  Safe Routes to School Policy Recommendations
  - Conduct a Statewide travel mode evaluation
    - Identify where children live, what travel mode they use, travel time and reason for their choice
  - Provide mini grants for school SRTS workshops
    - Train an in-state SRTS facilitation team
    - Provide small grants for school workshops ($500 - $1000) that encourage planning for the development of a SRTS program or application for SRTS funding

- **Modify/Create Laws & Zoning Ordinances that support Active Living**
  Institutionalize the details of active living designs into the zoning, ordinances, subdivision rules and regulations and provide for mixed use developments.

  Planning & Zoning Policy Recommendations
  State level enabling legislation:
  - Draft explicit language requiring multiple modes of transportation (walk, bike, transit, vehicle)
  - Conduct transportation analyses & appropriate impact mitigation
  - Provide guidance and incentives for more mixed-use developments and protection of open space

To view the complete "Creating More Livable, Active, Healthy Communities" presentation, go to www.healthyhawaii.com, click on "Training" and then the "Presentation for Policy Makers".

Enclosed please find the 2009 Legislative Report summarizing the Healthy Hawaii Initiative's activities. The report provides information on HHI according to the subject areas listed in the survey.

We are excited about the positive response and willingness of Hawaii's elected officials to move forward with these policy ideas. We encourage you to please contact Lola Irvin, DOH, Healthy Hawaii Initiative, at 808-586-4481 or lola.irvin@doh.hawaii.gov if you would like more information or are interested working on these health related issues.

Sincerely,

Chiyome Leinaala Fukino, M.D.
Director of Health

Enclosure

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

"Yes, Mr. Speaker. If I may just add to the support for Stand. Com. Rep. No. 101. And just to say thanks to the Representative for taking the lead in really pushing the Safe Routes to School Program. It's something that has been five years in the making for Hawaii. We're behind the mainland. And there's $5 million so far, racking up towards creating these programs, and has yet to be released.

"So, she's really taking a bold step in really finding a very creative way of getting these funds to the schools and to the communities to create these safe routes to schools so people are walking and biking at a very early age, and that becomes a lifetime thing. I'm really appreciative for the effort. 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. 983, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Education with Representatives Carroll, Chang and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 102) recommending that H.B. No. 1406, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1406, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICES AND THE STATE HOMELESS PROGRAMS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Carroll, Chang and Takai being excused.

Representatives Morita and McKelvey, for the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization,

Business, & Military Affairs presented a report (Stand. Com. Rep. No. 103) recommending that H.B. No. 1809, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1809, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Carroll, Chang and Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 104) recommending that H.B. No. 1271, as amended in HD 1, pass Second Reading and be referred to the Committee on Agriculture.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1271, HD 1, pass Second Reading and be referred to the Committee on Agriculture, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. In opposition, and I appreciate the amendments that the Chair of the EEP has made, but the farm organization in Ka'u is very strongly against 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. 1271, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading and was referred to the Committee on Agriculture with Representative Herkes voting no, and with Representatives Carroll, Chang and Takai being excused.

ADJOURNMENT

At 12:22 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, February 10, 2009. (Representatives Carroll, Chang and Takai were excused.)

THIRTEENTH DAY

Tuesday, February 10, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:03 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Kahu Curt Kekuna of Kawaiaha'o Church, after which the Roll was called showing all Members present with the exception of Representative Takai, who was excused.

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

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referral
343, HD1	Committee on Health, then to the Committee on Finance
587	Committee on Judiciary
806	Committee on Judiciary
1379	Committee on Judiciary, then to the Committee on Finance
1538	Jointly to the Committee on Health and the Committee on Education, then to the Committee on Finance
1607	Committee on Finance
1812	Committee on Health, then to the Committee on Judiciary
1814	Committee on Health, then to the Committee on Labor & Public Employment

STANDING COMMITTEE REPORTS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 105) recommending that H.B. No. 1414, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1414, entitled: "A BILL FOR AN ACT RELATING TO METAL," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 106) recommending that H.B. No. 566, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 566, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 107) recommending that H.B. No. 1440, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1440, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 108) recommending that H.B. No. 196, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 196, entitled: "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 109) recommending that H.B. No. 720, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 720, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representative Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 110) recommending that H.B. No. 1427, 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 B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1427, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 111) recommending that H.B. No. 1428, 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 B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1428, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Takai being excused.

Representatives McKelvey and Tsuji, for the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 112) recommending that H.B. No. 1682, as amended in HD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1682, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," passed Second Reading and was referred to the Committee on Energy & Environmental Protection, with Representative Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 113) recommending that H.B. No. 11, as

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

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 11, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 114) recommending that H.B. No. 13, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 13, entitled: "A BILL FOR AN ACT RELATING TO BOARD OF EDUCATION MEETINGS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 115) recommending that H.B. No. 173, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 173, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL MEALS," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 116) recommending that H.B. No. 179, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 179, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FACILITIES," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 117) recommending that H.B. No. 180, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 180, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 118) recommending that H.B. No. 181, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 181, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL GRANTS REVOLVING FUND," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 119) recommending that H.B. No. 395, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 395, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 120) recommending that H.B. No. 174, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 174, entitled: "A BILL FOR AN ACT RELATING TO SALARY RANGES FOR TEACHERS," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 121) recommending that H.B. No. 175, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 175, entitled: "A BILL FOR AN ACT RELATING TO SALARY INCREASES FOR TEACHERS AND EDUCATIONAL OFFICERS," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 122) recommending that H.B. No. 177, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 177, entitled: "A BILL FOR AN ACT RELATING TO CAUSES FOR DISCHARGE OR DEMOTION OF TEACHERS," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 123) recommending that H.B. No. 178, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 178, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 124) recommending that H.B. No. 183, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 183, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 125) recommending that H.B. No. 541, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 541, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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. 541, entitled: "A BILL FOR

AN ACT RELATING TO CIVIL SERVICE PERSONNEL," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 126) recommending that H.B. No. 938, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 938, entitled: "A BILL FOR AN ACT RELATING TO CAFETERIA WORKERS," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 127) recommending that H.B. No. 184, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 184, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER EDUCATION COORDINATING COMMITTEE," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 128) recommending that H.B. No. 428, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 428, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 129) recommending that H.B. No. 370, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 370, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 130) recommending that H.B. No. 1016, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1016, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I request a ruling on a possible conflict. One of the appropriations in this bill would pay a judgment obtained by my law firm. Thank you," and the Chair ruled, "no conflict."

Representative Belatti rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I am rising for the same reason. I might have a conflict with one of the claims in this. 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. 1016, 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 Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 131) recommending that H.B. No. 295, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 295, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVOCATION," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 132) recommending that H.B. No. 758, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 758, entitled: "A BILL FOR AN ACT RELATING TO IMPOUNDMENT OF VEHICLES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 133) recommending that H.B. No. 923, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 923, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 134) recommending that H.B. No. 1435, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1435, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE GIVING CAMPAIGN," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 135) recommending that H.B. No. 1788, as amended in HD 1, pass Second Reading and be referred to the Committee on Public Safety.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1788, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was referred to the Committee on Public Safety, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 136) recommending that H.B. No. 600, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 600, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 137) recommending that H.B. No. 1094, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1094, entitled: "A BILL FOR AN ACT RELATING TO PERMANENCY HEARINGS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 138) recommending that H.B. No. 873, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 873, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 139) recommending that H.B. No. 333, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 333, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 140) recommending that H.B. No. 1434, pass Second Reading and be referred jointly to the Committee on Education and the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1434, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred jointly to the Committee on Education and the Committee on Higher Education, with Representative Takai being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 141) recommending that H.B. No. 855, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 855, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF FINANCIAL INTERESTS DISCLOSURE STATEMENTS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 142) recommending that H.B. No. 319, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 319, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs, seconded by Representative Evans.

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. 319, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs, with Representative Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 143) recommending that H.B. No. 952, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 952, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs, seconded by Representative Evans.

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 952, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Ching, Finnegan, Marumoto, Thielen and Ward voting no, and with Representative Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 144) recommending that H.B. No. 849, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 849, 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 Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 145) recommending that H.B. No. 850, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 850, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 146) recommending that H.B. No. 290, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 290, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE JUDICIAL SELECTION COMMISSION,"

passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 147) recommending that H.B. No. 1567, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1567, entitled: "A BILL FOR AN ACT RELATING TO SKILLED NURSING FACILITIES," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs, with Representative Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 148) recommending that H.B. No. 707, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 707, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE AUDITOR," passed Second Reading and was referred to the Committee on Legislative Management, with Representative Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 149) recommending that H.B. No. 1525, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 1525, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Thank you very much, Mr. Speaker. I'd like to speak in strong support of Stand. Com. No. 149. Mr. Speaker, I want to speak in strong support of House Bill 1525, which relates to the awarding of Medicaid contracts by the Department of Human Services to non-profit insurance entities. As the introducer of a related bill, I speak with great concern on behalf of my many Waianae Coast constituents, whose health and well-being have long depended on services offered by a non-profit health center through a locally owned non-profit insurance plan.

"When the bill was heard by our Committees on Human Services and Health, they received strong and supportive testimony from community-oriented agencies and individuals. Opposing testimony came, as would be expected, from for-profit entities beholden to their stockholders. Objections to the bill also came from State agencies expressing concern that it would stifle competition and deny competitors, quote "a level playing field."

"While the concept of a level playing field is in theory a noble idea, these public sector testifiers may not be aware of the slanted, obstacle-strung terrain on which some of our local competitors were made to play in the recent QExA process. For example, Aloha Care, the local non-profit that has regularly under-bid other plans and given back to the community in countless ways, submitted a bid to DHS for the QExA Program. Their bid was returned unopened. So much for level playing fields.

"I believe there is room in Hawaii's healthcare arena for providers and health plans of every description, non-profit and for-profit alike. I'm not against competition, nor are the responsible leaders for non-profits, with whom I am acquainted. I say bring on the competition, but let's make sure it's fair. I urge my colleagues to move this bill along to allow for further discussion. And I have additional written comments," and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"Mr. Speaker, I rise to speak in strong support of HB 1525, which relates to the awarding of Medicaid contracts by the Department of Human Services to non-profit insurance entities. As the introducer of a related bill, I speak with great concern on behalf of my many Wai'anae Coast constituents whose health and well-being have long depended on services offered by a non-profit health center through a locally-owned non-profit insurance plan.

"The Wai'anae Coast Comprehensive Health Center - along with other community health centers in low-income areas throughout the State - has a proven track record in serving its 12,000 Medicaid patients; 1,500 of these are in the Aged, Blind & Disabled (ABD) category which is now covered under the State's new managed care program, QUEST Expanded Access (QExA). With the awarding of contracts to two for-profit companies - relatively unknown in Hawaii and with questionable performance nationally - to provide Medicaid coverage to this special population, I am deeply troubled. I fear that my constituents will lose the personal and culturally sensitive care they have become accustomed to; and I have a greater fear that in this current economic crisis some will be left with no healthcare at all.

"When the bill was heard by our Committees on Human Services and Health, it received strong and supportive testimony from community-oriented agencies and individuals. Opposing testimony came, as would be expected, from for-profit entities beholden to their stockholders. Objections to the bill also came from State agencies, expressing concern that it would stifle competition and deny competitors a "level playing field."

"While the concept of level playing fields is in theory a noble ideal, these public-sector testifiers may not be aware of the slanted, obstacle-strewn terrain on which some of our local competitors were made to play in the recent QExA bid process. For example, AlohaCare - the local non-profit that has regularly underbid other plans and given back to the community in countless ways - submitted a bid to DHS for the QExA program. Their bid was returned unopened. So much for level playing fields!

"I believe there is room in Hawaii's healthcare arena for providers and health plans of every description - non-profit and for-profit alike. I am not against competition, nor are the responsible leaders of non-profits with whom I am acquainted. I say, bring on the competition … but let's make sure it's fair!

"I urge my colleagues to move this bill along to allow for further discussion."

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. At my law firm, I believe that they're representing one of the bidders that won the award. But I am not involved in that case. Thank you," and the Chair ruled, "no conflict."

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

"Thank you. In strong support and may I have the words of the Representative from Waianae entered 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 Committees was adopted and H.B. No. 1525, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 150) recommending that H.B. No. 1102, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1102, entitled: "A BILL FOR AN ACT RELATING TO RECORD CHECKS FOR THE OFFICE OF YOUTH SERVICES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 151) recommending that H.B. No. 1130, 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 B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1130, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOILER AND ELEVATOR SAFETY LAW," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 152) recommending that H.B. No. 442, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 442, 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 Takai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 153) recommending that H.B. No. 237, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 237, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MACADAMIA NUTS," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

At this time, the Chair addressed the body, stating:

"At this time, Members of the House, the Chair would like to beg your indulgence since these measures are going to be placed on the calendar for Third Reading. So I believe the discussion or debate should occur on Third Reading, rather than on Second Reading at this time. With your indulgence, is that okay for all of you? Is there any discussion?"

Representative Ward rose stating:

"Mr. Speaker, I would like to say a few words, please."

Speaker Say: "You would like to say a few words on Second Reading? And then for Third Reading, whatever you state will not be a part of that?"

Representative Ward: "Exactly. I won't repeat it."

Speaker Say: "Members, these are measures that are passing Second Reading and being placed on the calendar for Third Reading. The Chair is requesting, with your indulgence, that we have the discussion more on Third Reading rather than Second Reading. But Representative Ward has decided that he would like to speak on Second Reading, and the Chair will allow him to do so."

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 154) recommending that H.B. No. 615, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 615, 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 Awana, Mizuno and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 155) recommending that H.B. No. 622, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 622, 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 Awana, Mizuno and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 156) recommending that H.B. No. 293, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 293, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTIVE PROCEEDINGS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Awana, Mizuno and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 157) recommending that H.B. No. 444, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 444, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker for your indulgence. Thank you colleagues for allowing me to speak on an issue that is so macro, so structural that I think speaking not against it, as I rise against H.B. 444, I would be remiss in making an important footnote.

"Mr. Speaker, in rising in opposition, I say the following. As Americans, we love freedom, we love democracy, and we love equality. Of these three values of freedom, democracy, and equality, equality stands out today because of the almost sacred place it has in the two corollaries of equality of the law, and equality of opportunity.

"Even though our democracy has not always got right, it's always been self-correcting. And Mr. Speaker, that's the beauty of H.B. 444. It's correcting the past denial of rights, by extending the legal benefits of marriage to same-sex couples. I don't have a problem with this. Mr. Speaker, what I feel we've erred in, however, is the assuming that conferring the rights of same-sex couples will end at civil unions.

"If we listen to the Democratic Party GLBT Caucus, it was made pretty clear in the newspapers, even before we took Session, that this was going to be the Session that strides towards marriage could be made, and we could put marriage back on the legislative map. This combined with the statements of the Majority Leader from Aiea, in the *Advertiser* following last Thursday's vote of 12 to 0 in the Judiciary Committee that quote, "passage of H.B. 444 was just one small step." These statements clearly indicate that this bill is not an end in itself. It is a means to an end of same-sex marriage, not a bundle of rights for the same equal status with marriage.

"If this is not the goal, Mr. Speaker, I stand corrected. But if it is the goal, why are we pretending that it isn't? That's the basic question of my comments. Why are we pretending that what follows will not be re-living of the culture wars that we had back in 1998? Why are we pretending that we will not anger and frustrate the communities of Faith?

"For example, Mr. Speaker, the 4,000 member Muslim community, for the first time ever, weighed in on this bill. Even though it was in writing, they said they are entirely opposed to civil unions, same-sex marriage, etc. And Mr. Speaker, what about the 250,000 Catholics that were represented with the Hawaii Family Forum? The 100,000 Protestants? And the countless numbers of Mormons, who upon the knowledge of this bill being passed, will again start up these culture wars that we went through ten years ago.

"And Mr. Speaker, the bill we pass today will say to our constituents, or, do we say to our constituents, 'Oh this bill is just about legal rights and has nothing to do with same-sex marriage.' I would contend we're setting ourselves up for a fall, Mr. Speaker. I don't want to be the one who says, 'I voted for the bill before I voted against it,' because the issue will be coming back to us. And when it comes back, you will need only a bit of a tweaking in its title, and bingo, we've got same-sex marriage.

"So let's stop pretending that the issue will be resolved today, because I know, you know, and everybody in this Chamber knows that this is just round one. The fact of the matter is, we are not voting for civil unions with this bill, we are voting for same-sex marriage. I'm voting 'no' on this bill for the same reason that the Chair of EEP refused last week in a hearing to not even be able to study nuclear energy development for electricity, fearing even a study could lead to the nuclearization of Hawaii."

Representative Evans rose to a point of order, stating:

"Mr. Speaker, the speaker has been talking about this bill, and now he is referring to something done by another Committee Chair. I would think that's inappropriate."

The Chair addressed Representative Ward, stating:

"Representative Ward, would you confine your remarks to the bill before us, and not the process?"

Representative Ward: "I want the people to understand, Mr. Speaker…"

Speaker Say: "…but not the process, Representative Ward."

Representative Ward: "I want the people to understand, Mr. Speaker that sometimes, it's not what's in front of us, it's what's behind the bill that is …"

Speaker Say: "Representative Ward, please continue on with your remarks."

Representative Ward: "Okay, I won't give the example where the Chair of Judiciary wouldn't hear the bill about the definition of a fetus, because it might …"

Speaker Say: "Representative Ward, could you confine your words?"

Representative Ward: "Okay, let me continue with the heart of the issue. My point is, Mr. Speaker, bills are rejected because the Chairs know what is behind them, and with H.B. 444, we too have to know what is behind the bill."

Speaker Say: "Representative Ward, you may be inferring something that may be incorrect at this point, as far as what the Chairs decide to do on measures. Please proceed with your statement."

Representative Ward continued, stating:

"So, the bottom line, Mr. Speaker, is let's not be naïve about this. Let's give rights, but let's not give away marriage. The majority of the people have already spoken about marriage. Seventy percent clearly indicated in 1998, that they do not want same-sex marriage. And parenthetically, Mr. Speaker, neither does our new President, Obama, want same-sex marriage.

"But if this Body does want same-sex marriage, let's do the right thing and take it to the people of Hawaii, and let it go to a vote. The people deserve a say in this process, which I started out saying, if it's so macro, so structural, everybody should be able to weigh in on it.

"So lastly, Mr. Speaker, I am ready to admit I am wrong, if this bill passes and stops at civil unions. But, perhaps the Majority Leader would like to respond to assure us that his goal, and the ultimate goal of this piece of legislation is not same-sex marriage. And if the goal is same-sex marriage, that he would admit openly and honestly that that is the case.

"Again, I don't have a problem with civil unions. I have a problem with same-sex marriage, like the rest of the majority in this State, and possibly a majority in this Chamber. Again, the bottom line is, let's give rights, but let's not give away marriage. Mr. Speaker, I yield to the Majority Leader if he'd care to respond. Thank you."

The Chair addressed the Body, stating:

"Is there any other discussion, Members of the House? The Chair has requested to the Members that we take this up on Third Reading, but if you would like to make your statement now, that will be incorporated into your statement on Third Reading."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, just very briefly, I'd just like to respond and clarify, since I think some of the statements were directed at me. So if you don't mind, I'd like to take this moment to state my reasons in support, and I think that's the problem when you read things out of context.

"When I talked about this being the first step, what I was really talking about is the legislative process. As we all know, we have Second Reading, Third Reading, then it goes to the Senate for three Readings. They will have a Committee hearing, or two Committee hearings. If that happens, it goes to Conference, and then we have Final Reading.

"So when I said first step, that's the battle and the boxing match I was talking about. And really, that's the round one that I'm speaking of, because this is only the beginning. We're three and half weeks into Session. We've got a long way to go. So, that really was what I was talking about. So, at this point, there is no ultimate goal. I think that is something for each legislator to decide, for each legislator when they get elected. That's democracy, that's the way it works, and that's the way I want to see it happen. Thank you."

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 rise in opposition to H.B. 444 - Relating to Civil Unions. In July of 1997, the Legislature enacted the Reciprocal Beneficiaries law (Act 383) providing reciprocal beneficiaries with hospital visitation, insurance benefits and property and inheritance rights. This bill is unnecessary.

"When a controversial law such as H.B. 444 comes to this Body we must look to the people of Hawaii for guidance and take into account what they have to say. To find out what the people of Hawaii have to say on H.B. 444 we need not look any further than their vote in 1998 on this very same issue, where an overwhelming 70 percent of Hawaii's voters voted in favor of traditional marriage."

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

"Thank you, Mr. Speaker. I would like a no vote, and I will wait until Thursday."

Representative Ward rose to respond, stating:

"Mr. Speaker, yes. I rise for a brief refutation. I'm pleased that the Majority Leader has come out saying that this is not a hidden agenda for same-sex marriage. If that is true, all of the previous citations of the Caucus of the Democratic Party will not hold true also, even though I'm not sure that he can speak for them.

"The fundamental issue is this Mr. Speaker. If this is about rights and rights for equality, we already have the repository of reciprocal beneficiaries. We could just pile it to the very top if it was just about rights. But because we have not chosen that view, then everybody is saying civil unions is the only way to go. That to me says, we're not really interested in rights. We're not really interested in equality. We want something above and beyond that, which if you look at what happened in Massachusetts, it was civil unions, which then proceeded to same-sex marriage.

"Mr. Speaker, it is naïve to think that we are not on the path towards that, and we are fooling ourselves if we're just playing around with rights, because if we really wanted to do rights, we would fill up with a bundle of rights, the reciprocal beneficiaries. Thank you, Mr. Speaker."

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

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

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

Representative Aquino 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. 444, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL UNIONS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Aquino, Ching, Choy, Finnegan, Har, Manahan, McKelvey, Sagum, Tokioka and Ward voting no, and with Representatives Awana, Mizuno and Takai being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 43) and concurrent resolutions (H.C.R. Nos. 53 through 55) were referred to Printing and further action was deferred:

H.R. No. 43, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII HEALTH SYSTEMS CORPORATION TO ESTABLISH A BLUE RIBBON PANEL TO CONDUCT A HEALTH CARE NEEDS ASSESSMENT AND OPERATIONAL STRUCTURE ANALYSIS," was offered by Representative Yamane.

H.C.R. No. 53, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII HEALTH SYSTEMS CORPORATION TO ESTABLISH A BLUE RIBBON PANEL TO CONDUCT A HEALTH CARE NEEDS ASSESSMENT AND OPERATIONAL STRUCTURE ANALYSIS," was offered by Representative Yamane.

H.C.R. No. 54, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN INCREASE FOR MEDICARE REIMBURSEMENT IN HAWAII," was jointly offered by Representatives Coffman, Chong, Evans, Magaoay, B. Oshiro, Say and Souki.

H.C.R. No. 55, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CENTERS FOR MEDICARE AND MEDICAID SERVICES TO INCREASE REIMBURSEMENT TO HAWAII PROVIDERS," was jointly offered by Representatives Coffman, Chong, Evans, Magaoay, B. Oshiro, Say and Souki.

ANNOUNCEMENTS

Representative Wooley: "Thank you, Mr. Speaker. I'd like to announce the 2009 Legislators' BBQ. It will be on February 28th, from 11 a.m. to 4 p.m. at Kualoa Ranch. I will be handing out a flier.

"Unfortunately there is limited space, and I will need an RSVP by the 13th for yourself, your spouse and children. And after that, we can open it up also to staff. So that will be in the flier, and just get back to my office and let me know. Mahalo."

Representative Mizuno, for the Committee on Human Services requested a waiver of the 48-hour advanced notice requirement for the purpose of decision making on H.B. No. 912, Relating to Child Welfare Services to be held on February 11 from 9:10 a.m. in Conference Room 329, and the Chair "so ordered."

Representative Mizuno: "This will be in the timeslot of the Hawaiian Affairs Committee. The Chair of the Committee on Hawaiian Affairs does know about this, and concurs with this request."

Representative Bertram: "Yes, on this auspicious occasion of a Second Reading, I wanted to announce that we will be having Family Fun Day in Room 224, on Thursday, from 2 to 4 p.m.

"This is for alternative families and it's a part of the Year of the Family celebrations that are being held in Hawaii. And we will have the GLBT Caucus there with their families to celebrate that and to celebrate the passage, so far, of getting some legal representation for them. So please, everybody's invited. There will be *pupus* and fun."

ADJOURNMENT

At 12:33 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 11, 2009. (Representative Takai was excused.)

FOURTEENTH DAY

Wednesday, February 11, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered in song by Ms. Janel Akana of the Chief Clerk's Office, after which the Roll was called showing all Members present with the exception of Representative Takai, who was excused.

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

INTRODUCTIONS

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

Representative Herkes introduced his son, Mr. Kenneth Herkes of Volcano, Big Island.

Representative Bertram introduced students, teachers and parents from the Kihei Charter School: students Liz Zarro, Celina Bekins and Lucas Zarro; parents Ms. Lisa Izak, Mr. Gene Zarro and Ms. Cheryl Zarro; and administrators Mr. Mark Christiano and Ms. Gail Weaver.

Representative Mizuno introduced Mr. Kenyon Tam, Administrative Assistant with the Charter School Administrative Office, and Dr. Leiolani Oyama of Senator Chun Oakland's office.

Representative Morita introduced students and faculty of the Kanuikapono Charter School in Anahola, Kauai: 7th grade students Liko McBride and Christopher Zauner; 8th grade students Kalalea Ka'uhane and Grey Tsosie; Executive Director, Ipo Torio; and faculty members, Keali'i Holden, Maile Neff and Kainani Gonzalez.

Representative Chang introduced members of the UH Hilo Student Association: Ms. Rufel Gelbolingo, Ms. Uilani Wallace, Ms. Georgia Pinsky, and Ms. Lani Dawn Thur-Fine.

Representative Tokioka introduced students of Kawaikini Charter School, accompanied by faculty, Ms. Leialoha Kauahi, Mr. Chris Town, Ms. Keala Bristol, Ms. Mohala Aiu and Ms. Malia Rogers.

Representative Sagum introduced the students of KANAKA, Kula Aupuni Niihau A Kahelelani Aloha Charter School, accompanied by Hedy Sullivan and Lauae Kanahele.

Representative Awana introduced other Charter Schools visiting the Capitol:

Education Laboratory;
Halau Ku Mana;
Halau Lokahi;
Hawaii Academy of Arts & Sciences;
Hawaii Technology Academy;
Ka 'Umeke Ka'eo;
Ke Kula 'o Nawahikalani'opu'u Iki;
Kona Pacific;
Kua O Ka La;
Kaulapu'u Elementary;
Volcano School of Arts & Sciences;
Voyager;
West Hawaii Explorations Academy;
Hakipu'u Learning Center; and
The Ho'okako'o organization representing Kamaile Academy, Waimea Middle School and Kualapu'u Elementary.

Representative Wooley introduced the students of Ke Kula o Samuel M. Kamakua School in Kaneohe: Makana Wilhelm, Mokupa'a Day, Kawehi Filiaga, Kahikinaaloha Wise, Kaimana Kam-Aweau, Kalau Marasco-Ayau and Kau'i Mcelroy, accompanied by Principal Marci Sarsona; and Kumu Alaka'i Meahilahila Kelling.

Representative Magaoay introduced friends from Wailua: US Navy Chief Petty Officer Joseph Baysa and his niece, Ms. Czarina Barroga visiting from Manilla, Philipines. They were accompanied by his parents, Mrs. Dolly Baysa and Mr. Francis Baysa of the House Sergeant-at-Arms Office.

Representative Finnegan introduced Mr. Steve Hirakami, principal of the Hawaii Academy of Arts & Sciences.

Representative Finnegan also introduced her children attending Voyager Charter School, 8th grade daughter, Piikea; and 4th grade son, Luke.

Representative Shimabukuro introduced Ms. Kapua Keliikoa-Kamai with the Hawaiian Immersion Schools and Hawaiian Civic Clubs.

Representative Carroll introduced students from the Kualapuu Charter School on Molokai, Barbara Kalipi, Andrea Reyes and Tarrah Horner.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R. No.	Referral
43	Committee on Health, then to the Committee on Finance

H.C.R. Nos.	Referral
53	Committee on Health, then to the Committee on Finance
54	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
55	Jointly to the Committee on Human Services and the Committee on Health, 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:
76, HD1	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
1226	Committee on Agriculture
1242	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
1359	Committee on Judiciary

STANDING COMMITTEE REPORTS

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 158) recommending that H.B. No. 969, pass Second Reading and be referred to the Committee on Legislative Management.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 969, pass Second Reading and be referred to the Committee on Legislative Management, seconded by Representative Evans.

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. 969, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE PRISON PERFORMANCE AUDIT," passed Second Reading and was referred to the Committee on Legislative Management, with Representative Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 159) recommending that H.B. No. 409, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 409, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Legislative Management, with Representative Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 160) recommending that H.B. No. 410, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 410, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Legislative Management, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 161) recommending that H.B. No. 1492, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1492, 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 Higher Education, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 162) recommending that H.B. No. 1830, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1830, entitled: "A BILL FOR AN ACT RELATING TO BUREAU OF CONVEYANCES," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 163) recommending that H.B. No. 1138, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1138, entitled: "A BILL FOR AN ACT RELATING TO COPIES IN THE BUREAU OF CONVEYANCES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 164) recommending that H.B. No. 366, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 366, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MANTA RAYS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 165) recommending that H.B. No. 586, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 586, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE KANEOHE BAY REGIONAL COUNCIL," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 166) recommending that H.B. No. 609, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 609, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PLAN, DESIGN, AND CONSTRUCT A TEST WELL IN UPCOUNTRY MAUI TO SERVE AS THE FIRST PHASE IN THE CONSTRUCTION OF A GROUND WATER WELL TO SUPPLEMENT THE UPCOUNTRY MAUI SURFACE WATER SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 167) recommending that H.B. No. 645, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 645, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KAENA POINT," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 168) recommending that H.B. No. 347, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 347, 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 Representative Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 169) recommending that H.B. No. 1174, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1174, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. Would you please note my opposition, and I stand in opposition for Stand. Com. Report 169. I would like to also make

a few comments to the Judiciary Committee who's going to hear it next, regarding my concerns. In this bill, what it talks about is exempting the University of Hawaii's requirement to have public hearing, public notice, and even exempting the gubernatorial approval requirements of Chapter 91.

"What this bill would do is, it would enable Mauna Kea lands to be under the auspices of the UH and to allow administrative rules governing public and commercial activities to not only be exempt from public hearing, but also for them to have *carte blanche*, essentially, regarding general access to the sensitive resource areas. Thank you."

Representative Carroll 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, on Stand. Com. Report 169, I'd like to ask for a ruling on a potential conflict. At my law firm, I'm one of the attorneys representing the plaintiffs that have sued UH and the Board of Land and Natural Resources over the management of Mauna Kea. Thank you," and the Chair ruled, "no conflict."

Representative Shimabukuro rose in opposition to the measure and asked that the remarks of Representative Berg be entered into the Journal as her own, 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 Morita rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

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

Representative C. Lee 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. 1174, 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 with Representatives Berg and Shimabukuro voting no, and with Representative Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 170) recommending that H.B. No. 1059, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1059, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ONE CALL CENTER," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 171) recommending that H.B. No. 1316, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1316, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TORTS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representatives Takumi and Chang, for the Committee on Education and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 172) recommending that H.B. No. 1217, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1217, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION PROJECTS," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 173) recommending that H.B. No. 1690, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1690, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 174) recommending that H.B. No. 732, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 732, entitled: "A BILL FOR AN ACT RELATING TO ASSET BUILDING," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 175) recommending that H.B. No. 76, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 76, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 176) recommending that H.B. No. 863, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 863, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHING A COUNTY TRANSIT ORIENTED DEVELOPMENT INFRASTRUCTURE REVOLVING FUND," passed Second Reading and was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 177) recommending that H.B. No. 989, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 989, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN'S HEALTH CARE," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 178) recommending that H.B. No. 1371, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No.

1371, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 179) recommending that H.B. No. 709, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 709, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 180) recommending that H.B. No. 700, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 700, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NONGOVERNMENT HEALTH PLAN PAYMENTS TO CRITICAL ACCESS HOSPITALS AND FEDERALLY QUALIFIED HEALTH CENTERS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 181) recommending that H.B. No. 708, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 708, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Takai being excused.

Representatives Yamane and Hanohano, for the Committee on Health and the Committee on Public Safety presented a report (Stand. Com. Rep. No. 182) recommending that H.B. No. 1191, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 1191, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Tokioka 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 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 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 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 Committees was adopted and H.B. No. 1191, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA," passed Second Reading and was referred to the Committee on Judiciary with Representatives Ching and Finnegan voting no, and with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 183) recommending that H.B. No. 423, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 423, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative M. Lee rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I'd like to speak in support of the measure, with reservations. I rise in support this measure with strong reservations, and I do apologize to some of the members who have heard this speech, probably for six years in a row. The original bill 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. An amendment would require the victim to be transported to another facility, if the hospital in question had a policy against the administration of EC. Mr. Speaker, I believe this is not only a patients' rights issue, but 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. Sexual assault or rape is a crime that is violent, traumatic, and the ultimate violation in which a woman loses all her sense of personal control, decision-making, and dignity. Physically and psychologically, she's 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 be given honest information about the risks of possible pregnancy. She should also be offered emergency contraception.

"The amendment made to this bill takes away the victim's rights. Mr. Speaker, no providers of any kind of care should have the right to make decisions for a victim about healthcare related to rape, or to withhold information that would allow the victim to make an informed decision. No one really 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, backup birth control method that can prevent pregnancy after unprotected sex. Emergency contraceptive pills contain high doses 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 RU486 terminates pregnancy. The fact is, EC reduces the needs for abortion.

"Across the nation, more than 400 Catholic non-profit hospitals dispense EC to rape victims. So, we know it cannot be a violation of Catholic Tenants. A for-profit corporation seeking a religious exemption would not qualify because of the standards set in Hawaii related to contraceptive services, and surely would not be exempt if they seek public funds. An exemption, such as the one offered in the amendment to this bill, fails to satisfy two key tests. One, does a refusal to provide EC place burdens on people who do not share the beliefs that motivate the refusal? The more burdens fall on such people, the less acceptable is any claimed right to refuse. Two, does the objector of a sectarian institution engage in religious practices, or is it instead an entity, religiously affiliated or not, operating in a public, secular setting? The more public and secular the setting, the less acceptable an institution's claimed right to refuse.

"The public policy issue we face here today is that victims of sexual assault deserve the fullest and best care available. The public policy we

endorsed in the original bill, is the assurance that all hospital and emergency personnel are properly trained in handling the special needs of rape 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. Thank you, very much."

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

"Mr. Speaker, I'm standing in strong support. I know it's only Second Reading, but I do want to address the comments made by the previous speaker, regarding the amendments made. Mr. Speaker, the Committee on Health and the Chair felt that the recommendations that are proposed in these bills would help address and make sure that every victim is treated honestly, directly, and with compassion.

"So Members, in this bill, we did give an exemption for religious entities that are providing hospital care. However, we did put in a great stipulation that they must provide all accurate information. They must provide the information like any other emergency room would. We also put in a stipulation that once a patient decides to choose an option that that religious facility felt they could not provide, that they would be given free transportation to another facility immediately. And I stress the word 'immediately,' to receive appropriate care, at no cost to that patient. It was specifically stated in this bill that information, both verbal and written would be given to the patient or victim to explain that this choice, or their option, was not due to the patient's fault, but due to their own religious affiliation.

"Members, in an attempt to make sure that all medically appropriate information was given to the patient, we assure that all choices for the patient are given. However, the choice of the Chair, and the recommendation to the Committee was to let that patient choose. If they wanted to choose an option of best care, to transport that person to where they can get it. Thank you."

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

"Thank you, Mr. Speaker. Mr. Speaker, I would like to cast my vote with serious reservations, and I would like to adopt the words of my Co-Chair of the House Women's Caucus, the Representative from Mililani Mauka. And Mr. Speaker, I wanted to add a few words.

"I'm very disturbed that this Body isn't looking first and foremost at the victim of a rape that is taken to a hospital, and needs to have emergency care immediately. The idea that we would then say to that victim, 'You are now going to have the option to be transported to another hospital that will provide you the care that you need.' That, to me is very heartless, and I think we should have the courage to stand here as a Body to say, 'We are not going to provide any exemptions to this requirement that all hospitals in Hawaii give immediate care to that victim of rape.' Thank you."

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

"In support, Mr. Speaker. And in all due respect, I can see the reasonable thinking on both sides of this. I do represent the district of the Catholic hospital, and in the history of this hospital, I think it is important to understand that there would be no hospital without the Catholic Sisters creating such a hospital. So, in respect to their faith, I am appreciative of the exemption, and I ask that additional written comments, as well as the comments of the Representative of Mililani be entered as my own," and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of H.B. 423 - Relating to Sexual Assault; Emergency Contraception. This bill appears to be a good compromise, wherein both the hospital and the concerns of the Women's Caucus are addressed. I appreciate that this bill takes into account the religious beliefs of the hospitals and does not attempt to force unwanted policy upon religiously affiliated medical centers. This bill will keep hospitals with religious objections to emergency contraception, out of a potentially precarious situation. Being the Representative for a district that has a hospital which operates with religious stipulations, I understand the importance of this bill. I am pleased that respect for religious beliefs were acknowledged."

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

"Mr. Speaker, I rise in support. Mr. Speaker, this is a great opportunity for a compromise between the pro-choice and the pro-life people to say, 'Well we'll get an exception. We have one hospital that wants to get out of this requirement.' And, because of the lack of understanding on both sides, or agreeing to disagree, for six years, we've been going over and over and over the same thing. But I think everybody will realize that no one's forced to go to any particular hospital, and generally, you go to the nearest one and the best one, given what the situation is. And I don't believe that the record of testimony has ever indicated that anybody was sent to that particular hospital of the Catholic faith, which had a problem.

"So, I think this is a chance for compromise, it's a chance for mutual understanding, and it's a chance for, at least 'Big Brother' to broker what otherwise has been a really recalcitrant group on both sides of this particular issue. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I too have strong reservations on this bill. I would like to give a few comments.

"First, I would like to adopt the words of the speaker from Mililani and the speaker from Kailua as my own. And also, I want to emphasize that there should be no compromise for the healthcare of a rape victim; that they should receive the best care possible immediately, and not have to be transported elsewhere. Thank you."

Representative Shimabukuro rose in support of the measure with reservations and asked that the remarks of Representatives M. Lee and Thielen be entered into the Journal as her own, and the Chair "so ordered."

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

"Mr. Speaker, I have strong reservations."

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

"Thank you, Mr. Speaker. I too, have strong reservations and would like to adopt the words of the Representatives from Mililani, Kailua, and Kauai. 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. 423, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY CONTRACEPTIVES FOR SEXUAL ASSAULT SURVIVORS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 184) recommending that H.B. No. 655, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 655, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING PHARMACIES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 185) recommending that H.B. No. 811, as amended

in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 811, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

Representative Belatti rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, thank you. May I ask for a ruling for a potential conflict? My husband is a registered nurse," and the Chair ruled, "no conflict."

Representative Belatti continued in support of the measure with reservations, stating:

"May I also note my reservations and make a few comments? What concerns me about this bill is the potential impact it may have on our graduates coming out of our nursing programs, and their prospects for job opportunities. Thank you, Mr. Speaker."

Representative M. Lee rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like to speak with reservations. But do I have a potential conflict? I am a registered nurse," and the Chair ruled, "no conflict."

Representative M. Lee continued in support of the measure with reservations, stating:

"Thank you. I rise with reservations on this bill because I feel that it would put consumer safety at risk in the State of Hawaii. CGFNS International which was formerly the Commission on Graduates of Foreign Nursing Schools is recognized internationally as an authority on credentials evaluation pertaining to the education, registration, and licensing of nurses and health care professionals worldwide.

"Now this bill intends to circumvent the process of credentials evaluation and verification for internationally educated healthcare professionals, and replace it with a California document known as the breakdown of educational program for international nursing programs form.

"I'm well aware that there is cost related to this, and that we have a nursing shortage. However, the form that we are talking about is completed by the foreign graduate school. Therefore, the form is not objective and does not account for the vastly un-uniformed standards of nursing programs around the world.

"So, I think the amount of money saved by this bill does not justify the risk to the healthcare consumer. I think we have to look very carefully at passing this legislation. Thank you."

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

"Mr. Speaker, I stand in support of this measure. I am also a registered nurse, but I'm a graduate here. And I've worked with a lot of very highly qualified nurses here in the United States that have graduated from foreign schools. And I would even venture to say that, in a lot of ways, they are more qualified and more technically proficient than the ones that have graduated here, because they have done a lot of clinical work that is mandated in foreign schools.

"This bill doesn't take away the right of the state for full examination of the nurses that are licensed in this State. This merely says that they adopt the rules that are adopted in California, which has an initial evaluation of the credentials, but not the way that is being done in this State, wherein they have a Board that looks at it, and it's subject to a lot scrutiny. This scrutiny is taking the Board exam, and that's not a very easy exam to pass. 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 Legislature finds that a foreign nursing school graduate may obtain a license to practice as a registered nurse in Hawaii either by examination or by endorsement. A foreign nursing school graduate may obtain a license by endorsement if the applicant already possesses an unencumbered license as a registered nurse in another country and, in the opinion of the Board of Nursing, meets the qualifications required of registered nurses in Hawaii at the time of graduation. If a foreign nursing school graduate does not already possess a registered nurse license in another country, the applicant may obtain a Hawaii license by examination by passing the National Council Licensure Examination and by complying with applicable requirements of state law and board of nursing rules that regulate nursing.

"Section 16-89-8(c), Hawaii Administrative Rules, requires that a school transcript of a foreign nursing school graduate applying for a license by examination be evaluated by a professional educational credential evaluator recognized by the Board and the applicant must arrange to have the evaluator send a report directly to the Board. The Commission on Graduates of Foreign Nursing Schools fulfills this credential evaluation function by either issuing a certification through its international certification program at a cost of $418, or by issuing a full education course-by-course report at a cost of $378.

"The international certification program is composed of three parts:

(1) A credentials review;
(2) The international qualifying examination; and
(3) An English proficiency examination.

"The Legislature further finds that not all states require foreign nursing school graduates to undergo these additional procedures to be licensed to practice as registered nurses. For example, California only requires a foreign nursing school graduate to send a document known as the "Breakdown of Educational Program for International Nursing Programs" form to the applicant's school with a request for transcript. Hawaii's rules already require a foreign nursing school graduate to provide a student final record or official transcript sent directly from the applicant's school to the Board of Nursing.

"The purpose of this Act is to require the Board of Nursing to adopt rules to remove the requirement for a foreign nursing school graduate to furnish either a written certification or a full education course-by-course report as a condition to take the licensing examination to obtain a license to practice as a registered nurse in Hawaii."

Representative Aquino rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I would like to raise a possible conflict. My wife is a registered nurse. 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. 811, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTERED NURSES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 186) recommending that H.B. No. 1362, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1362, HD 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 Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 187) recommending that H.B. No. 1509, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1509, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 188) recommending that H.B. No. 1372, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1372, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, on Stand. Com. Report 188, I would like a ruling on a potential conflict. At my law firm I represent HHSC on some contractual matters. Thank you," and the Chair ruled, "no conflict."

Representative Mizuno rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I request a ruling on a possible conflict. My spouse works as a certified nursing assistant at Leahi State Hospital, that's under HHSC. Thank you, Mr. Speaker," and the Chair ruled, "no conflict."

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I have a ruling on a possible conflict. My law partner sits on one of the Regional Boards," and the Chair ruled, "no conflict."

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

"Thank you, Mr. Speaker. I have reservations, and Mr. Speaker, my reservations come from a section of the bill that exempts HHSC from the requirements of the State Procurement Code. Mr. Speaker, we've already exempted the Regional Boards from the Procurement Code. I had a hard time agreeing to that. The corporate division of HHSC does not deserve to be exempt from the Procurement Code. They have such a very gray and bad history of procurement, that they should not be exempt."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1372, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSITIONING OF THE REGIONS AND FACILITIES OF HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 189) recommending that H.B. No. 59, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 59, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATING TO RESIDENCE REQUIREMENTS FOR MEMBERS OF THE LEGISLATURE," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 190) recommending that H.B. No. 1129, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1129, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT CONTRIBUTION RATES," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs, with Representative Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 191) recommending that H.B. No. 1280, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1280, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs, with Representative Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 192) recommending that H.B. No. 1289, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1289, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs, with Representative Takai being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. Nos. 44 through 49) and concurrent resolutions (H.C.R. Nos. 56 through 63) were referred to Printing and further action was deferred:

H.R. No. 44, entitled: "HOUSE RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES TO PROTECT WILDLIFE AND WILDERNESS BY OPPOSING OIL AND GAS EXPLORATION AND DEVELOPMENT IN THE ARCTIC NATIONAL WILDLIFE REFUGE AND ON THE OUTER CONTINENTAL SHELF AND SUPPORTING CLEAN, RENEWABLE ENERGY ALTERNATIVES," was jointly offered by Representatives Berg, Wooley, Aquino, Bertram, Brower, Cabanilla, Choy, Coffman, Herkes, Keith-Agaran, Magaoay and Mizuno.

H.R. No. 45, entitled: "HOUSE RESOLUTION URGING THE ADOPTION OF THE UNITED NATIONS MILLENNIUM DEVELOPMENT GOALS," was jointly offered by Representatives Berg, Brower, Keith-Agaran, Mizuno, Wooley, Aquino, Bertram, Cabanilla, Choy, Coffman, Herkes and Magaoay.

H.R. No. 46, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF EDUCATION TO UNDERTAKE EFFORTS TO INTEGRATE ADDITIONAL INTERNATIONAL AFFAIRS AND GLOBAL EDUCATION COURSEWORK INTO ITS CURRICULUM," was jointly offered by Representatives Berg, Brower, Ching, Mizuno, Pine, Ward, Wooley, Aquino, Bertram, Cabanilla, Choy, Herkes, Keith-Agaran and Magaoay.

H.R. No. 47, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO DEVELOP A POLICY TO INCLUDE VEGETARIAN AND VEGAN MEAL OPTIONS IN ALL SCHOOL MENU PLANS," was jointly offered by Representatives Berg, Bertram, McKelvey, Morita, Sagum, Shimabukuro, Aquino, Cabanilla, Chang, Choy, Evans, Keith-Agaran, M. Lee and Magaoay.

H.R. No. 48, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AT MANOA, COLLEGE OF SOCIAL SCIENCES, PUBLIC POLICY CENTER AND SPARK M. MATSUNAGA INSTITUTE FOR PEACE AND CONFLICT RESOLUTION TO CONVENE A WORKING GROUP TO EXPLORE THE SAFE USE OF HUNTING DOGS ON PUBLIC HIKING TRAILS," was jointly offered by Representatives Berg, M. Lee, Shimabukuro, Aquino, Cabanilla, Chang, Choy, Evans, Keith-Agaran, Morita and Wakai.

H.R. No. 49, entitled: "HOUSE RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU AND KAUAI COUNTY TO ADOPT PLASTIC BAG REDUCTION ORDINANCES TO REDUCE THE SALE, USE, AND ENVIRONMENTAL DEGRADATION CAUSED BY THE PROLIFERATION OF NONCOMPOSTABLE PLASTIC BAGS," was jointly offered by Representatives Berg, Morita, Shimabukuro, Aquino, Cabanilla, Choy, Evans, Keith-Agaran, M. Lee, Magaoay, McKelvey, Sagum and Wakai.

H.C.R. No. 56, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES TO PROTECT WILDLIFE AND WILDERNESS BY OPPOSING OIL AND GAS EXPLORATION AND DEVELOPMENT IN THE ARCTIC NATIONAL WILDLIFE REFUGE AND ON THE OUTER CONTINENTAL SHELF AND SUPPORTING CLEAN, RENEWABLE ENERGY ALTERNATIVES," was jointly offered by Representatives Berg, Wooley, Aquino, Bertram, Brower, Cabanilla, Choy, Coffman, Herkes, Keith-Agaran, Magaoay, Mizuno and Souki.

H.C.R. No. 57, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ADOPTION OF THE UNITED NATIONS MILLENNIUM DEVELOPMENT GOALS," was jointly offered by Representatives Berg, Brower, Keith-Agaran, Mizuno, Wooley, Aquino, Bertram, Cabanilla, Choy, Coffman, Herkes, Magaoay and Souki.

H.C.R. No. 58, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF EDUCATION TO UNDERTAKE EFFORTS TO INTEGRATE ADDITIONAL INTERNATIONAL AFFAIRS AND GLOBAL EDUCATION COURSEWORK INTO ITS CURRICULUM," was jointly offered by Representatives Berg, Brower, Cabanilla, Ching, Mizuno, Pine, Ward, Wooley, Aquino, Bertram, Choy, Herkes, Keith-Agaran, Magaoay and Souki.

H.C.R. No. 59, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO DEVELOP A POLICY TO INCLUDE VEGETARIAN AND VEGAN MEAL OPTIONS IN ALL SCHOOL MENU PLANS," was jointly offered by Representatives Berg, Bertram, McKelvey, Morita, Sagum, Shimabukuro, Aquino, Cabanilla, Chang, Evans, Keith-Agaran, M. Lee and Magaoay.

H.C.R. No. 60, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AT MANOA, COLLEGE OF SOCIAL SCIENCES, PUBLIC POLICY CENTER AND SPARK M. MATSUNAGA INSTITUTE FOR PEACE AND CONFLICT RESOLUTION TO CONVENE A WORKING GROUP TO EXPLORE THE SAFE USE OF HUNTING DOGS ON PUBLIC HIKING TRAILS," was jointly offered by Representatives Berg, M. Lee, Shimabukuro, Aquino, Cabanilla, Chang, Evans, Keith-Agaran, Morita and Wakai.

H.C.R. No. 61, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU AND KAUAI COUNTY TO ADOPT PLASTIC BAG REDUCTION ORDINANCES TO REDUCE THE SALE, USE, AND ENVIRONMENTAL DEGRADATION CAUSED BY THE PROLIFERATION OF NONCOMPOSTABLE PLASTIC BAGS," was jointly offered by Representatives Berg, Morita, Shimabukuro, Aquino, Cabanilla, Evans, Keith-Agaran, M. Lee, Magaoay, McKelvey, Sagum and Wakai.

H.C.R. No. 62, 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. 63, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO INCLUDE THE KUKUI GARDENS AFFORDABLE HOUSING PROJECT IN THE STATE'S LIST OF SHOVEL-READY PROJECTS FOR THE PRESIDENT'S PROPOSED ECONOMIC STIMULUS PLAN," was offered by Representative Rhoads.

ANNOUNCEMENT

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs, requested a waiver of the 48-hour advanced notice requirement for the purpose of decision making on HB No. 1601, Relating to Real Property.

Representative McKelvey: "In the last Committee Hearing, I inadvertently deferred this for decision-making next week, but it's a Triple Referral Bill, and as such, we have to do decision-making on it tomorrow. Thank you," and the Chair, "so ordered."

ADJOURNMENT

At 12:42 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 12, 2009. (Representative Takai was excused.)

FIFTEENTH DAY

Thursday, February 12, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:04 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Jonah Kuhio Kalanianaole Ka'auwai, after which the Roll was called showing all Members present with the exception of Representatives McKelvey, M. Oshiro, Takai and Takumi, who were excused.

On motion by Representative Evans, seconded by Representative Pine and carried, reading of the Journal was dispensed with and the Journals of the Eighth, Ninth and Tenth Days were approved. (Representatives M. Oshiro, Takai and Takumi were excused.)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 5 and 6) were received and announced by the Clerk:

Sen. Com. No. 5, transmitting S.B. No. 281, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," which passed Third Reading in the Senate on February 11, 2009.

Sen. Com. No. 6, transmitting S.B. No. 412, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," which passed Third Reading in the Senate on February 11, 2009.

On motion by Representative Evans seconded by Representative Pine and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representatives M. Oshiro, Takai and Takumi were excused.)

S.B. No. 281
S.B. No. 412

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 56) was received by the Clerk and was placed on file:

Dept. Com. No. 56, dated February 6, 2009, from David McClain, President, University of Hawaii System, transmitting the Annual Report on the University of Hawaii's Continued Participation in the Western Interstate Commission of Higher Education (Section 304A-3205, Hawaii Revised Statutes) as requested by the Legislature.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R. Nos.	Referral
44	Committee on Energy & Environmental Protection
45	Committee on Tourism, Culture, & International Affairs
46	Committee on Higher Education, then to the Committee on Tourism, Culture, & International Affairs
47	Jointly to the Committee on Education and the Committee on Health, then to the Committee on Finance
48	Committee on Water, Land, & Ocean Resources, then to the Committee on Higher Education
49	Committee on Energy & Environmental Protection, then to the Committee on Economic Revitalization, Business, & Military Affairs

H.C.R. Nos.	Referral
56	Committee on Energy & Environmental Protection
57	Committee on Tourism, Culture, & International Affairs
58	Committee on Higher Education, then to the Committee on Tourism, Culture, & International Affairs
59	Jointly to the Committee on Education and the Committee on Health, then to the Committee on Finance
60	Committee on Water, Land, & Ocean Resources, then to the Committee on Higher Education
61	Committee on Energy & Environmental Protection, then to the Committee on Economic Revitalization, Business, & Military Affairs
62	Committee on Housing, then to the Committee on Finance
63	Committee on Housing, 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:
231	Committee on Public Safety, then to the Committee on Finance
397	Committee on Public Safety, then to the Committee on Judiciary
398	Committee on Public Safety, then to the Committee on Judiciary
603	Committee on Finance
657, HD1	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
866	Committee on Transportation, then to the Committee on Judiciary
1130, HD1	Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance
1289, HD1	Committee on Labor & Public Employment, then to the Committee on Finance
1359	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
1428, HD1	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1525, HD1	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
1625	Committee on Finance

At 12:11 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 12:25 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 193) recommending that H.B. No. 1818, pass Second Reading and be referred to the Committee on Hawaiian Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1818, entitled: "A BILL FOR AN ACT RELATING TO COGNITIVE RESTRUCTURING," passed Second Reading and was referred to the Committee on Hawaiian Affairs, with Representative Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 194) recommending that H.B. No. 1487, as amended in HD 1, pass Second Reading and be referred to the Committee on Hawaiian Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1487, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Hawaiian Affairs, with Representative Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 195) recommending that H.B. No. 688, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 688, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 196) recommending that H.B. No. 1635, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1635, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

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

Representative Ching 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 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 Berg 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."

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. 1635, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Judiciary with Representative Ward voting no, and with Representative Takai being excused.

Representatives Hanohano and Mizuno, for the Committee on Public Safety and the Committee on Human Services presented a report (Stand. Com. Rep. No. 197) recommending that H.B. No. 1192, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 1192, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

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

Representative 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 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. 1192, entitled: "A BILL FOR AN ACT RELATING TO MARIJUANA," passed Second Reading and was referred to the Committee on Judiciary with Representative Ward voting no, and with Representative Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 198) recommending that H.B. No. 1585, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1585, HD 1, pass Second Reading and be referred to the Committee Economic Revitalization, Business, & Military Affairs, seconded by Representative Evans.

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

"Mr. Speaker, I think this is Internet taxation for hotel reservations. I'm going to be voting in opposition to this measure. I think it's just another permutation of Internet taxation, and I think it's not a good idea to tax Hawaii reservations, since we might look a little bit more expensive than other places if it's listed with the total price.

"I also am confused about this. I would like to collect more information on it, but if indeed the tax is paid here, when people check out, then perhaps we don't need this Internet tax in that case. So, I will be watching this as it progresses to Final Reading. Thank you."

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

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

Representative 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."

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. 1585, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAXATION OF ONLINE TRAVEL COMPANIES," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representative Marumoto voting no, and with Representative Takai being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 199) recommending that H.B. No. 1364, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1364, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'm rising in opposition with comments. Thank you, Mr. Speaker. On HB 1364, this bill requires the Governor or the Director of Finance to report restrictions of appropriations to the Legislature. The part that I'm bothered with is the remaining part of the bill, which is, 'and failure to issue such reports would result in immediate release of such funds to the Legislature.'

"It would be unwise for us to force spending, regardless of budgetary considerations and restrictions. The Governor is in the Constitution, tasked with maintaining a balanced budget. And it was also brought up in Committee that it's unclear how funds could be released without the Governor's approval to release them. So, Mr. Speaker, I'm in opposition to this bill."

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

"Thank you, Mr. Speaker. I'd like to add my opposition to that. And Mr. Speaker, as stated by our Republican Leader, I think this an unwise step, and it's probably unconstitutional."

Representative Ching rose in opposition to the measure and asked that the remarks of Representative Finnegan be entered into the Journal as her own, 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 and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

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

"I'd like to stand in support of this measure. This bill is merely a disclosure bill. It's a bill for transparency in our government, which our Governor said she would do, Mr. Speaker. It does nothing more than just make government more transparent. So, if transparency is what the people want, this bill will do it. Thank you, Mr. Speaker."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. In short rebuttal. Mr. Speaker, we pass out all the bills and a budget at the end of the Session, and if we wanted transparency, as a Legislature, we would do the same. We would add up all the bills that have fiscal implications, and we would attach them to the budget, and we would give a clear, transparent way of seeing what we're passing out to the public, so they could see what we're doing with our finances. But we don't. I know for the Minority, we don't get to see that"

Representative B. Oshiro rose to a point of order, stating:

"A point of order, Mr. Speaker. The current speaker isn't talking about the bill before us. She's talking about the budget bill. That's a different bill."

Representative Finnegan responded, stating:

"Mr. Speaker, I disagree. This has to do …"

The Chair addressed Representative Finnegan, stating:

"Representative Finnegan, let me make that decision. The Majority Leader has stated that you're addressing it from a budgetary point of view, on disclosure and transparency. Can you confine your remarks to them? The transparency and disclosure of what this bill is all about, on the expense side."

Representative Finnegan continued, stating:

"Yes, Mr. Speaker. Mr. Speaker, in regards to transparency and disclosure, we can do a better job of being transparent with the public. And if we are going to require these things that actually handcuff the Governor from balancing our budget by having these types of consequences to not reporting, I think that is unwise. Thank you."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. A brief rebuttal as well. It was stated by a Majority member that this was just an effort to be transparent. It's much more than that, Mr. Speaker. It will force spending. And it will force spending, regardless of whether or not we will keep a balanced budget, as required by the Constitution. So, the bill has much broader ramifications than just being transparent. Transparent would be adding the budgetary addition to every single bill with a budget implication, and we consistently have put in such legislation. Thank you."

Representative Pine rose to respond, stating:

"Yes, Mr. Speaker. Again in opposition and rebuttal. Really, what this bill does is we're usurping the power of the Governor, really by, as the previous speaker says, forcing certain budget matters that have been typically been given to every single Governor before our current Governor. And so, this really continues a long-standing tradition of the last seven years of this Legislature taking powers away from this particular Governor."

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

"Mr. Speaker, I rise in support. This bill requires the Governor to provide a quarterly report to the Legislature on all appropriation restrictions within 30 days after the close of each allotment period. This bill also requires that if restrictions are not reported, appropriations must be immediately released.

"Mr. Speaker, I believe that if you look at a CEO of a company, they know the bottom line on a regular basis, month to month. They get reports. They know where the money's at. They know where the *pukas* are. They know how money's being spent. I do not feel this is

unreasonable, because the reality is, our Governor is like a CEO of a company. They have to stay on top of all of this.

"I think that the Representative who introduced the bill, as well as stood up and spoke in favor of it today, really understands the fact that companies have to know their bottomline all the time, and they have to spend money to make their programs effective. I really encourage everyone to support this. Thank you."

The Chair then addressed the body, stating:

"Members of the House, we've had a lot of discussion on this matter on Second Reading. This measure will be referred to the Committee on Finance. At that point when this particular measure is heard, these types of questions in regards to what you have stated on the Floor will be addressed by the testifiers from the Administration."

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

"Thank you, Mr. Speaker. With reservations, and I'll try to be brief. I'm all for the transparency portion of this bill, so I'm for the bill and speak with reservations.

"My reservation is that if the Governor fails to report a restriction, and she's constitutionally allowed to do this, then the money is released. And that release is in contravention to the Constitution. So, therefore, I would hope that the next Committee would take a look at this particular provision very carefully. Thank you very much."

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 rise in opposition to H.B. 1364 - Relating to the Budget. I don’t believe this bill is fiscally prudent. Now is not that the time to propose a law that will hamstring the Executive Branch from carrying out its responsibility of balancing the budget. This bill could force spending regardless of budgetary considerations and restrictions by the Constitution in maintaining a balanced budget. At this time, it would not be sapient to pass this legislation."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1364, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," passed Second Reading and was referred to the Committee on Finance with Representatives Ching, Finnegan, Pine and Thielen voting no, and with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 200) recommending that H.B. No. 791, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 791, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 201) recommending that H.B. No. 1508, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1508, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 202) recommending that H.B. No. 779, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 779, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM FOREIGN-COUNTRY MONEY JUDGMENTS RECOGNITION ACT," passed Second Reading and was referred to the Committee on Finance, with Representative Takai 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. 203) recommending that H.B. No. 1684, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1684, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Transportation, with Representative Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 204) recommending that H.B. No. 1390, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1390, 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 Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 205) recommending that H.B. No. 31, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 31, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 206) recommending that H.B. No. 602, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 602, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 207) recommending that H.B. No. 697, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative B. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 697, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative Evans.

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. 697, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 208) recommending that H.B. No. 698, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative B. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 698, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative Evans.

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. 698, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 209) recommending that H.B. No. 1375, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1375, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 210) recommending that H.B. No. 1373, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1373, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 211) recommending that H.B. No. 718, 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 B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 718, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MALPRACTICE CAPTIVE INSURANCE," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 212) recommending that H.B. No. 271, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 271, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 213) recommending that H.B. No. 951, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 951, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 951, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY," passed Second Reading and was referred to the Committee on Judiciary with Representative Thielen voting no, and with Representative Takai being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House bills for Third Reading by consent calendar. (Representative Takai was excused.)

THIRD READING

H.B. No. 615, HD 1:

Representative B. Oshiro moved that H.B. No. 615, HD 1, pass Third Reading, seconded by Representative Evans.

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 measure is to update Hawaii's harassment law to keep up with technology by including the definition of electronic communication as defined in the Hawaii Revised Statutes section 711-1111(2), which means any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or part by a wire, radio, electromagnetic, photoelectronic, or photo-optical system. Unfortunately, many individuals are harassing others through the Internet, which is not just accessible through computers, but now through our cellular phones. Harassment can cause annoyance, mental distress, and fear for one's safety. It is our goal to reduce harassment done in person or through technology. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 615, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 622, HD 1:

Representative B. Oshiro moved that H.B. No. 622, HD 1, pass Third Reading, seconded by Representative Evans.

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 measure is to update Hawaii's harassment by stalking law to keep up with technology by including the definition of electronic communication as defined in the Hawaii Revised Statutes section 711-1111(2), which means any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or part by a wire, radio, electromagnetic, photoelectronic, or photo-

optical system. Unfortunately, many individuals are stalking others through the Internet, which is not just accessible through computers, but now through our cellular phones. Harassment by stalking can cause annoyance, mental distress, and fear for one's safety. It is our goal to reduce harassment done in person or through technology. Thank you."

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

"Mr. Speaker, I stand in strong support."

The motion was put to vote by the Chair and carried, and H.B. No. 622, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 293, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 293, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTIVE PROCEEDINGS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 444, HD 1:

Representative B. Oshiro moved that H.B. No. 444, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to be recognized, stating:

"Mr. Speaker. Thank you, I thought I might have missed my chance, because I stood up first the last time."

The Chair addressed Representative Ward, stating:

"Representative Ward, shall we incorporate your speech from the other day as your Third Reading?"

Representative Ward: "Well, I was going to get to the back of the bus, but since no one else stood up …"

Speaker Say: "Well, the Chair recognizes you, but please keep it short, since you have already incorporated your speech from the other day into today's Journal."

Representative Ward continued in opposition to the measure, stating:

"Mr. Speaker, I promised you I would speak on something entirely different, which if you listen, I think you'll be able to hear that.

"Mr. Speaker, I rise in opposition, because a few days ago I argued that HB 444, on civil unions was really a 'Trojan horse' for same-sex marriage, and that we as legislators were becoming the great pretenders as we watched the emperor going down the street with no clothes on, and insisted by our votes that yes, the emperor has clothes on, because this was really an issue about rights and about things that we could not put into the Reciprocal Beneficiaries Law.

"Mr. Speaker, today I contend again that this bill is not about equality. It's about an end run for same-sex marriage. The bill goes beyond equality, and as much as some of us don't admit it, you will usher in same-sex marriage, as sure as Massachusetts, Connecticut, California, Vermont, and others have used civil unions as the gateway to same-gender marriage.

"Let me give you a real, live example about what I'm talking about, and it entails the State of New Jersey. New Jersey passed a Civil Unions Bill, comparable to this one, in 2006. And then they created the Civil Unions Review Commission to make sure they were doing the right thing, just like a lot of us in this Chamber want to make sure that we're doing today the right thing.

"Then in December 2008, that's just a few months ago, the New Jersey Civil Unions Commission issued a report that concluded, and I quote, Mr. Speaker, 'Civil unions invite and encourage unequal treatment of same-sex couples and their children.' Unequal treatment. As the report details, 'Unless it's called marriage, you're not going to get rights in many cases', said one of the lead commissioners. 'Civil unions are not respected in the real world, and domestic partners are not respected in the real world.'

"Mr. Speaker, they said in effect, after civil unions for two years, they are not treated equally. They are given unequal treatment, and they don't get the respect or the societal approval. And the next quote is, the report went on to say, that marriage equality goes beyond getting enumerated rights that are involved in equality, because real marriage equality was about the dignity that comes with the word and the societal approval that comes with the word 'marriage.'

"Mr. Speaker, this is suggesting that if we go on today, what will happen in a while is that these values that we are putting toward equality will not have an effect. Mr. Speaker, I find it difficult to believe that we will be able to get societal approval for something, where the Muslims to be able to stop believing in the Qur'an is probably a very difficult proposition, as well as Christians stop believing in their Bibles would be a difficult proposition, the same way that if we declared pork the miracle food. No matter what we say, good things about it, Muslims are never going to start eating pork, if you get the analogy. That is not going to happen.

"What happens now with New Jersey, they may be ahead of us, Mr. Speaker, by what they have just done. Clearly, the New Jersey lack of equality argument is coming, and the motivation for us to pretend that it's not coming to Hawaii is not the reality of the situation.

"If we take a lesson from the playbook of New Jersey, the unequal treatment issue we think we are solving today will actually become the reason why HB 444 falls short of what we desire to have happen. HB 444 was supposed to eliminate something that it ends up, in effect, then encouraging. That is the unequal treatment.

"The unanimous recommendation of the New Jersey Civil Unions Commission was to suggest that legislation legalizing same-gender marriage would be the only solution to the problem. Quote, 'Gay rights leaders in New Jersey are hopeful that the report highlighting inequities in the State's Civil Unions Law will prompt the State Legislature to legalize same-sex marriage in 2009, making New Jersey the first state to do so through legislation, rather than court-order.'

"Mr. Speaker, let's stay tuned into New Jersey. It offers insight into what we are doing today, and gives us reason to pause and stop pretending that all we're doing today is about a bundle of rights. In the face of a slumping economy, lack of credit, job losses, I don't think our constituents will be happy with this bill, and the amount of time we are committing to it. Thank you, Mr. Speaker."

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

"Mr. Speaker, I rise in support. Since the existence as a human race, we have been very judgmental with others, especially in the minority sector of people, because of their sex, color of skin, ethnicity, religious beliefs, culture, behavior, and lifestyle. It was the majority of the people that decided what is acceptable for society, and oftentimes, the minority of the people get the short end of the stick. Our great State and country has come so far in regards to equality and compassion. In the past, we had laws that discriminated against every type of minority that I mentioned. We have done so much to correct our wrongful acts by changing our laws to be inclusive, rather than exclusive. However, we still have much work to do in creating equality for all in our great State and country.

"In regards to the same-sex community, our laws do not extend the same rights to them as we do for the heterosexual community. We as a society want people to take care of ourselves and each other. Civil unions will allow same-sex couples to have the same rights as heterosexual couples, without having to change our marriage laws. Keep in mind that we are not only allowing rights, but we are requiring responsibilities of all couples. There are legal liabilities if couples do not care for each other. Too often

we hear of cheating, domestic violence, sexual abuse, fighting over money and property, and partnering because we have financial greed.

"When partnerships are dissolved, properties are divided, and custody and visitation rights of children are decided. The real threat to marriage or civil unions, if this measure does pass, is ourselves. Again, this bill does not expand the marriage laws between a man and a woman. This bill only grants the same legal rights and responsibilities required of opposite-sex couples, to same-sex couples.

"I believe that we all want to have a society in which we do not alienate or discriminate against those who are different from any of us. We have come so far in our battle against racial discrimination, and I believe that while we have come a long way in addressing same-sex issues, there is still difficulty in extending the same legal rights that we have for heterosexual couples, to same-sex couples. And again, we are not amending our marriage laws at all.

"We, as a society, must have love and compassion, rather than anger, hate, and discrimination. This Civil Unions bill will help to unify the State and country even further. Let us try to eliminate, or at least minimize our judgments on what we see physically before us. We are judging fellow family, friends, and neighbors because they have a minority lifestyle. Let us look at this issue, not only legally, but esoterically. Body is nothing more than emptiness, and emptiness is nothing more than body. Rather than just looking at what is before us, let us look deeper and see the souls of others. One soul can really love and have compassion, or it can really hate and have discrimination. Instead of judging others, we need to look within our own soul and better ourselves. Let us spread love and compassion, and provide equality for all. Thank you."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support, and I'd first like to request the opportunity to submit written comments. I just wanted to address some of the legal arguments, first and foremost. And I think it's important for people to realize that reciprocal beneficiaries, what we currently have in the law, it's not the same as marriage, as much as people may try to dress it up and make it look the same.

"When you look at the legislative history in 1997, the Legislature looked at HB 118 that ended up becoming the reciprocal beneficiary law. At that time, initially, there were 146 rights and benefits that were proposed to be conferred upon these couples. However, in the end, when Act 383 became codified into HRS Chapter 572C, only 83, or 56 percent of those rights and benefits ended up making it into law. Later on, 11 of those were removed, so what we have is a total of 72 rights, or 49 percent, or really less than half. So that's what we're really talking about. We're talking about these couples that only get half the rights that every single other couple in this State is entitled to.

"There are a total of 550 additional laws that grant rights, privileges, and benefits for married relationships that don't get afforded to these couples. And so, as much as people may say it's something about 'separate but equal,' it's really not. It's about not even being given the opportunity to ride in the back of the bus. It's actually having to hop along on the tailgate, hop off, hope you don't fall off. And when you fall down, hoping that nobody kicks you when you're already down. That's really what people are fighting for.

"And so, really in conclusion, I wanted to take this opportunity, because I don't know if I'll ever get this chance again, I wanted to personally thank the 32 co-sponsors of HB 444. I wanted to thank the Chair and Vice-Chair of the Committee. I wanted to thank the hundreds of people that submitted testimony and came out for the hearing. I want to thank the 12 members of the Committee that came out to pass the bill. I want to thank all the staff that have received all the calls, emails, and letters. I really want to thank everybody for all of that.

"I've been here for eight years, and it's really inspiring for me today. The first day I stepped foot in this place, I was just awestruck. I was floored and overwhelmed by everything that was possible. Everything that I thought was swirling around and all that could happen. But today, I really am reinvigorated. I'm re-inspired, and I'm uplifted, because what I see is what is the most probable. And even if it's not going to happen today, I know that someday it will.

"There are many days when I've been somewhat disappointed by the political process. I've been frustrated by it. And I'm not trying to bemoan it or complain about it. I understand that's the process, and I accept it. That's what I accepted when I got elected. But today, I really want to thank everybody, because for the first time, I feel like I belong, like I really am trying to make a difference, and I feel sort of my mission being reestablished again.

"As stated by Martin Luther King, Jr. and as quoted by our new President, "The arc of the moral universe is long, but it bends towards justice." Today we have that chance to bend that arc. Therefore, thank you everybody for showing me that there are those that are willing to take that bar and bend it. Thank you to everybody for showing me that despite the tyranny of discrimination, the specter of religious dogma, the militancy of the oppressors, there is a day when justice will rise up. There is a day when we can do our job, rather than being worried about keeping our job. There will be a day when we will all stand together and look back at this. It's really going to be just a footnote in the pages of history. There will be a day when acceptance, tolerance, equity, and justice are not just words, but they will be truly embodied by our actions. So let that day come closer, and let that day be today. Thank you, very much."

Representative B. Oshiro's written remarks are as follows:

"World religions such as Christianity, Islam, Hinduism, and Buddhism exist within our country and relate back to the foundation of our great nation. The basic principal of our Founding Fathers was to create a Nation with religious freedom and without religious persecution.

"Hence the free exercise of religion is the first freedom mentioned in the First Amendment to the United States Constitution. This portion of the Amendment states, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." The second clause, containing the phrase "free exercise," guarantees a citizen's right to express religious beliefs, and act in accord with those beliefs.

"If we truly believe this, then why is it that the topic of "benefits", which is civil rights issue, a topic that has anything to do with religion? The phrase "wall of separation between the church and the state" was originally coined by Thomas Jefferson. This is to ensure that the Government stays out of the Church's business and the Church stays out of the business of Government.

"Therefore, as government officials our duty is to fulfill the mission of the government, and to uphold the Constitution of the United States of America. And remember that the Constitution was written to protect all citizens not just a select few, from a select religion.

"The Constitution was written by men who wanted equality and freedom. With that said, it is sad to watch government officials display discourse to equality based solely upon religious affirmations."

Representative Souki rose, stating:

"Mr. Speaker, I know that you're very generous, but I think we need some decorum in this Chamber from the members and from those upstairs in the gallery. I'm afraid if this continues, it can escalate. So, if you would please ask for order."

The Chair then stated:

"Thank you very much for that request. For those who are in the gallery, we would like to ask you to at least present some proper decorum in the gallery and in this Chamber."

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak in support of HB No. 444. I support this bill for human compassion and social justice reasons. Whether or not those kinds of partnerships are consistent with our personal or religious beliefs, we all live in communities where same-sex relations exist. Our laws should be applied in a way that impacts all our residents in similar circumstances, equally. I support this bill because I'm convinced that encouraging all our citizens to form marital relations, even if we call them something else, is sound public policy consistent with our basic American value of equal justice under the law.

"I wholeheartedly agree with the opponents of this bill on one point – marriage is a bedrock institution of our civil order. We have a keen interest in preserving marriage and keeping marriage the default expectation for adult life. Marriage is, by far, the most beneficial social institution we have. It's not merely that individuals benefit in a myriad of ways from their own marriages. It's also that the prospect of marrying, the expectation that one will eventually marry, that promote and encourage a wide array of socially desirable behaviors among the unmarried, particularly as examples for young people, including practicing devotion, commitment and fidelity to our significant partners and to our families.

"Marriage benefits us as a community precisely because it conditions its benefits upon the solemn promises of spouses to mutually meet very specific responsibilities to one another. The occasion of a wedding is not merely a celebration of love, it is a ceremony in which two people stand before their loved ones, their closest friends and society at large, in love, support and faithfulness, "for better or worse, in sickness and in health, till death do us part." And these promises that everyone present, rightly expects them to keep, or at least try to keep.

"Unfortunately, because unmarried informal relations such as reciprocal beneficiaries are far less stable and less prestigious than traditional marriages, they fail to deliver many of the benefits of marriage, both to the alternatively arranged parties themselves, and to everyone else. For example, who can argue with the premise that it is better to have two loving and caring parents in a household raising children, than a single-parent household? I would suggest it is good for people to be in relationships where there are socially enforced and legally supported obligations of care and commitment, while arrangements requiring commitments less than those required of a marriage weaken our social fabric, and in doing so, harm us all.

"Finally, I have enough faith to believe that the success or failure of my own marriage depends more on the work and love I pour into it than whether or not we as a community, and today as a legislature, exclude other citizens from entering the same kind of union. The strength or weakness of my own family depends more on the values I demonstrate through my own actions than in dictating those values to others outside of my own family. I prefer to address the logs lodged in my own eyes before concentrating on the specks in others' eyes.

"I urge my colleagues to vote in favor of the bill."

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

"Yes, thank you, Mr. Speaker. I'm in strong support. I ask that the remarks of our Majority Leader be inserted as my own. I would also like to point out that my own parents were victims of the Miscegenation Laws that looked at race as a reason to keep people from being married. And so, I see this as a continuation of getting rid of these awful, hurtful laws.

"First of all, we aren't looking at marriage, we are looking at civil unions. So, whatever discussion there is about marriage, that isn't what this bill is about. It's about civil rights. And, as a legislature, we're looking at everybody's rights, not just a certain few. That when we passed that amendment back in the '90s, it was 70 percent of the 26 percent of the people who actually voted for that amendment. And so, it was a majority of a minority.

"Finally, it was Nelson Mandela who said, 'Marriage really, is not between a man and a woman. It's between two human beings.' Thank you."

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

"Thank you, Mr. Speaker. In opposition. Mr. Speaker, I wasn't going to speak, but when we have views that are opposing and they're considered judgmental or hateful, I felt that I should speak from my own experiences. So, I will take the time to speak. You see, this is one of the hardest speeches that I've ever had to consider writing, and at one point in time, I wasn't going to say anything.

"You see, I grew up loving a sister who was gay. The only reason I say 'was' is because she passed away of cancer in 2001. I know that she can hear me today, and the last thing that I would want for her to feel in any way, shape, or form, is that I didn't love her for who she was. I was very little when my parents found out that my sister was gay. My understanding is that the initial reaction was not a positive one. But soon after my parents found out, they accepted my sister and loved her. So I grew up respecting and loving and accepting my sister, not because she was gay and not despite she was gay. I loved her because she was my sister.

"The reason I am voting against this bill is because my belief is that the decisions we make today will shape our tomorrow. Our laws reflect the hierarchy of what is best for society for the generations of families to come. Marriage between a man and a woman is put up at the top, and has been recognized by government. If we push to have government certify or make legal a union or marriage between the same sex, I believe that we push what is accepted, to what will be promoted. I oppose this direction.

"We infuse morals and how we define marriage currently by stating that marriage shall be between a man and a woman, shall not be between relatives, and shall not occur with a child and an adult, among other things. I hope that at the end of this day, or at the end of this legislative session, that we can find peace within ourselves and with one another. But more important, remember that we can love even with our differences.

"This inner journey was a difficult one to take. I can take this vote in good conscience, because I know that my sister would love me, no matter what I vote today. Thank you."

The Chair then addressed the audience, stating:

"May we please have some proper decorum in the Gallery."

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

"Thank you, Mr. Speaker. I am rising in favor of this bill. Twelve years ago, I voted to make marriage between a man and a woman, but today I am voting for civil unions, because I support family values. Everyone knows that I'm a loving mother of four children and two step-children. And I'm a doting grandmother of seven grandkids. But I believe in obligations and responsibilities and committed relationships, so, of course I don't condone casual relationships. I believe everyone should love and be loved. And I believe that we are all God's little children. Thank you."

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

"Thank you, Mr. Speaker. Mr. Speaker, I rise to speak in favor of this bill. And first of all, I would like to thank the Judiciary Chair for having the courage to put us in a situation where we are voting on a monumental bill. What prior Judiciary Chairs, including myself, have failed to do, he has been able to do, and I want to thank him deeply for that.

"I feel today is a great day. I feel kind of ashamed that we have closed our eyes to the discrimination that has gone on, and we have continued to allow discrimination. And it's through bills like this, which will equalize some of the things that we have failed to do in the past. I make no

pretense, and I make no apologies about this bill. I know what this bill does. It brings us closer to equality. It doesn't get there, but it's pretty close. And, as we fight for equality for all our citizens, it's something that we have to do. It wasn't long ago where women couldn't vote. And it wasn't long ago when students were segregated in the classrooms because of race. We continue to allow overt discrimination in our community to happen, and it's something that we should not tolerate anymore.

"Mr. Speaker, my son is six now, and he's at a point in time where he understands differences, and he recognizes it. And in his class, I'm thankful that he has a friend who has two mommies. And on his soccer team, he has a teammate who has two daddies. He sees the differences, and he can differentiate, but he accepts it, and he knows that for what it is. They are who they are. And I'm thankful that he is growing up in a time where he understands and differentiates differences, and doesn't discriminate, but accepts it. I'm very thankful for that, and I'm very thankful for today. Thank you."

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

"Thank you, Mr. Speaker. I rise in strong support. Mr. Speaker, I rise today, not just as the youngest member of this body, but as a member of our next generation. And my generation, like each that has come before, has been raised with an expectation that we can make anything of ourselves if we work hard enough, pursue our dreams, and achieve the impossible. We've been promised the 'American Dream,' yet all this means nothing if some of us can be denied the single, most important commitment in our lives.

"So many in my generation are growing up, only to find their pursuit of happiness being inhibited and judged by the values of others, in a country that prides itself on equality, and applauds itself for overcoming generations of prejudice. Now how can this be? Mr. Speaker, as citizens, we have been promised the freedom to choose the way we live, to worship as we desire, to love whomever we love, and to live by the values we choose. Each of us has been promised the liberty to our pursuit of happiness and our own self-determination.

"But promises are not good enough, because today, by validating only some people's commitments to one another, government is either telling us who we should love, or it is affording us rights to one class of people over another. And either way, it isn't free, it isn't equitable, it isn't American, and it isn't right.

"Mr. Speaker, the battle for equality among all Americans is clearly not over. That is why my generation overwhelmingly supports equal rights for all couples. And I rise today on their behalf. Thank you."

Representative Ward rose to respond, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I want to be sure to say this in love, because I think there's been some misinterpretation about when you defend marriage, you're condemning individuals, and I want to be very clear that this is not to condemn individuals. It's to protect an institution, the same way that our forefathers fought to protect democracy, of which some of us have family now in Iraq protecting democracy, and other values which are institutional, which will go beyond all of us in this Chamber and the great nation that we belong to, into posterity.

"But, my point is this, Mr. Speaker. Some of us, if I can go back to my speech Tuesday, I said one of the great core of our country is equality of opportunity, equality under the law. And I said that democracy is self-correcting. Today we are correcting the democratic process that didn't allow equal rights. We should have no problems, as Americans, with equal rights. But Mr. Speaker, there's some of us who don't believe that this bill stops at this juncture of civil unions. That's what this argument is about. In fact, if this argument is incorrect, then let's go back to the people and ask them, as they did in 1998, what do they think? Because this Body should not be the body that determines the future of same-sex marriage.

"If what we are saying today is civil unions, then there's no problem with equal rights. There should not be a problem with equal rights. We're Americans. But if it's to where we're going to change the institution, and morph this in a manner of just tweaking a certain little name in that bill, and then come up and surprise the people, that suddenly we got same-sex marriage, we will have cheated them. We will have cheated democracy, and that's not why we're here, Mr. Speaker. This is the marketplace of ideas. We have to respect this institution, and that's why some of us don't believe that we're doing today the right thing, because of what it's going to lead to. Thank you, Mr. Speaker."

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

"Yes, Mr. Speaker, I rise in opposition. As many of the people that know me in this Chamber, especially my husband, I have very strong personal opinions. But as someone reminded me, I'm not here to represent my opinion. I am here to represent the voices of the people of Ewa Beach. And they have clearly spoken. Over 90 percent of them. And that this perhaps is not the avenue in which they would like to see equality. That they would much rather prefer to expand reciprocal beneficiary rights that our leader across from me said was taken away. And that would be a compromise that they would so graciously embrace.

"They wanted me to tell everybody here today, as we talk about discrimination. They wanted me to tell everyone here, please, don't discriminate against them because they're Christian. Don't discriminate against them because they're Mormon. Don't discriminate against them because they're Muslim. It is simply the things that they believe in, and they apologize if it hurts people's feelings. Thank you."

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I stand in support of the measure to create civil unions. I believe in stable, loving relationships, whether they are in a legal marriage or in alternative circumstances. This measure will allow couples who cannot marry the opportunity to benefit from being in a legal and recognized relationship.

"I believe that attitudes across our nation are changing, and more people are willing to accept and understand alternative lifestyles, as long as there is love and respect between the partners.

"There has been considerable debate over this issue across the nation, and I am grateful our discussion in Hawaii has lead to a positive resolution."

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

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:

"It's about time. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 444, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL UNIONS," passed Third Reading by a vote of 33 ayes to 17 noes, with Representatives Aquino, Awana, Ching, Choy, Evans, Finnegan, Har, Ito, Magaoay, Manahan, McKelvey, Mizuno, Pine, Sagum, Tokioka, Ward and Yamane voting no, and with Representative Takai being excused.

At 1:07 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 615, HD 1
H.B. No. 622, HD 1
H.B. No. 293, HD 1
H.B. No. 444, HD 1

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 50 through 52) and concurrent resolutions (H.C.R. Nos. 64 through 66) were referred to Printing and further action was deferred:

H.R. No. 50, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO CREATE SCHOLARSHIPS FOR HAWAII RESIDENTS TO STUDY ABROAD," was jointly offered by Representatives Ward, Brower, Pine, Aquino, Ching, Hanohano, C. Lee and Nakashima.

H.R. No. 51, entitled: "HOUSE RESOLUTION ENCOURAGING THE HAWAIIAN ELECTRIC COMPANY TO EXTEND ITS ENERGY SOLUTIONS FOR THE HOME PROGRAM," was jointly offered by Representatives Ward, Brower, Pine, Ching, Hanohano, C. Lee, Marumoto and Nakashima.

H.R. No. 52, entitled: "HOUSE RESOLUTION URGING THE USE OF POLYVINYL CHLORIDE AND HIGH-DENSITY POLYETHYLENE PIPE AND FITTINGS FOR THE CONSTRUCTION OR REPAIR OF PRIVATE AND PUBLIC POTABLE WATER SYSTEMS," was offered by Representative Herkes.

H.C.R. No. 64, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO REQUIRE DEVELOPERS TO APPEAR BEFORE THE APPROPRIATE NEIGHBORHOOD BOARDS FOLLOWING CHANGES IN CONSTRUCTION OR DEVELOPMENT PLANS PREVIOUSLY APPROVED BY THE NEIGHBORHOOD BOARD," was jointly offered by Representatives Ward, Brower, C. Lee, Pine, Aquino, Ching, Hanohano, Marumoto and Nakashima..

H.C.R. No. 65, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII AMERICAN WATER COMPANY TO IMPLEMENT AN ODOR MITIGATION PLAN FOR ITS FACILITY IN HAWAII KAI," was jointly offered by Representatives Ward, C. Lee, Ching, Hanohano, Marumoto and Pine.

H.C.R. No. 66, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE USE OF POLYVINYL CHLORIDE AND HIGH-DENSITY POLYETHYLENE PIPE AND FITTINGS FOR THE CONSTRUCTION OR REPAIR OF PRIVATE AND PUBLIC POTABLE WATER SYSTEMS," was offered by Representative Herkes.

ANNOUNCEMENT

Representative Ching: "Thank you, Mr. Speaker. Today we celebrate the 200th anniversary of who has been called, as I said in the Invocation last week, the Country's greatest President who, validated in every poll of professional historians and ordinary Americans, who had the hardest job of all, but did it triumphantly. It's all part of the Country's unique obsession with a martyred President, who is perceived, as historians say, as the epitome of an American. Born out of the wilderness in Kentucky, self-schooled by candlelight. Who would grow to be the savior of the Union, the fall of slavery, and then sacrificed on Good Friday night in 1865, by an assassin's bullet.

"It's Abraham Lincoln. The founder and father of the Republican Party, who is 200 years old today. Thank you."

ADJOURNMENT

At 1:08 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 13, 2009. (Representative Takai was excused.)

SIXTEENTH DAY

Friday, February 13, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:06 o'clock p.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 M. Oshiro, Pine and Takai, who were excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 7 through 10) were received and announced by the Clerk:

Sen. Com. No. 7, transmitting H.B. No. 302, 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 12, 2009.

Sen. Com. No. 8, transmitting S.B. No. 123, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," which passed Third Reading in the Senate on February 12, 2009.

Sen. Com. No. 9, transmitting S.B. No. 697, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," which passed Third Reading in the Senate on February 12, 2009.

Sen. Com. No. 10, transmitting S.B. No. 715, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on February 12, 2009.

On motion by Representative Evans seconded by Representative Ching and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representatives Pine and Takai were excused.)

S.B. No. 123, SD 1
S.B. No. 697
S.B. No. 715

INTRODUCTIONS

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

Representative Luke introduced 2nd and 3rd grade students from Soto Academy. They were accompanied by their teacher, Mrs. Rose Ann Nakamoto; parents, Ms. Lisa Matsunaga, Ms. Tracy Tsuhako, Mr. Kyle Nakamura, and Ms. Laurie Isara; and aunt, Ms. Shirley Chong.

Representative Wakai introduced 9th grade students from Moanalua High School, and their teacher, Ms. Rachael Jones.

Representative Berg also acknowledged the students of Moanalua High School and recognized their participation in NCSL's Project Citizen.

Representative Ward introduced Mr. Ilya Shapiro, Sr. Fellow in Constitutional Studies at the Cato Institute in Washington, DC. He was accompanied by Mr. Richard Rowland, President Emeritus of the Grassroots Institute of Hawaii.

At 12:13 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 12:23 o'clock p.m.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R. Nos.	Referral
50	Jointly to the Committee on Higher Education and the Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance
51	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
52	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

H.C.R. Nos.	Referral
64	Committee on Water, Land, & Ocean Resources
65	Committee on Energy & Environmental Protection
66	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referral
279, HD1	Committee on Energy & Environmental Protection, then to the Committee on Finance
281, HD1	Committee on Energy & Environmental Protection, then to the Committee on Finance
397, HD1	Committee on Public Safety, then to the Committee on Judiciary, then to the Committee on Finance
1141	Jointly to the Committee on Tourism, Culture, & International Affairs and the Committee on Economic Revitalization, Business, & Military Affairs
1704, HD1	Jointly to the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Finance
1807, HD1	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 214) recommending that H.B. No. 696, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 696, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Pine and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 215) recommending that H.B. No. 439, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 439, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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. 439, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL INJURIES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Pine and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 216) recommending that H.B. No. 1317, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1317, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RURAL PHYSICIANS TAX CREDIT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Pine and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 217) recommending that H.B. No. 1378, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1378, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

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

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

Representative 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. 1378, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Pine and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 218) recommending that H.B. No. 1776, pass Second Reading and be referred to the Committee on Human Services.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1776, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Human Services with Representatives Pine and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 219) recommending that H.B. No. 232, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 232, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 232, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Pine and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 220) recommending that H.B. No. 336, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 336, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Mr. Speaker, I'd like to speak in favor of this measure. I'm in favor of Standing Committee Report 220. The collection of DNA upon felony arrests for violent crimes will help solve cold cases and will save lives by providing earlier ID of serial offenders. It will also absolve the innocent. It will reduce cases of wrongful incarceration, and remove racial bias.

"In the case of rape, expanding DNA database requirements help prevent crimes. An offender that is not apprehended in a timely fashion remains free to commit more crimes. According to the U.S. Department of Justice, the average rapist commits eight to twelve sexual assaults before they are caught. So, if we are able to apprehend the perpetrator after the first assault, an average of seven rapes could be prevented. As so many courts, including the 2nd, 3rd and 9th Circuits, the Virginia Supreme Court, and other federal courts in Maryland, New Jersey and Oregon, have upheld the collection of DNA samples at arrest, as an acceptable and constitutional practice.

"Please vote for this Women's Caucus 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. 336, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DNA COLLECTION FOR ARRESTEES OF VIOLENT CRIMES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Pine and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 221) recommending that H.B. No. 1149, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No.

1149, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Pine and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 222) recommending that H.B. No. 1629, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1629, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY SHELTERS," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Pine and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 223) recommending that H.B. No. 383, pass Second Reading and be referred jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 383, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," passed Second Reading and was referred jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources with Representatives Pine and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 224) recommending that H.B. No. 1014, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1014, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Pine and Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 225) recommending that H.B. No. 1658, pass Second Reading and be referred to the Committee on Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1658, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Education with Representatives Pine and Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 226) recommending that H.B. No. 905, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 905, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Pine and Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 227) recommending that H.B. No. 1665, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1665, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN FISHPONDS," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Pine and Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 228) recommending that H.B. No. 908, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 908, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS IN THE UNIVERSITY OF HAWAII SYSTEM," passed Second Reading and was referred to the Committee on Higher Education with Representatives Pine and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 229) recommending that H.B. No. 1071, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1071, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Pine and Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 230) recommending that H.B. No. 991, HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 991, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was referred to the Committee on Finance with Representatives Pine and Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 231) recommending that H.B. No. 691, HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 691, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN SHORTAGES," was referred to the Committee on Finance with Representatives Pine and Takai being excused.

Representatives McKelvey and Tsuji, for the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 232) recommending that H.B. No. 988, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 988, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Pine and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 233) recommending that H.B. No. 1606, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1606, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Pine and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 234) recommending that H.B. No. 984, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 984, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

At this time, Representative McKelvey offered Floor Amendment No. 1, amending H.B. No. 984, HD 1, as follows:

"SECTION 1. House Bill No. 984, H.D. 1 (RELATING TO TECHNOLOGY), is amended by amending Part III of the new chapter created in section 2 as follows:

1. By inserting three new sections to read:

"**§ -68 PEG access organization designation, generally.** (a) The commission shall designate for each county one PEG access organization to oversee the development, operation, supervision, management, production, or broadcasting of programs for any channels obtained under section -67.

(b) No PEG access organization shall be initially designated except upon written application to the commission, and following public hearing upon notice as provided in section -14(d).

(c) An application for designation as a PEG access organization shall be accepted for filing only when made in response to the written request of the commission for the submission of proposals. An application for designation shall be made in a form prescribed by the commission by rule adopted under chapter 91 and shall set forth the information required by the commission and determined in accordance with this chapter, as to whether a PEG access organization should be designated, including:

(1) The management and technical experience of the organization and its existing or proposed staff;

(2) The public media, community media, or PEG access experience, or any combination thereof of the organization and its existing or proposed staff;

(3) Whether the applicant's missions or purposes as evidenced by its articles of incorporation, bylaws, or similar corporate documents, include providing training, education, and outreach to give individuals and organizations the ability to use communication tools to effectively convey their messages;

(4) The ability of the organization and its existing or proposed staff to provide PEG access services requested by the commission;

(5) The organization's short- and long-term plans for PEG access services for a designated county;

(6) The financial capacity of the organization;

(7) Whether the organization agrees to expand the marketplace of ideas and is committed to allowing members of the public to express their first amendment rights of free speech;

(8) The ability of the organization, through the use of electronic media tools, to foster and engage in civic and cultural development and engagement in communities it has served; and

(9) Any other matters deemed appropriate and necessary by the commission.

(d) The commission shall designate PEG access organizations in accordance with the public interest. In designating a PEG access organization, the commission shall take into consideration, among other things:

(1) The content of the application;

(2) The public need for the services;

(3) The applicant's ability to provide PEG access services;

(4) The applicant's suitability;

(5) The financial responsibility of the applicant;

(6) The technical and operational ability of the applicant to efficiently perform the services for which designation is requested;

(7) Any objections arising from the public hearing;

(8) The local needs of each community within each county;

(9) The advice of the communications advisory committee; and

(10) Any other matters as the commission deems appropriate in the circumstances.

(e) The period of an initial designation shall be for the period of the franchise or franchises granted under section -67 and any renewal periods granted unless the designation is revoked for cause. In cases of mid-term revocation of designation, the subsequent designation shall be for a period of the remaining term of the franchise or franchises revoked.

(f) The commission shall adopt rules pursuant to chapter 91 consistent with this chapter for the designation and regulation of PEG access organizations.

§ -69 PEG access organization services, terms of designation. (a) Every PEG access organization shall provide safe, adequate, and reliable service in accordance with applicable laws, rules and designation requirements.

(b) The commission shall include in each PEG access organization designation a statement of services to be provided, performance standards and fees for the services, and all terms and conditions of service, in the form and with the notice that the commission may prescribe. Prior to finalizing the terms of a designation, the commission shall seek advice from the communications advisory committee regarding the appropriate terms.

(c) The commission shall ensure that the terms and conditions upon which PEG access organization services are provided are fair both to the public and to the PEG access organization, and shall take into account the appropriate service area, information received during the designation process, and the resources available to compensate the access provider.

(d) If a designation period has ended, the designation shall be extended upon mutual agreement of the PEG access organization and the commission; provided:

(1) The period of each extension shall be coextensive with any extension of the relevant franchise or franchises;

(2) The commission shall make a written determination that it is not practical to designate another PEG access organization; and

(3) The terms and conditions of the designation shall remain the same as the original designation, as may be amended by the designation; provided further that if the terms and conditions are not the same or are amended, the terms and conditions shall be fair and reasonable.

(e) No PEG access organization designation or franchise, including the rights, privileges, and obligations, may be assigned, sold, leased,

encumbered, or otherwise transferred, voluntarily or involuntarily, directly, or indirectly, including by transfer of control of any PEG access organization, whether by change in ownership or otherwise, except upon written application to and approval by the director. A transfer of an PEG access organization designation shall authorize the new PEG access organization to provide services for the remainder of the term of the existing franchise.

§ -70 **Access fees.** The commission shall assess the maximum access fees permitted under federal law based upon the gross revenue of each operator. The PEG access organizations shall receive not less than seventy-five per cent of the access fees assessed; provided that the commission may cap access fees distributed to PEG access organizations serving counties with more than five hundred thousand residents, as provided by rule adopted pursuant to chapter 91. Whatever fees are not distributed to PEG access organizations and not used by the commission for administering the designation of PEG access organizations shall be distributed to institutions of higher learning, schools, the state legislature, and the counties, as provided by rule, for development and production of residential cable access for television purposes."

2. By renumbering sections -68 to -74 to conform to the insertion of the three new sections;

3. By renumbering references to section -68 in the new chapter, to section -71; and

4. By inserting a new subsection (d) in section -14 of the new chapter to read:

"(d) Any public hearing held pursuant to section -68(b), shall be a noticed public hearing or hearings in the county to be served by the applicant for designation as an access organization. Notice of the hearing, with the purpose thereof and the date, time, and place at which it will open, shall be given not less than once in each of three weeks statewide, the first notice being not less than twenty-one days before the public hearing and the last notice being not more than two days before the scheduled hearing.""

On motion by Representative McKelvey, seconded by Representative Choy and carried, Floor Amendment No. 1, amending H.B. No. 984, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was adopted with Representatives Pine and Takai being excused.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 984, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Pine and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 235) recommending that H.B. No. 86, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 86, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Pine and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 236) recommending that H.B. No. 483, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 483, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative McKelvey rose in support of the measure, stating:

"I am 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.B. No. 483, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 237) recommending that H.B. No. 1376, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1376, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"I'd like to cast reservations on this Committee Report. I understand that it duplicates a Department of Education action."

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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1376, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 238) recommending that H.B. No. 650, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 650, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Pine and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 239) recommending that H.B. No. 1431, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1431, HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1431, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Pine and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 240) recommending that H.B. No. 1648, as amended in HD 1, pass Second Reading and be referred to the Committee on Health.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1648, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Health with Representatives Pine and Takai being excused.

Representatives Takumi and Chang, for the Committee on Education and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 241) recommending that H.B. No. 1082, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1082, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH INCOME TAX CREDIT," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Pine and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 242) recommending that H.B. No. 397, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 397, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Pine and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 243) recommending that H.B. No. 398, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 398, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Pine and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 244) recommending that H.B. No. 1159, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1159, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Pine and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 245) recommending that H.B. No. 1163, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1163, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Pine and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 246) recommending that H.B. No. 53, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 53, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Pine and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 247) recommending that H.B. No. 963, as amended in HD 1, pass Second Reading and be referred to the Committee on Hawaiian Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 963, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKS OF ART SPECIAL FUND," passed Second Reading and was referred to the Committee on Hawaiian Affairs with Representatives Pine and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 248) recommending that H.B. No. 701, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 701, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 249) recommending that H.B. No. 1429, as amended in HD 1, pass Second Reading and be referred to the Committee on Human Services.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1429, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ABOUT FACE PROGRAM," passed Second Reading and was referred to the Committee on Human Services with Representatives Pine and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 250) recommending that H.B. No. 1601, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1601, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Pine and Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 251) recommending that H.B. No. 703, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 703, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 252) recommending that H.B. No. 704, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 704, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 253) recommending that H.B. No. 705, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 705, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 254) recommending that H.B. No. 1064, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1064, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES TO ADDRESS THE BUDGET SHORTFALL," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 255) recommending that H.B. No. 736, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 736, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 256) recommending that H.B. No. 739, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 739, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY ASSISTANCE TO NEEDY FAMILIES," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 257) recommending that H.B. No. 960, as amended in HD 1, pass Second Reading and be referred to the Committee on Public Safety.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 960, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Public Safety with Representatives Pine and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 258) recommending that H.B. No. 1808, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1808, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL AREAS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Pine and Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 259) recommending that H.B. No. 1806, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1806, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN NATURAL RESOURCE MANAGEMENT," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Pine and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 260) recommending that H.B. No. 724, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 724, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 261) recommending that H.B. No. 782, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 782, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM MEDIATION ACT," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 262) recommending that H.B. No. 279, as amended in HD 1, be recommitted to the Committee on Energy & Environmental Protection.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 279, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," was recommitted to the Committee on Energy & Environmental Protection with Representatives Pine and Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 263) recommending that H.B. No. 281, as amended in HD 1, be recommitted to the Committee on Energy & Environmental Protection.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 281, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," was recommitted to the Committee on Energy & Environmental Protection with Representatives Pine and Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 264) recommending that H.B. No. 1807, as amended in HD 1, be recommitted to the Committee on Energy & Environmental Protection.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1807, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY," was recommitted to the Committee on Energy & Environmental Protection with Representatives Pine and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 265) recommending that H.B. No. 1704, as amended in

HD 1, be recommitted to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1704, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was recommitted to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Pine and Takai being excused.

ANNOUNCEMENTS

Representative Ching: "Thank you, Mr. Speaker. Tomorrow will be St. Valentine's Day, and I wanted to announce that that is why, as you know, annually I put chocolate on everyone's desk. Americans themselves will consume just a huge amount of chocolate, tomorrow and today. Chocolate which comes from cacao, is able to be grown here in Hawaii. We are the only state that can grow it in the U.S. And I think that the best analogy of chocolate is what tea is to Asia. Tea is a very important drink of Asia as it has spiritual meaning. And what wine might be to Europe, is the drinking of cacao to the entire Americas.

"And so to relook at chocolate, the actual history of chocolate is that it was never meant for children. It is actually an important crop, and I'm hoping that one day we are able to grow it even more. Thank you."

Representative Chong: "Thank you, Mr. Speaker. This is just a reminder that your Housing Committee is going to have decision-making at 1 p.m. today in Room 329. Thank you."

Representative Ward: "Mr. Speaker, as the only male of the Minority Caucus, I wish all of the ladies in the House a very, very Happy Valentine's, and to know that the five women in the Caucus made me say this."

At 12:37 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 12:37 o'clock p.m.

ADJOURNMENT

At 12:38 o'clock p.m. on motion by Representative Evans, seconded by Representative Ching and carried, the House of Representatives adjourned until 12:00 o'clock noon Tuesday, February 17, 2009. (Representatives Pine and Takai were excused.)

SEVENTEENTH DAY

Tuesday, February 17, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:06 o'clock p.m., with the Speaker 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 Evans and Takai, 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. 241 through 249) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 241, dated February 9, 2009, transmitting the Affordable Housing Regulatory Barriers Task Force Report, established via Executive Order No. 07-02, created pursuant to the U.S. Department of Housing and Urban Development's invitation to participate in the National Call to Action for Affordable Housing through Regulatory Reform, providing background for measures pending before the House and Senate: HB 1083/SB 901, HB 1084/SB 902, HB 1085/SB 903, HB 1089/SB 907, HB 1090/ SB 908, HB 1091/SB 909.

Gov. Msg. No. 242, dated February 6, 2009, transmitting the 2008 Annual Report prepared by the Natural Energy Laboratory of Hawaii Authority, pursuant to Chapter 227D, Hawaii Revised Statutes, as amended.

Gov. Msg. No. 243, dated February 9, 2009, transmitting the 2008 Annual Report of the State of Hawaii Overseas Offices, prepared by the Department of Business, Economic Development, & Tourism, pursuant to Act 201, Section 201-84.

Gov. Msg. No. 244, dated February 3, 2009, transmitting the Department of Human Services' Report to the Legislature as required by Act 158, Part 7, Section 200.1, SLH 2008.

Gov. Msg. No. 245, dated January 30, 2009, transmitting the Department of Human Services' Report to the Legislature as required by Act 213, Part 7, Section 209, SLH 2007.

Gov. Msg. No. 246, dated January 30, 2009, transmitting the Department of Human Services' Report to the Legislature as required by Act 213, Part III, Section 54, SLH 2007.

Gov. Msg. No. 247, dated February 3, 2009, transmitting the Department of Human Services' Report to the Legislature as required by section 346-7.5, Hawaii Revised Statutes.

Gov. Msg. No. 248, dated February 13, 2009, transmitting the 2008 Report of the Commission to Promote Uniform Legislation of the Department of the Attorney General.

Gov. Msg. No. 249, dated January 30, 2009, transmitting the Department of Human Services' Report to the Legislature as required by Act 213, Part 7, Section 210, SLH 2007.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 11 through 18) were received and announced by the Clerk:

Sen. Com. No. 11, transmitting S.B. No. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPIHI," which passed Third Reading in the Senate on February 13, 2009.

Sen. Com. No. 12, transmitting S.B. No. 64, entitled: "A BILL FOR AN ACT RELATING TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD," which passed Third Reading in the Senate on February 13, 2009.

Sen. Com. No. 13, transmitting S.B. No. 92, 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 13, 2009.

Sen. Com. No. 14, transmitting S.B. No. 119, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM FOREIGN-COUNTRY MONEY JUDGMENTS RECOGNITION ACT," which passed Third Reading in the Senate on February 13, 2009.

Sen. Com. No. 15, transmitting S.B. No. 153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," which passed Third Reading in the Senate on February 13, 2009.

Sen. Com. No. 16, transmitting S.B. No. 468, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," which passed Third Reading in the Senate on February 13, 2009.

Sen. Com. No. 17, transmitting S.B. No. 711, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on February 13, 2009.

Sen. Com. No. 18, transmitting S.B. No. 718, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on February 13, 2009.

On motion by Representative B. Oshiro seconded by Representative Pine and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representatives Evans and Takai were excused.)

S.B. No. 1, SD 1
S.B. No. 64
S.B. No. 92
S.B. No. 119
S.B. No. 153, SD 1
S.B. No. 468, SD 1
S.B. No. 711, SD 1
S.B. No. 718, SD 1

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 57) was received by the Clerk and was placed on file:

Dept. Com. No. 57, dated February 9, 2009, from Jeffrey Kuwada, Deputy County Clerk, County of Maui, transmitting a copy of Resolution No. 09-9 entitled: "URGING SUPPORT FOR CONTINUED STATE FUNDING FOR THE HAWAII HEALTHY START PROGRAM," which was adopted by the Council of the County of Maui, State of Hawaii, on February 6, 2009.

INTRODUCTIONS

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

Representative Manahan introduced Ms. Lourdes S. Tabamo, Deputy Consul General with the Philippine Consulate in Hawaii.

Representative Cabanilla introduced Mr. Elman Abdullayev, Deputy Consul for the Republic of Azerbaijan Consulate in Los Angeles.

Representative Ward further recognized Mr. Abdullayev and the Republic of Azerbaijan.

Representative Finnegan introduced the 7th and 8th grade students of Our Savior Lutheran School in Aiea, and their teachers, Mrs. Pat Lemmer and Mr. Todd Bedner.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

S.B. Nos.	Referred to:
123, SD1	Committee on Transportation, then to the Committee on Judiciary
281	Committee on Transportation, then to the Committee on Judiciary
412	Committee on Water, Land, & Ocean Resources
697	Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
715	Committee on Transportation, then to the Committee on Water, Land, & Ocean Resources

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
274	Committee on Public Safety
342	Committee on Finance
863, HD1	Committee on Transportation, then to the Committee on Finance
908, HD1	Committee on Hawaiian Affairs, then to the Committee on Finance
960, HD1	Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance
1046	Committee on Finance
1492, HD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1583	Committee on Finance
1588	Committee on Finance
1598	Committee on Finance
1600	Committee on Finance
1684, HD1	Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Judiciary

STANDING COMMITTEE REPORTS

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 266) recommending that H.B. No. 253, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.B. No. 253, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOTEL RENOVATION TAX CREDIT," passed Second Reading and was referred to the Committee on Finance with Representatives Evans, Mizuno and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 267) recommending that H.B. No. 532, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.B. No. 532, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL AMNESTY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Evans, Mizuno and Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 268) recommending that H.B. No. 172, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committees was adopted and H.B. No. 172, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECONSTITUTING SCHOOLS," passed Second Reading and was referred to the Committee on Finance with Representatives Evans, Mizuno and Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 269) recommending that H.B. No. 1377, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committees was adopted and H.B. No. 1377, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Finance with Representatives Evans, Mizuno and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 270) recommending that H.B. No. 493, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.B. No. 493, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Evans, Mizuno and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 271) recommending that H.B. No. 1688, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.B. No. 1688, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CHECK-OFF," passed Second Reading and was referred to the Committee on Finance with Representatives Evans, Mizuno and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 272) recommending that H.B. No. 1686, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1686, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Chong.

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I would like a ruling on a potential conflict of interest. At my law firm, I represent a couple of Charter Schools. 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. 1686, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Finance with Representatives Evans, Mizuno and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 273) recommending that H.B. No. 985, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.B. No. 985, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Evans, Mizuno and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 274) recommending that H.B. No. 983, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.B. No. 983, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance with Representatives Evans, Mizuno and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 275) recommending that H.B. No. 986, HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.B. No. 986, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," was referred to the Committee on Finance with Representatives Evans, Mizuno and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 276) recommending that H.B. No. 329, HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 329, HD 1, be referred to the Committee on Finance, seconded by Representative Chong.

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

"Thank you, Mr. Speaker. In opposition to Stand. Com. Rep. No. 276. Thank you, Mr. Speaker. Just short comments. In regards to this particular legislation, having to do with Abstinence-Only Funding, Title V, Comprehensive Sex Education.

"Mr. Speaker, the biggest reason why I am against this is because I called the people this would affect, and this is the Boys and Girls Club of Hawaii. But it's actually contracted through one of their Club Houses, and that is the Waianae Club House. They weren't aware of what actual legislation was moving around in the State Capitol, and so of course they were telling me about their program, and how they want to expand and do all of this other stuff.

"My no vote is mainly because this is regarding a program which is a positive program for youth that is currently operating right now that has not actually made their voice known, having to do with their program, and how it's going to affect their program. So, I'm voting no on this bill. Thank you."

Representative Ching 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."

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

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I stand in support of HB 329, a Women's Caucus measure relating to Title V Funding.

"Studies have shown that abstinence only education is effective for teens for only a short time. After 18 months, youth who receive abstinence only education are much less likely to use some form of contraception to prevent pregnancy or to protect against STI's.

"Certain Title V federal dollars are required to be used for abstinence-only-until-marriage sex education programs. Programs accepting Title V federal funding are prohibited by law from providing information about the health benefits of condoms and birth control in preventing unwanted pregnancy, sexually transmitted infections, and human immunodeficiency virus.

"Mr. Speaker, Hawaii's teen pregnancy rate has actually spiked by 12% between 2005 and 2006, despite programs funded by both Title V and CDAE funds. Comprehensive sexuality education for all of Hawaii's youth is required so that Hawaii's youth can protect themselves against unwanted pregnancy and STI's. Abstinence is a good thing, however studies tell us it does not work for everyone and is an unrealistic standard for our public schools.

"I urge my colleagues support of this measure."

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 rise in opposition to H.B. 329 - Abstinence-Only Funding; Title V; Comprehensive Sex Education. It appears this bill might not be necessary since there is an already existing comprehensive and well-rounded curricula being taught in the schools.

"Currently I must agree with Chiyome Fukino, M.D., who is the Director of Health for the State of Hawaii, when she says, "The Title V Abstinence-Only Program integrates sexual abstinence until marriage, as the expected standard with healthy youth development activities that are provided in an out-of-school setting. Abstinence-only education promotes and provides age-appropriate information about sexual health and provides accurate and factual information on sexually transmitted diseases and HIV/AIDS as reasons to be abstinent. Healthy youth development activities include character and relationship building approaches to equip young people with the skills needed to make healthy decisions and safe choices. This bill is not necessary because abstinence-only audiences have access to State-funded programs and resources such as family planning

and other teen pregnancy prevention counseling that do provide comprehensive contraceptive information.""

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 329, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was referred to the Committee on Finance with Representatives Ching, Finnegan, Pine and Ward voting no, and with Representatives Evans, Mizuno and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 277) recommending that H.B. No. 330, HD1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 330, HD 1, be referred to the Committee on Finance, seconded by Representative Chong.

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

"Thank you, Mr. Speaker. In opposition with some comments. Thank you, Mr. Speaker. This bill, Stand. Com. Rep. No. 277, HB 330, House Draft 1, requires sexuality or health education funded by the State to provide medically accurate and be factual comprehensive information, but is age appropriate and includes education on abstinence, contraception, and methods of disease prevention for an unintended pregnancy and sexually transmitted disease, including HIV.

"First of all, I'd like to thank the prior Committees, having to do with the addition of the language that says, 'specifically for sexuality or health education and medically accurate and comprehensive education', because that actually protects some of the non-profits from losing other funding, so I do appreciate that particular verbiage that was added.

"My comments have to do mostly with, after digging into this, because as a parent, I want to make sure both of my kids go to public schools, and so I wanted to make sure I was making the responsible decision as a parent, as to how we teach sex education in our classrooms.

"I first should start off with, some of the people involved in this particular bill, I understand why it's so upsetting, because President Bush basically, he moved forward with abstinence-only sex education, and said that federal funding, you were not going to be able to receive this federal funding unless it was abstinence-only sex education. I don't necessarily agree with that. I agree that there should be a good array of the kinds of information that a teen needs.

"The problem that I face as a parent is, the fundamental responsibility of the parent is to make sure that these things are being taught to their children. Hopefully through the parent, but if that doesn't happen, then of course, society, the education system, or whoever has to come into play because this information is very vital for a young person.

"But there are three different things that are going on in this bill. One is the prevention of abstinence-only sex education. Two is the Board of Education currently has a policy in regards to sex education, and their specific policy is abstinence-based sex education. And then there's this bill that says comprehensive sexuality health education. And those are three different things.

"I happen to believe that we should have a combination of abstinence-only, and the other, whether it be abstinence-based education, or a comprehensive sexuality health education. And that's because there are different tools, or different things that you're promoting.

"In abstinence-only education, they're promoting abstinence, and they're basically saying, 'here are some of the tools that you might need.' You may need to be able to say to a boyfriend or someone who wants to have sex with you, that I'm not ready and here are some of the tools that they help practice and say, 'Hey you know, you don't have to give in to this kind of peer-pressure,' and that sort of thing. And I've reviewed all of the material. I actually went and read through these different things. They also say that abstinence-only works 100 percent of the time, and then they go and say about contraceptives, what their failure rate is. Now the other side of the equation is that they don't like the fact that they hone in on the failure rate, instead of the success rate of the contraceptives.

"So, what I would like to see is, in a classroom setting, age-appropriate material. Sometimes you're going to have to have boys separated from girls. Being that we have younger minds in the audience, I'm not going to give some of the examples of what they currently teach in 7th grade, which I think would be inappropriate for my kids, and something that I would want to teach on my own to my kids.

"The last point I do want to make is that in your hundred percent of students out there. There are maybe 25, I think they were saying 25 to 30 percent that are sexually active. But yet, this kind of information, in some of the explicit ways that they do this for 7th and 8th graders, they do it for hundred percent of the kids …"

Representative Pine rose to yield her time, and the Chair "so ordered."

Representative Finnegan continued, stating:

"They do it for a hundred percent of the kids, and some of those kids aren't quite at that age, or it wouldn't be age-appropriate for them. That's three-quarters to two-thirds of the kids who aren't sexually active.

"So, Mr. Speaker, as we move forward with this bill, and I did interviews with parents. I didn't care what their religious affiliation was. I just went up to parents, and I said, 'Look, as a parent, this concerns me. What do you think?' And some of those concerns from all different kinds of parents came back to me. And so I think I represent a lot of parents who have kids that are teenagers that may have concerns as to how this sex education is being taught to our kids, and that maybe we should take a step back and say, we understand that there are a segment of kids that are going to be sexually active, but you cannot just go ahead and spread all of this information to kids that aren't ready for it.

"So, Mr. Speaker, I speak in opposition of this language, and I just hope that we would think broader on this particular subject. Thank you."

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

"I would just like to register a no-vote, and I would love to use the words of the previous speaker."

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

"Thank you, Mr. Speaker. I would also like to register my reservations, but asked that words of the Minority Leader be incorporated as my own. I also would like to advocate for the input of parents in providing choice and what type of education would they like their children to have, and I think that this could be done. 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 say that the reason I support this is, I was looking at a report by the United States House of Representatives Committee on Government Reform, prepared for Representative Henry Waxman, and I just want to read one of the conclusions. 'The report finds that over 80 percent of abstinence-only criteria used, that over two-thirds of the grantees contained false, misleading, or distorted information about reproductive health.'

"As much I can appreciate what the Minority Leader is saying about how we need to make sure that parental involvement happens and that everybody has an informed attitude about it, the fact remains that abstinence-only, 80 percent of the time, in two-thirds of the programs provided false information. And if that is the data we have to go forward on, I think that's more than ample reason for us to start rejecting that type of dogma and indoctrination. Thank you."

Representative Pine rose to respond, stating:

"Just in rebuttal. If it is the case that certain abstinence-only education is promoting false and misleading information, then certainly I think we would definitely be opposed to that. But it's no reason to reject all federal funding for abstinence-only education, or to force children or teenagers that are not ready to get the medically accurate education. Let's just focus on the false and misleading stuff, and fix that part."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker, and just as a short rebuttal. You know, some of the misrepresentation that I think that the Majority Leader is talking about in that report, and when I asked of one of the testifiers in hearing, what is that misleading information, and you know part of it was that some of the students, or student teachers, or facilitators, or I forget what they call them, the teachers that teach some of this abstinence-only education, is that they'll say how it affected them, like emotionally; if there was an effect in regards to premarital sex, or even sex at a young age, or anything like that.

"The person who was testifying said that, well, if you have sex before marriage, that it might be, what the abstinence-only people are talking about is it might be emotionally stressful and have a traumatic experience, that kind of thing, on their lives. And that was the specific example that the male testifier talked about. It's very interesting to me, because time after time now, I don't know if this is stamped by the CDC, or anyone else, but time after time from those true experiences of women who have had sex at a young age, or sex before marriage, and even those people who have been a part of the teaching program, have had these experiences where they were emotionally affected by making a decision like this.

"So, maybe it doesn't have the CDC 'stamp of approval', and this particular male testifier had said, 'That's ridiculous, that doesn't happen.' I would ask, for those women who were in situations like that, maybe they may not have regrets as to their decisions that they made, but there are so many people that don't get the message that you can wait. And one of the testimonies coming from some of the schools, like Kahuku and Waianae. They were saying that these kids don't get that message at all. They don't have anyone telling them, 'You know, you can wait.' That sex maybe should be a choice of waiting until a more appropriate age for yourself, for when you're older, and when you can make these decisions that don't have all of this peer-pressure around you.

"So, I'm just saying that this message is a good one. One that says to people who don't get the message of waiting until you're ready. We should make that available to them. Thank you, Mr. Speaker."

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

"Mr. Speaker, I rise in favor of this measure. I like the message of abstinence-only and it's a very good message, but unfortunately it hasn't worked.

"This is a Women's Caucus bill. We heard, in discussing what bills we were going to support, that the abstinence-only program has led to increased pregnancies and increased sexually transmitted diseases. So, I think we have no choice but to promote programs that talk about abstinence, plus provide accurate, age-appropriate sex education. Please keep this in mind and vote for the measure."

Representative Ching rose to respond, stating:

"Thank you again, Mr. Speaker. With reservations. I wanted to support what the Minority Leader had mentioned in regards to the emotional component of some of the programs and their importance. I think that an additional aspect of this that should be looked at is the fact that we have such high teen suicide rates. And upon examination of teen suicide rates, it would be interesting to note that there are teens that take some of these things very, very hard, and I think that we should consider that when we're considering what the Minority Leader said. Thank you."

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

"Mar. Speaker, in support and would like to insert written comments. Just one comment that I would like to make is that 25 states have rejected Title V funding for abstinence-only education. But many of the programs here are receiving community-based abstinence education grants. These aren't included in the bill we previously heard. So, I was a little surprised to hear that in our public schools, organizations which receive CBAE grants actually can go into the schools at the invitation of a teacher. These programs, for the most part, have been known to contain false, misleading, and distorted information. And this has been shown in several national studies.

"So, I do stand in support of the bill. I don't think the amendment made was helpful, but I'd like to see it go forward. Thank you."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I stand in support of HB 330, a Women's Caucus measure relating to comprehensive sexuality education.

"Each year approximately one million American teens become pregnant and approximately half of all teenagers ages 14 to 18 engage in sexual intercourse. In 2007 a study of two thousand children done by Mathematica Policy found that teaching abstinence does not keep teenagers from having sex, nor does it increase the likelihood that they will use contraception if they do. We must be sure that our youth receive the sex education necessary to understand their bodies and protect themselves against unwanted pregnancy and sexually transmitted infections.

"HB 330 requires that any recipient of State monies to fund sex education must provide accurate information about contraception and the spread of STI's. We owe our youth the best and most accurate information available.

"Mr. Speaker, I encourage all the members support."

At this time, Representative Cabanilla called for the previous question.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 330, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE SEXUALITY HEALTH EDUCATION," was referred to the Committee on Finance with Representatives Finnegan and Pine voting no, and with Representatives Evans, Mizuno and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 278) recommending that H.B. No. 710, as amended in HD 1, be recommitted to the Committee on Health.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.B. No. 710, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was recommitted to the Committee on Health with Representatives Evans, Mizuno and Takai being excused.

ANNOUNCEMENTS

Representative B. Oshiro: "Mr. Speaker, I just wanted to thank the House for all of their participation in our lollipops fundraiser for Valentine's Day. A total of 1,075 lollipops were sent around in this building, and we raised a total of $445 for the Foodbank. So, thank you very much to everyone that participated."

At 12:36 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:41 o'clock p.m.

Representative Takumi: "Thank you very much, Mr. Speaker. Just a quick announcement. This is the first time since I've been in office that I'm actually doing a birthday announcement. I generally don't do these

things, but today the Sergeant-at-Arms is a birthday boy. You're not supposed to say his age, but remember that old Steve McGarrett show, Hawaii Five-0? That should give you a hint. Happy birthday, Kevin."

ADJOURNMENT

At 12:43 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 18, 2009. (Representatives Brower, Evans, Mizuno and Takai were excused.)

EIGHTEENTH DAY

Wednesday, February 18, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:06 o'clock p.m., with the Speaker 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 Bertram, Souki, Takai and Takumi, who were excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 19 and 20) were received and announced by the Clerk:

Sen. Com. No. 19, transmitting S.B. No. 120, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM MEDIATION ACT," which passed Third Reading in the Senate on February 17, 2009.

Sen. Com. No. 20, transmitting S.B. No. 264, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," which passed Third Reading in the Senate on February 17, 2009.

On motion by Representative Evans seconded by Representative Pine and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representatives Bertram, Souki, Takai and Takumi were excused.)

S.B. No. 120, SD 1
S.B. No. 264

At this time, the Chair announced:

"Members of the House, we will take a 10 minute recess and we will reconvene at 12:20 p.m. so that the Minority Caucus can go over the Second Reading Bills."

At 12:09 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:22 o'clock p.m., with Vice Speaker Magaoay presiding.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
348	Committee on Finance
424	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
670	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
901	Committee on Hawaiian Affairs, then to the Committee on Finance
1075	Committee on Consumer Protection & Commerce
1504	Committee on Finance
1642	Committee on Finance
1778	Committee on Hawaiian Affairs, 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. 279) recommending that H.B. No. 1062, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1062, entitled: "A BILL FOR AN ACT RELATING TO GAS PIPELINE SYSTEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 280) recommending that H.B. No. 371, HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 371, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 281) recommending that H.B. No. 869, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 869, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 282) recommending that H.B. No. 65, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 65, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SIDEWALKS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 283) recommending that H.B. No. 57, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 57, 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 Bertram, Takai and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 284) recommending that H.B. No. 60, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 60, 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 Bertram, Takai and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 285) recommending that H.B. No. 1754, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1754, 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 Bertram, Takai and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 286) recommending that H.B. No. 134, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 134, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 287) recommending that H.B. No. 142, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 142, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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 Committee was adopted and H.B. No. 142, entitled: "A BILL FOR AN ACT RELATING TO INTRA-STATE AVIATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 288) recommending that H.B. No. 139, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 139, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

"Mr. Speaker, please note my strong reservations. Thank you."

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

Representative M. 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 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. 139, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 289) recommending that H.B. No. 378, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 378, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 290) recommending that H.B. No. 1388, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1388, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representatives Chang and Tokioka, for the Committee on Higher Education and the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 291) recommending that H.B. No. 982, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 982, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

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. 982, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 292) recommending that H.B. No. 690, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 690, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 293) recommending that H.B. No. 1060, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1060, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF HEARING NOTICES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 294) recommending that H.B. No. 1068, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1068, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 295) recommending that H.B. No. 355, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 355, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 296) recommending that H.B. No. 1359, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1359, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 297) recommending that H.B. No. 1694, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1694, 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 Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 298) recommending that H.B. No. 197, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 197, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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. 197, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 299) recommending that H.B. No. 1270, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1270, 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 Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 300) recommending that H.B. No. 1467, 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 B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1467, HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative Evans.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1467, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERLY INFLATED TIRES," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representative Chang voting no, and with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 301) recommending that H.B. No. 1417, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1417, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Mr. Speaker, I stand 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. 1417, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOBILE BILLBOARDS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 302) recommending that H.B. No. 64, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 64, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. Mr. Speaker, I rise with reservations, and I would like to explain what those are. Thank you. Mr. Speaker, this bill will prohibit use of leaf blowers, chainsaws, lawnmowers, and weed whackers during certain hours, and I can understand the need to restrict the hours of operation for the noisy apparatus. However, it restricts it so that they cannot start until 8 a.m. on weekdays. The problem is that's going to hurt a lot of small businesses and small operators who do their yard work starting at 7 a.m. So, I would hope that as this bill goes on further, they will change the time for the weekday operation to 7 a.m. Thank you."

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

"Thank you, Mr. Speaker. A 'no' vote for me. How do you deal with a hundred-acre ranch, where there are no homes within a half a mile? It really destroys agriculture in the rural areas. Thank you."

Representative Sagum 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 Manahan rose and asked that the Clerk record an aye vote with reservations 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 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 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. H.B. 64 prohibits disorderly conduct by person(s) knowingly producing noise by operation of yard equipment between the hours of 8:00 pm and 8:00 am any day of the week.

"As printed in the *U.S. News and World Report* cover story on December 18, 2008 entitled "50 Ways to Improve Your Life in 2009" the author calls for silencing noise pollution. "Hearing loss, in fact, is the most obvious medical consequence of noise pollution, but it is hardly the only one," explains environmental psychologist Arline Bronzaft. In her research, Bronzaft found that constant noise exposure can impede children's learning ability and cognitive development. And beyond all that, periodically, "you've got to take a break from sound," says Bronzaft. "We need some serenity in our lives."

"While I support the need to regulate the operation of noise producing yard equipment I also recognize the possible financial impact that H.B. 64 may have on landscape companies.

"My reservations are based on the complaints of landscape companies that in this economy they would have to sacrifice income, losing additional hours of work."

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. 64, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Second Reading and was referred to the Committee on Judiciary with Representative Herkes voting no, and with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 303) recommending that H.B. No. 1124, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1124, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 304) recommending that H.B. No. 574, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 574, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 305) recommending that H.B. No. 763, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 763, entitled: "A BILL FOR AN ACT RELATING TO GRAY WATER RECYCLING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 306) recommending that H.B. No. 1336, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1336, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST DIAMOND HEAD RENEWABLE RESOURCES, LLC," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 307) recommending that H.B. No. 1483, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1483, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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 on Stand. Com. Report 307. At my law firm, we represent Better Place Hawaii, Inc. but I'm 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. 1483, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR BETTER PLACE HAWAII, INC," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 308) recommending that H.B. No. 1628, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1628, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIOENERGY HAWAII, LLC," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 309) recommending that H.B. No. 1678, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1678, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, another potential conflict for Stand. Com. Report 309. I do represent some of the principals related to LifeGrid, but I'm not working on this LifeGrid LLC or SPRB," 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. 1678, 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 Bertram, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 310) recommending that H.B. No. 814, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 814, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 311) recommending that H.B. No. 1464, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1464, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 312) recommending that H.B. No. 956, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 956, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 313) recommending that H.B. No. 1603, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1603, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII'S ECONOMY," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 314) recommending that H.B. No. 853, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 853, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC DISCLOSURE OF FINANCIAL INTERESTS STATEMENTS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 315) recommending that H.B. No. 876, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 876, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 316) recommending that H.B. No. 812, 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 B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 812, 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 Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 317) recommending that H.B. No. 229, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 229, 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 Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 318) recommending that H.B. No. 296, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No.

296, 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, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 319) recommending that H.B. No. 441, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 441, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 320) recommending that H.B. No. 571, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 571, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 321) recommending that H.B. No. 831, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 831, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE OF COURT ORDERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 322) recommending that H.B. No. 734, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 734, 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, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 323) recommending that H.B. No. 744, HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 744, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Pine rose in support of 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, having originally co-introduced this measure's concept through HB501, I can say to you and to all my colleagues that I believe that the protection of our elderly is of critical importance to our State. Ronald Reagan said that government's first duty is to protect the people. The ability to issue a Silver Alert for our *kupuna* who have gone missing will be instrumental in saving lives, a task which captures the essence of what our Constitution was founded upon, and that is to insure domestic tranquility, to provide for the common defense, and to promote the general welfare. Thank you, Mr. Speaker for this opportunity to offer comments 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. 744, 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 Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 324) recommending that H.B. No. 661, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 661, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RANDOM DRUG TESTING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 325) recommending that H.B. No. 884, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 884, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD DEVELOPMENT ACCOUNT," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 326) recommending that H.B. No. 1103, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1103, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FINANCIAL ASSISTANCE FOR INDEPENDENT LIVING SERVICES AND CENTERS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 327) recommending that H.B. No. 1498, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1498, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY DOMESTIC VIOLENCE SHELTERS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 328) recommending that H.B. No. 1496, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1496, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY ASSISTANCE FOR NEEDY FAMILIES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 329) recommending that H.B.

No. 1096, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1096, 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, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 330) recommending that H.B. No. 1097, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1097, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ASSISTANCE FOR AGED, BLIND, AND PERMANENTLY AND TOTALLY DISABLED PERSONS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 331) recommending that H.B. No. 892, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 892, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTIVE ORDERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 332) recommending that H.B. No. 1041, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1041, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS COMMITTED TO THE HAWAII YOUTH CORRECTIONAL FACILITIES OR TO THE CUSTODY OR CARE OF THE EXECUTIVE DIRECTOR OF THE OFFICE OF YOUTH SERVICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 333) recommending that H.B. No. 1095, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1095, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTICE OF GUARDIANSHIP PROCEEDINGS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 334) recommending that H.B. No. 1101, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1101, HD 1, 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 Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 335) recommending that H.B. No. 1524, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1524, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL CONTEMPT OF COURT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 336) recommending that H.B. No. 381, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 381, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII ENDOWMENT FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 337) recommending that H.B. No. 681, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 681, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, I will vote in favor of Standing Committee Report No. 337, but would like to express a reservation. This would devote 40 percent of the Transient Accommodations Tax toward product development. And while I support the product development aspect of the tourism industry, I think at this critical juncture, when our hotel occupancy rates are hovering at 60 percent, it's imperative that we concentrate our resources more on marketing. Thank you, very much."

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 stand in strong support of H.B. 681 – Relating to the Transient Accommodations Tax. This bill requires that not less than 40 percent of the Tourism Special Fund be used for tourism product development and cultural programs. H.B. 681 insures that sufficient monies will be spent on product development (i.e. preserving / promoting culture) for tourism.

"As stated by Mona Abadir, Board President of Hawaii Capital Cultural Coalition: … (product development) "…can work as a catalyst in many intertwined areas of endeavor: stimulating creative economies and workforce, educational outreach of organizations, generating greater access to the area, reinforcing our values of preservation of our stories and treasures, and enhancing cultural tourism. Our mutual partnership and collaboration with time, resources and energy towards these ends and will achieve a return on investment that will exceed all expectations."

"The State of Hawaii has been greatly impacted by the economic changes in tourism. It is important now more than ever that we build on Hawaii's greatest resource - our culture. It would behoove us as legislators to give our support to product development that will work on preserving culture while promoting tourism.

"In addition, I would like to enter into the Journal the attached testimony of Ms. Lorraine Lunow-Luke, Coordinator, Hawaii Capital Cultural District of February 5, 2009 to the Chairman of the House Committee on Tourism, Culture and International Affairs.

February 5, 2009

Honorable Joey Manahan
Chair, House Committee on Tourism,
Culture and International Affairs
Hawai'i State Legislature

Via Email: TCItestimony@capitol.hawaii.gov

Dear Representative Manahan:

I am writing to express my strong support for continuing to adequately fund the New Product Development division of the Hawai'i Tourism Authority. Our unique heritage is what distinguishes Hawai'i from other tropical destinations. The division's investment in programs that help visitors access and experience Hawai'i's special cultural heritage are essential for the long-term health of Hawai'i's visitor industry.

For example, a grant from the New Product Development division led directly to the recent introduction of legislation in Congress to designate the Hawai'i Capital National Heritage Area in Honolulu. This designation will bring together the many cultural treasures of Kaka'ako, Downtown, Nu'uanu and Kapalama into a cohesive district where kama'āina and visitors alike can experience our heritage. The grant, made under the New Product Development division's Heritage Corridors Program, supported the Hawai'i Capital Cultural Coalition's National Heritage Area Feasibility Study which served as the application for designation.

National Heritage Areas generate culture and heritage tourism by creating national and international visibility for an area's cultural assets, providing National Park Service branding and marketing, and opening the doors to funding for planning, design, interpretive centers, and other amenities that will improve the visitor experience.

The Hawai'i Capital Cultural Coalition (HCCC) is a nonprofit partnership of 25 Honolulu arts and cultural organizations and more than 40 businesses, public agencies, and service organizations who are working together to leverage the rich concentration of historic, cultural, and economic assets located in Honolulu's historic core to create one of the great cultural destinations of the world, attracting both visitors and residents, contributing to the area's economic vitality, and enhancing our quality of life.

Respectfully submitted,

Lorraine Lunow-Luke
HCCC Coordinator

Hawaii CAPITAL CULTURAL DISTRICT

BOARD OF DIRECTORS

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Representative Finnegan rose in support of the measure with reservations and asked that the remarks of Representative Marumoto be entered into the Journal as her own, 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. 681, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 338) recommending that H.B. No. 682, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 682, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"I just want to note my support, but with some reservations on Stand. Com. Report 338. The purpose of this is to reduce the term of the Hawaii Tourism Authority contracts from five years to two years, except for some contracts related to the Hawaii Convention Center. My only concern is that this could possibly handcuff the Tourism Authority for perhaps maybe dealing with the Pro-Bowl trying to come back to Hawaii. So, I just wanted to note those concerns before it went on to the next Committee."

Representative Marumoto rose in support of the measure with reservations and asked that the remarks of Representative Pine be entered into the Journal as her own, and the Chair "so ordered."

Representative Finnegan rose in support of the measure with reservations and asked that the remarks of Representative Pine be entered into the Journal as her own, and the Chair "so ordered."

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representative Pine be entered into the Journal as her own, 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. 682, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 339) recommending that H.B. No. 754, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 754, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker. On 339, I will be voting 'no' on this measure. I think it's very unwise to remove the chiefs of the Department of Business, Economic Development, and Tourism, the head of the Department of Transportation, and the Chair of the Board of Land and Natural Resources from the Hawaii Tourism Authority.

"They were only ex-officio, but it's very helpful to the leaders of industry, to have someone there that you can talk to directly about State parks, or about harbor issues, or about airport issues. They will be moved to a separate advisory committee, but I think they are more helpful when they sit on the actual Authority, albeit without a vote. Thank you, very much."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 754, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Finance with Representative Marumoto voting no, and with Representatives Bertram, Takai and Takumi being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 340) recommending that H.B. No. 1204, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No.

1204, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 341) recommending that H.B. No. 946, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 946, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FOUNDATION ON CULTURE AND THE ARTS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 342) recommending that H.B. No. 601, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 601, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WORKS OF ART SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 343) recommending that H.B. No. 1224, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1224, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, I will be voting 'no' on this measure. I think this would really cripple the budgetary efforts of the State Foundation on Culture and the Arts. 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. 1224, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKS OF ART SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance with Representative Marumoto voting no, and with Representatives Bertram, Takai and Takumi being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 344) recommending that H.B. No. 767, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 767, HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

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

"Mr. Speaker, I am voting 'no' on this measure. We have seen this measure before. I think it does not allow the Governor to appoint the next half-dozen appointees to the Stadium Authority. I think it makes the Legislature both the appointees and managers of the Convention Center, and I don't think the checks and balances are in play if we do this. Thank you."

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

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

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

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 767, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Finnegan, Marumoto and Thielen voting no, and with Representatives Bertram, Takai and Takumi being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 345) recommending that H.B. No. 244, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 244, 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 Bertram, Takai and Takumi being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 346) recommending that H.B. No. 1351, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1351, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE AGRICULTURAL PARKS," passed Second Reading and was referred jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources with Representatives Bertram, Takai and Takumi being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 347) recommending that H.B. No. 243, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 243, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION SYSTEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai 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. 348) recommending that H.B. No. 1433, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1433, 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 Bertram, Takai and Takumi being excused.

Representatives Tsuji and Chang, for the Committee on Agriculture and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 349) recommending that H.B. No. 318, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 318, entitled: "A BILL FOR AN ACT RELATING TO VOG," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 350) recommending that H.B. No. 955, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 955, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR COUNTY EMPLOYEES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 351) recommending that H.B. No. 1480, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1480, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRACTICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 352) recommending that H.B. No. 314, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 314, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Herkes rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. I just want to note that while we had the hearing on all the vog bills on that Saturday morning, and a young lady came from Pahala who had been disabled because of vog, and the Department argued against workers' comp. I am just pleased to tell you that they have given her nine weeks of workers' comp, without a hearing. So, on that, I appreciate the support we had for this bill. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 314, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 353) recommending that H.B. No. 315, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 315, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VOLCANIC EMISSIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 354) recommending that H.B. No. 1288, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1288, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1288, 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 Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 355) recommending that H.B. No. 826, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 826, 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 Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 356) recommending that H.B. No. 987, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 987, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 357) recommending that H.B. No. 1104, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1104, 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 Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 358) recommending that H.B. No. 1125, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1125, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CERTAIN FUNDS UNDER THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 359)

recommending that H.B. No. 1550, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1550, 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, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 360) recommending that H.B. No. 1676, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1676, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I ask for a ruling on a potential conflict. At my law firm I advise a bunch of SPRB clients on compliance with prevailing wages and labor standards. 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. 1676, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 361) recommending that H.B. No. 1738, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1738, 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 Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 362) recommending that H.B. No. 1479, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1479, 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, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 363) recommending that H.B. No. 1287, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1287, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 364) recommending that H.B. No. 1536, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1536, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 365) recommending that H.B. No. 1272, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1272, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC WASTE RECYCLING," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 366) recommending that H.B. No. 1627, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1627, HD 1, 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 Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 367) recommending that H.B. No. 131, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 131, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 368) recommending that H.B. No. 136, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 136, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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 stand in support with reservations. H.B. 136 establishes the Graffiti Eradication Sentencing Program within the Judiciary to allow a person who has committed an act of graffiti, to discharge a community service sentence through graffiti eradication activities.

"I strongly support the efforts of the Graffiti Eradication Sentencing Program and the aspect of the bill which requires community service sentencing. However, I do have concerns over the cost implications during this economy and hope efforts to do this through the non-profit and private sector could be examined.

"Another concern is the lack of proper implementation. This bill as written does not address proper identification and coordination. It needs to include identification of perpetrators and cooperation between agencies. In

order for H.B. 136 to be effective and cost efficient, cooperation and communication is essential."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 136, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GRAFFITI," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 369) recommending that H.B. No. 298, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 298, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I would like to cast a 'no' vote, and I'd like to explain why. Thank you. Mr. Speaker, this bill is to make an emergency appropriation in the amount of almost $2 million for the Judiciary to cover their electricity payments.

"Mr. Speaker, if you take a look at the record of the votes on the Committee Report, you'll see that nine members voted with reservations. One, myself, voted 'no.' And only five voted up to do this. And the Committee Report really explains why. That there's a lack of a serious effort by the Judiciary to reduce electricity consumption. That there appears to be no interest of the Judiciary in using available technology to conserve or generate sources of electrical power. And that the bill itself, with its Committee Report and vote record is to send a message to the Judiciary that continued mismanagement of energy is not acceptable.

"And Mr. Speaker, I note again, this is for an emergency appropriation. An emergency appropriation. Not one that goes through the regular process of the legislature. I would hope that this bill will be tabled and would not move further, and that the Judiciary would learn that it should do, as many others in our State are doing, and look at ways that they can conserve energy, rather than thinking they can just bring the bill to the legislature and that the legislature would just throw the money, the $2 million, to them. Thank you."

Representative Pine 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 Thielen be entered into the Journal as her own, and the Chair "so ordered."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. In support with reservations and some brief comments. Just for the edification of the Members of the body. What the Judiciary Committee did, and I applaud the Chair of the Judiciary Committee, is they struck the original appropriation that was referred to by the earlier speaker of $1,854,425, and made it $1. So, I think that that would hopefully send a message. Thank you, very much."

Representative Cabanilla rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I am voting with reservation as well, and I would like to make a short comment. I think that the appropriation being requested should be taken from their own budget. Thank you."

Representative Mizuno 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. 298, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS FOR JUDICIARY FACILITIES STATEWIDE," passed Second Reading and was referred to the Committee on Finance with Representative Thielen voting no, and with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 370) recommending that H.B. No. 299, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 299, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 371) recommending that H.B. No. 620, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 620, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 372) recommending that H.B. No. 623, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 623, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE IDENTIFICATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 373) recommending that H.B. No. 1713, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1713, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAZARDS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 374) recommending that H.B. No. 28, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 28, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEAD HUMAN BODIES," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 375) recommending that H.B. No. 29, as amended in HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 29, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, on Stand. Com. No. 375, that's the bill on the display of dead bodies. I'd like to cast a 'no' vote on this. I think it's very onerous to ask the Department of Health to enforce this provision and give out permits for these types of displays. I don't think it'll happen very often, but I don't think they have any expertise on these types of displays.

"Also, I saw in a provision, that if a body of a minor was displayed, you would have to have the written consent of the parents, and I think that's a very onerous provision in this bill. I think it's still in the measure. So, just to flag it out, I'd like 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 H.B. No. 29, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEAD HUMAN BODIES," was referred to the Committee on Finance with Representative Marumoto voting no, and with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 376) recommending that H.B. No. 297, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 297, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR JUVENILES," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 377) recommending that H.B. No. 643, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 643, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 378) recommending that H.B. No. 1025, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1025, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 379) recommending that H.B. No. 1037, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1037, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL ACTIONS," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 380) recommending that H.B. No. 1168, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1168, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORTS," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 381) recommending that H.B. No. 1187, as amended in HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1187, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Pine rose to disclose a potential conflict of interest, stating:

"I wanted to note a potential conflict. I work at a homeless shelter," and the Chair ruled, "no conflict."

Representative Pine continued in support of the measure with reservations, stating:

"I just wanted to also note my reservations. I understand the intent is to reduce homelessness, but I would much prefer to use the money towards programs."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1187, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," was referred to the Committee on Finance with Representative Thielen voting no, and with Representatives Bertram, Takai and Takumi being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 382) recommending that H.B. No. 477, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 477, 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, Takai and Takumi being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 383) recommending that H.B. No. 240, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 240, HD 1, entitled: "A BILL FOR AN ACT MAKING A GRANT-IN-AID APPROPRIATION TO THE COUNTIES TO FINANCE DROUGHT MITIGATION PROJECTS AND MEASURES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 384) recommending that H.B. No. 245, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 245, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," passed Second Reading and was referred to the Committee on Energy & Environmental Protection with Representatives Bertram, Takai and Takumi being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources presented a report (Stand.

Com. Rep. No. 385) recommending that H.B. No. 975, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 975, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SYSTEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 386) recommending that H.B. No. 1242, as amended in HD 1, be recommitted to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1242, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was recommitted to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Bertram, Takai and Takumi being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 53 through 56) and concurrent resolutions (H.C.R. Nos. 67 through 70) were referred to Printing and further action was deferred:

H.R. No. 53, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO DEVELOP A PLAN TO INSTALL SIGNS IN THE STATE CAPITOL IN BOTH THE ENGLISH AND HAWAIIAN LANGUAGES," was jointly offered by Representatives Hanohano, Awana and Berg.

H.R. No. 54, entitled: "HOUSE RESOLUTION RECOGNIZING APRIL AS SEXUAL ASSAULT AWARENESS AND PREVENTION MONTH," was jointly offered by Representatives Mizuno, Awana, Brower, Hanohano, Pine and Ward.

H.R. No. 55, entitled: "HOUSE RESOLUTION WHEREAS, RECOGNIZING MARCH AS ADULT RESIDENTIAL CARE HOME AND ADULT FOSTER HOME OPERATORS MONTH," was jointly offered by Representatives Mizuno, Aquino, Brower, Cabanilla, Magaoay, Manahan, Keith-Agaran and Yamane.

H.R. No. 56, entitled: "HOUSE RESOLUTION RECOGNIZING JANUARY 20TH OF EVERY YEAR AS BARACK OBAMA II OHANA DAY," was offered by Representative Belatti, by request.

H.C.R. No. 67, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO DEVELOP A PLAN TO INSTALL SIGNS IN THE STATE CAPITOL IN BOTH THE ENGLISH AND HAWAIIAN LANGUAGES," was jointly offered by Representatives Hanohano, Awana, Berg, Carroll, Chong and Tokioka.

H.C.R. No. 68, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING APRIL AS SEXUAL ASSAULT AWARENESS AND PREVENTION MONTH," was jointly offered by Representatives Mizuno, Awana, Brower, Hanohano, Pine and Ward.

H.C.R. No. 69, entitled: "HOUSE CONCURRENT RESOLUTION WHEREAS, RECOGNIZING MARCH AS ADULT RESIDENTIAL CARE HOME AND ADULT FOSTER HOME OPERATORS MONTH," was jointly offered by Representatives Mizuno, Aquino, Brower, Cabanilla, Magaoay, Manahan, Yamane and Keith-Agaran.

H.C.R. No. 70, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING JANUARY 20TH OF EVERY YEAR AS BARACK OBAMA II OHANA DAY," was offered by Representative Belatti, by request.

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, today is Independence Day for the Western African Nation of Gambia. It was freed from the UK in 1965. It's the 44th year of independence today. And how do you know Gambia? If you see the most beautiful, colorful African dresses, that's the sign that they're from Gambia. Thank you, Mr. Speaker."

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measures tomorrow at 9:00 a.m., stating:

"The purpose is to place on tomorrow's agenda, HB 602 Relating to Workers' Compensation. The measure would look at exempting from workers' compensation, LLCs and individuals with 50 percent or more ownership. The second one is on HB 610, Relating to Science and Technology, and it is to reconsider the decision that was made by the Committee at a previous hearing," and the Chair "so ordered."

ADJOURNMENT

At 12:50 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 19, 2009. (Representatives Bertram, Souki, Takai and Takumi were excused.)

NINETEENTH DAY

Thursday, February 19, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:06 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Reverend Shuji Komagata of the Aiea Soto Mission, after which the Roll was called showing all Members present with the exception of Representatives M. Oshiro, Souki, Takai, Takumi and Ward, who were excused.

On motion by Representative Evans, seconded by Representative Pine and carried, reading of the Journal was dispensed with and the Journals of the Eleventh, Twelfth and Thirteenth Days were approved. (Representatives M. Oshiro, Souki, Takai, Takumi and Ward were excused.)

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 250) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 250, informing the House that on February 18, 2009, the following bill was signed into law:

H.B. No. 302, 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)

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Bertram introduced Ms. Taryn Kiyota, Miss Kihei 2009. She was accompanied by her mother, Mrs. Cory Kiyota.

Representative Wakai introduced 4th grade students from Salt Lake Elementary School. They were accompanied by their teachers: Ms. Katrino Loo, Ms. Tyra Menolascino, Ms. Susan Ching, Ms. Shari Higashi, and medical student, Mr. Ryan Chase; and chaperones, Mrs. Venetta Birgado, Mr. Greg Hirashiki, Ms. Stacy Johnson and Mrs. Fenghua Coke.

Representative Nakashima introduced Mr. David Marshall of the First District, member of the State Transportation Commission.

Representative Finnegan introduced Mr. Justin Menolascino who was accompanying the students from Salt Lake Elementary School.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

H.B. Nos.	Re-referred to:
352	Committee on Finance
382	Committee on Judiciary
688	Committee on Public Safety, then to the Committee on Finance
697	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
698	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
861	Committee on Finance
921	Committee on Water, Land, & Ocean Resources
988, HD1	Jointly to the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Agriculture, then to the Committee on Finance
1043	Committee on Finance
1317, HD1	Committee on Health, then to the Committee on Finance
1486	Jointly to the Committee on Health and the Committee on Public Safety
1526, HD1	Committee on Health, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 387) recommending that H.B. No. 1061, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1061, 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 Takai, Takumi and Ward being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 388) recommending that H.B. No. 1072, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1072, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 389) recommending that H.B. No. 1074, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1074, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 390) recommending that H.B. No. 865, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 865, entitled: "A BILL FOR AN ACT RELATING TO

TRANSPORTATION," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Takai, Takumi and Ward being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 391) recommending that H.B. No. 140, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 140, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takumi and Ward being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 392) recommending that H.B. No. 557, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 557, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takumi and Ward being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 393) recommending that H.B. No. 771, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 771, HD 1, entitled: "A BILL FOR AN ACT RELATING TO YOSCOOTERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takumi and Ward being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 394) recommending that H.B. No. 267, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 267, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Takai, Takumi and Ward being excused.

Representatives Souki and Rhoads, for the Committee on Transportation and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 395) recommending that H.B. No. 1502, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1502, entitled: "A BILL FOR AN ACT RELATING TO TELEWORK," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representatives Cabanilla and Ito, for the Committee on Housing and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 396) recommending that H.B. No. 354, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 354, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Transportation with Representatives Takai, Takumi and Ward being excused.

Representatives Cabanilla and Ito, for the Committee on Housing and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 397) recommending that H.B. No. 363, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 363, 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 Takai, Takumi and Ward being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 398) recommending that H.B. No. 1279, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1279, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I will be voting 'no' on this particular bill. The proposal allows employers to seek reimbursement for sums that were paid for medical services after the medical cut-off date from pre-paid health contractors or for other appropriate insurers. But, if the treatment is deemed for unreasonable and unnecessary care, these contractors will not pay for this care. So, the employer will be stuck with the whole thing, and I don't think this is fair. It will lead to increased workers' comp. premiums. Thank you."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1279, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Finance with Representative Marumoto voting no, and with Representatives Takai, Takumi and Ward being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 399) recommending that H.B. No. 334, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 334, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY REINTEGRATION," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 400) recommending that H.B. No. 386, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 386, entitled: "A BILL FOR AN ACT RELATING TO PAROLE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 401) recommending that H.B. No. 413, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 413, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 402) recommending that H.B. No. 414, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 414, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 403) recommending that H.B. No. 845, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 845, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A COMMUNITY CENTER AND DISASTER SHELTER IN HAWAIIAN OCEAN VIEW COMMUNITY ESTATES, HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 404) recommending that H.B. No. 226, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 226, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Har rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Pine rose to speak in support of the measure with reservations, stating:

"I just wanted to note my reservations. I understand that Standing Committee Report 404 would allow a qualifying patient to possess, now 12 marijuana plants to help with their medical ailments.

"By allowing this to be legal, we're still having complications with the Federal Drug Administration, as well as our Anti-Narcotics Division who is currently fighting the fact that marijuana is the number two drug of choice among our high school students. I know as we debate whether this drug is good for medical use or not, it's still just very complicated when the federal government alone does not believe that this should be legal."

Representative Carroll rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Yamane 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 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 of H.B. 226 – which proposes certain amendments to the medical use of marijuana law. These amendments include: allowing a qualifying patient to possess 12 marijuana plants and 7 ounces of marijuana at one time; prohibiting identification of the site where marijuana is grown on a registry card; prohibiting a certifying physician from naming a patient's particular debilitating condition; allowing a caregiver to grow marijuana for no more than 5 patients.

"First, I am concerned that the possession of 12 plants and 7 ounces of usable marijuana maybe too much for medical use and may increase the possibility of diversion to the streets and schools.

"Second, as Captain Louis Kealoha of the Honolulu Police Department stated "We are concerned about the portion of the bill that prohibits identification of the site where the marijuana is grown on a registry card and prohibits a certifying physician from naming a patient's debilitating condition."

"Third, the extreme confidentiality with regard to certain information proposed by the bill is troublesome. The proposed amendment to not require the signing physician on the certificate to be the patient's primary care physician may invite abuse of the program by physicians that just sign certificates and never examine or establish a medical relationship with the patient.

"Additionally as the Honolulu Police Department states "Not disclosing the location where marijuana is grown and prohibiting a certifying physician from naming a patient's particular debilitating condition will encourage some people to undermine the intent of the bill and exploit medical marijuana."

"The fact that Hawaii already has a problem with marijuana is cause for concern in relation to the possible abuse of H.B. 226. Thank you."

Representative McKelvey rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Manahan rose and asked that the Clerk record a no vote 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."

Representative Tokioka rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Bertram rose to speak in support of the measure, stating:

"I am speaking in favor of the bill, Mr. Speaker. And, even though this wasn't generated by me, I do support any kind of reform that could come along; I know there are several bills out there.

"And just to answer the few concerns that were expressed. Nobody else mentioned anything. But, as far as the federal prohibition against this, I think a spokesman for President Obama made it quite clear, that the DEA will no longer be going after these types of issues, especially the medical issues. So, that's changing, and it will probably become official within the next six months to two years. But this has been one of his campaign promises, to leave it to the states to determine the way they'd like to treat medical marijuana.

"And then the other thing, of course, is just that we still don't know what the proper amounts are, when you're talking about twelve or seven or whatever it is. The fact of the matter is that, it's a plant. So if a plant doesn't produce every two months the way you would hope, if you're trying to get a medicine out of it, then you have to rely on what you have. So, it's important that there be some kind of way of assuring people rational, good access that's going to be there when they need it. And so, whether it's twelve or seven or whatever, we do need to look at those issues, and I think these are good steps in the right direction. Thank you."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Aquino rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 226, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA," passed Second Reading and was referred to the Committee on Judiciary with Representatives Carroll, Ching, Finnegan, Har, Manahan, Marumoto, McKelvey, Tokioka and Yamane voting no, and with Representatives Takai, Takumi and Ward being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 405) recommending that H.B. No. 421, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 421, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Pine rose to speak in opposition to the measure, stating:

"I'd like to speak in opposition to this bill, Mr. Speaker. Stand. Com. Rep. No. 405 basically repeals the 'three strikes law', which requires that habitual, violent offenders be sentenced to prison for 30 or life. The 'three strikes law' that we passed many years ago was definitely watered down from what was originally proposed.

"So, what does 'habitual violent offender' mean according to this current bill? Basically, a habitual violent offender is someone who kills three people, someone who rapes three different children, and so forth. And so what we're saying today, by passing this bill, is that we want these people out of jail.

"The purpose of why this was introduced, according to my notes here, was that this didn't help reduce the safety of the community, that our prisons were being overpopulated. So then, I can surmise from the purpose of the introduction of this, because our prisons are overpopulated, we want to release the guy that killed three different people. Because our prisons are overpopulated, we want to release the person that raped three of those different children.

"We have made this law very extreme, where you have to be the worst of the worst for the 'three strikes law' to apply to you. And so, I just don't agree in the direction of approving these types of criminals being put back into our community."

Representative Ching rose in opposition to the measure and asked that the remarks of Representative Pine be entered into the Journal as her own, and the Chair "so ordered."

Representative Har rose in opposition to 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 opposition to Standing Committee Report No. 405, House Bill 421, relating to sentencing. This measure would repeal the “three strikes law” codified as Act 81 which requires habitual violent felons to be sentenced for 30 years to life.

"I strongly oppose the repeal of Act 81. A majority of crime is committed by repeat offenders. In consideration of the victims of violent crimes, the continuation of this Act is essential to keep repeat offenders in prison. With the certainty of a lifetime sentence, this law acts as a very effective deterrent after a second conviction. While a concern is that non-violent offenders would be unjustly affected, please note that Act 81 only applies to persons convicted three times of murder, manslaughter, assault in the first degree, kidnapping, sexual assault in the first or second degree, continuous sexual assault of a minor, robbery in the first or second degree and burglary (when at least one of the prior offenses is for an enumerated offense other than burglary).

"Lesser non-violent offenders do not fall under Act 81, unlike the widely criticized "three strikes" laws of other jurisdictions. For these reasons, I stand in strong opposition to this bill. Thank you, Mr. Speaker.

Representative Ward rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Marumoto 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 Awana 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 Berg rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Aquino rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 421, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Ching, Finnegan, Har, Marumoto, Pine and Thielen voting no, and with Representatives Takai, Takumi and Ward being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 406) recommending that H.B. No. 558, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 558, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 407) recommending that H.B. No. 1470, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1470, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 408) recommending that H.B. No. 961, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 961, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 409) recommending that H.B. No. 1758, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1758, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 410) recommending that H.B. No. 1768, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1768, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 411) recommending that H.B. No. 560, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 560, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 412) recommending that H.B. No. 1405, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1405, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 413) recommending that H.B. No. 699, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 699, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 414) recommending that H.B. No. 1419, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1419, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Ward rose, stating:

"Mr. Speaker, I rise in support and against Stand. Com. No. 414. I'm between a 'with reservation' and a 'no,' and let me explain, if I can, very briefly. This is a bill that says, no protesting at a veteran's funeral. You have to be 300 feet away. Where it bothers me, is that the soldiers that have died, died protecting the freedoms of this country. They died to protect the freedoms of the First Amendment, and the protesters to go and protest.

"Where I feel we're kind of in between there, is that it is a little bit of a mushy place where government says that we feel strongly about one thing, but we don't in another. So what I would say is that it's not a problem in Hawaii. It's a mainland problem. This is a preemptive strike, and if there's any advice to the Judiciary, look at it as a First Amendment issue. We got to have family decorum. We have got to respect the life of the dead, we've got to not do what is being done, but at the same time, we don't want to ravel those rights that these guys and gals have died for. Mr. Speaker, that's where I'm in between. I'm voting whatever is between a 'no' and any 'aye with reservations.'"

Vice Speaker Magaoay addressed Representative Ward, stating:

"Representative Ward, is that with reservations?"

Representative Ward: "I'm between a 'with reservations' and a 'no.' Okay, I will vote 'no' until the Judiciary Committee says otherwise."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In strong support, and just a few comments. I respect the comments of the previous speaker, but the First Amendment rights have always been available to what they call 'reasonable restrictions.' If you read the bill, you can go beyond the 300 foot limit and you can protest. You can make your voice heard.

"But what is wrong, Members, with giving the family who's lost their loved one in a war, the right to be able to peacefully bury their relative? Think about it. Think about this. Think of your son or daughter, who lost their life in a conflict, and you have somebody with a sign, right there during the service, saying, 'God deserved to make them die.' That, Mr. Speaker, goes far beyond First Amendment rights.

"What the bill says is, there's a 300 foot buffer for 60 minutes before or after the service. They can go 310 feet. They can go 320 feet, and they can protest. They can, you know, 'go nuts', for lack of a better word. But what is wrong with giving the family the dignity to be able to bury somebody who they've lost, without having hateful messages directed at them in this time of personal and emotion turmoil?

"The First Amendment rights, I think my record on that is clear. I support them, I always have and will. But this is a very reasonable restriction upon those rights. To give the families of loved ones, who've lost their member, the ability to just be able to quietly and peacefully and with dignity, say goodbye to them.

"And Mr. Speaker, veterans did die for our freedoms, but you know what, I think that giving the families the ability to be able to say goodbye to their family members and to be able to do it in a quiet and dignified manner, is not too much to ask. They died for rights, but they also died for the right of privacy, Mr. Speaker. They died for the right to protect the individuals from needless, I guess, protest. I mean, Mr. Speaker, this is a very reasonable request, and they can have their say 24/7/365 days thereafter. But 60 minutes before and 60 minutes after and 300 feet is not unreasonable. Not given the sacrifice that these families have had to go through and not given the terrible price that they have had to pay. Thank you very much, Mr. Speaker."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I think that this is a step towards a more civil society and a good message on behalf of us and the government. And I'd like to ask that the words of the speaker from Lahaina be entered 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. 1419, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takumi and Ward being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 415) recommending that H.B. No. 1443, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1443, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOME OCCUPATIONS," passed Second Reading and was referred jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources with Representatives Takai, Takumi and Ward being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 416) recommending that H.B. No. 549, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 549, 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 Takai, Takumi and Ward being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 417) recommending that H.B. No. 1012, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1012, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT SHARED SERVICES TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 418) recommending that H.B. No. 1207, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1207, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 419) recommending that H.B. No. 1586, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1586, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 420) recommending that H.B. No. 1310, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1310, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RECREATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takumi and Ward being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 421) recommending that H.B. No. 1145, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1145, entitled: "A BILL FOR AN ACT RELATING TO REMNANT LANDS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 422) recommending that H.B. No. 593, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 593, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SHORELINE SETBACKS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 423) recommending that H.B. No. 1552, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1552, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 424) recommending that H.B. No. 1712, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1712, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1712, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," passed Second Reading and was referred to the Committee on Finance with Representative Thielen voting no, and with Representatives Takai, Takumi and Ward being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 425) recommending that H.B. No. 1604, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1604, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 426) recommending that H.B. No. 1693, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1693, entitled: "A BILL FOR AN ACT RELATING TO WEST OAHU," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 427) recommending that H.B. No. 241, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 241, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 428) recommending that H.B. No. 1436, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1436, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Education with Representatives Takai, Takumi and Ward being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 429) recommending that H.B. No. 828, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 828, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Pine rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, on Stand. Com. Rep. 429. Basically, what this Stand. Com. Report 429 does, is it basically provides that any public housing project that is constructed or managed with the State or county, basically be affordable forever in perpetuity.

"I am voting with reservations. Basically, to make it affordable forever. I truly believe that is a great intent. But the only problem is, is sometimes when the market changes, you find that there's a certain building that we have, that's affordable, that perhaps we don't have enough funding, like this year, to build more affordable housing, but we see a great opportunity of selling a couple of units that's in a great location, at a much higher price, where we can get a very huge profit. And from that one unit, perhaps, we could fund five or six or seven, or even ten more, to help not just one family, but ten families.

"So, that's my reservation. That we're really handcuffing possible opportunities that may arise in the future."

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 am in strong support of HB 828. In response to the previous speaker, I cannot support the sale of public housing. The vast majority of public lands held by the State are ceded lands. The claims of the Hawaiian people for reparations from the U.S. following the illegal overthrow of their Kingdom are still unresolved. This is why our State Supreme Court banned the sale of ceded land; and this is why many are calling on this Legislature to enact a moratorium on the sale of ceded land. With a complete inventory of ceded lands still incomplete, we should not allow publicly held land to be sold, period.

"Furthermore, public housing is part of the public trust, and the State has a fiduciary duty to use public trust lands for the betterment of Native Hawaiians. We all know that land is extremely scarce in Hawaii; why else would forced lease-to-fee conversion be so controversial? Many landowners feel that no amount of money can compensate for the loss of this precious commodity.

"The State should take the same tactic; no matter how good a deal may seem today, the money earned will be spent swiftly at the discretion of HPHA. On the other hand, land that remains in the State's trust will continue to be passed to the next generation, and so on, leaving a priceless legacy that is guaranteed to increase in value over time.

"Finally, I should remind this body that HB 828 is the same bill we passed last year. The Governor vetoed it because she wanted the definitions of "affordable" tightened. We have addressed the Governor's concerns in this version of the bill. 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. 828, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 430) recommending that H.B. No. 1221, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1221, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING PROJECTS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 431) recommending that H.B. No. 202, 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 B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 202, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Takai, Takumi and Ward being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 432) recommending that H.B. No. 1591, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1591, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 433) recommending that H.B. No. 1438, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1438, HD 1, entitled: "A BILL FOR AN ACT RELATING TO

MORTGAGE LOAN ORIGINATORS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 434) recommending that H.B. No. 1051, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1051, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EMERGENCY PREPAREDNESS," was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 435) recommending that H.B. No. 358, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 358, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG TREATMENT," was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 436) recommending that H.B. No. 1094, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1094, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERMANENCY HEARINGS," was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 437) recommending that H.B. No. 1174, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1174, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Thielen rose and asked that the Clerk record a no vote 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. At my law firm, I am one of the attorneys that has sued the University of Hawaii and Board of Land and Natural Resources over their Mauna Kea management," and the Chair ruled, "no conflict."

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 Carroll rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I will vote with reservations on this particular measure. I did not have any problems with the University managing Mauna Kea, but I was puzzled by the references to exclusions from Chapter 91 in this measure. So, I will study this bill further before the final passage. Thank you."

Representative C. Lee 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 Wooley rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Shimabukuro rose and asked that the Clerk record a no vote 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 Har rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Luke rose and asked that the Clerk record 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."

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 H.B. No. 1174, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was referred to the Committee on Finance with Representatives Berg, Carroll, Hanohano, Har, Luke, McKelvey, Shimabukuro, Thielen and Wooley voting no, and with Representatives Takai, Takumi and Ward being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 438) recommending that H.B. No. 37, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 37, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Pine rose to speak in support of the measure with reservations, stating:

"Yes, I have reservations on this bill. Basically what this bill does is it repeals the constitutional amendment that will require us to give a tax refund after we've had two years of five percent excess in the general fund revenues.

"I do understand, during this time, why we have this purpose, but I'm just really concerned that we need perhaps spend a little bit even more frivolously, by not having this provision held on the Legislature and the Governor."

Representative Marumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

"Mr. Speaker, I am opposed to repealing this constitutional amendment. I think we should retain this amendment on excess revenues, because it makes us very conscious when we do have a surplus in our treasury. There are times when we have offered only $1 back to the taxpayers. But, on other occasions, I think we've given $100, or maybe even $150. The economy is very cyclical.

"We're looking at, maybe a deficit of $600 million, if you consider all of the appropriation bills before us at this time. But, at times past, we've seen revenues in excess of $700 million. So, we definitely should keep this on the books, and use it.

"The amount is set by the Legislature that we determine whether we should give back, so I think it is flexible enough for us to live with. So, please consider not passing this bill. Thank you very much."

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative 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. 37, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 6, OF THE HAWAII CONSTITUTION, TO REPEAL THE REQUIREMENT THAT A TAX REFUND OR TAX CREDIT BE PROVIDED TO TAXPAYERS WHENEVER THE GENERAL FUND BALANCE AT THE CLOSE OF TWO SUCCESSIVE FISCAL YEARS EXCEEDS FIVE PERCENT OF GENERAL FUND REVENUES FOR EACH OF THE TWO FISCAL YEARS," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Marumoto and Thielen voting no, and with Representatives Takai, Takumi and Ward being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 439) recommending that H.B. No. 268, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 268, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 268, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT," passed Second Reading and was referred to the Committee on Finance with Representative Thielen voting no, and with Representatives Takai, Takumi and Ward being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 440) recommending that H.B. No. 275, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 275, 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 Takai, Takumi and Ward being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 441) recommending that H.B. No. 1098, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1098, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 442) recommending that H.B. No. 706, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 706, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 443) recommending that H.B. No. 824, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 824, 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 Takai, Takumi and Ward being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 444) recommending that H.B. No. 1065, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1065, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES TO ADDRESS THE BUDGET SHORTFALL," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 445) recommending that H.B. No. 1454, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1454, 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 Takai, Takumi and Ward being excused.

Representatives Mizuno and Carroll, for the Committee on Human Services and the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 446) recommending that H.B. No. 798, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 798, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 447) recommending that H.B. No. 1514, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1514, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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. 1514, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takumi and Ward being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 448) recommending that H.B. No. 1611, 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 B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1611, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABELING OF MEAT AND FISH PRODUCTS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Takai, Takumi and Ward being excused.

Representatives Yamane and Hanohano, for the Committee on Health and the Committee on Public Safety presented a report (Stand. Com. Rep. No. 449) recommending that H.B. No. 317, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 317, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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 rise in strong support of this measure. The recent increase in vog air pollution has emphasized negative health effects, which the people of Hawaii suffer from this natural disaster. The lack of access to adequate medical care for many on the southern portion of the island of Hawaii is of great concern. Steps must be taken at the local, state and federal levels in order to protect the current and future wellbeing of the population.

"In order to most effectively and immediately address these concerns, H.B. 317 provides for the establishment of a mobile medical van program, to serve the people of South Kona, Ka'u and upper Puna. The mobile medical van shall administer medical services to these communities, respond to emergencies, and coordinate with the Department of Education to provide immediate medical services to affected schools.

"This project will be funded by the Department of Land and Natural Resources, in coordination with the Department of Health, through the receipt of federal funds under the Homeland Security Grant Program. The intent of this measure is also to use the prospect of these appropriations to motivate a funding partnership to preserve and continue the operation of this program beyond its inception.

"As an imminent threat to the health and safety of the people of Hawaii, the issue of vog and the lack of adequate medical care must be addressed immediately and effectively, Mr. Speaker and the establishment of a mobile medical van program will do so."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 317, entitled: "A BILL FOR AN ACT RELATING TO MOBILE MEDICAL CARE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 450) recommending that H.B. No. 893, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 893, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 451) recommending that H.B. No. 324, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 324, 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 Takai, Takumi and Ward being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 452) recommending that H.B. No. 1527, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1527, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 453) recommending that H.B. No. 725, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 725, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takumi and Ward being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 454) recommending that H.B. No. 795, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 795, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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. 795, entitled: "A BILL FOR AN ACT RELATING TO THE PROHIBITION OF MINORS FROM THE USE OF ALL-TERRAIN VEHICLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takumi and Ward being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 455) recommending that H.B. No. 1520, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1520, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Finnegan rose and asked that the Clerk record a no vote 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 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 Thielen 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 H.B. No. 1520, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVOCATION," passed Second Reading and was referred to the Committee on Judiciary with Representative Finnegan voting no, and with Representatives Takai, Takumi and Ward being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 456) recommending that H.B. No. 72, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 72, 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 Takai, Takumi and Ward being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 457) recommending that H.B. No. 707, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 707, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE AUDITOR," was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representatives Yamane and Takumi, for the Committee on Health and the Committee on Education presented a report (Stand. Com. Rep. No. 458) recommending that H.B. No. 1538, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1538, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTALLY-SENSITIVE PRODUCTS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 459) recommending that H.B. No. 553, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 553, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ENTERPRISE ZONES," was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 460) recommending that H.B. No. 1633, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1633, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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. 1633, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOXIC PRODUCTS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takumi and Ward being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 461) recommending that H.B. No. 1636, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1636, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL PHYSICIANS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takumi and Ward being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 462) recommending that H.B. No. 310, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 310, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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. 310, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS," passed Second Reading and was referred to the Committee on Judiciary with Representative Rhoads voting no, and with Representatives Takai, Takumi and Ward being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 463) recommending that H.B. No. 608, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 608, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takumi and Ward being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 464) recommending that H.B. No. 807, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 807, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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. 807, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MEDICAL CLAIM CONCILIATION PANEL," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takumi and Ward being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 465) recommending that H.B. No. 1213, 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 B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1213, HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative Evans.

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. 1213, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representative Finnegan voting no, and with Representatives Takai, Takumi and Ward being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 466) recommending that H.B. No. 1208, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1208, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL CARE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Takai, Takumi and Ward being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 467) recommending that H.B. No. 1209, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1209, 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 Takai, Takumi and Ward being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 468) recommending that H.B. No. 895, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 895, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ON TOBACCO PRODUCTS OTHER THAN CIGARETTES," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 469) recommending that H.B. No. 692, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 692, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN'S HEALTH CARE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 470) recommending that H.B. No. 1782, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1782, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INFORMATION EXCHANGE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 471) recommending that H.B. No. 819, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 819, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME," was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 472) recommending that H.B. No. 423, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 423, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Pine rose to speak in opposition to the measure, stating:

"I'd like to stand in opposition to this measure. Basically, what this bill now does is remove the religious exemption for religious facilities for the emergency contraceptive drug after a victim is raped. We've debated this already on the previous readings. I'll leave the rest for Third Reading."

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 rise in opposition to H.B. 423 – Relating to Emergency Contraceptives for Sexual Assault Survivors because this amended version deletes the exemption for religiously affiliated medical centers and would jeopardize medical institutions.

"The previous bill took into account the religious beliefs of the hospitals and did not attempt to force unwanted policy upon religiously affiliated medical centers. The previous version would have kept hospitals with religious objections to emergency contraception, out of a potentially precarious situation. Being the Representative for a district that has a hospital which operates with religious stipulations, I understand the importance of this issue and I would have hoped that the respect for religious beliefs would have been acknowledged."

Representative Finnegan rose and asked that the Clerk record a no vote 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 Souki 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 opposition to the measure, stating:

"Mr. Speaker, I'd like to register a 'no' vote. Brief comments. The reason why we put in the exemption, the religious exemption, was to allow one specific entity to be able to provide emergency care services. As the Health Chair, we were concerned about access. We've been fighting access, and would hate to lose an emergency room. Various emergency rooms currently now provide triage services for burn victims and different issues, in which patients can be transported to another facility for treatment.

"I'm hoping something can be worked out, as this measure moves forward. But, without the exemption, I am concerned about access to care. Thank you."

Representative Manahan rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Morita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'd just like to read a small portion of this article that appeared in the American Journal of Public Health. And this section is called, *Ethical Considerations in the Treatment of Rape Victims.*

And the article goes on to note the variability in treatment policies reflects the local control that theism bishops have over medical services. The general principles to be applied in keeping with the church's religious beliefs are stated in the Ethical and Religious Directives for Catholic Health Care Services. Directive 36 provides the following:

> A woman who has been raped should be able to defend herself against potential conception from sexual assault. If, after prolific testing, there's no evidence that contraception has occurred already, she may be treated with medications that would provide ovulation in sperm capacitation, or fertilization. It is not permissible, however, to initiate or recommend treatments that have, as their purpose or direct affect, the removal, destruction, or interference with implantation of a fertilized ovum.

"Emergency contraception does not do that. It's a contraception. And the article goes on to, again, quoting from Pope Paul VI:

> A conjugal act imposed upon ones partner, without regard for his or her condition and lawful desires, is not a true act of love, and therefore denies exigency of right moral order in relationships between husband and wife.
>
> Simply the proscription of contraception, does not apply in cases of rape. Indeed, Catholic nuns working in the Congo in the early 1960s, were permitted to take contraceptives because of the high chance of rape.

"So, again, we have to look at this ad protecting the victim's right. And it goes on to say, 'A physician who does not inform a rape victim of her options to help avoid pregnancy, violates the obligation to act in her best interest.' And that is why I support this measure. Thank you."

Representative Aquino rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Thielen rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I would like to cast a strong vote in support of this measure, and Mr. Speaker, I would like make a few comments. I also request that the remarks from the Kauai Representative be entered in the Journal as if they were my own. Thank you.

"Mr. Speaker, all hospitals should provide emergency contraception to rape victims. Just take a look at what could happen with a daughter of one of the men sitting in this Chamber, or a granddaughter of one of the men sitting in this Chamber, or a spouse, or a sister, who's brutally raped, taken to St. Francis, and St. Francis is supposed to give that victim some counseling as to what her rights could be. When you have a victim that's in shock from a brutal rape, and the hospital is supposed to say, after she may have to wait in line to even be treated. They may say, 'But wait a minute. We can tell you, you can get emergency contraception, but you're going to have to be transported to another hospital.' So, does St. Francis then pick up the phone and call a taxi? Put the woman into a cab unattended to go to another hospital? I mean, what are you talking about here? That you're doing to women that are victims of rape. What are you talking about when you vote against this bill? When you say, no, that there should be an out for this hospital …"

Representative Evans rose, stating:

"Mr. Speaker, a point of information. I think there might be confusion about being in support, because my understanding is the Committee amended it to remove the religious exemption. So, I'm just hoping that we're not being confused."

Representative Thielen responded, stating:

"Mr. Speaker, I know that the Committee removed that exemption. The people that are standing up are casting 'no' votes because the exemption no longer is in there. That's what I'm talking about. What are you doing to this woman? This sister, this wife, this child that has been brutally raped, that is now told, 'Okay, we'll get you alternative transportation. You can go to another facility.'

"I mean, this is just incredibly heartless. It's more than that. What are we doing to the women in our society when we're saying you've got to allow one hospital to opt out of providing this care, that according to the message that was read by the Representative from Kauai, is in keeping with the medical profession's ethics, and also with the Catholic Church's Directive. Thank you."

Representative Pine rose to respond, stating:

"You know, we talk as if a religious woman is never raped. What about their rights? Do you know what would happen to a person that is truly Mormon, truly Catholic? They don't believe in contraception. They believe that that is going against God's will, that that is abortion …"

Representative M. Lee rose to a point of order, stating:

"Mr. Speaker, point of order. Is the speaker in favor or against the bill in question?"

Vice Speaker Magaoay responded, stating:

"She stood up the first time in opposition. This is your second time speaking so keep it brief. This is being referred to the Finance Committee and you are a member of that Committee. Please proceed."

Representative Pine continued, stating:

"I apologize. I was just taken by all the previous speeches that I forgot to state my position. And I'm in rebuttal. Thank you.

"I'm sure we'll talk about this again on Third Reading, but, what about their rights? Do you know what it's like to be a religious woman, to be raped? To be forced to go to hospitals that force this pill on you? Do you know what it's like to be raped, and you're sitting there and you don't remember, and you want to forget everything? You can't even hear the person talking to you about your options. They say, 'Take this pill, you'll be okay.' And then they find out what that pill is. That is the worst thing you can do.

"So, if we're talking about the feelings of rape victims, let's give them one option to go to one hospital where they know that they will truly be cared for. And I can tell you, the nuns at St. Francis aren't going to put you in a taxi. They're going to care for you, and they're going to love you, and they're going to hold your hand until you get to your next location."

Vice Speaker Magaoay then stated:

"Thank you, Representative Pine. I just want to make a correction for Representative Thielen and Representative Pine. There is no St. Francis Hospital. It is Hawaii Medical East and West."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Just very briefly, I just wanted to rebut. I think all of our healthcare providers truly provide good care. So, I don't think it's fair to characterize one as doing a better job than others. Especially since, really, it's about informed consent. You cannot do anything to a patient without informed consent. That's their entitlement to choice.

"But, I did want to point out something that the Representative from Kailua did make me think about, in that when I look at the Bureau of Justice statistics. Generally, across the nation, only 37 percent of all rapes ever get reported. Thirty-seven percent, so that means one-third. So, when we look at the bill in the purpose section, in 2007, there are 326 forceful rapes in Hawaii alone. If we take that percentage and multiply it just by the national average, we're talking about a thousand rapes that occur in our State.

"The bill further goes on to say that one statewide study found that nearly one in three hospitals failed to offer EC. One in three. So, we're talking about 300 victims, potentially. Of course the numbers and data

could be skewed. But that's 300 victims that are not even given that offer and choice. And that is what is disturbing. Because, if we are going to be making a public policy, if somebody is going to be holding themselves out as a public facility to offer healthcare, then I think they need to do everything they can, and offer people the right to informed choice and selection of their own decisions. Thank you."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. In opposition with just a short comment. Thank you, Mr. Speaker. I'm still voting 'no,' but I wanted to rebut just a little bit, having to do with how many emergency rooms do we have? How many emergency hospitals do we have. If the statistics are correct, where you're saying only one offers out of the three, then if you don't have those two hospitals, the HMC hospitals, the East and West, then the law with the religious exemption gets you somewhere. Why would you want to, when you can at this point in time, compromise. Get those other emergency hospitals, and include them in this law. And, for those two hospitals, you could be saving, according to this choice for rape victims all across the islands.

"Religion for a lot of people is very important, and when government comes in, what I am saying, is that this particular issue is an example of reaching in and forcing a certain belief, not to just the average rape victim, but what I am talking about is a hospital that has their tenets.

"There are three parts of how the emergency contraception works. One of the parts of the emergency contraception, which you cannot tell, is when an egg is fertilized. And, in the Catholic tenets, I believe that it says that if it is fertilized, that that would be considered an abortion.

"So, let's take a look at respecting some of these religious hospitals, and saying, let's move this legislation with a religious exemption, and for respect of religion, this is an example of how people are reaching in, our government is reaching in, and telling people what to believe in their religion. Thank you, Mr. Speaker."

Representative Sagum rose to speak in support of the measure, stating:

"Mr. Speaker, I am in strong support, and I would like the words from the Representative from Hanalei entered into the Journal as my own," and the Chair "so ordered." (By reference only.)

Representative Cabanilla rose to speak in support of the measure, stating:

"I am speaking in support of this measure, Mr. Speaker. I just want to rebut some of the things that were said in here about the Hawaii Medical System. I used to work for them, and as to what I know nowadays, there is no such thing anymore as St. Francis Hospital. It no longer exists. It is now Hawaii Medical System, and Hawaii Medical System is a for-profit hospital.

"And this should be the discussion, because St. Francis Hospital no longer plays a part in this hospital. They are just landlords, Mr. Speaker. And they want to play with this, just because they own the land. They lease the land, and they have no say with the current administration or the operation of that hospital.

"In the whole time that I was there, I never saw a nun work there. Not in the emergency room, or any part of the hospital, Mr. Speaker. I just wanted a rebuttal to what was said. Thank you."

Representative Yamane rose to respond, stating:

"Again, same position. Mr. Speaker, if it was that easy, my vote would be changed. However, in my discussions directly with the Catholic Church, to clarify the previous speaker, my understanding is HMC has a lease, which requires them to follow the agreements that the Catholic Church has had on the previous existence of St. Francis. So, Mr. Speaker, what was explained to me was, this new entity, HMC is required to follow the understanding and agreements made by the Catholic Church, in order to provide those needed services that they currently provide.

"Again, we had numerous discussions in the Health Committee, regarding bills to do things like SPRBs, to protect them and support these entities. We need a clarifying issue, as this measure moves on, to look at these entities, like HMC, who are providing very valuable services, not only in the ER, but also dialysis, and other needed services in this community. And if it was just a simple issue of victim access, I would be standing alongside those here to support you. However, we're talking about a healthcare entity that is fully struggling right now, and as we move forward, both looking at patient's rights for this issue, there are a lot of other services that will be negatively impacted if this issue can't be resolved. Thank you."

Representative Ching rose to respond, stating:

"Still in opposition, and wanted to ask that the words of the the Health Chair from Mililani be entered as my own. I am still in opposition, and I appreciate that he clarified it, as the Representative of the District that has HMC in it. Thank you."

Representative Finnegan rose and asked that the remarks of Representative Yamane be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

At this time, the Chair addressed the body, stating:

"Members, on this measure, as we discuss it, you should take a look at what President Bush did before he left office. There was a bill that he signed in the federal law, that basically stopped the process of EC. You should take a look at the last act that he did, I think it was in December. Take a look at that federal law."

Representative M. Lee rose in support of the measure and asked that her written remarks, and the remarks of Representatives Morita and Thielen be inserted in the Journal, and the Chair "so ordered." (By reference only.)

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support. According to law enforcement reports, a woman is raped every six minutes. In addition to the already traumatic experience is another issue which is unavoidable, the potential of unwanted pregnancy. In fact, over thirty-two thousand women become pregnant each year due to sexual assault.

"Although emergency contraception may provide some relief for victims of this heinous crime, only a small percentage of women are aware of its availability and stipulations. Emergency contraception is an effective, safe, FDA-approved method to prevent unintended pregnancies. I repeat—to prevent unintended pregnancies. If the person is pregnant, it does not cause termination. It should be easily accessible in all hospitals as they are the first place victims look to get treatment for sex assault.

"Professional medical standards mandate providing emergency contraception to sexual assault survivors, and the American Medical Association standards of emergency care **REQUIRE** that rape survivors be counseled about the risk of pregnancy and be offered emergency contraception. In fact, a California court ruled that a hospital could be held liable for failing to give sexual assault victim information about and access to emergency contraception.

"The public supports increased availability of emergency contraception, according to a national survey. A January 2000 Peter Hart Research poll of New Jersey and Oregon voters found strong support for access to emergency contraception—62% in New Jersey and 64% in Oregon. In addition, voters overwhelmingly opposed "conscience clauses" that permit pharmacists to refuse to fill prescriptions on "moral grounds"—79% in New Jersey and 69% in Oregon.

"Across the nation more than 400 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. An

exemption such as the one offered in the previous version of this bill fails to satisfy two key tests.

(1) Does a refusal to provide EC place burdens on people who do not share the beliefs that motivate the refusal? The more burdens fall on such people, the less acceptable is any claimed right to refuse.

(2) Is the objector a sectarian institution engaged in religious practices, or is it instead an entity—religiously affiliated or not—operating in a public, secular setting? The more public and secular the setting, the less acceptable an institution's claimed right to refuse.

"In closing, the removal of the religious exemption from this bill was a good thing. It is not needed and would most probably be the subject of a law suit should the measure become law."

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: Again, I stand in support of this measure in its present form and thank the Judiciary Chair for removing the offending provisions in the House Draft 1. Simply put, and according to this article which appeared in the American Journal of Public Health, and which I would like to submit for insertion into the House Journal, some Catholic hospitals have policies that prohibit the discussion of emergency contraceptives with rape victims or these victims learn about the treatment only by asking. Such policies and practices are contrary to Catholic teaching, but more importantly, undermine a victim's right to information. And, as I mentioned earlier, a physician who does not inform a rape victim of her options to help avoid pregnancy violates the obligation to act in her best interest and violates her right to give an informed consent to treatment.

"Additionally, Mr. Speaker, there are two issues that the opponents of this measure fail to understand. First, emergency contraceptive is not an abortifacient. The scientific definition of pregnancy is that pregnancy begins when an embryo implants into the uterus. An abortifacient (like RU-486) changes the uterine lining and expels the implanted embryo. Emergency contraception, however, prevents pregnancy by preventing ovulation, fertilization, or implantation of a fertilized egg in the uterine lining. Secondly, the hospital in question is a secular institution -- that is they serve the general public and do not provide healthcare to or hire solely people of the Catholic faith. There is a standard of care that this healthcare facility should not be allowed to deviate from just because the local diocesan bishop reflects a certain policy. Again, it should be noted that this local policy is inconsistent with the general principles of the Church's religious beliefs (Directive 36) that are stated in the Ethical and Religious Directives for Catholic Health Care Services.

Thank you for allowing me to make additional comments in support of this measure."

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Commentaries

Informed Consent for Emergency Contraception: Variability in Hospital Care of Rape Victims

Steven S. Smugar, MD, Bernadette J. Spina, BA, and Jon F. Merz, JD, PhD

A B S T R A C T

There is growing concern that rape victims are not provided with emergency contraceptives in many hospital emergency rooms, particularly in Catholic hospitals.

In a small pilot study, we examined policies and practices relating to providing information, prescriptions, and pregnancy prophylaxis in emergency rooms. We held structured telephone interviews with emergency department personnel in 58 large urban hospitals, including 28 Catholic hospitals, from across the United States.

Our results showed that some Catholic hospitals have policies that prohibit the discussion of emergency contraceptives with rape victims, and in some of these hospitals, a victim would learn about the treatment only by asking. Such policies and practices are contrary to Catholic teaching. More seriously, they undermine a victim's right to information about her treatment options and jeopardize physicians' fiduciary responsibility to act in their patients' best interests.

We suggest that institutions must reevaluate their restrictive policies. If they fail to do so, we believe that state legislation requiring hospitals to meet the standard of care for treatment of rape victims is appropriate. (*Am J Public Health.* 2000;90:1372–1376)

Emergency contraception is a Food and Drug Administration–approved method for postcoital pregnancy prophylaxis,[1] the use of which is recommended by the American College of Obstetricians and Gynecologists.[2] Emergency contraceptives are the standard of care for rape victims.[3] Nevertheless, a growing number of surveys have shown that Catholic hospitals throughout the United States are likely to have policies prohibiting emergency room physicians from prescribing emergency contraceptives, even to rape victims.[4–7] Such policies may place a serious burden on rape victims, who are likely to be particularly vulnerable because of postrape trauma and stress. The victim has less than 72 hours to act to protect herself from pregnancy, and she may have delayed seeking care.

Because many women do not know about the treatment,[8,9] we decided to examine whether rape victims are likely to be adequately informed by providers who believe such treatment is immoral.[10,11] In some views, providing information or a referral can make a provider morally culpable for the subsequent acts of the rape victim. This view is supported by abortion-related conscience clause laws enacted by some states. In the broadest, most "permissive" conscience clauses, providers are protected from liability not only for refusing to perform or participate in abortion but also for refusing to discuss abortion and to counsel or refer patients for such a procedure.[12]

To examine whether rape victims are given information about emergency contraceptives, we performed a pilot survey of large hospitals across the United States. In this commentary, we present our results and discuss the moral and ethical implications of our findings.

Pilot Survey

We designed and piloted a telephone questionnaire that addressed (1) whether providers are prevented from discussing or prescribing emergency contraception and whether hospital policies are followed; (2) whether the hospital pharmacy dispenses emergency contraception; (3) if necessary, whether referrals are made; and (4) hospital volume of rape cases. This survey was approved by the University of Pennsylvania institutional review board.

To examine whether conscience clause laws have any bearing on these practices, we chose a set of the largest Catholic[13] and non-Catholic American Hospital Association–member hospitals in large cities in states with "permissive" conscience clause laws and those with either no law or a "standard" law. We identified 8 states (Illinois, Louisiana, Maryland, Missouri, Montana, Oregon, Pennsylvania, South Carolina) in which the law specifically exonerates providers and institutions for refusal to "suggest,"[14] "counsel,"[14,15] "recommend,"[14–16] "advise,"[17–19] "refer for,"[14,20] or "aid, abet, or facilitate" abortion.[21] Although these laws do not necessarily apply to emergency contraception,[22] we hypothesized that the laws may be a proxy for conservative social environments in which withholding information would be more acceptable. Indeed, permissive conscience clause laws are more likely to have been adopted in what Halva-Neubauer called "chal-

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Note. The opinions expressed are those of the authors and do not represent the positions of the Presbyterian Medical Center or the University of Pennsylvania.

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TABLE 1—Description of Survey Sample and Respondents

	Catholic Hospitals	Non-Catholic Hospitals	Total
Survey sample			
Permissive conscience clause law	19	18	37
No or "standard" conscience clause law	21	20	41
Total survey sample	40	38	78
Respondents			
Permissive conscience clause law	13	13	26
No or "standard" conscience clause law	15	17	32
Total responses	28	30	58
Role			
Nurse/nurse coordinator	26	25	51
Physician	1	3	4
Clinical educator/rape counselor	1	1	2
Nonresponse		1	1
Average no. of beds	468	663*	
Estimated average no. of rape cases/y	66	108[a,**]	

[a]Linear regression showed no relation between the number of beds in the institution and the number of victims treated ($F_{1,48}=0.00$, $P=.95$).
*Mann-Whitney test ($z=3.1$, $P=.002$).
**Mann-Whitney test ($z=2.0$, $P=.046$).

lenger" states (i.e., those that have enacted more abortion laws restricting the rights created by *Roe v Wade*).[23]

Our control group was drawn from the District of Columbia and 10 states contiguous to the permissive law states. Two of these jurisdictions have no conscience clause law (District of Columbia and Mississippi), and 9 have laws that protect providers who refuse to "perform or participate" in medical procedures that result in abortion (Arkansas, Delaware, Idaho, Indiana, Iowa, New Jersey, North Carolina, Ohio, Washington).[24–32]

All telephone interviews were performed by one of us (B.J.S.) between June and August 1998. The interviewer was blinded to conscience clause law. We called each hospital, were transferred to the emergency department, and held an interview with a person who indicated that he or she knew how rape victims were treated in the emergency department. On average, 2 telephone calls to each hospital were made before completing an interview. Respondents were assured that their identity and that of the institution would be kept confidential. Interviews took approximately 5 minutes.

As shown in Table 1, our final sample included 78 hospitals. Staff at 9 hospitals refused, stated that they were too busy, or told us that an appropriate person was unavailable. Staff at 11 hospitals stated either that they stabilize and transfer or that they do not handle rape cases (e.g., long-term care facility, mental health hospital, or no emergency room). These respondents indicated that emergency medical personnel would not bring rape victims to the hospital except in exigent circumstances. We thus have usable data from 58 interviews (74%).

The results of our survey are presented in Table 2. Staff at 12 of 27 Catholic hospitals reported that their policy prohibits the discussion of emergency contraception with rape victims. Despite these policies, respondents at 8 of the 12 hospitals with restrictive policies indicated that relevant information likely would be provided to victims. In 4 hospitals, providers would discuss contraceptives despite the policy; in 2 hospitals, the victim would be transferred to the gynecology department or to another provider where information would be provided; and in 2 hospitals, rape counselors who come to the emergency room would provide relevant information. Three of these 8 hospitals also tell victims that they have a policy prohibiting discussion of emergency contraception. In the remaining 4 hospitals, a victim would find out about emergency contraception only by asking. One of these 4 provides a pamphlet stating that there may be other services that the hospital does not provide because it is Catholic, but emergency contraception is not specifically mentioned. In all respondent hospitals, providers would discuss emergency contraception if specifically asked.

Regarding the effect of conscience clause laws, 5 of 25 (20%) were in states with permissive conscience clause laws, and 7 of 32 (22%) were in control states; this finding was contrary to the hypothesis that policies restricting the provision of information would be more prevalent in hospitals in permissive law states (2-sided Fisher exact test, $P=1.0$). Given our limited sample size and the 20% average prevalence of restrictive disclosure policies in our sample, we had limited power of less than 60% to detect a difference of about 10%, a medium-size effect, if it exists.[33] Our results nonetheless provide important base rate data that may be useful for future nationwide sampling and study.

Respondents at 7 of the Catholic hospitals in our sample stated that physicians were prohibited from prescribing contraceptives. Five of these 7 also had policies prohibiting discussion. Four respondents indicated that victims would be referred elsewhere, such as to their own physicians, for a prescription. Four respondents noted that victims would be told about their policy prohibiting prescription, and 3 of these 4 also would make a referral. One respondent stated that physicians in that hospital could write prescriptions on their own private prescription pads but not on those bearing the hospital's name. For individual physicians who are uncomfortable prescribing contraceptives, that hospital also had prescriptions presigned by

TABLE 2—Summary of Results

	Catholic Hospitals	Non-Catholic Hospitals
Does hospital policy prohibit discussion of emergency contraception with rape victims?		
Yes	12	0*
No	15	30
Nonresponse	1	0
Does hospital policy prohibit prescription of emergency contraception for rape victims?		
Yes	7	0
No	20	30**
Nonresponse	1	0
Will hospital pharmacy dispense emergency contraception?		
Yes	10	30
No	17	0*
Nonresponse	1	0

*Fisher exact test, $P<.001$.
**Fisher exact test, $P=.03$.

another physician. One respondent stated that physicians might prescribe despite the policy.

Respondents at 17 Catholic hospitals stated that their pharmacies are prohibited from dispensing emergency contraceptives. In one hospital, the inpatient pharmacy could not dispense contraceptives, but the outpatient pharmacy located down the hall would. In another, the pharmacy would dispense contraceptives only to rape victims.

Although many of the Catholic hospitals in our study have no emergency contraceptive restrictions, respondents were quite candid about the controversy over emergency contraceptives. Two individuals commented that the treatment is a "big deal" or a "big issue" and that even though it is provided, the hospitals "don't like it." Two others indicated that physicians may discuss emergency contraceptives but that the use of such contraceptives "is not promoted." One respondent hinted that prescriptions are written, but this respondent "officially abstained" from answering our question. Another respondent from a Catholic hospital that recently merged with a non-Catholic one stated that "contraceptive issues are currently uncharted waters, and for the time being, contraceptive discussion is allowed but not encouraged."

According to our respondents, hospital policies were followed much of the time, but there are various ways of providing treatment for victims while upholding the policies. Clearly, some Catholic hospitals (and their staff) are willing to compromise on the issue of emergency contraceptives, generating "creative solutions" to meet the standard of care.[34]

Ethical Considerations in the Treatment of Rape Victims

This pilot study confirmed that the nationwide standard of care for treatment of rape victims in large urban hospital emergency rooms includes emergency contraception. Nonetheless, we found that some Catholic hospitals prohibit the discussion, prescription, and distribution of emergency contraception in the care of rape victims.

The variability in treatment policies reflects the local control that diocesan bishops have over medical services.[35–37] The general principles to be applied in keeping with the Church's religious beliefs are stated in the *Ethical and Religious Directives for Catholic Health Care Services.*[38] Directive 36 provides the following:

> A female who has been raped should be able to defend herself against a potential conception from the sexual assault. If, after appropriate testing, there is no evidence that conception has occurred already, she may be treated with medications that would prevent ovulation, sperm capacitation, or fertilization. It is not permissible, however, to initiate or to recommend treatments that have as their purpose or direct effect the removal, destruction, or interference with the implantation of a fertilized ovum.[38]

In Catholic moral theology, contraception is viewed as an illicit interference with the procreative purpose of the conjugal act of a married couple. However, as stated by Pope Paul VI, "a conjugal act imposed upon one's partner without regard for his or her condition and lawful desires is not a true act of love, and therefore denies an exigency of right moral order in the relationships between husband and wife."[39] Simply, the proscription on contraception does not apply in cases of rape. Indeed, Catholic nuns working in the Congo in the early 1960s were permitted to take contraceptives because of the high chance of rape.[40]

Emergency contraception generally refers to high-dose estrogen or estrogen–progestin combination pills, or a progestin mini-pill, which inhibits or disrupts ovulation, interferes with fertilization or the transport of the embryo to the uterus, and possibly inhibits embryo implantation in the endometrium.[41] The mechanism by which emergency contraception prevents pregnancy thus encompasses both permissible and nonpermissible actions. However, the directive only enjoins acts performed with the specific intent of "removal, destruction, or interference with the implantation" of an embryo regardless of whether they in fact do so. Testing a rape victim to determine whether conception has occurred as a result of the rape is not feasible, and the most that can be accomplished is an extremely rough judgment of probabilities.[42] Thus, a provider cannot tell whether giving the victim an emergency contraceptive will prevent ovulation and conception or may instead interfere with implantation of a fertilized ovum. Under the principle of double effect, as long as the provider has the intent of preventing ovulation or conception, prescribing or giving a victim an emergency contraceptive is permissible even with the foreknowledge that it might instead cause rejection of a fertilized ovum.[43]

Some Catholic organizations have adopted more dogmatic positions. The Pennsylvania Catholic Conference, for example, stated that although conception may be avoided, use of any "medical procedure, the purpose and/or effect of which is abortive, is never permissible."[44] By sidestepping the intentionality of an act, the true effect of which act can never be assessed with certainty, they reject both the gross uncertainty surrounding the processes of fertilization and implantation and the principle of double effect.

Restrictive policies leave providers sailing between Scylla and Charybdis: if they provide emergency contraception, they may contribute to an act that they view to be immoral, but if they fail to inform about or offer emergency contraception, they may contribute to the (perhaps morally more repugnant) later-term abortion resulting from an avoidable pregnancy. Indeed, pregnancy occurs in up to 5% of rapes, and victims often abort.[45]

A physician who does not inform a rape victim of her options to help avoid pregnancy violates the obligation to act in her best interest and violates her right to give an informed consent to treatment.[46,47] Providers may justify the failure to disclose by asserting that there is not 1 patient but 2—the rape victim and an embryo. This is precisely the point over which rape victims and providers may disagree. This disagreement can be discovered and resolved only through open discussion about the provider's conflicting personal morals or institutional policies that prevent the discussion or prescription of emergency contraceptives.[48–50]

In our view, the failure to discuss emergency contraception is tantamount to abandonment.[51–53] If a physician "discontinues his services before the need for them is at an end, he is bound first to give due notice to the patient and afford the latter ample opportunity to secure other medical attendance of his own choice."[54] Clearly, the uninformed rape victim may think she has received all possible and appropriate medical care.

This analysis suggests that hospitals with restrictive practices or policies regarding discussion or prescription of, or referral for, emergency contraceptives should reevaluate the theological, medical, and social justifications for those policies. One of our respondents summarized the dilemma and her hospital's solution: "Being able to give the pill is a big deal, but it is given to rape victims as a standard part of care." If hospitals continue to fail to meet the standard of care for treatment of rape victims, we believe that state legislation is called for that will require providers to meet the standard.[55] Simply requiring a referral is inadequate, because the effectiveness of the treatment decreases with time lapsed from coitus.[56,57]

We examined hospitals in larger metropolitan areas. Our results thus may not be applicable to rural or even suburban hospitals and need to be confirmed in larger studies. Because victims' options may be quite limited in areas with few providers or hospitals, restrictive policies (or laws that permit pharmacists to refuse to fill contraceptive prescriptions) could have particularly harsh effects. This may be exacerbated by the expansion of the Catholic health system, particularly because of the growth in the number of Catholic sole providers (where the closest similar facility is more than 35 road miles away), and because mergers often lead to

restriction of reproductive services.[4,34,58] These issues need to be examined in greater detail.

Conclusion

The use of emergency contraceptives at Catholic hospitals is clearly a divisive issue. This study confirms that no consensus exists across Catholic hospitals regarding compliance with the medical standard of care or, for that matter, with the Church's own health directives. These hospitals should reevaluate their policies and practices in light of the directives, which we believe adopt a compassionate and reasoned approach, within the Catholic moral framework, to the treatment of rape victims.

What seems to be missing is a clear moral analysis of culpability and duty that would help Catholic and other health care providers resolve the dilemmas posed by a conflict of their own beliefs and values with the beliefs, values, and, perhaps most important, treatment needs of their patients, including rape victims. The permissive conscience clause laws enacted by several states appear to resolve this conflict purely in favor of the provider. These laws are unreasonable because they create unique, dangerous, and insidious exceptions both to the quasi-fiduciary role of physicians and to the obligation of providers to secure informed consent to medical care and, most significantly, because they are inconsistent with patients' reasonable expectations that their physicians will act in their best interest. A better resolution would be to strike a balance between the interests of providers in their moral integrity and their fidelity to patients' well-being and trust: to require not performance or participation in acts the provider believes to be immoral, but communication and discussion fully respectful of patients' status as independent moral agents. □

Contributors

S.S. Smugar and J.F. Merz together initiated the study, developed the survey sample, and drafted the survey instrument. S.S. Smugar checked the data and wrote the first draft of the paper. J.F. Merz performed the statistical analyses and assisted with the writing of the paper. B.J. Spina piloted the questionnaire, helped modify the instrument after piloting, ran the survey, performed data entry and cleaning, and assisted with the writing of the paper.

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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:

"One of the reasons I am in favor of offering emergency contraception to a victim after a rape without exception is that "time is of the essence." The sooner EC is administered to a victim, the less likely pregnancy will occur. Time is important because if a victim is transported to another medical facility, she increases the likelihood of pregnancy.

"This is important when the victim is very young and too immature to handle pregnancy – or too old. There are those who do not want to get pregnant – especially by a rapist. Though a victim and her partner may not realize it before a rape occurs, in some cases the partner will reject the victim after she has been violated. The relationship may be permanently impaired, and this reaction cannot be predicted before the incident.

"Timely EC is also important because the issue of a rape may not be well-received. Though a victim may bear a child as a result of a rape, the child may not be well-received as another from the family. The child could be a constant reminder, to all members of the family, of its violent beginnings. Again, this adverse reaction cannot be predicted.

"EC is voluntary and will not be forced upon a victim, but will allow a victim to decide whether to prevent pregnancy or not."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 423, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY CONTRACEPTIVES FOR SEXUAL ASSAULT SURVIVORS," was referred to the Committee on Finance with Representatives Aquino, Ching, Finnegan, Manahan, Pine and Yamane voting no, and with Representatives Takai, Takumi and Ward being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 473) recommending that H.B. No. 36, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 36, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 474) recommending that H.B. No. 1682, HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1682, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 475) recommending that H.B. No. 425, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 425, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING, LLC PROJECTS ON OAHU," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 476) recommending that H.B. No. 427, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 427, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST ONE PLANET PACIFIC ENERGY, LLC, A PROCESSING ENTERPRISE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 477) recommending that H.B. No. 1491, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1491, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL FACILITY TAX CREDIT," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representatives Morita and Tsuji, for the Committee on Energy & Environmental Protection and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 478) recommending that H.B. No. 591, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 591, 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 Takai, Takumi and Ward being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 479) recommending that H.B. No. 900, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 900, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 480) recommending that H.B. No. 447, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 447, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PAYDAY LENDING," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 481) recommending that H.B. No. 82, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 82, 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 Takai, Takumi and Ward being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 482) recommending that H.B. No. 473, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 473, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KAUAI VETERANS CEMETERY," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 483) recommending that H.B. No. 556, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 556, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative McKelvey rose in support of the measure, stating:

"Mr. Speaker, I stand 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. 556, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERAN BURIAL GRANTS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 484) recommending that H.B. No. 638, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 638, 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 Finance with Representatives Takai, Takumi and Ward being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 485) recommending that H.B. No. 617, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 617, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MASS TRANSIT ROUTE ECONOMIC ZONES," was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 486) recommending that H.B. No. 829, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 829, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ARMED SERVICES," was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 487) recommending that H.B. No. 408, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 408, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 488) recommending that H.B. No. 686, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 686, entitled: "A BILL FOR AN ACT RELATING TO REDUCED IGNITION PROPENSITY CIGARETTES," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 489) recommending that H.B. No. 954, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 954, entitled: "A BILL FOR AN ACT RELATING TO A MAJOR DISASTER RESERVE TRUST FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 490) recommending that H.B. No. 1214, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1214, entitled: "A BILL FOR AN ACT RELATING TO HOMELAND SECURITY," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takumi and Ward being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 57 through 61) and concurrent resolutions (H.C.R. Nos. 71 through 75) were referred to Printing and further action was deferred:

H.R. No. 57, entitled: "HOUSE RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII BOARD OF REGENTS LIFT THE CEILINGS ON NONRESIDENT ENROLLMENT OR, IN THE ALTERNATIVE, CREATE SEPARATE NONRESIDENT ENROLLMENT CEILINGS FOR MAINLAND AND FOREIGN STUDENTS," was jointly offered by Representatives Ward, Pine, Brower and Ching.

H.R. No. 58, entitled: "HOUSE RESOLUTION REQUESTING HAWAII AMERICAN WATER COMPANY TO IMPLEMENT AN ODOR MITIGATION PLAN FOR ITS FACILITY IN HAWAII KAI," was jointly offered by Representatives Ward, Ching, Hanohano, Marumoto and Pine.

H.R. No. 59, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO REQUIRE DEVELOPERS TO APPEAR BEFORE THE APPROPRIATE NEIGHBORHOOD BOARDS FOLLOWING CHANGES IN CONSTRUCTION OR DEVELOPMENT PLANS PREVIOUSLY APPROVED BY THE NEIGHBORHOOD BOARD," was jointly offered by Representatives Ward, Brower, Pine, Aquino, Ching, Hanohano, Marumoto and Nakashima.

H.R. No. 60, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU IN CONSULTATION WITH THE STATE BOARD OF MASSAGE THERAPY TO STUDY MASSAGE THERAPY LICENSURE STANDARDS AND PROCEDURES OF OTHER STATES AND WHETHER HAWAII'S LAWS PREVENT QUALIFIED MASSAGE THERAPISTS EDUCATED AND TRAINED IN ANOTHER STATE FROM PRACTICING IN HAWAII," was jointly offered by Representatives Carroll, Brower, Hanohano, Mizuno, Shimabukuro, Bertram, Chong, Evans, Finnegan, C. Lee, Magaoay, Sagum and Ward.

H.R. No. 61, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES POSTAL SERVICE TO ISSUE A STAMP HONORING PRINCE JONAH KUHIO KALANIANAOLE," was jointly offered by Representatives Carroll, Belatti, Brower, Finnegan, Hanohano, Magaoay, Mizuno, Sagum, Shimabukuro, Ward, Bertram, Chong, Evans and C. Lee.

H.C.R. No. 71, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII BOARD OF REGENTS LIFT THE CEILINGS ON NONRESIDENT ENROLLMENT OR, IN THE ALTERNATIVE, CREATE SEPARATE NONRESIDENT ENROLLMENT CEILINGS FOR MAINLAND AND FOREIGN STUDENTS," was jointly offered by Representatives Ward, Pine, Brower, Ching and C. Lee.

H.C.R. No. 72, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO CREATE SCHOLARSHIPS FOR HAWAII RESIDENTS TO STUDY ABROAD," was jointly offered by Representatives Ward, Brower, Pine, Aquino, Ching, Hanohano and Nakashima.

H.C.R. No. 73, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE HAWAIIAN ELECTRIC COMPANY TO EXTEND ITS ENERGY SOLUTIONS FOR THE HOME PROGRAM," was jointly offered by Representatives Ward, Brower, Pine, Ching, Hanohano, Marumoto and Nakashima.

H.C.R. No. 74, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU IN CONSULTATION WITH THE STATE BOARD OF MASSAGE THERAPY TO STUDY MASSAGE THERAPY LICENSURE STANDARDS AND PROCEDURES OF OTHER STATES AND WHETHER HAWAII'S LAWS PREVENT QUALIFIED MASSAGE THERAPISTS EDUCATED AND TRAINED IN ANOTHER STATE FROM PRACTICING IN HAWAII," was jointly offered by Representatives Carroll, Brower, Hanohano, Mizuno, Shimabukuro, Bertram, Chong, Evans, Finnegan, C. Lee, Magaoay, Sagum and Ward.

H.C.R. No. 75, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES POSTAL SERVICE TO ISSUE A STAMP HONORING PRINCE JONAH KUHIO KALANIANAOLE," was jointly offered by Representatives Carroll, Belatti, Brower, Finnegan, Hanohano, Magaoay, Mizuno, Sagum, Shimabukuro, Ward, Bertram, Chong, Evans and C. Lee.

ANNOUNCEMENTS

Representative Ching: "I'd like to make the announcement that there is, across the street, at the Judiciary Building, the announcement by Senator Daniel Inouye of the first National Heritage Area in the State of Hawaii. That's happening across the street, right now."

Representative Marumoto: "Mr. Speaker, just an observation that 67 years ago today, President Roosevelt signed Executive Order 9066, which locked up 120,000 civilians, mostly Japanese and Japanese-Americans. So, we should be vigilant that this does not happen again. Thank you."

ADJOURNMENT

At 1:04 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 20, 2009. (Representatives Takai, Takumi and Ward were excused.)

TWENTIETH DAY

Friday, February 20, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:06 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 Bertram, Shimabukuro, Takai and Takumi, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Nineteenth Day was deferred.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Belatti introduced students and parents of the Makiki Homeschoolers Group, and their teacher, Ms. Nicole Guiles.

Representative Magaoay introduced former Representative Jun Abinsay.

Representative Har introduced Masters Quincy and DJ Woo of Kapolei, students with the Makiki Homeschooling Group.

At this time, the Chair announced:

"The Chair will call a short recess. We will reconvene at 12:20 to allow the Minority Caucus to continue with their deliberations on the Second Reading measures."

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 12:25 o'clock p.m.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R. Nos.	Referred to:
53	Committee on Hawaiian Affairs, then to the Committee on Finance
54	Committee on Human Services, then to the Committee on Judiciary
55	Jointly to the Committee on Human Services and the Committee on Health
56	Committee on Tourism, Culture, & International Affairs
57	Committee on Higher Education, then to the Committee on Finance
58	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
59	Committee on Water, Land, & Ocean Resources
60	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
61	Committee on Hawaiian Affairs

H.C.R. Nos.	Referred to:
67	Committee on Hawaiian Affairs, then to the Committee on Finance
68	Committee on Human Services, then to the Committee on Judiciary
69	Jointly to the Committee on Human Services and the Committee on Health
70	Committee on Tourism, Culture, & International Affairs
71	Committee on Higher Education, then to the Committee on Finance
72	Jointly to the Committee on Higher Education and the Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance
73	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
74	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
75	Committee on Hawaiian Affairs

S.B. Nos.	Referred to:
1, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
64	Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance
92	Committee on Judiciary
119	Committee on Judiciary, then to the Committee on Finance
120, SD1	Committee on Judiciary, then to the Committee on Finance
153, SD1	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
264	Committee on Tourism, Culture, & International Affairs
468, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
711, SD1	Committee on Transportation, then to the Committee on Judiciary
718, SD1	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:
640	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources
794	Committee on Health, then to the Committee on Finance
813	Committee on Tourism, Culture, & International Affairs
952	Committee on Labor & Public Employment, then to the Committee on Finance
979	Committee on Finance
1665	Committee on Hawaiian Affairs, then to the Committee on Finance
1692, HD1	Committee on Housing, 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. 491) recommending that H.B. No. 524, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 524, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak against House Bill 524, Standing Committee Report No. 491. Mr. Speaker, if we allow condominium association funds to be invested in county obligations, we may be having those associations risk the security of their funds. Had they done that in Orange County, and then Orange County went belly up, those associations would have lost all their money.

"I think, unless the obligations of the county are insured, and the investors could get the money back, I think it's a risky thing to do. Thank you."

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representative Thielen be entered into 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 H.B. No. 524, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Finance with Representative Thielen voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 492) recommending that H.B. No. 1439, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1439, 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, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 493) recommending that H.B. No. 262, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 262, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 494) recommending that H.B. No. 995, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 995, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Choy rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Souki rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative McKelvey rose and asked that the Clerk record a no vote 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 Chang rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Nakashima 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 Coffman 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 Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Sagum rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Yamashita rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Yamane 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. 995, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Second Reading and was referred to the Committee on Finance with Representative Choy voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 495) recommending that H.B. No. 927, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 927, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 496) recommending that H.B. No. 990, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 990, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 497) recommending that H.B. No. 1568, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1568, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE AMERICAN RED CROSS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Hanohano and Tsuji, for the Committee on Public Safety and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 498) recommending that H.B. No. 316, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 316, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Hanohano and Yamane, for the Committee on Public Safety and the Committee on Health presented a report (Stand. Com. Rep. No. 499) recommending that H.B. No. 312, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 312, entitled: "A BILL FOR AN ACT RELATING TO HAZARDOUS SUBSTANCES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Hanohano and Rhoads, for the Committee on Public Safety and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 500) recommending that H.B. No. 685, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 685, HD 1, 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, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 501) recommending that H.B. No. 894, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 894, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 502) recommending that H.B. No. 1114, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1114, entitled: "A BILL FOR AN ACT RELATING TO INFECTIOUS DISEASE TESTING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 503) recommending that H.B. No. 1537, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1537, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 504) recommending that H.B. No. 575, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 575, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Rhoads rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Keith-Agaran 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. 575, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Keith-Agaran and Rhoads voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 505) recommending that H.B. No. 1784, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1784, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Rhoads rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Keith-Agaran 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. 1784, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Keith-Agaran and Rhoads voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 506) recommending that H.B. No. 1211, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1211, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 507) recommending that H.B. No. 124, HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 124, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PROFESSIONAL EDUCATION," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 508) recommending that H.B. No. 1369, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1369, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 509) recommending that H.B. No. 695, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 695, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 510) recommending that H.B. No. 896, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 896, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 511) recommending that H.B. No. 1284, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1284, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 512) recommending that H.B. No. 1354, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1354, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 513) recommending that H.B. No. 351, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 351, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 514) recommending that H.B. No. 1232, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1232, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABLE AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 515) recommending that H.B. No. 1592, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1592, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 516) recommending that H.B. No. 1044, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1044, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 517) recommending that H.B. No. 426, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 426, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON OAHU," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 518) recommending that H.B. No. 1484, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1484, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION FEES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 519) recommending that H.B. No. 279, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 279, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 520) recommending that H.B. No. 1807, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1807, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 521) recommending that H.B. No. 285, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 285, 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 Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 522) recommending that H.B. No. 834, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 834, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak against House Bill 834, and that's Standing Committee Report 522. Thank you. Mr. Speaker, this bill would lower the water quality standards for Hawaiian waters.

"I wanted to talk about a few reasons why I think we should not have this bill pass forward. First of all, OHA brought up a very good point. They said that actually federal water quality standards may not be the best measure of Hawaii's unique water quality. And Hawaii shouldn't therefore lower its water quality standards.

"Another testifier brought up the fact that the Legislature is the wrong venue for this. It should be done administratively, as it is currently happening. And, we as legislators don't have the scientific expertise, or knowledge, actually, to set standards.

"And then the Sierra Club brought up the concern that Hawaii's standards should be different because there are more people in the water, and evidently, people in Hawaii eat three times as much fish as those on the mainland.

"And then finally, a testifier said something that I agree with, and have constantly echoed in this Chamber; that the Legislature should not intervene in ongoing litigation. This is another one of those cases, where the Mayor has come in, this time the Mayor has come in, asking the State to intervene in the middle of ongoing litigation. And we all know that we've been asked to do that in other instances in this Body.

"So I'm casting a 'no' vote, and I hope that others will join me. Thank you."

Representative Pine rose to speak in opposition to the measure, stating:

"In opposition, Mr. Speaker. I happen to represent the coastline area that the EPA has deemed that we have untreated sewer water where we fish and swim and surf and paddle. And so, we're definitely in opposition to this bill."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, a ruling on a potential conflict. At my law firm, I represent the plaintiff that has sued the City over their wastewater treatment and the pollutants identified in this bill. Thank you," and the Chair ruled, "no conflict."

Representative Morita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. I encourage the Members to read the lengthy Committee Report, because it gives a lot of detailed history.

"One of the problems here is the Department of Health has not updated its water quality standards. They've had rules promulgated since 2005, and they have not adopted those rules. It's been acknowledged that these water quality standards have changed, given the best science available now. It's unfortunate that the Administration has not done its work in getting these standards changed and corrected in a timely manner. What has happened is that there has been litigation, but I think more so, the citizens of the City and County of Honolulu are bearing the brunt of the additional cost that may not be necessary in certain upgrades just because the standards have not been updated.

"So, I think the Legislature is right in taking the extraordinary steps of making these corrections, simply because the Administration has not acted. Thank you."

Representative Thielen rose in opposition and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Thielen's written remarks are as follows:

"Mr. Speaker, I want to insert the following comments on the bill from Robert Harris, Director of the Sierra Club, Hawaii Chapter:

> "HB 834 (HD1) is an unprecedented. It removes the State water quality standards -- established to protect human health and our fragile marine ecosystem -- from the administrative rule-making process and asks us to adopt drastically lowered standards without scientific consideration of the impacts on Hawai`i. This proposal could have drastic impacts on human health and our fragile marine ecosystem.

For example, HB 834 (HD1) arbitrarily establishes “waters between five hundred meters and three miles from the shore” are “coastal recreation waters that are rarely or occasionally used.” There is no objective basis for this conclusion. Surfers, paddlers, and fisherman frequently go out further than five hundred meters. However, the effect of this proposal drastically increases the amount of contaminants allowed at this range. Can we assure our constituents that this will have no impact on their health and safety? Or do we simply rely upon the arbitrary conclusion that these waters are “rarely or occasionally used?”

Nor is there any research in Hawai`i considering the effects of decreasing the pesticide limits two to five times lower than currently permitted. Previously the Department of Health concluded that the national standards were unacceptable because Hawai`i consumed 3.1 times more fish than the national average. No research has been made available to this body or the public that allows for consideration of these drastically lowered standards.

Finally, it has been incorrectly suggested that HB 834 (HD1) mirrors a proposal suggested by the Department of Health in 2005. There are significant differences between these two proposals. Tellingly, the Department of Health expressly indicated that three years of testing, which have not been completed, were necessary before the 2005 rule changes could be considered. Further the Department of Health did not consider revising the pesticide limits, nor did it define the waters between five hundred meters and three miles from the shore as coastal recreation waters that are rarely or occasionally used."

"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. 834, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY STANDARDS," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Thielen voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 523) recommending that H.B. No. 1362, HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1362, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENETIC COUNSELORS," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 524) recommending that H.B. No. 429, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 429, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Manahan and Tsuji, for the Committee on Tourism, Culture, & International Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 525) recommending that H.B. No. 1471, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1471, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FARMS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 526) recommending that H.B. No. 1161, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1161, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 527) recommending that H.B. No. 1162, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1162, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR COMMERCIAL DRIVER'S LICENSE VIOLATIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 528) recommending that H.B. No. 1169, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1169, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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 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. 1169, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary with Representative Finnegan voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 529) recommending that H.B. No. 1190, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1190, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ACCIDENT INVESTIGATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 530) recommending that H.B. No. 1386, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1386, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 531) recommending that H.B. No. 1445, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1445, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I have reservations about the bill, Relating to Shared Lane Markings, and specifically because they have not been adopted yet by the Federal Highways Administration. I think we should defer action on this until that occurs."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1445, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 532) recommending that H.B. No. 1697, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1697, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 533) recommending that H.B. No. 144, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 144, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 534) recommending that H.B. No. 1696, 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 B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1696, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTAL INDUSTRY," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 535) recommending that H.B. No. 1462, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1462, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL DEVELOPMENT," passed Second Reading and was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 536) recommending that H.B. No. 939, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 939, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak with a 'no' on Standing Committee Report 536, Relating to the Coastal Zone Management. Thank you. Mr. Speaker, what this will do is, it will increase the trigger for a special management area permit, from $125,000 expenditure, to $250,000. In other words, at this point, if you're going to make improvements in the special management area, and they are going to be $125,000 and one cent, then you must get a special management area permit. And I believe that, as some of the environmentalists said at the hearing, that our coastal zones are in very much of a battle for survival, and I think that we need to be more cautious, because the coastal zonings do need much more attention.

"So, I don't like to see this bill go forward, because it will allow more development to go through with just a minor permit, which doesn't have the protections of a SMA permit. Thank you."

Representative C. Lee 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 C. Lee's written remarks are as follows:

"I stand with serious reservations to HB 939, Relating to Coastal Management.

"Keeping the valuation low will most likely guarantee that the accountability and purpose of the special management area is upheld. This is imperative in such a pristine and important area. By increasing the valuation rate to $250,000 rather than maintaining it at $125,000, the passage of this bill ensures that projects conducted along any coastal beach front area will be subjected to increased criticism.

"I believe that doubling the rate for "special management area minor permit" and "special management area use permit" will lead to the scrutiny and the question of purpose. Are we really taking into account any environmental or ecological effect that doubling the rate may cause? If already at $125,000 and the current condition of Hawaii's coastline (i.e., Kailua Beach) poses possible environmental hazards to residents and visitors, then increasing it by any standard gives reason to believe that increasing commercial or residential development is more important than the preservation of coastlines and the safety of Hawaii's people."

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. 939, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading and was referred to the Committee on Judiciary with Representative Thielen voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 537) recommending that H.B. No. 1040, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1040, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 538) recommending that H.B. No. 980, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 980, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Berg rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker. Would you register reservations for me on Stand. Com. Report 538? The Recreational Renaissance has some pieces in it that I think are problematic for my district, and we need to look more specifically at it. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 980, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECREATIONAL RENAISSANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 539) recommending that H.B. No. 1009, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1009, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS WHICH ARE IMPORTANT AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 540) recommending that H.B. No. 1763, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1763, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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 a no vote for him, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

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:

"Mr. Speaker, I stand in strong support of HB 1763 Relating to the Hawaii Tourism Authority. This bill would repeal the statute which establishes the HTA Board and creates a stand-alone Department of Tourism and redirects the Tourism Special Fund to the DOTourism.

"It is important to understand a few things when considering this measure. First, this proposal before us is a proposal at this point, and the discussion is one that will be taking place eventually as the Tourism Special Fund, the funding mechanism of the HTA, will be 'sun setting' next year. In light of this, I don't think it is unreasonable to begin this discussion sooner rather than later.

"Secondly, I want to thank those members who were open to considering this proposal, as we feel that the current Board has been dysfunctional to say the least. There is a State Auditor's report, which I'm sure many of us have read, which sights specific deficiencies of the HTA, so I won't get into those details. But given this current economic crisis—a recession and near depression as it has been referred to by some—I do not think it is appropriate for this Board to be leaderless.

"The Board Chair should be working with staff to hold regular meetings with stakeholders and plan strategically, in order to get a pulse and a handle on our situation. Not to mention, the Board should be responsive to the House and Senate Committees when we ask to meet with them rather than playing politics. There are currently 11 of 12 members right now, and the Governor has not appointed anyone to fill the last seat even though the list of names has been submitted to her. I would think that this would be a priority.

"Meanwhile, we are facing 20% cuts across the board in every department and undoubtedly we will need to go vertical in order to balance a $1.8 billion deficit. Both our public and private sectors are suffering—our schools, retirees, labor unions, hotels, hotel workers, the counties, airlines, car rentals, retailers, and non-profits are all feeling the effects of the sharp decline in visitor arrivals, and this Board is barely meeting. As a result, vendors, hoteliers, and various stakeholder groups are coming to the Legislature to address their issues. If this is going to be the trend, then I would safely argue, that we don't need the HTA Board.

"Finally, this Legislature is considering pay cuts and layoffs and putting everything 'on the table.' So if everything is on the table, then why not have this on there as well? Why shouldn't we look at restructuring our government to see where we can streamline our processes and make them work smarter for the people of the State?

"And on behalf of all the bills passed out by your Committee, Mr. Speaker, let me just say this: An event last night where many of us were in attendance, the speaker during the closing remarks, compared change to a voyage—inasmuch as it is important to have an idea of your destination and how you are going to get there, it is equally important to consider *why* we want change. I ask the Members to seriously think *why* it is we are considering this proposal at this point in time and if with good conscience you can tell me that change is not needed, then by all means, let's go on with business as usual. Thank you Members, I urge your support of this measure."

Representative Souki rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Chang rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1763, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Finance with Representative Ward voting no, and, with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 541) recommending that H.B. No. 1378, HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1378, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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 Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of HB 1378 HD 1, Relating to Advance Practice Registered Nurses.

"This measure will greatly improve access to healthcare at a time when Hawai`i is suffering greatly from a shortage of doctors. HB 1378 grants APRNs global signature authority and certain prescriptive rights. It also requires insurers, mutual and fraternal benefit societies, and health management organizations to recognize APRNs as primary care providers.

"APRNs are extremely valuable providers of healthcare. Their education and experience position them very well to address the State's critical provider shortage. HB 1378 will do just that by expanding the scope of practice for which they are qualified.

"Moreover, HB 1378 removes inefficient barriers in the current APRN practice, authorizing them to certify documents related to the health care of their patients that are within their scope of practice.

"If enacted, this measure would allow Hawai`i's APRNs the ability to move more swiftly and effectively, filling the gaps in the current healthcare system.

"Most important, Mr. Speaker, this bill will have an immediate positive impact on the healthcare crisis in Hawai`i's rural areas; among the most underserved populations, where primary care physicians are in short supply."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Souki 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. 1378, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 542) recommending that H.B. No. 1390, as amended in HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1390, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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. 1390, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 543) recommending that H.B. No. 811, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 811, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

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. 811, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REGISTERED NURSES," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 544) recommending that H.B. No. 1045, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1045, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 545) recommending that H.B. No. 1271, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1271, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. On HB No. 1271, House Draft 2, Relating to Government, I will be voting 'no.' This would increase the tax on a barrel of oil from five cents, to one dollar. And it is rather vague as to how the money will be spent. It specifies that five cents should go toward addressing drinking water, two and a half cents should go toward other purposes, the Energy System Development Special Fund. And I don't know how the rest will be spent, except that it should be used, as provided by law. So, there's no clear definition of what 'provided by law' means. So, I will unfortunately be voting 'no' on this measure."

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 Wooley 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 Wooley's written remarks are as follows:

"I support the intent of this bill, but have serious concerns about moving it forward. This bill proposes to increase taxes that will disproportionately hurt middle- and low-income families and small businesses. While an increase in the barrel tax is a better way to raise revenue than the proposal to increase the general excise tax ("GET"), it is still regressive and will hurt those least able to afford it. A barrel tax would have significant benefits compared to an increase in the GET in other ways as well. Rather

than reducing business activity and making it more expensive to do business in Hawai`i, a barrel tax will likely result in less oil use, which would lead to environmental and greenhouse gas benefits in addition to the economic benefit – fewer local dollars will be exported directly out of the state. However, I cannot support a regressive tax unless the adverse economic effects are neutralized with a reduction in income taxes, or some other method, for our middle- and low income families and small businesses.

"Second, this bill allocates a quarter of a million dollars for a task force -- made up of government employees – at time when we must reduce government spending. Task forces can help the State plan ahead and accomplish more, but the budgetary challenges we face this year require that the State do more with less. I believe the task force could do the work needed with members contributing their time as part of their existing job, or with a minimal allowance for expenses.

"Last but not least, this bill provides no information regarding where and how 92.5% of the revenue from the tax collected will be spent."

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1271, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was referred to the Committee on Finance with Representatives Finnegan and Marumoto voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 546) recommending that H.B. No. 655, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 655, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING PHARMACIES," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 547) recommending that H.B. No. 396, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 396, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this, with a few comments. Mr. Speaker, this the Employee Retention bill, which essentially says, if you sell your business and you have 100 employees, you cannot fire, sack, displace, or replace them. The unfortunate thing is, I think this bill would put Hawaiian Tel out of business, quite frankly. They have 1,400 employees; they're wobbling, they're shaking, and if we're going to get anybody to buy it, I know there's a Resolution to make it a co-op. But if anybody is going to put money into that, and they know survival is going to be based upon cutting of costs. Mr. Speaker, this bill doesn't make any sense.

"The problem is that we have hard economic times upon us. We've got to watch out for our workers, but remember, 85 percent of the private sector hires the people who work in the State of Hawaii. The other 15 to 20 percent is government workers. We've got to keep the Hawaii private sector healthy, so this is not a good policy. My problem here is that it's all 'stick' with no 'carrot,' whatsoever. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition with short comments. In the beginning of the year, Mr. Speaker, the Legislative Session, we talked about keeping labor working, and that's what I see this doesn't do. I know the intention is to keep the same employees in, if you sell a company. But I'm afraid that what it will do is close down companies and lose more jobs. Thank you."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Very briefly. I think the purpose of this bill is just merely to reiterate the fact that employees are not fungible goods. Everything else in a business is fungible. It is something that can be easily transferred. But employees are a valued asset that need to be recognized as a part, an integral part, of the business and its success. And therefore, that is the purpose of this bill, and why I believe we should support it. Thank you."

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 rise in opposition to H.B. 396 - Relating to the Employment which requires successor employers to retain all incumbent employees.

"My concerns are based on the following points laid out by the Department of Labor and Industrial Relations in essence pointing out that the proposed bill would create a negative business climate:

1. Dictating that a buying company that is investing money in a local business, keep employees not needed or not serving in the best interest of their company is an over-reaching and improper action that interferes with a business's ability to make necessary decisions relating to their economic well-being.

2. An adverse affect is created for the selling employer's current employees when a company is being sold due to a financial crisis, and potential successor companies do not choose to purchase the existing company due to the proposed bill's requirements. (In effect ensuring a greater likelihood that the company will go bankrupt and all employees will become unemployed.)

3. Requiring a successor employer in a divestiture to retain all of the incumbent employees of an affected establishment, or a number proportionate to total human resource needs, seems overly prescriptive because it would not allow the successor employer to bring its own employees, except for supervisory or confidential workers.

4. Additionally, the bill is vague on how to measure human resource needs. For example, a successor employer retains only 200 of 300 employees because the business can be successfully operated at that lower staffing amount. How would the employer (or Department) verify that the human resource needs of the company merited the release of 100 employees? If the employer is found in violation, he is responsible for compensation to affected workers. Why should an employer compensate persons who were not their employees?

5. Collective bargaining agreements, which were developed to protect the interests of employees, exist in larger companies and must be taken into consideration by all parties involved in a divestiture.

"Thank you."

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 Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ward rose to respond, stating:

"Mr. Speaker, just a footnote to the Majority Leader that, as we are told continually in the Finance Committee, 69 percent of government costs are employee costs. So, if a business, which is probably not quite as high, is going to be able to adapt, adjust, and otherwise survive, it's got to look at that. So, to say if it's fungible or not fungible, it's where the reality is. Employee costs are one of the highest costs, particularly in the US, where we pay very, very high wages. 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. 396, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," was referred to the Committee on Finance with Representatives Ching, Finnegan, Marumoto, Thielen and Ward voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 548) recommending that H.B. No. 1567, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1567, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SKILLED NURSING FACILITIES," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 549) recommending that H.B. No. 459, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 459, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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 stand in strong support of SCR 549, HB459 HD1: Making an Appropriation for the Hawaii Civil Air Patrol.

"On Kauai, the Civil Air Patrol has played an integral part in the emergency operations for tsunami warnings and hurricane recoveries. All of the members of the Civil Air Patrol are volunteers who have a history of serving the CAP for many years.

"All of their equipment (aircraft, hangar, etc.) is supplied by the United States Air Force. These monies being requested are for training and emergency preparedness.

"The operating funds that they are requesting are a small price to pay for the service they render for the people of Kaua'i and the State of Hawai'i. Thank you, Mr. Speaker."

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:

"Thank you, Mr. Speaker. House Bill 459 makes an appropriation to the Hawaii Civil Air Patrol. With active members of the Civil Air Patrol as constituents of District 37, as well as an active Civil Air Patrol Squadron located nearby at the Wheeler Army Airfield, I stand in strong support.

"Since the Civil Air Patrol's establishment over 50 years ago, members of this volunteer service organization prove to be vital in the emergency response and disaster relief efforts to aide our State. All Civil Air Patrol members are volunteers who receive the proper training through the Air Force, FEMA, and Homeland Security to lead in search and rescue, medical emergency transport services, pre-disaster emergency warning and post-disaster recovery operations. These volunteer members are people from our neighborhoods trained and ready to serve our State during a time of need.

"Being located in the middle of the Pacific we are continuously exposed and threatened by hurricanes, tsunami, volcanic eruption, and earthquakes. We are isolated and need to be able to respond accordingly to local disasters. When Hawaii endured an earthquake measuring 6.7 on the Richter scale in October 2006, islandwide blackouts affected the islands of Hawaii, Maui, and Oahu. Communication resources were dually affected prompting grave concern and fear among the population. The Civil Air Patrol volunteer members responded immediately with their inter-island radio communication frequencies to assist in the disaster efforts. Because of their tremendous assistance over the last fifty years, we need to continue to support this vital program and service to our State to ensure the safety, security and wellbeing to the people of Hawaii."

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 Standing Committee Report 549, House Bill 459 HD1. This measure provides funding for the operational costs of the Hawaii Civil Air Patrol (HCAP), which is an unpaid, all-volunteer organization. HCAP provides essential services for the people of Hawaii, as first responders providing airborne patrol for tsunami warning, tsunami damage assessment, homeland security and search and rescue. HCAP also has a cadet program similar to JROTC, providing beneficial training ground for Hawaii's youth. They have provided assistance to the US Coast Guard, the Army National Guard, Hawaii State Civil Defense. We must recognize the dedicated service the HCAP provides to ensure the health and safety of the people across the State. For these reasons I stand 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. 459, 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 Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 550) recommending that H.B. No. 464, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 464, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE VETERANS' HOME," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 551) recommending that H.B. No. 610, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 610, 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 Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 552) recommending that H.B. No. 994, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 994, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 553) recommending that H.B. No. 1309, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1309, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE INCREASE TAX CREDIT," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 554) recommending that H.B. No. 1352, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1352, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"I'm standing with reservations. Mr. Speaker, I'll wait until Third Reading, but I did notice that there was no support for this bill, and so some of my reservations come from 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. 1352, 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 Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 555) recommending that H.B. No. 1831, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1831, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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. 1831, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 556) recommending that H.B. No. 563, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 563, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 557) recommending that H.B. No. 1165, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1165, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

Representative Keith-Agaran 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 Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak to express my reservations with HB 1165.

"The Department of Transportation in the bill is asking for authority to create rules for the various commercial harbors, ostensibly based on the need to address safety concerns. I certainly understand that there is a need for safety rules; however, the community's long-established shared use of certain commercial harbors for recreational and cultural purposes should be recognized and preserved.

"The Department of Transportation's recent strained relations with local residents using Kahului harbor for canoe racing and practices, and for fishing and surfing, raises some concern that perhaps the rules proposed ostensibly for safety will in actuality operate to limit or even displace the longtime community use of our harbor and other nearshore waters. I certainly hope this will not be the case and I believe rules can be crafted through creativity and improved strategic planning in the State's master plan, including the use of better technology for business and recreational activities that will foster rather than inhibit joint use of the available space. Existing residents who gather for traditional and cultural practices should be taken into consideration when planning for the future so that they may continue to carry out their customs.

"As this bill moves forward, I hope there will be practical, open and frank dialogue between traditional and cultural practitioners, government agencies and the business community about the goals of this bill. Please record my vote 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. 1165, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 558) recommending that H.B. No. 1166, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1166, entitled: "A BILL FOR AN ACT RELATING TO THE PASSENGER FACILITY CHARGE SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 559) recommending that H.B. No. 1167, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1167, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Pine rose to speak in support of the measure with reservations, stating:

"With strong reservations. This is the bill that's about modernizing our highways in the State. But unfortunately, it has a fuel tax increase, a vehicle registration increase, as well as some other tax and fee increases in here on the people of Hawaii.

"I just believe that we should focus on what we just recently did in this election season, and that is, the residents of Oahu, at least, supported a rail, and they're already paying a tax increase on that."

Representative Ward rose to speak in opposition to the measure, stating:

"A mild no, Mr. Speaker."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations. Mr. Speaker, I think the biggest issue that I have with this is, we're in the beginning of the Session, and we want to keep bills alive for conversation purposes and debate. But, the way that I could swallow this bill, as a tax increase for now, was because there was a mechanism that basically said, if the economy starts to recover, then we could do this. And what this does now, is that a huge amendment was made to say, automatically, the tax increase is activated on July 1st, 2011. If we haven't recovered, we're kicking people while they're down. If the economy hasn't recovered, we're taking more out of people's paycheck. I don't think that that is smart in this time period. So, that's my strong reservations, Mr. Speaker. Thank you."

Representative Ching rose to speak in support of the measure with reservations, stating:

"With reservations, Mr. Speaker. I have similar concerns as the 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. 1167, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Finance with Representative Ward voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 560) recommending that H.B. No. 1422, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1422, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 561) recommending that H.B. No. 143, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 143, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF MOBILE PHONES AND ELECTRONIC DEVICES WHILE DRIVING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 562) recommending that H.B. No. 866, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 866, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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. 866, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 563) recommending that H.B. No. 271, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 271, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 564) recommending that H.B. No. 1428, HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1428, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 565) recommending that H.B. No. 1518, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1518, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. As this bill keeps resurfacing, I'll keep voting 'no' on it, Mr. Speaker. And if I may make just a couple of comments. Thank you. Mr. Speaker, under current Hawaii law, it's illegal to visibly pass on the GET, if the price of the goods or services is fixed by law.

"So, if this bill passes, it's going to award the towing industry, not one of my favorite industries, but, it will award the towing industry with a privileged exception to current Hawaii law, that no other industry appears to enjoy. And for all those people who have their cars towed, I think they will not be very happy. Thank you."

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker, I speak for the bill. In regards to the previous speakers, I want to say that exceptions are made through law every time we pass a bill, so it's not very unusual that we're having legislation like this here.

"It's discriminatory in some ways to the beloved towing companies that they cannot pass on the tax, where everybody else can. And, there's an exception with the insurance company, where instead of paying the excise tax of four percent, they pay one half of one percent. That's an exception. And we can go on and on and on, Mr. Speaker. Thank you, very much."

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. 1518, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was referred to the Committee on Finance with Representatives Pine and Thielen voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 566) recommending that H.B. No. 1163, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1163, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 567) recommending that H.B. No. 300, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 300, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 568) recommending that H.B. No. 345, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 345, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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 Belatti rose to speak in opposition to the measure, stating:

"Please register my 'no' vote, and may I make a few short comments? Thank you, Mr. Speaker. I would just like to share with the Body that what we learned in the Committee regarding this Bill is that the Campaign Spending Commission is well under way in preparations for this program, so there is no need for delay. Thank you, Mr. Speaker."

Representative Luke 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 Berg rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 345, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading and was referred to the Committee on Finance with Representatives Belatti and Thielen voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 569) recommending that H.B. No. 1379, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1379, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ORDERS FOR LIFE SUSTAINING TREATMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 570) recommending that H.B. No. 1843, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1843, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 571) recommending that H.B. No. 281, HD 1, as amended in HD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 281, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 572) recommending that H.B. No. 1446, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1446, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 573) recommending that H.B. No. 1663, pass Second Reading and be referred to the Committee on Agriculture.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1663, entitled: "A BILL FOR AN ACT RELATING TO TARO

SECURITY," passed Second Reading and was referred to the Committee on Agriculture with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 574) recommending that H.B. No. 899, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 899, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 575) recommending that H.B. No. 1015, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1015, entitled: "A BILL FOR AN ACT RELATING TO OBLIGATIONS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS TRUST FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 576) recommending that H.B. No. 1666, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1666, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations on Stand. Com. No. 576 with brief comments. This is a good bill. It allows for Hawaiian Language to take its rightful place, next to English. It's the official language by the Constitution, so it implements that.

"My problem, Mr. Speaker, with it is that it commits a breach of linguistic protocol in that the bill has the two languages. It appears by the way it's juxtaposing the language, it's making Hawaiian primary and English secondary, by way of the translation. Case in point: Canada; English and French. Generally, you see the English on the top, and then you see the French on the bottom. This bill has it in opposite in it, and there's no place in the world that I've seen that. Unless we intend to have Hawaiian as the primary language and English as the secondary language, in which case, Mr. Speaker, I suggest that we all better get into the Hawaiian language classes. Mahalo Nui Loa."

Representative Shimabukuro rose to speak in support of the measure, stating:

"Mr. Speaker, just in support of that same Stand. Com. Report, and I just want to comment that when I was in Aotearoa, New Zealand, I did notice that the signs were that way, with Maori on top, English on the bottom. 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. 1666, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Carroll and Ito, for the Committee on Hawaiian Affairs and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 577) recommending that H.B. No. 949, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 949, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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 grave reservations about this measure. The primary purpose of these trust lands is not to advance leases for commercial purposes to non-beneficiary private interest parties to ensure their financial viability. We do not extend States leases beyond the 65 year period without a public auction so why should such an exception be made for the Department of Hawaiian Home Lands where the State has an important fiduciary responsibility to native Hawaiians?

"Section 204 of the Hawaiian Homes Commission Act wherein the authority to lease lands to the "general public" is predicated by the statement, "The department is expressly authorized to negotiate, prior to negotiations with the general public, the disposition of Hawaiian home lands or any improvements thereon to native Hawaiian beneficiaries or organization or association owned or controlled by native Hawaiians." It should be pointed out that beneficiaries have advised me that the DHHL has yet to implement the correct priority of negotiating with beneficiaries and beneficiary organizations PRIOR to the general public. Such a priority will drive private interest parties to native Hawaiian beneficiaries and the organizations they control to partner with them, thereby building the capacity intended under section 204. This procedure is very similar to successful development approaches and lessons learned by other Native peoples.

"Secondly, there has been no evidence or comprehensive financial analysis presented at all, that giving 99 year leases on trust lands advances the financial interests of the trust or its beneficiaries. Simply put, if a developer wants a 99 year lease, or to be positioned for zero risk, they should look for fee simple land, not lands that are a native Hawaiian trust, intended for specific homesteading purposes. If a developer cannot get a reasonable return with 65 years, one questions whether it is a viable venture at all. However, the issue of privatizing Hawaiian homes trust lands is not something to be considered lightly and is an aberration of the State's fiduciary responsibility to native Hawaiians."

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 Committees was adopted and H.B. No. 949, 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 Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 578) recommending that H.B. No. 665, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 665, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 579) recommending

that H.B. No. 1766, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1766, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 580) recommending that H.B. No. 231, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 231, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 581) recommending that H.B. No. 518, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 518, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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. 518, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 582) recommending that H.B. No. 1292, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1292, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STATE QUALIFYING SHOOTING RANGE AT KULANI CORRECTIONAL FACILITY IN EAST HAWAII ON THE ISLAND OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 583) recommending that H.B. No. 519, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 519, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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 Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. For Stand. Com. Rep. 583, this requires that the return of all out-of-state inmates in the private prisons be returned on December 31st, 2015. And I just wanted to also just comment that some prisoners in the mainland feel that they have better services up there. I would say, even through some of my conversations and readings, that it's most. So, it may sound a little odd, but I think I'm speaking on behalf of some of those prisoners, that they want to stay there. And so I don't know if this is the way you want to move forward with requiring all of them returned."

Representative Pine 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 Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker, just a few words on this measure. First of all, it's a great bill. I think it's long overdue, and I'm going to save my speech for Third Reading, as it comes along. But I just wanted to make another statement, that we are losing, of course, 50 million dollars in revenue, per year because we are exporting our prisoners to the mainland, and making other states a little more wealthy."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 519, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INMATES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 584) recommending that H.B. No. 1152, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1152, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS' ACCOUNTS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 585) recommending that H.B. No. 1080, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1080, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 586) recommending that H.B. No. 1151, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1151, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESTRICTED ACCESS TO CORRECTIONAL FACILITIES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Hanohano and Rhoads, for the Committee on Public Safety and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 587) recommending that H.B. No. 941, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 941, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC

GUNS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 588) recommending that H.B. No. 87, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 87, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 589) recommending that H.B. No. 1130, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1130, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOILER AND ELEVATOR SAFETY LAW," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 590) recommending that H.B. No. 1406, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1406, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICES AND THE STATE HOMELESS PROGRAMS," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 591) recommending that H.B. No. 269, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 269, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 592) recommending that H.B. No. 993, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 993, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

At 1:02 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:03 o'clock p.m.

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 Ward rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 993, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION, RELATING TO THE DISPOSITION OF PROJECTED EXCESS REVENUES," passed Second Reading and was referred to the Committee on Finance with Representatives Ching, Finnegan, Marumoto, Thielen and Ward voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 593) recommending that H.B. No. 1293, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1293, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 594) recommending that H.B. No. 1780, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1780, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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 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 rise in opposition to H.B. 1780 - Relating to Sentencing of Repeat Offenders. The purpose of this bill is to change the mandatory minimum sentencing provisions of the repeat offender law from mandatory to discriminatory.

"I quote Dara Carlin, a counselor for Independent Domestic Violence Survivor:

> “While I recognize the intent of this bill is an effort to reduce overcrowding in the prison system and allow for a more community and family-based approach to addressing crime, I have to say that this measure is seeking this benefit for the wrong population. It would make more sense for this proposal to be targeted for First Time offenders, but it's specifically asking for discretion for Repeat Offenders; in either case the discretionary aspect being proposed will erase the "mandatory" in mandatory minimum sentencing.”

I agree with her wholeheartedly.

"“The repeat current offender law, enacted in 1976, was enacted in the Legislature to protect the people of Hawaii from the relatively small group of criminals who commit so many of the crimes that occur in Hawaii”

writes our Attorney General Mark Bennett. The Commentary on section 706-606.5, citing the 1976 House Conference Committee Report No. 32, Senate Conference Committee Report No. 33, states:

"Finding a clear danger to the people of Hawaii in the high incidence of offenses being committed by repeat offenders, the legislature felt it necessary to provide for mandatory terms of imprisonment without the possibility of parole in cases of repeated offenses by prior offenders."

"I am concerned that the proposed bill impacts more than just non-violent crimes. As Peter Carlisle, our City Prosecuting Attorney states "Our repeat offender statute covers offenses such as murder, sexual assault, robbery, burglary and auto theft and already permits the judge to sentence the offender to a lesser mandatory minimum when he or she finds strong mitigating circumstances."

"In essence this bill does not serve the public's interest. Should we send the message that crime pays? I don't think so. I think it behooves us to consider the positions of those such as the Attorney General and the Prosecuting Attorney of the City, both of whom oppose this bill. Thank you."

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 H.B. No. 1780, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT OFFENDERS," passed Second Reading and was referred to the Committee on Finance with Representatives Ching, Finnegan, Marumoto, Pine, Thielen and Ward voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives McKelvey and Morita, for the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 595) recommending that H.B. No. 1704, HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 1704, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I vote with reservations, Mr. Speaker. Thank you. Mr. Speaker, this is asking for $1 million to be appropriated out of our general fund for 09-2010, and then $2 million, or as much as is necessary for 2010-2011, for an operation of a government industry consortium.

"We did not really get that much detail about what this is about. I'm somewhat concerned about putting that much money into this consortium. And, if we could put those same funds into deploying actual renewable energy projects that are here in Hawaii, that are either ready to go, or need to have additional structures put up to be able to provide the renewable energy. It's just a little bit 'pie-in-the-sky', and actually, that's where it may be located by this consortium. I'm just not sure, so at this point, until there's more information, I'm with reservations."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, in support. What the bill tries to do, even though it is costly, is to do for Hawaii what otherwise we're almost strategically located to do, and that is to reap the energy from the sun. In this Committee discussion, there was use of the term "space solar energy," and the harnessing of "space solar energy." In fact, I believe that there's one member of this Body who said that his friend, who is an astronaut, said there's enough energy on the moon to basically power the whole earth. Hawaii has an opportunity to become on the cutting edge of that. If there is "space solar energy," Hawaii is the place, or the epicenter, to do that. It's not going to be free, but that's something that the Finance Committee will look at thereafter. 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. 1704, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 596) recommending that H.B. No. 602, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 602, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 597) recommending that H.B. No. 702, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 702, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 598) recommending that H.B. No. 687, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 687, HD 2, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 599) recommending that H.B. No. 1082, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1082, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH INCOME TAX CREDIT," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 600) recommending that H.B. No. 658, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 658, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI OFFICE OF VETERANS' SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 601) recommending that H.B. No. 1242, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1242, 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, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 602) recommending that H.B. No. 898, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 898, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 603) recommending that H.B. No. 1593, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1593, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 604) recommending that H.B. No. 1503, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1503, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations on Stand. Com. Rep. No. 604, with just a brief comment. This is trying to 'recreate the wheel' of companies. It was initially an ingenuity company, then it became a public purpose company. Everything that we have on the books for people who have eleemosynary charity or goodwill intentions, we have enough structure to do that. It's a bit of an odd hybrid of sorts. It's convoluted. It will probably be misunderstood and misplaced, but it is something I think that the next Committee needs to look at very seriously, in the Judiciary Committee. 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. 1503, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 605) recommending that H.B. No. 1451, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1451, 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, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 606) recommending that H.B. No. 874, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 874, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL REAL PROPERTY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 607) recommending that H.B. No. 700, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 700, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NONGOVERNMENT HEALTH PLAN PAYMENTS TO CRITICAL ACCESS HOSPITALS AND FEDERALLY QUALIFIED HEALTH CENTERS," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 608) recommending that H.B. No. 1014, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1014, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 609) recommending that H.B. No. 1071, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1071, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 610) recommending that H.B. No. 984, HD 2, as amended in HD 3, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 984, HD 3, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 611) recommending that H.B. No. 1776, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1776, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 612) recommending that H.B. No. 332, HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 332, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 613) recommending that H.B. No. 1429, HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1429, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ABOUT FACE PROGRAM," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 614) recommending that H.B. No. 1021, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1021, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Carroll and Cabanilla, for the Committee on Hawaiian Affairs and the Committee on Housing presented a report (Stand. Com. Rep. No. 615) recommending that H.B. No. 1612, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1612, 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, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 616) recommending that H.B. No. 901, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 901, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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. 901, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 617) recommending that H.B. No. 981, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 981, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 618) recommending that H.B. No. 215, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 215, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm standing to vote with reservations on Stand. Com. Rep. No. 618, Relating to Campaign Financing. Thank you. Mr. Speaker, the bill is basically a recodification and cleanup of the campaign spending law, but there's one provision in there that really runs contrary to good government, or clean government. What it will do, is eliminate the 20 percent cap on non-resident contributions. If it were to state that that would occur after the coming gubernatorial election, I could support it. But, taking away that 20 percent cap on non-resident contributions now, while the gubernatorial election is going to be coming up in 2010, I think that's very suspect. I think it's really, very suspect.

"I know there's an effort in this Body to do clean government, good government bills. This one unfortunately, has a 'poison pill' in it. I've not been an advocate of the 20 percent cap from non-resident contributions, because we have a lot of our Hawaii people that now are living on the mainland, that still want those ties to Hawaii. But the time to do that is after the next gubernatorial election, not before. Because what it looks like, is that it's a handoff to a particular candidate. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I guess the most succinct way of explaining this bill is that it doesn't pass the 'smell test.' Thank you."

Representative Finnegan rose in support of the measure with reservations and asked that the remarks of Representative Thielen be entered into 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."

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations and a few comments. Unlike the previous speakers, I had a little bit of a different take on this. I'd like to point to the language of the purpose statement in this bill, which is 'the purpose of this Act is to update, organize, and clarify the current campaign finance laws and make minor substantive changes to the current laws.'

"My concern is that this is more than just a minor substantive change to the law, and I think we need to take a look at this carefully. So, as it moves forward, as it moves to the Finance Committee, I hope those reservations are listened to. Thank you."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative C. Lee 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 Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker, I wish to speak in favor of this measure. I just wanted to make mention that some years ago, there was no cap on the importing of means and money to Hawaii. A former mayor won the governorship by basically all those imported dollars from the mainland. So, I think it's kind of disingenuous, in a way, where you have a lot of the Minority members of the Governor's same party, now complain, when they did not in the past. Thank you very much, Mr. Speaker."

Representative Pine rose to respond, stating:

"Just in rebuttal. If we're going to talk about history, it was this very Body that removed that cap, purposely, so that our current Governor could not continue to raise money that helped her to get elected. So, we're just trying to be consistent, so that this Body does not look as if it is only targeting Republican governors only."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 215, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCING," passed Second Reading and was referred to the Committee on Finance with Representative Ward voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Cabanilla and Ito, for the Committee on Housing and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 619) recommending that H.B. No. 1188, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1188, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 62 and 63) and concurrent resolutions (H.C.R. Nos. 76 through 81) were referred to Printing and further action was deferred:

H.R. No. 62, entitled: "HOUSE RESOLUTION REQUESTING THAT THE GOVERNOR WITHDRAW THE STATE'S PETITION FOR WRIT OF CERTIORARI IN HAWAII V. OFFICE OF HAWAIIAN AFFAIRS, NO. 07-1372 IN THE SUPREME COURT OF THE UNITED STATES," was jointly offered by Representatives Carroll, Awana, Belatti, Brower, Evans, Hanohano, C. Lee, McKelvey, Mizuno, Nishimoto, Saiki and Bertram.

H.R. No. 63, entitled: "HOUSE RESOLUTION REQUESTING WITHDRAWAL OF THE STATE'S APPEAL PENDING BEFORE THE UNITED STATES SUPREME COURT IN HAWAII V. OFFICE OF HAWAIIAN AFFAIRS, NO. 07-1372," was jointly offered by Representatives Carroll, Belatti, Brower, Evans, Hanohano, C. Lee, McKelvey, Mizuno, Nishimoto, Saiki, Shimabukuro, Bertram, Cabanilla, Magaoay and Sagum.

H.C.R. No. 76, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A FEASIBILITY STUDY ON CONVERTING HARD COVER TEXT BOOKS TO E-BOOKS FOR USE IN PUBLIC SCHOOLS," was jointly offered by Representatives Manahan, Awana, Evans, McKelvey, Mizuno, Shimabukuro, Yamane, Yamashita, Berg, Choy, Magaoay, Takumi, Tsuji, Wakai and Wooley.

H.C.R. No. 77, entitled: "HOUSE CONCURRENT RESOLUTION URGING EITHER THE DEPARTMENT OF LAND AND NATURAL RESOURCES OR THE DEPARTMENT OF TRANSPORTATION TO ACQUIRE THE BOATYARD ADJACENT TO THE STATE PIER AND WHARF FACILITY AND BOAT LAUNCH RAMP, AND TO ADDRESS PERMITTING AND USE CONFLICTS AT HANALEI, KAUAI," was offered by Representative Sagum, by request.

H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, LAND DIVISION, TO INCLUDE THE ROYAL ORDER OF KAMEHAMEHA IN THE STAKEHOLDERS ASSEMBLED TO MEET AND DEVELOP A HANAPEPE SALT POND RESOURCE MANAGEMENT PLAN," was jointly offered by Representatives Sagum, Awana, Carroll, Chang, Chong, Hanohano, Magaoay, McKelvey, Morita, Har, M. Oshiro, Souki and Tokioka.

H.C.R. No. 79, 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 jointly offered by Representatives Sagum, Chang, Awana, Carroll, Chong, Hanohano, Magaoay, McKelvey, Morita, M. Oshiro, Souki and Tokioka.

H.C.R. No. 80, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE GOVERNOR WITHDRAW THE STATE'S PETITION FOR WRIT OF CERTIORARI IN HAWAII V. OFFICE OF HAWAIIAN AFFAIRS, NO. 07-1372 IN THE SUPREME COURT OF THE UNITED STATES," was jointly offered by Representatives Carroll, Awana, Belatti, Brower, Cabanilla, Evans, Hanohano, C. Lee, McKelvey, Mizuno and Saiki.

H.C.R. No. 81, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING WITHDRAWAL OF THE STATE'S APPEAL PENDING BEFORE THE UNITED STATES SUPREME COURT IN HAWAII V. OFFICE OF HAWAIIAN AFFAIRS, NO. 07-1372," was jointly offered by Representatives Carroll, Belatti, Brower, Evans, Hanohano, C. Lee, McKelvey, Mizuno, Nishimoto, Saiki, Shimabukuro, Bertram and Magaoay.

ANNOUNCEMENT

Representative Souki: "Mr. Speaker, I'm very proud to announce the birthday of my Vice-Chair, Representative Awana just made '21,' and we all should wish her a happy birthday. Happy birthday, Karen."

ADJOURNMENT

At 1:16 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, February 23, 2009. (Representatives Bertram, McKelvey, Takai, Takumi and Tokioka were excused.)

TWENTY-FIRST DAY

Monday, February 23, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:03 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Chris Kalani Lee, who asked for a moment of silence in memory of the late Councilwoman Barbara Marshall.

The Roll was called showing all Members present with the exception of Representatives Mizuno, M. Oshiro and Takai, 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 MESSAGE

The following message from the Governor (Gov. Msg. No. 251) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 251, dated February 6, 2009, transmitting "A Report to the Legislature on High Technology; Incubation Center; Kakaako" pursuant to Senate Bill 896, Act 150, Session Laws of Hawaii, 2007 as of January 2009.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 21 through 23) were received and announced by the Clerk:

Sen. Com. No. 21, transmitting S.C.R. No. 40, entitled "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR AND THE ATTORNEY GENERAL TO WITHDRAW THE APPEAL TO THE UNITED STATES SUPREME COURT OF THE HAWAII STATE SUPREME COURT DECISION, OFFICE OF HAWAIIAN AFFAIRS V. HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII, 117 HAWAII 174 (2008)," which was adopted by the Senate on February 20, 2009.

At 12:07 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 12:08 o'clock p.m.

At this time, Representative Berg moved that S.C.R. No. 40 be adopted and requested a roll call vote at the appropriate time, seconded by Representative Hanohano.

At this time, the Chair announced:

"Thank you. A motion for a roll call has been made, and a second supporting this motion has been recorded. The Chair at this time will be calling a short recess to allow the Clerk to verify the referral status of the measure in question. Since I envision a very short recess, I ask that all Members remain on the Floor."

At 12:09 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:12 o'clock p.m.

At this time, the Chair announced:

"Prior to the recess there were two motions before this Body. The last motion that was made was a motion for a roll call vote, and at this time, the Chair will recognize the movant of the roll call vote to withdraw that motion."

At this time, Representative Berg withdrew her request for a roll call vote, and Representative Hanohano withdrew her second.

Representative Berg then moved for the adoption of S.C.R. No. 40, seconded by Representative Hanohano.

Representative Pine rose to speak in support of the measure with reservations, stating:

"I'm just standing up with reservations, today. I haven't had the opportunity to ask my constituents how they feel about this particular measure. There's definitely strong feelings on both sides, and I would have preferred that there had been a hearing of some sort, so I would first be able to forward this information to my constituents.

"Actually, in light of that, I would like to move that we refer this Resolution to Water, Land, Ocean, and Judiciary."

At this time, Representative Pine moved that S.C.R. No. 40 be referred to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, seconded by Representative Marumoto.

At 1:14 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:21 o'clock p.m.

At this time, Representative Saiki requested a roll call vote on the motion to refer S.C.R. No. 40.

At 1:22 o'clock p.m. Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:23 o'clock p.m.

At this time, Representative Saiki withdrew his request for a roll call vote.

At this time, the Chair announced:

"Thank you very much. Members of the House, at this time, we have a motion before us in regards to the Senate Concurrent Resolution being referred to Committee. Any discussion?"

Representative Marumoto rose to speak in support of the motion to refer, stating:

"Mr. Speaker, I do believe that this Resolution would warrant more public testimony and input. I'm speaking to the motion to refer this measure to a Committee, and, if we do that, then we would be able to receive more public input from the community. Rather than pushing it through for adoption today, I believe that we should go step by step, and be a little more open and transparent. Thank you, very much."

Representative Thielen rose to speak in opposition to the motion to refer, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I am speaking against the motion because time is imperative on this issue, with the court hearing going to be held this coming Wednesday."

Representative B. Oshiro rose to speak in opposition to the motion to refer, stating:

"Mr. Speaker, I rise in opposition. Very briefly, I just oppose referring this measure. We've heard this issue multiple times through various bill forms. This is actually just a Resolution that is in front of us. The issues are very similar, and therefore, I think the House is informed enough at this point to take a position without having to go through Committees. Thank you."

Representative Finnegan rose to speak in support of the motion to refer, stating:

"Thank you, Mr. Speaker. In support of the referral. Mr. Speaker, that's kind of in line with all the things that I've been for, in regards to making sure that it gets public testimony on issues. But, this particular Resolution has only gone to one Committee on the Senate side. I think it would be prudent of us to make sure that the public has ample time to respond to a big situation like this. Thank you."

Representative Ching rose in support of the motion to refer and asked that the remarks of Representative Finnegan be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Marumoto rose to respond, stating:

"Just a short rebuttal, Mr. Speaker. This is a substantive resolution, and previously, we've had in our rules that substantive resolutions must be referred to Committee so they could be fleshed out, and aired out. The only things that we passed on the Floor were congratulatory type of resolutions. I don't like this departure from tradition. This is a very important piece of legislation, and it's coming before the Supreme Court. I don't think we should unduly influence …"

The Chair addressed Representative Marumoto, stating:

"Representative Marumoto, could you confine your remarks to the motion of the referral, and not the influencing of the US Supreme Court?"

Representative Marumoto continued, stating:

"Thank you, sir. Since this is so important, I urge you to vote for this to send it to Committee, so that we may fully discuss this issue. Thank you."

Representative Ward rose to speak in support of the motion to refer, stating:

"Mr. Speaker, I rise in support of the motion. Mr. Speaker, I would contend that, yes, there's an urgency, but I don't think there's a depth of understanding as to what we're really doing here. In the short run, there's a court case, but in the long run, the viability of the State of Hawaii is at stake. And I think all of our major groups need to buy in on this. I would contend that probably even those who think they know what it is, really don't know, because this has long, long, long, long, long, long range implications to it, depending on how this issue falls out in the legal side. So, to rush something that is so long range is premature."

At 1:27 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 1:29 o'clock p.m.

Representative Pine rose to respond, stating:

"Just in rebuttal to the Majority Leader. He said that this issue has been discussed enough in different versions and different bills, but we could say that about everything that we're talking about. Civil unions, we've discussed so many times."

The Chair addressed Representative Pine, stating:

"Representative Pine, would you confine your remarks to the motion of the referral of the Resolution? I know it's very difficult."

Representative Pine continued, stating:

"It's hard. Okay, well, again in responding to the Majority Leader's remarks that, in his opposition to the referral, he said that we have talked about this issue multiple times. I would then rebut him on that particular comment on the motion, that we've discussed the same educational issues, and discussed civil unions. There are lots of issues that we have discussed in various forms, but we typically allow the public to give us more input, even though we've discussed it before, Mr. Speaker. And I think asking for transparency is a great thing for the people of Hawaii, and that's why I'd like to get more information through the Committee process."

Representative Souki rose to speak in support of the motion to refer with reservations, stating:

"Mr. Speaker, could you put me down for reservations, and I would want to state that the reservations are not against the good Hawaiian people, but in the manner that this is being done right now."

The Chair addressed Representative Souki, stating:

"Representative Souki, I believe you are out of order. The main motion is not before for us."

Representative Souki continued, stating:

"I'm speaking with reservations for the referral."

At 1:31 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 1:32 o'clock p.m.

The motion that S.C.R. No. 40, entitled "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR AND THE ATTORNEY GENERAL TO WITHDRAW THE APPEAL TO THE UNITED STATES SUPREME COURT OF THE HAWAII STATE SUPREME COURT DECISION, OFFICE OF HAWAIIAN AFFAIRS V. HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII, 117 HAWAII 174 (2008)," be referred to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, was put to vote by the Chair and upon a voice vote failed to carry with Representative Takai being excused.

(Main Motion)

Representative M. Oshiro rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I'll be registering a vote with reservations. A few points. The first one is that on page four, lines one through three, it states, 'Be it further resolved that the Legislature declares the public policy of the State of Hawaii, is to honor the decision of the Hawaii State Supreme Court.' It is my understanding as of today, that there are several vehicles being considered to change that policy. So, I for one, would not like to be bound to that declaration in this document.

"The second reason for my reservations, Mr. Speaker, is that I think we should also include having certified copies of the Concurrent Resolution be transmitted to our Congressional Delegation, Senators Inouye, Akaka, Congresswoman Hirono, Congressman Abercrombie, and also to the Office of Hawaiian Affairs. Thank you, Mr. Speaker."

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support, with some reservations. I would like to just add on to what my colleague said just a minute ago, that we also should request that certified copies of the Concurrent Resolution be transmitted to the United States Supreme Court."

Representative Chong rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I stand in support, with reservations. I also have some concerns regarding the language of this Resolution. Thank you."

Representative B. Oshiro 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 Keith-Agaran rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Chang rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Nakashima 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 Sagum 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 Ito 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:

"With reservations, with a couple of comments, Mr. Speaker. Mr. Speaker, some of us remember the Gavin Dawes book, *Land and Power in Hawaii*. This Resolution, I think, comes close to where the lines cross, and clearly, this is about land and power.

"The unfortunate thing is that resolution between land and power in the Hawaiian community has never been reached. We must reach some reconciliation. This Resolution however, calls into question the legitimacy of the State of Hawaii, or as Mark Bennett has said, the 'corpus' of the State of Hawaii.

"What's at stake is, was land transferred in 1959, to the State of Hawaii, really the State of Hawaii land. Do we, Mr. Speaker, have any land base in the State of Hawaii? Are we the legitimately-formed Body of the State of Hawaii? Which, if we are not, how can we give permission to sell land, if we don't have actually the land? So, there's a bit of a circular argument, a conundrum.

"But I recently found out, finally, how much land there is, and how much of the ceded lands are really at stake here. There are 4.2 million acres of land in the State of Hawaii. And 2.2 of those are in private hands; that's why the whole notion of land and power. There's a very, very few people who own a lot of the land. Half of it, 2.2 million acres are private lands. 1.4 million acres are public lands. 1.2 of those are the ceded lands that we are now talking about. That leaves the State of Hawaii 200,000 acres: 400,000 of federal lands and 200,000 for the Department of Hawaiian Home Lands.

"So, Mr. Speaker, can you have a state without any land? I don't know. It calls into question the legitimacy of the corpus, or the body of the State of Hawaii having a land base, rather than just if we have power, as we are as the constituted body.

"If we don't have clean title. And the US Supreme Court is going to decide whether we have that. I think it's a very, very pointed issue. The notion is, that's the short range, just the Supreme Court decision. But in the long range, what happens to the State, is what my biggest concern is, in which we don't, hopefully, as impetuous as we have today, when this is resolved in the long run, we will have full deliberation with the people of Hawaii, and for the sake of preservation of the land and the eulogy of our people, to have as a primary consideration. Thank you, Mr. Speaker."

Representative Shimabukuro rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. Mr. Speaker, what the previous speaker just stated, to me, puts the case out for why this type of legislation is so critical. Land is so extremely scarce in our State of Hawaii. This is why issues like lease-to-fee conversion are so extremely controversial. When you live in a place like Hawaii, no amount of compensation can compensate for the loss of land. The claims of the Hawaiian people for reparations from the US Government, following the illegal overthrow of their kingdom are still unresolved. And this is why OHA, the Hawaiian community, people that typically don't agree, have agreed on this issue, that we cannot sell the ceded land until those claims are resolved.

"The ceded lands inventory's still not complete. Until that inventory is done, I cannot support the sale of land.

"Another thing I wanted to say is, one of the arguments made in favor of selling ceded land, is that we don't want to pass up deals. That may be a good deal, and we can then spend the money to benefit Native Hawaiians with affordable housing, and so on. What I would say to that is, no matter how good a deal may look today, the money's going to be made. The money will be made by today's policy makers. It will not be kept in trust for the future generations.

"We have to keep the land in the public trust, so it can be passed on to the next generation, and so on. And, it's a priceless legacy that will be guaranteed to increase in value. So, with that, I just urge my colleagues to support this measure."

Representative Magaoay 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:

"Mr. Speaker, I'm standing up with reservations. I just want to say that I understand the intent, and this a very important Resolution. I just wish that we could have gotten this Resolution quicker from our colleagues on the other side. Thank you."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I will be voting with strong reservations on this measure. As I said earlier, I think it's very premature for us to do it. This is an important case which bears better airing of the issues, and it deals really with the State ownership of public lands. If OHA is successful in this, it will give them greater leverage in negotiating the Native Hawaiian claims to ceded lands.

"I would like to see a resolution of this issue. I strongly support an amicable settlement of these claims between OHA and the State. We've had the opportunity in past Sessions. We did not avail ourselves of it. I have never heard this Resolution in the Committees I belong to. I serve on Agriculture, Tourism, Consumer Protection, and Judiciary Committees, and I do not recall airing these issues on this particular Resolution before, and I look forward to the opportunity. So, I would urge all people to express their reservations on this, pushing this Resolution through today. Thank you."

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 Yamashita rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative M. 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 M. Lee's written remarks are as follows:

"Mr. Speaker, I stand in support with reservations. The short time that we have had to deliberate on this complex issue makes it difficult for me to form an opinion. Having listened to the opposing viewpoints has made the wisdom of this Resolution even less clear. It is doubtful that this Resolution will have the effect of removing the issue from the Court's agenda, and that it will be a mainly symbolic gesture."

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 however, I have some reservations. As someone who resides and represents the largest concentration of Native Hawaiians in the world, I am in support for this Resolution. However, we are forced to decide upon this issue with a limited amount of time.

"In addition, the Resolution states that a copy of this measure is being sent to both the Governor and the Attorney General. I would have preferred that in addition, copies be delivered to the United States Supreme Court, the Hawaii State Supreme Court, our Hawaii Congressional Delegation and the Office of Hawaiian Affairs.

"As I understand, time is of the essence and support for this measure is relative to the decisions that may be made in Washington D.C. Being given this Resolution on Monday without proper time to review for clarity and consistency I believe is moving hastily. I believe allowing at least one Committee to review this Resolution, preferably the Hawaiian Affairs Committee should have been considered, thus still allowing this Resolution to move forward before opening statements are made in Washington D.C. on Wednesday. Thank you, Mr. Speaker."

Representative Carroll rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Mr. Speaker, the importance of this Senate Concurrent Resolution is for several reasons.

"First of all, it's the first time a state government has ever challenged the highest state court, being the Hawaii State Supreme Court. And let me just let everybody know here, that when the Hawaii State Supreme Court did their ruling, it wasn't challenging the title. It was just purely saying, 'Do not sell ceded lands until Hawaiians have their reconciliation process.' Remember, if you look back in history, and this is where the Attorney General does not want to go back before the Federal Admissions Act. He does not want to look at the history where the lands were stolen. So, when you see many independent Hawaiians out there saying that the lands were stolen, the Hawaiians did not turn over the land to the federal government. So, when the lands were ceded or put into the public trust with the notion in law in the Admissions Act, there were purposes, five purposes why those lands were put there, and one of them was for the betterment of Native Hawaiians.

"Now, we ask you to please support this issue, because first of all, if we're going to talk about transparency, the Governor never took the time to talk to the Native Hawaiian community before filing this appeal.

"The second thing is, she never had a conversation with us directly as to her intentions, until after the appeal.

"And thirdly, I do respect my colleagues who are voting with reservation because of our timing, but in our process, a lot of bills are rammed down our throat. If we talk about issues like the SuperFerry, and how that came down. That was an initiative that the Governor wanted. All we're purely asking for, because of February 25th, where oral arguments are going to take place at the US Supreme Court, and because of their process, they don't have that much time to do the oral arguments.

"All this simply says, as a policy, in a resolution, and not a bill, is that this Body supports, as a policy, to not sell ceded lands. Or at least to give it consideration, because when you allow the State to sell ceded lands with no checks and balances, whether this Body, in the measures that are coming before us, decides, as a policy, we need checks and balances. Not just for us, but for the general public, and how those lands are used.

"And yes, there is a mistrust with government. Yes, the public out there says that we cannot trust government. And, as each and every one of us, who have to go out there and face our communities, and have to answer to them in how decisions are made. So, I ask kindly of this Body, to give this consideration. I know that this is an unusual situation with this Resolution being heard here at this time. But the timing is crucial. We need this Resolution, as a form to go to the US Supreme Court, to at least say that the Legislature supports some form of policy that ceded lands should not be sold or transferred until Native Hawaiians have their reconciliation process.

"In the appeal, it's challenging title. At the Hawaii State Supreme Court, it didn't challenge the title. All it said was, 'Don't sell the land, until Hawaiians have their process.

"And last, as someone who also comes from the Kamehameha line, which is my genealogy, I'm very torn, because we're not asking at this time to decide what that policy should look at. We're just asking that you honor the highest court in the State of Hawaii, with their ruling. And I understand some of the reservations, and I respect my colleagues because of the information. But, this would be a great Resolution to set forward, to take to the US Supreme Court. At least we can say that there's some support for some kind of policy to protect ceded lands until Native Hawaiians have their reconciliation.

"So, I humbly ask my colleagues of this House to please support this Resolution. Thank you."

Representative C. Lee rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative C. Lee's written remarks are as follows:

"I stand in support of SCR 40, which urges the Governor and the Attorney General to withdraw their appeal to the United States Supreme Court regarding the selling of the former Crown Lands of the Kingdom of Hawaii.

"It has been 50 years since Statehood and Native Hawaiian claims to the former Crown Lands that were "ceded" to the State of Hawaii have not yet been resolved. Our State Constitution entrusts our government as the steward of these lands and I agree with the Hawaii Supreme Court that no land should be sold until all Native Hawaiian claims to the former crown lands have been resolved.

"The Governor's appeal of the sale of Hawaii's ceded lands to the United States Supreme places the fate of this issue in the hands of nine judges in Washington D.C. as it currently is, and risks a ruling that could impact Hawaii's self-rule and any decision to reach a settlement with Native Hawaiians.

"I believe that it is in the interest of all people in our state to preserve our right to self-determination."

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 stand in strong support of this Resolution. In January 2008, the Hawaii State Supreme Court in *Office of Hawaiian Affairs v. Housing and Community Development Corporation of Hawaii*, 117 Hawaii

174 (2008), enjoined the State from selling or otherwise transferring to third parties any ceded lands from the public lands trust until the claims of the Native Hawaiian people to the ceded lands have been resolved.

"The Court stated, that "[b]ased on a plain reading of the . . . [Apology Resolution], we believe Congress has clearly recognized that the native Hawaiian people have unrelinquished claims over the ceded lands, which were taken without consent or compensation and which the native Hawaiian people are determined to preserve, develop, and transmit to future generations." The Court further held, ". . . we believe and, therefore, hold that the Apology Resolution and related state legislation . . . give rise to the State's fiduciary duty to preserve the corpus of the public lands trust, specifically, the ceded lands, until such time as the unrelinquished claims of the native Hawaiians have been resolved. Such duty is consistent with the State's 'obligation to use reasonable skill and care' in managing the public lands trust and Ahuna court's declaration that the State's conduct 'should . . . be judged by the most exacting fiduciary standards.'" 117 Haw. at 193.

"In April 2008, the Governor directed the Attorney General to petition the United States Supreme Court for a writ of certiorari on whether the passage of Public Law 103-150, otherwise known as the Apology Resolution, strips the State of Hawaii of the authority to sell, exchange, or transfer ceded lands unless or until the State reaches a political settlement with the Native Hawaiian people about the status of these lands. In October 2008, the United States Supreme Court granted the State's petition for certiorari in the foregoing case.

"This Resolution sends a message to the Governor and the U.S. Supreme Court that the Hawaii State Legislature is a co-equal branch of government. And, in light of the unusual actions taken by Governor Lingle, I believe that it is necessary to reassert via this Resolution the Legislature's constitutional authority that it has the sole authority to resolve the ceded lands issue on behalf of the State and to dispose of lands under the control of the State as it deems appropriate."

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, just in opposition. This has nothing to do with the contents of this Resolution, and I truly understand the emotion behind this. But I came here to believe that even someone that has a different philosophy to different people, that this Body would do things with transparency, and do things in the way that the people of Hawaii will honor. And that's by going through the proper procedures here.

"Just because we feel someone hasn't been transparent with us, doesn't mean that we should be leaders that also promote that same philosophy. Just because we feel that other leaders have rammed down our throats certain issues, doesn't mean that we should be leaders that do the same. I'm simply against the way that we're doing this today with the lack of transparency that we're promoting.

"This means that any other issue that a majority feels strongly about, that would possibly benefit them, in maybe a bad way next time, that we've set this precedent instead, that it's okay for this Legislature to do whatever we want. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, if I may just say a few more words, to make it clear that those of us who have voted with reservations are not saying that we should be selling ceded land. No one is saying that. And I don't even think the Administration has one parcel up for sale. The issue however, is if there's 1.4 million acres designated as public lands, and 1.2 million of those are ceded lands, and that is up to the Hawaiian Nation to discern, the corpus of the body of the State of Hawaii. Will the State of Hawaii be in business? That's the question.

"What is the preservation of the State of Hawaii, versus the reconciliation? And that's where this is a political question. We've got to be on one side or the other, and we're being rushed through with a very, very serious intent here today, Mr. Speaker. But the issue is not whether we should sell it. It's whether the legitimate transfer will not cloud the title forever and ever, until the Akaka Bill and hereafter, we reach some resolution. That's really what's at stake. Mr. Speaker, thank you."

Representative Berg rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support, and with a preface comment appreciating my colleagues for their voting with reservations, because it really indicates that we're thinking about what we're thinking about.

"You know, in 1993, Congress passed the Apology Resolution, acknowledging the complicity of the United States in the overthrow of the Hawaiian Kingdom, in violation of International Law, and in deprivation of the rights of the Hawaiian people to self-determination.

"Congress, in passing the Apology Bill, apologized to the Native Hawaiians on behalf of the people of the United States and 'Urged the President of the United States to also acknowledge the ramifications of the overthrow of the kingdom, and to support reconciliation efforts between the United States and the Native Hawaiian people.'

"In October of 2000, the US Departments of Interior and Justice issued a joint report entitled, *From Mauka to Makai*. This report detailed the conditions of the Native Hawaiians and outlined, outlined corrective actions for the Congress and federal agencies, including Justice and Interior to pursue, in order to implement the reconciliation between the United States and the Native Hawaiians.

"We've said before that we've been waiting for this reconciliation to happen. I believe that the efforts of the Native Hawaiian community are very visible right now. If we are able to pass this Resolution, the message will be sent very clearly to the Executive Branch, that the Executive Branch is not above the law, and cannot preempt what federal legislation has already put in place.

"The lawsuit will impede the reconciliation efforts. So, I respectfully request our colleagues to consider passing this forward with strong support, and give Hawaii, give the State, give the Hawaiians the opportunity to resolve those issues in a manner that is in the best way for us, ourselves here in Hawaii. Thank you, Mr. Speaker."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, thank you very much, Mr. Speaker and Members. Members, I'm tempted to vote 'no,' but I'll vote with strong reservations. The reason I will not vote 'no' is because I have great love for the Hawaiian people.

"But I don't appreciate the way this whole situation is being handled now. We get a bill at the last minute from the Senate. The Senate, in a desperate measure, because we didn't hear their bill, feels that this measure will influence the federal judge, and to make a decision. This is all about land. It's not about the Governor. It's not about the Hawaiians. It's not about the general population.

"And then who's going to hold the power and the title of the land? I believe the land should be shared among all of the people. Members, you have got to look into your own conscience as you vote for this bill."

The Chair interjected, stating:

"Representative Souki, it is not a bill, it's a resolution."

Representative Souki continued, stating:

"A resolution. Thank you very much, Mr. Speaker. I remember one time when I was correcting you a little bit. Anyway, let's go on. Thank you very much, Mr. Speaker, for giving me the time.

"But Members, again, I will vote with reservations. I want you to look in your heart, as to whom you represent. When you take your Oath of Office, you have your devout, but fiduciary relationship. So, you think of this as you move along and you vote, not only for this bill, but for all the

bills. You represent the people of the State of Hawaii. That's who you represent. And with this, Mr. Speaker, I end. And I hope that this will end peacefully for all of us. I do not appreciate the divisiveness that has been brought upon this Body here. And so I hope that we can have a *ho'oponopono* right after this. Thank you, very much."

Representative Pine rose to respond, stating:

"Just additional comments in opposition. I do want to publicly state that my opposition is not because I do not have love for the Hawaiian people. I was *hanai*-ed into a Hawaiian family and was raised partially by one. But my opposition is because I have a greater love for good government in the State of Hawaii, and I dream that no matter what happens, we will always be righteous in our actions, and how we listen, and how we do a certain process here, and not make special exceptions for certain things. I truly believe that we can become that, if we try."

Representative Bertram rose to speak in support of the measure, stating:

"Yes, I'm standing in strong support. I agree with both my colleagues from Maui. Both of them. I'm standing in strong support because I don't think it's so much about land, as it is about faith. And right now, there's a large group of people, Hawaiians, who have a very tenuous, if any, faith in our government. And so, I'm supporting this. I agree with many of the legal issues that are being put forth, and it's really going to be up to the Supreme Court at this point. But I think we need to give that faith a little shot in the arm, and that's why I'm voting in favor."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. Thank you, Mr. Speaker. This has been an issue that we've had very intelligent, legal minds on both sides. And, for someone who does not have a law background, I've listened to both sides of the issue. Coming from the legal standpoint, both sides make very good arguments, Mr. Speaker. I think that it's important for us to hear from the general public, and that's one of the issues why I'm voting 'no.' But the one thing that I hear, from not only us, as elected officials, but also from the Administration, and the Governor's office, is that no one is talking about the intention to sell any land.

"And on this particular Order of Business that we have today, we have Senate Bill 1677, a bill that talks about giving the Legislature the authority, that it would be the Legislature's approval or disapproval, on the sale of ceded lands. If you were to ask me this question, about whether or not I'd be for this Resolution in, I don't know, two weeks from now. Maybe it goes through some Committees, and I may have a different decision. I may be up on it. But at this point in time, I will have to say 'no,' because of the possible ramifications of this, and Wednesday's oral arguments at the Supreme Court.

"I say it again. I haven't heard any intentions to sell any ceded land property. This bill, Senate Bill 1677, would show our commitment as individual elected legislators. To sum it all up, this affects all of us. I'm not Native Hawaiian, but my kids are. And I want what's best for the State of Hawaii, just like everyone else, and for the Native Hawaiian community. So, I think that our energy should be put into reconciliation. Thank you, Mr. Speaker."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In support. Just a few brief words, if I may? I stand in support of this Resolution, because to me, when you look at the four corners of the issue, it's pretty much about, should this be a process that we handle within the State of Hawaii? And should we not have a process of reconciliation in place before ceded lands are sold?

"When coming over on the plane today, it was the words of our former Governor Waihee, who did not agree with other Governors; Governor Waihee basically does oppose this lawsuit going forward, and I thought his reasonings were very profound in that we are inviting the ugly hand of federalism into what is pretty much a state issue.

"Members, to me, this Resolution says, do we believe that we should look at this issue and keep it in our own backyard, instead of inviting federalism and the United States Supreme Court into it. And should we have a policy of reconciliation in place before we move forward with the sale of ceded lands?

"To me, that's really what the focus of the Legislature needs to shift to now, is the reconciliation process of embarking upon it now, because this is going to continue to dog us and future generations of all the people of Hawaii.

"My good colleague from the other side of the island said to remember, you took an oath of office for all of the people of Hawaii, and he is correct. But, reconciliation is a process that brings all of the people of Hawaii to the table.

"To me, the Resolution today is simply to say 'Whoa, pull back. Let's not take this to the next level.' And also what worries me about this Court case is that this could have a nebulous touching effect upon 14th Amendment arguments, which have been raised as to the legitimacy of the entitlement programs up for Native Hawaiians.

"So, that's why I stand in support of this Resolution today, Mr. Speaker. Because I believe that it is a call to bring the *ho'oponopono* process home. To have it done at home, and to work with all of the people of Hawaii to bring resolution so that justice may be served to all of us. Both, now in the present, and most importantly, especially looking at the *keiki* up there, to the future. Thank you, Mr. Speaker."

Representative Shimabukuro rose to respond, stating:

"Thank you, Mr. Speaker. I just wanted to respond to some of the comments that were made by some previous speakers, about there being no discussion of sale of ceded land. I would beg to differ. We talked a couple days ago about House Bill 828, about the sale of public housing. HPHA has said that they want to be able to sell public housing, most of which is on ceded land.

"Another thing is that, the reason there hasn't been much discussion about what the intention of the Administration is, is because there has been no disclosure. If you look at the exhibits that have been to the Supreme Court, there's only one exhibit that talks about the sale of ceded land, and it only covers, I think from the mid '70s to the mid 1990s. And, it doesn't have acreage. They admit to selling over 2200 sales in fee of ceded land, without acreage provided.

"When you ask the question about what's happened in the past 10 years plus, there's no response. I submitted a request to DLNR to tell me what has been sold; what ceded lands have been sold, and still no response. So, in that respect, I think that's why there's been no discussion. We need more disclosure on that fact.

"The other thing I wanted to respond to is this issue of this Resolution being rammed down our throats. This issue of the ceded lands moratorium, and the Supreme Court appeal has been all over the media. You'd have to have been dead or asleep for the past, I don't know how many months, if you didn't know what was going on. It was in the Sunday paper, there were several pieces on it. There was a huge article I saw. There was an editorial on it. So, this is nothing new. It's a simple Resolution. We're asking the Lingle Administration to withdraw its appeal to the Supreme Court, and I don't really think there's many people that read the news in Hawaii that don't know what we're talking about. Thank you."

Representative Carroll rose to respond, stating:

"Thank you, Mr. Speaker. Just some additional comments. We talk about fiduciary rights or fiduciary responsibilities. Well the Hawaii State Supreme Court said the State has a fiduciary responsibility to Native Hawaiians.

"Members, I'd like to think of this discussion as a meaningful and healthy discussion, and not a devisive one. Because like anything that is of urgency, we all put our efforts, whether we agree or disagree, we have that discussion. So, I'd like to think that it is not necessary to have a *ho'oponopono*, because we are already *pono*, in whatever we decide.

"The other thing is, as my colleague from West Maui said, this reconciliation process does bring everyone to the table, because it involves all of us. And our hope is that that will happen soon, especially with Legislation at the federal level that is happening at this time.

"The other thing is that, as the Chair of the Hawaiian Affairs Committee, I've had meetings with the Governor, with the Attorney General. We've had through Hawaiian Caucus many different forums where the public has been invited. I've sat through many different debates of this issue. And that concluded for me, as an individual, and as a lawmaker, why is the Governor doing this? Why is she challenging the Hawaii State Supreme Court? So, this is just basically asking her to withdraw her appeal.

"Whether or not we agree on the issue of title, again, the Hawaii State Supreme Court did not challenge the title, but just merely said that, do not sell our ceded lands or transfer them until the fiduciary responsibility of the State is fulfilled.

"And also, it would not hinder the Governor's ability to do what she's already been doing, and what Governors in the past have been doing, where lands are transferred within State agencies. Again, I ask for your support. Thank you."

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with strong reservations. Very strong reservations. I'd like to adopt the words of the Representative, Speaker Emeritus of Wailuku/Waihe'e. Thank you. This is a very difficult decision, because I think that you have important issues on either side, to which have already been articulated.

"I know that we all have a deep love and recognize that Hawaii would not be Hawaii without our Native Hawaiians. However, as Speaker Emeritus did mention, everyone is involved. And actually the best interest of the people sometimes are impeded, because of the way the land policy is right now of our Native Hawaiian people. So, in the best interest of this State, again, I reiterate that there's some things that need to be done, and to vilify the Fifth Floor. It's really tough. She's making a tough decision.

"So, I think that people have to understand, there's no one who wants to do bad to anyone. It's just your principles, you're standing for your principles, and actually the person who's sometimes the toughest, is the one that you should take a look at. The one that's been willing to stand up on the unpopular side of an issue. Maybe they're the ones that are willing to stand by their principles. So, to me it's what's in the best interest of all of our people. We don't want to divide our people. And at the same time, I think that it is bad policy to be pushing things so fast, which is one reason I was in favor of a referral.

"The formality of a hearing, versus some of the forums that we've had. Sure, they're forums, but then why do we have hearings? We have hearings so that there's a formal way for our public of all sides to benefit us, and making decisions with good legislation to come feeling free, feeling not intimidated, and not so charged, and that is a good system. So I'm voting with strong reservations."

Representative Souki rose to respond, stating:

"Mr. Speaker, thank you very much. Mr. Speaker, I feel compelled again that I need to speak. Some say that the Supreme Court, coming up with their decision, and how dare we speak against the Supreme Court. The Supreme Court is only one of the triangles of government. The check and balance system. The Legislature through laws can trump the Supreme Court. The Governor can have differences with the Supreme Court.

"I remember some years ago, when the Supreme Court Justice Moon was speaking on the State of the Judiciary to the Legislature. And in the end of his speech, he mentioned that the Legislature has the 'trump card.' Not the Supreme Court. They are not omnipotent. If you would continue to rely on the Supreme Court, you would not need the Legislature and you would not need the Executive Branch. Each one is of equal power, and because we have differences with the Supreme Court, that doesn't mean that we are doing something that is not *pono*. We have every right to disagree with the Supreme Court, and I believe in this time, the Supreme Court erred when it mentioned that it had to do with the apology.

"Yes, we need to have reconciliation with the ceded land. But not this way. Not the way that we are doing it. You're forcing a situation, and it's not true *ho'oponopono* where you are working it out. You're putting a sledge hammer on our heads. That's what you're doing right now. And with this, I'll end my remarks right here."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. Second time in opposition, just a quick comment. Thank you, Mr. Speaker. Mr. Speaker, I'm sure we're all trying to be very mindful on this decision, and I just wanted to read something short, from an article this morning. And it said, 'Lingle also said it's possible anti-Native Hawaiian groups would have sued the State, had it not appealed.' Then she follows up by saying, 'that would have opened up this whole issue in a very big way,' Lingle said. I think that by us doing the case ourselves and narrowing it, we have actually reduced the possibility that this would go on to other issues.

"Mr. Speaker, the reason why I bring this up, is because I actually had conversations with people who were a part of former lawsuits against the State having to do with this issue, and they were preparing a case, Mr. Speaker. So, although it says 'possible,' I can tell you that they were preparing a case, a suit against the State.

"The other issue having to do with this being a federal issue, we would love to keep it only in Hawaii, and it be our backyard issue and stay here, but like we know, this issue has already been brought, not particularly this issue, but the issue as a whole, has already been brought to the feds, with the Akaka Bill and other things.

"So, Mr. Speaker, it would be great if we could keep it in the confines of our State, but I don't think that that possibility, especially with some of the quotes that I've read a little bit earlier, that we can do that. And that's why we are all focusing in on what we think is best for the Native Hawaiian groups and Native Hawaiian people, and I think we just see things maybe in different ways on how we might be able to do that.

"So, I hope that we can continue to have this debate. Thank you."

Representative Pine rose 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 stand in opposition to the subversion of the people's right to testify by permitting SCR 40 to be adopted on the Floor without prior hearing in Committee. The issue of ceded lands as this Resolution addresses is a topic which is extremely complex and is not so simple a matter as to advance by rubber stamp as some of our colleagues would have us do by adopting it without due process. To make such a bold and sudden initiative as a legislative body as to direct the Governor and Attorney General of Hawaii to withdraw an appeal presently before the U.S. Supreme Court is a matter that deserves public input and its own hearing.

"Mr. Speaker, we are a government of the people, by the people, not a government of the few, for the few. I am reminded of the motto an old company once proudly displayed: "No job is so important, no service is so urgent that we cannot take the time to perform our work safely." I recognize that many feel that the issue of ceded lands is one which time is of the essence, but no issue is so important as to override and overstep the due process of the people's House.

"Bills and resolutions are referred to Committees before coming to a Floor vote because our process is built on the understanding that the people have a right to discuss their support and opposition before those they have granted a trust to vote on their behalf. Mr. Speaker, I strongly support the spectrum of Hawaiian issues, but what I do not support is this attempt to sidestep a system that works for the people. Quite simply Mr. Speaker, this action opens the door to allow us to abuse democracy.

"I urge my colleagues to do what is right and oppose the passage of SCR 40 that we may return to the rule of law and respect for the people."

Representative Ching rose 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 to S.C.R. 40 – Relating to Native Hawaiians; Appeal; United States Supreme Court. While I am in support of ensuring a fair and just settlement leading to reconciliation with the Native Hawaiian people and fully committed to the support of Native Hawaiian rights, I agree, as stated by Mark Bennett, that "The state's defense sought to preserve intact the state's right to manage the ceded lands for the benefit of all its citizens." And that, "The ceded lands at issue are explicitly entrusted to the state for the benefit of all the citizens of the state."… "The sovereign dignity of this State and the interest of all its citizens require nothing less.""

The motion was put to vote by the Chair and carried, and S.C.R. No. 40, entitled "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR AND THE ATTORNEY GENERAL TO WITHDRAW THE APPEAL TO THE UNITED STATES SUPREME COURT OF THE HAWAII STATE SUPREME COURT DECISION, OFFICE OF HAWAIIAN AFFAIRS V. HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII, 117 HAWAII 174 (2008)," was adopted with Representatives Finnegan and Pine voting no, and with Representative Takai being excused.

Sen. Com. No. 22, transmitting S.B. No. 426, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," which passed Third Reading in the Senate on February 20, 2009.

Sen. Com. No. 23, transmitting S.B. No. 1677, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," which passed Third Reading in the Senate on February 20, 2009.

On motion by Representative Evans seconded by Representative Pine and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representative Takai was excused.)

S.B. No. 426
S.B. No. 1677, SD 1

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

H.B. Nos.	Re-referred to:
1273	Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing
1355	Committee on Human Services, then to the Committee on Finance
1412	Committee on Finance

STANDING COMMITTEE REPORTS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 620) recommending that H.B. No. 39, as amended in HD 1, be recommitted to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 39, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE REVENUES," was recommitted to the Committee on Finance, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 621) recommending that H.B. No. 42, as amended in HD 1, be recommitted to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 42, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was recommitted to the Committee on Finance, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 622) recommending that H.B. No. 1153, as amended in HD 1, be recommitted to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1153, 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 Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 623) recommending that H.B. No. 1260, as amended in HD 1, be recommitted to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1260, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was recommitted to the Committee on Finance, with Representative Takai being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering a certain House bill for Third Reading by consent calendar. (Representative Takai was excused.)

THIRD READING

H.B. No. 1188, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1188, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Third Reading by a vote of 44 ayes to 6 noes, with Representatives Awana, Belatti, Coffman, Hanohano, Morita and Takumi voting no, and with Representative Takai being excused.

At 2:12 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 1188, HD 1

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 64 and 65) and concurrent resolutions (H.C.R. Nos. 82 and 83) were referred to Printing and further action was deferred:

H.R. No. 64, entitled: "HOUSE RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR THE ANE KEOHOKALOLE HIGHWAY EXTENSION, MID-LEVEL ROAD, IN THE COUNTY OF HAWAI‘I," was jointly offered by Representatives Coffman, Chang, Evans, Hanohano, Herkes, Nakashima and Tsuji.

H.R. No. 65, entitled: "HOUSE RESOLUTION ENDORSING THE EARTH CHARTER AND URGING THE GOVERNOR, MAYORS, AND COUNTY COUNCILS TO ADOPT AND USE THE CHARTER AS PART OF THE FRAMEWORK FOR SUSTAINABLE PLANNING AND DEVELOPMENT," was jointly offered by Representatives Berg, Ching, Hanohano, Manahan, McKelvey, Aquino, Bertram, Choy, Evans, Finnegan, Nakashima, Wakai and Yamashita.

H.C.R. No. 82, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR THE ANE KEOHOKALOLE HIGHWAY EXTENSION, MID-LEVEL ROAD, IN THE COUNTY OF HAWAI‘I," was jointly offered by Representatives Coffman, Chang, Evans, Hanohano, Herkes, Nakashima and Tsuji.

H.C.R. No. 83, entitled: "HOUSE CONCURRENT RESOLUTION ENDORSING THE EARTH CHARTER AND URGING THE GOVERNOR, MAYORS, AND COUNTY COUNCILS TO ADOPT AND USE THE CHARTER AS PART OF THE FRAMEWORK FOR SUSTAINABLE PLANNING AND DEVELOPMENT," was jointly offered by Representatives Berg, Ching, Hanohano, Manahan, McKelvey, Wooley, Aquino, Bertram, Evans, Finnegan, Nakashima, Wakai and Yamashita.

ADJOURNMENT

At 2:13 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, February 24, 2009. (Representative Takai was excused.)

TWENTY-SECOND DAY

Tuesday, February 24, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, 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 Representatives M. Oshiro and Takai, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-First Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 24 through 33) were received and announced by the Clerk:

Sen. Com. No. 24, transmitting S.B. No. 34, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT," which passed Third Reading in the Senate on February 23, 2009.

Sen. Com. No. 25, transmitting S.B. No. 35, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES," which passed Third Reading in the Senate on February 23, 2009.

Sen. Com. No. 26, transmitting S.B. No. 55, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," which passed Third Reading in the Senate on February 23, 2009.

Sen. Com. No. 27, transmitting S.B. No. 62, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," which passed Third Reading in the Senate on February 23, 2009.

Sen. Com. No. 28, transmitting S.B. No. 639, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on February 23, 2009.

Sen. Com. No. 29, transmitting S.B. No. 695, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," which passed Third Reading in the Senate on February 23, 2009.

Sen. Com. No. 30, transmitting S.B. No. 714, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," which passed Third Reading in the Senate on February 23, 2009.

Sen. Com. No. 31, transmitting S.B. No. 777, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE SEXUALITY HEALTH EDUCATION," which passed Third Reading in the Senate on February 23, 2009.

Sen. Com. No. 32, transmitting S.B. No. 823, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," which passed Third Reading in the Senate on February 23, 2009.

Sen. Com. No. 33, transmitting S.B. No. 878, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF HEARING NOTICES," which passed Third Reading in the Senate on February 23, 2009.

On motion by Representative Evans seconded by Representative Pine and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representative Takai was excused.)

S.B. No. 34, SD 1	S.B. No. 695, SD 1
S.B. No. 35, SD 1	S.B. No. 714, SD 1
S.B. No. 55, SD 1	S.B. No. 777, SD 1
S.B. No. 62, SD 1	S.B. No. 823, SD 1
S.B. No. 639, SD 1	S.B. No. 878, SD 1

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 58 and 59) were received by the Clerk and were placed on file:

Dept. Com. No. 58, dated February 20, 2009, from Marion Higa, State Auditor, transmitting the report, Procurement Audit of the Department of Education: Part 1.

Dept. Com. No. 59, dated February 20, 2009, from Marion Higa, State Auditor, transmitting the report, Procurement Audit of the Department of Education: Part 2.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Finnegan introduced 4th grade students from Moanalua Elementary School; their teachers, Ms. Doris Boushey, Ms. Bonnie Hamilton, Mr. Joseph Boll, Mr. Robb Taone; and chaperones, Ms. Debra Medeiros, Ms. Sheri Kajiwara, Mrs. Zaharis, Mrs. Harntz and Mr. Chan.

Representative Awana introduced her niece, a student at Moanalua Elementary, Miss Victoria Kaahaaina.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

H.B. Nos.	Re-referred to:
564	Committee on Finance
1809, HD1	Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

INTRODUCTION OF RESOLUTION (FLOOR PRESENTATION)

The following resolution (H.R. No. 66) was announced by the Clerk and the following action taken:

H.R. No. 66, entitled: "HOUSE RESOLUTION CONGRATULATING KAISER PERMANENTE HAWAII ON ITS 50TH ANNIVERSARY, KAPI'OLANI MEDICAL CENTER FOR WOMEN AND CHILDREN ON ITS 100TH ANNIVERSARY, AND QUEEN'S MEDICAL CENTER ON ITS 150TH ANNIVERSARY," was offered by Representative Yamane.

Representative Yamane moved that H.R. No. 66 be adopted, seconded by Representative Chong.

Representative Yamane commended and congratulated the Queen's Medical Center, the Kapiolani Medical Center, and Kaiser Permanente Hawaii on their anniversaries, and thanked them for their many years of service and providing healthcare to the people of Hawaii.

Representative Yamane then introduced the following honorees seated on the floor of the House and in the gallery:

Queen's Medical Center:
Mr. Arthur Ushijima, Chief Executive Officer; and

Mr. Mark Yamakawa, Chief Operating Officer.
Also in the gallery, Ms. Sharlene Tsuda, Vice President of Corporate Services; and Ms. Evie Black, a volunteer member of the Board of Trustees of the Queen's Health Systems.

Kapiolani Medical Center:
Ms. Martha Smith, Chief Operating Officer; and
Dr. Virginia Pressler, Executive Vice President of Hawaii Pacific Health.
Also in the gallery, Ms. Keala Peters, Director of Communications of Kapiolani Health Foundation.

Kaiser Permanente Hawaii:
Dr. James Griffith, Associate Medical Director
and Chief of Hospital Staff at Kaiser Moanalua Hospital; and
Ms. Susan Murray, Vice President of Quality Services
and Hospital Administrator.
Also in the gallery, Ms. Suzann Filleul, Chief Nurse Executive of Kaiser Permanente Hawaii; Mr. Frank Richardson, Vice President of Legal and Government Relations and Regional Counsel; and Ms. Phyllis Dendle, Director of Government Relations.

Representatives McKelvey, Ching, Berg and Ward further congratulated Queen's Medical Center, Kapiolani Medical Center, and Kaiser Permanente Hawaii and thanked them for their service to the community.

The motion was put to vote by the Chair and carried, and H.R. No. 66 was adopted with Representative Takai being excused.

At 12:24 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:32 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 624) recommending that H.B. No. 1639, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1639, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading, with Representative Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 625) recommending that H.B. No. 254, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 254, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading, and was placed on the calendar for Third Reading, with Representative Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 626) recommending that H.B. No. 349, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 349, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Belatti 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:

"Thank you, Mr. Speaker. Just really briefly. I'm rising with reservations. This bill allows your prior bad acts, or your propensity, to be entered in a criminal case. I just want to say that just because you're a punk, that doesn't mean you're going to beat up people. 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. 349, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE," passed Second Reading, and was placed on the calendar for Third Reading, with Representative Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 627) recommending that H.B. No. 539, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 539, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

At this time, the Chair announced:

"For Stand. Com. Rep. No. 627, that will be deferred one legislative day."

By unanimous consent, action on Stand. Com. Rep. No. 627 and H.B. No. 539, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS," was deferred one legislative day.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 628) recommending that H.B. No. 1475, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1475, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was placed on the calendar for Third Reading, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 629) recommending that H.B. No. 595, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 595, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was placed on the calendar for Third Reading, with Representative Takai being excused.

INTRODUCTION OF RESOLUTIONS

The following concurrent resolution (H.C.R. No. 85) was announced by the Clerk and the following action taken:

H.C.R. No. 85, entitled: "HOUSE CONCURRENT RESOLUTION CELEBRATING THE 50TH ANNIVERSARY OF HAWAII'S ADMISSION INTO THE UNION OF THE UNITED STATES AS THE 50TH STATE," was offered by Representative Say.

Representative B. Oshiro moved for the adoption of H.C.R. No. 85, seconded by Representative Evans.

At this time, Representative B. Oshiro moved to amend H.C.R. No. 85 by amending page 4, line 27, by changing the word 'Senate' to read 'House', seconded by Representative Evans.

Floor Amendment No. 2:

"SECTION 1. House Concurrent Resolution No. 85 is amended by amending lines 26 and 27 on page 4 to read:

"BE IT FURTHER RESOLVED that the two houses of the Legislature assemble in Joint Session in the Chamber of the House at 12:00 p.m., on Wednesday, March 18, 2009, to mark the anniversary of the federal law that officially offered statehood to the people of Hawaii.""

The Chair then addressed the body, stating:

"This is a technical amendment in regards to holding this particular Joint Session here in the House Chamber."

At 12:35 o'clock p.m. Representative Ward requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:36 o'clock p.m.

The motion was put to vote by the Chair and carried, and Floor Amendment No. 2, amending H.C.R. No. 85, was adopted with Representative Takai being excused.

At 12:36 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.

(Main Motion)

At this time, the Chair announced:

"The Chair apologizes, Members of the House. The motion that we just addressed was to adopt the amendment which was changing the word, 'Senate' to the word, 'House.' We are correcting it because the event will be held here in the House.

"At this point, we have the main motion before us which is the adoption of this House Concurrent Resolution No. 85, as amended in House Draft 1."

The motion was put to vote by the Chair and carried, and H.C.R. No. 85, HD 1, was adopted with Representative Takai being excused.

By unanimous consent, the following concurrent resolution (H.C.R. No. 84) was referred to Printing and further action was deferred:

H.C.R. No. 84, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION AND THE HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE TO CONVENE JOINT INFORMATIONAL BRIEFINGS TO DETERMINE WHETHER THE SALE OF THE INCUMBENT LOCAL EXCHANGE CARRIER BY VERIZON HAWAII, INC. WAS IN THE PUBLIC INTEREST AND THE FEASIBILITY OF THE PUBLIC UTILITIES COMMISSION ACQUIRING THE INCUMBENT LOCAL EXCHANGE CARRIER AND OPERATING IT AS A COOPERATIVE VENTURE," was jointly offered by Representatives Herkes, Awana, Bertram, Brower, Evans, Hanohano, Ito, Karamatsu, M. Lee, Luke, Magaoay, Mizuno, Morita, Pine, Tokioka, Yamane, Yamashita, Aquino, Belatti, Cabanilla, Chang, Ching, Chong, Choy, Coffman, Finnegan, Har, Keith-Agaran, C. Lee, Manahan, Nakashima, Nishimoto, B. Oshiro, Rhoads, Saiki, Souki, Takumi, Tsuji, Wakai, Ward and Wooley.

ANNOUNCEMENTS

Representative Manahan: "Mr. Speaker, at the appropriate time, I would like to request a moment of silence for Specialist Cwislyn Walter, who recently passed away while deployed to Kuwait.

"She was 19 years-old, and just a recent graduate from Farrington High School. Unfortunately, she and a few friends were en route from one camp to another camp, and they met an unfortunate car accident. She passed away while in service, and so, at the appropriate time, maybe we could have a moment of silence, please. Thank you."

Representative M. Oshiro, for the Committee on Finance, requested a waiver of the 48-hour advanced notice requirement for the purpose of decision making on the following measures, stating:

"HB No. 1175, Relating to Taxation. This is the Governor's proposal for a cigarette tax increase.

HB No. 1184, Relating to State Government. This is the Governor's proposal, tied to potential funding for Hawaii, from the American Recovery and Reinvestment Act of 2009.

HB No. 1185, Relating to Transient Accommodations Tax. This is a proposal to use TAT money for debt service, for the Renaissance Parks Program.

"The Finance Committee will have decision-making only on these short-form bills, which will be subsequently recommitted to the Finance Committee, this afternoon at 1:00 p.m., in Room 308. Thank you, Mr. Speaker," and the Chair "so ordered."

At this time, the House of Representatives stood for a moment of silence in honor of the late SPC Cwislyn Walter.

ADJOURNMENT

At 12:40 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 25, 2009. (Representative Takai was excused.)

TWENTY-THIRD DAY

Wednesday, February 25, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:06 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Pono Shim, followed by Representatives Berg and Finnegan who closed in song, after which the Roll was called showing all Members present with the exception of Representative Takai, who was excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Second Day was deferred.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Carroll introduced members of the Royal Order of Kamehameha, Kapuaiwa Chapter.

Representative Evans introduced the members of the Army Noncommissioned Officer Corps from Schofield and Fort Shafter.

Representative Shimabukuro introduced renowned singer and songwriter, Professor Jon Osorio.

Representative Har introduced her good friend and Kapolei community member, Aunty Homelani Schaedel.

Representative Berg introduced Ms. Elizabeth Riley, a member of the Hawaii Kai Neighborhood Board; and constituent Ms. Ann Marie Kirk.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R. Nos.	Referred to:
62	Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, then to the Committee on Finance
63	Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, then to the Committee on Finance
64	Committee on Transportation, then to the Committee on Finance
65	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources
67	Committee on Public Safety, then to the Committee on Judiciary
68	Jointly to the Committee on Education and the Committee on Health, then to the Committee on Judiciary
69	Committee on Education, then to the Committee on Finance
76	Committee on Education, then to the Committee on Finance
77	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Transportation, then to the Committee on Finance
78	Committee on Water, Land, & Ocean Resources, then to the Committee on Hawaiian Affairs
79	Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
80	Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, then to the Committee on Finance
81	Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, then to the Committee on Finance
82	Committee on Transportation, then to the Committee on Finance
83	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources
84	Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
86	Jointly to the Committee on Education and the Committee on Health, then to the Committee on Judiciary
87	Committee on Education, then to the Committee on Finance
88	Committee on Agriculture, then to the Committee on Finance

H.C.R. Nos.	Referred to:

S.B. Nos.	Referred to:
34, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
35, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
55, SD1	Committee on Consumer Protection & Commerce
62, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
426	Committee on Health, then to the Committee on Consumer Protection & Commerce
639, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
695, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
714, SD1	Committee on Transportation, then to the Committee on Judiciary
777, SD1	Committee on Health, then to the Committee on Education, then to the Committee on Finance

823, SD1	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs
878, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Finance
1677, SD1	Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, 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:**
145, HD1	Committee on Transportation, then to the Committee on Finance
963, HD1	Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance
1171	Committee on Finance

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 70) was announced by the Clerk and the following action taken:

H.R. No. 70, entitled: "HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING KAPOLEI HIGH SCHOOL GIRLS VOLLEYBALL TEAM AND THEIR COACHES FOR CLAIMING THE 2008 OIA GIRLS VOLLEYBALL WHITE CONFERENCE CHAMPIONSHIP," was offered by Representative Har.

Representative Har moved that H.R. No. 70 be adopted, seconded by Representative Awana.

Representative Har congratulated the Kapolei High School Girls Volleyball Team, the 2008 OIA Division II, White Conference Champions and introduced the following team members seated on the floor of the House:

Seniors: Kirsten Otsuka, Tehani Kaaihui, Marie Nataniela and Courtney Seminavage;
Juniors: Emily Patacsil, Luana Scheer, Vanessa Banogan and Gabriella Matuatia; and
Head coach, Ms. Naidah Gamurot and assistant coach, Ms. Darlene Kamai.

Representative Har then acknowledged the following players who were not in attendance, Carmen Lalau, Losa Foki and Milovale Lafitaga.

Representative Har also introduced team supporters sitting in the gallery, Ms. Relana Whitney, Mr. Michael Gamurot, Ms. Stephanie Kahai and Ms. Maureen Otsuka.

The motion was put to vote by the Chair and carried, and H.R. No. 70 was adopted with Representative Takai being excused.

At this time, the Chair announced:

"Members of the House, distinguished guests, before going on, let us send our best wishes to the young lady, Ms. Courtney Seminavage, who is a player of the Kapolei High School team. She felt faint and passed out, but she is fine, and in healthy condition with the care of our EMS workers. She was taken to the Queens Hospital. So for the team and coaches, she's in good hands. Thank you all for your patience."

The following resolution (H.R. No. 71) was announced by the Clerk and the following action taken:

H.R. No. 71, entitled: "HOUSE RESOLUTION PROCLAIMING 2009 AS THE YEAR OF THE ARMY NONCOMMISSIONED OFFICER CORPS OF THE UNITED STATES ARMY," was jointly offered by Representatives Evans, Awana, Belatti, Brower, Ching, Finnegan, Hanohano, Herkes, Ito, Karamatsu, Marumoto, McKelvey, Mizuno, B. Oshiro, M. Oshiro, Pine, Say, Shimabukuro, Thielen, Tsuji, Ward, Yamashita, Aquino, Berg, Bertram, Cabanilla, Carroll, Chang, Chong, Choy, Coffman, Har, Keith-Agaran, C. Lee, M. Lee, Luke, Magaoay, Manahan, Morita, Nakashima, Nishimoto, Rhoads, Sagum, Saiki, Souki, Takumi, Tokioka, Wakai, Wooley and Yamane.

Representative Evans moved that H.R. No. 71 be adopted, seconded by Representative McKelvey.

Representative Evans recognized the role of the noncommissioned officers and commended them for their contributions to the United States Army and the people of our nation.

Representative McKelvey introduced the following honorees seated on the floor of the House:

Lt. General Benjamin R. Mixon, Commanding General, U.S. Army Pacific;
Command Sgt. Major Joseph Zettlemoyer, Command Sgt. Major, U.S. Army Pacific;
Master Sgt. Barbara Rubio, Congressional Army Liaison;
Sgt. Dean Rudolph, who recently helped chase and apprehend burglary suspects; and
Brig. Gen. Gary M. Ishikawa, Deputy Adjutant General, State of Hawaii, Department of Defense.

Representative Cabanilla also recognized the Army NCOs and recited the U.S. Army NCO Creed.

Representative Ward further commended and thanked the noncommissioned officers.

The motion was put to vote by the Chair and carried, and H.R. No. 71 was adopted with Representatives M. Oshiro and Takai being excused.

At 12:40 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:34 o'clock p.m.

LATE INTRODUCTIONS

The following late introductions were made to the Members of the House:

Representative Berg introduced Dr. Jon Osorio and Professor Lilikala Kame'eleihiwa from the Kamakakuokalani Center for Hawaiian Studies.

Representative Shimabukuro introduced Kupuna Frenchy DeSoto of Waianae.

Representative Ito introduced friends from Kaneohe, Rocky and Jerry Kaluhiwa.

UNFINISHED BUSINESS

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 627) recommending that H.B. No. 539, as

amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Karamatsu moved that notwithstanding the recommendations contained in Standing Committee Report No. 627, that H.B. No. 539, HD 1, be recommitted to the Committee on Judiciary, seconded by Representative Ito.

Representative Thielen rose to speak in support of the motion to recommit, stating:

"Thank you, Mr. Speaker. I strongly support that motion to recommit, and I believe I sent out to everyone in the House of Representatives, the link to the *Daily Kos* article. I'm glad that we will now not have to continue to be the laughing stock of the nation, and probably of the world. Thank you."

At 1:37 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 1:38 o'clock p.m.

Representative Marumoto rose to speak in support of the motion to recommit, stating:

"Thank you. I speak in favor of the motion to recommit this particular campaign spending bill, House Bill 539. I believe that it would add a lot more money to the campaign equation, and it's not a good time now to try to raise more money from corporations, when the economy is poor …"

The Chair addressed Representative Marumoto, stating:

"Representative Marumoto, the motion before this Body is a motion to recommit. We're not talking about the measure before us, so this is limited debate."

Representative Marumoto continued, stating:

"Thank you, Mr. Speaker. It's very important that we recommit the bill at this time, because the matter is still pending before the courts, it's being …"

Speaker Say: "Representative Marumoto, you're out of order at this time. The motion is to recommit the measure. If you want to debate the motion, then debate the motion of recommittal."

Representative Marumoto: "Thank you, yes. I'm strongly in favor because it's premature. Thank you."

Representative Ward rose to speak in support of the motion to recommit, stating:

"Mr. Speaker, in favor. And would only say that discretion is the better part of valor, and that discretion has been exercised by your recommittal. Thank you."

Representative Belatti rose to speak in support of the motion to recommit, stating:

"Mr. Speaker, thank you. I would like to stand in favor of the motion to recommit, and I would like to thank leadership and the Chair of Judiciary on this matter. I think in light of today's invocation, in light of the significance of this day, that this Body has chosen to put the people before power and greed by this motion to recommit. So I thank the leadership, humbly."

Representative McKelvey rose to speak in support of the motion to recommit, stating:

"Thank you. Just in support and I just want to thank the Chair of Judiciary. I know it's been a tough job, but he's trying his best to address the situation. So, I just applaud him, and support him. Thank you very much."

The motion was put to vote by the Chair and carried, and H.B. No. 539, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS," was recommitted to the Committee on Judiciary, with Representative Takai being excused.

The Chair then announced:

"Thank you very much. This particular measure is being recommitted to the Committee on Judiciary for further discussion."

STANDING COMMITTEE REPORTS

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 630) recommending that H.R. No. 35, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 35, entitled: "HOUSE RESOLUTION DECLARING APRIL AS CHILD ABUSE PREVENTION MONTH," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 631) recommending that H.C.R. No. 44, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 44, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING APRIL AS CHILD ABUSE PREVENTION MONTH," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 632) recommending that H.R. No. 37, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 37, entitled: "HOUSE RESOLUTION URGING CONGRESS TO PROTECT FUNDING AND MAINTAIN PROGRAMS, LAWS, REGULATIONS, AND POLICIES THAT ASSIST VICTIMS OF DOMESTIC VIOLENCE," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 633) recommending that H.C.R. No. 46, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 46, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO PROTECT FUNDING AND MAINTAIN PROGRAMS, LAWS, REGULATIONS, AND POLICIES THAT ASSIST VICTIMS OF DOMESTIC VIOLENCE," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 634) recommending that H.R. No. 32, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 32, HD 1, entitled: "HOUSE RESOLUTION RECOGNIZING OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 635) recommending that H.C.R. No. 38, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 38, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 636) recommending that H.R. No. 9, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 9, entitled: "HOUSE RESOLUTION URGING FAITH-BASED ORGANIZATIONS TO NETWORK AND COOPERATE TO SUPPORT FOSTER FAMILIES IN HAWAII," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 637) recommending that H.C.R. No. 5, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 5, entitled: "HOUSE CONCURRENT RESOLUTION URGING FAITH-BASED ORGANIZATIONS TO NETWORK AND COOPERATE TO SUPPORT FOSTER FAMILIES IN HAWAII," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 638) recommending that H.R. No. 29, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 29, entitled: "HOUSE RESOLUTION SUPPORTING INTERNATIONAL WHITE RIBBON CAMPAIGNS TO END MEN'S VIOLENCE AGAINST WOMEN AND ENCOURAGING THE ESTABLISHMENT OF A WHITE RIBBON CAMPAIGN ORGANIZATION IN HAWAII," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 639) recommending that H.C.R. No. 32, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 32, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING INTERNATIONAL WHITE RIBBON CAMPAIGNS TO END MEN'S VIOLENCE AGAINST WOMEN AND ENCOURAGING THE ESTABLISHMENT OF A WHITE RIBBON CAMPAIGN ORGANIZATION IN HAWAII," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 640) recommending that H.R. No. 33, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 33, entitled: "HOUSE RESOLUTION RECOGNIZING THE MONTH OF MAY AS "FOSTER CARE AWARENESS MONTH", A TIME TO EDUCATE THE PUBLIC ABOUT THE VARIOUS COMPONENTS OF FOSTER CARE, INCLUDING FOSTER PARENTS, CHILDREN, AND FAMILIES," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 641) recommending that H.C.R. No. 39, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 39, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE MONTH OF MAY AS "FOSTER CARE AWARENESS MONTH", A TIME TO EDUCATE THE PUBLIC ABOUT THE VARIOUS COMPONENTS OF FOSTER CARE, INCLUDING FOSTER PARENTS, CHILDREN, AND FAMILIES," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 642), recommending that H.R. No. 31, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 31, entitled: "HOUSE RESOLUTION REQUESTING RELIGIOUS AND FAITH-BASED ORGANIZATIONS TO SERVE AS SAFE HAVENS FOR VICTIMS OF DOMESTIC VIOLENCE," was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 643), recommending that H.C.R. No. 37, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 37, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING RELIGIOUS AND FAITH-BASED ORGANIZATIONS TO SERVE AS SAFE HAVENS FOR VICTIMS OF DOMESTIC VIOLENCE," was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 644) recommending that H.B. No. 1175, as amended in HD 1, be recommitted to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1175, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was recommitted to the Committee on Finance, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 645) recommending that H.B. No. 1184, as amended in HD 1, be recommitted to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1184, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," was recommitted to the Committee on Finance, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 646) recommending that H.B. No. 1185, as amended in HD 1, be recommitted to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1185, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," was recommitted to the Committee on Finance, with Representative Takai being excused.

Representatives Morita and Cabanilla, for the Committee on Energy & Environmental Protection and the Committee on Housing presented a report (Stand. Com. Rep. No. 647) recommending that H.B. No. 1273, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1273, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition, with a few remarks on Stand. Com. Rep. No. 647. Mr. Speaker, let me first begin by saying this is a good bill, but I don't think it's very good policy that's in the bill.

"We need to protect our environment, but I'm not sure that this is the best method to begin with, or to put it in the front of the chronology to do that. And, for historical purposes, we should know that, Mr. Speaker, this bill was vetoed twice. One by the Governor, and secondly, and this is where it comes to my community, by my community, very vigorously, for three reasons.

"The first reason, Mr. Speaker, why they vetoed it was because of the aesthetics. The Commodore and the Mauna Luan, and all those beautiful Hawaii Kai condos, just couldn't imagine, or envision laundry hanging out on the *lanai*, which has a beautiful view of Maunalua Bay.

"The second reason is properties values, which is a direct result of that. For some of us who have been to Hong Kong, and other parts of the world, you know that laundry hanging in or around and in front of property doesn't enhance it, it distracts from its value.

"And thirdly, and most importantly, and this is what I really speak for my community for. There is irreparable damage that some of the retrofitting of clotheslines would cost. Some of the structural integrity of the building, particularly the condo people came very strong and very clear; when you drill into the side of a condo, which is reinforced concrete, and this spalling effect takes place. Then the moisture gets into the rebar, the rebar then oxidizes, the oxidization basically weakens the structure of the building.

"So they said, 'Look, we've got so many things that we can do before that.' In fact, one of the things that, Mr. Speaker, I would hope would get a hearing here is HB 1836, which mandates solar on every roof. We haven't got even that far, and now we're saying, 'All of you community associations, all of you homeowners associations, break those contracts with those who sold it,' which by the way, is why the Governor vetoed this bill, and now we're starting out with this as the high priority for renewable energy.

"I just think it's a bit of a misplaced priority. It will eventually be needed, but right now, it's not something that I believe either the Governor wants, or, at least for sure, my community doesn't want. Thank you, Mr. Speaker."

Representative Morita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. For the edification of the Members, especially the Member from Hawaii Kai, this bill is limited to single family residences and townhouses."

Representative Har rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Please note my reservations on this measure and I will reserve comment until Third Reading."

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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1273, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was placed on the calendar for Third Reading with Representative Ward voting no, and with Representative Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 648) recommending that H.B. No. 365, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 365, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was placed on the calendar for Third Reading, with Representative Takai being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended to consider certain House bills for Third Reading by consent calendar. (Representative Takai was excused.)

THIRD READING

H.B. No. 1639:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1639, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 1475:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1475, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 595:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 595, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

At 1:46 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1639
H.B. No. 1475
H.B. No. 595

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 67 through 69) and concurrent resolutions (H.C.R. Nos. 86 through 89) were referred to Printing and further action was deferred:

H.R. No. 67, entitled: "HOUSE RESOLUTION REQUESTING STATE AND LOCAL LAW ENFORCEMENT OFFICERS TO ABIDE BY STATE LAWS RELATING TO THE MEDICAL USE OF MARIJUANA," was jointly offered by Representatives Bertram, Hanohano, Karamatsu, Thielen and Keith-Agaran.

H.R. No. 68, 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 Mizuno, Brower, Carroll, Finnegan, Nishimoto, Shimabukuro, Ward, Yamane, Belatti and Bertram.

H.R. No. 69, entitled: "HOUSE RESOLUTION RECOGNIZING AUGUST 2009 AS JAN KEN PO MONTH IN HAWAII AND URGING THE ORGANIZATION OF A STATEWIDE GRAND JAN KEN PO TOURNAMENT DURING THE MONTH TO RAISE FUNDS TO BENEFIT HAWAII'S PUBLIC SCHOOLS," was jointly offered by Representatives Mizuno, Brower, Manahan, Awana, Hanohano and Takumi.

H.C.R. No. 86, 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 Mizuno, Brower, Carroll, Finnegan, Nishimoto, Shimabukuro, Ward, Yamane and Belatti.

H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AUGUST 2009 AS JAN KEN PO MONTH IN HAWAII AND URGING THE ORGANIZATION OF A STATEWIDE GRAND JAN KEN PO TOURNAMENT DURING THE MONTH TO RAISE FUNDS TO BENEFIT HAWAII'S PUBLIC SCHOOLS," was jointly offered by Representatives Mizuno, Brower, Manahan, Awana, Hanohano and Takumi.

H.C.R. No. 88, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO CONDUCT A STUDY ON THE FEASIBILITY OF RESTRUCTURING HAWAIIAN COMMERCIAL AND SUGAR COMPANY ON MAUI TO OPERATE AN INDUSTRIAL HEMP PLANTATION," was jointly offered by Representatives Bertram, McKelvey and Thielen.

H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE HOOKAKOO CORPORATION REPORT ON THE PROGRESS AND IMPACTS OF THE MODELS FOR EXPANDED LEARNING TIME BEING PILOTED BY THE HOOKAKOO CORPORATION'S PARTNER CONVERSION CHARTER SCHOOLS," was jointly offered by Representatives Takumi and Berg.

ANNOUNCEMENTS

At 1:47 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:49 o'clock p.m.

Speaker Say: "Members of the House, at this time, the Chair would like to refer Senate Bill 1677, SD 1, Relating to Lands Controlled by the State, to the Committee on Hawaiian Affairs, Water, Land & Ocean Resources/Judiciary, and Finance. This is following the same referral process as far as our House bills.

"Does everyone understand that? It's being referred to the Committee on Hawaiian Affairs as the first Committee, to hold a separate hearing by itself. Then the Water, Land, & Ocean Committee/Judiciary Committee, another referral by itself. Then the Finance Committee, by itself. And that has been the process in the House Bills that we have here in this Chamber.

"At this time, Representative Carroll, would you like to share with the Members of the House that this particular measure is going to be scheduled for a hearing?"

Representative Carroll: "Thank you, Mr. Speaker. As you all know, I'm leaving tonight for Washington D.C., and just to make the announcement, we will be filing the hearing notice today. We were just waiting for the referral, so that the Senate Bill can be heard in the Hawaiian Affairs Committee, next week Wednesday, at 9:30 a.m., in Room 329. Thank you very much."

ADJOURNMENT

At 1:51 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Thursday, March 5, 2009. (Representative Takai was excused.)

TWENTY-FOURTH DAY

Thursday, March 5, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:06 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Ms. Karess Purcell of Vice Speaker Magaoay's office, after which the Roll was called showing all Members present with the exception of Representatives Berg, Finnegan, M. Oshiro and Takai, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Third Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 252 through 256) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 252, received February 26, 2009, transmitting the Department of Defense, Office of Veterans Services' report, "Relating to Government Operations" (Act 100, Session Laws of Hawaii 1999).

Gov. Msg. No. 253, dated February 12, 2009, transmitting the State Foundation on Culture and the Arts' Annual Report for the period July 1, 2007 through June 30, 2008.

Gov. Msg. No. 254, dated March 2, 2009, transmitting the Director of Finance's reports pursuant to provisions of Act 213, SLH 2007, the General Appropriations Act of 2007, as amended by Act 158, SLH 2008, the Supplemental Appropriations Act of 2008.

Gov. Msg. No. 255, dated March 2, 2009, transmitting the Governor's reports pursuant to provisions of Act 213, SLH 2007, the General Appropriations Act of 2007, as amended by Act 158, SLH 2008, the Supplemental Appropriations Act of 2008.

Gov. Msg. No. 256, dated March 2, 2009, transmitting the Department of Budget and Finance, Report to the Legislature, on Act 272, SLH 2007, Relating to State Funds.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 34) was received and announced by the Clerk:

Sen. Com. No. 34, transmitting S.B. No. 190, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY CARE FOSTER FAMILY HOME," which passed Third Reading in the Senate on February 25, 2009.

On motion by Representative Evans seconded by Representative Pine and carried, the following Senate bill passed First Reading by title and further action was deferred: (Representatives Berg, Finnegan, M. Oshiro and Takai were excused.)

S.B. No. 190, SD 1

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 60 and 61) were received by the Clerk and were placed on file:

Dept. Com. No. 60, dated February 27, 2009, from Marion Higa, State Auditor, transmitting the report, Study on the Appropriate Accountability Structure of the Hawai'i Teacher Standards Board.

Dept. Com. No. 61, dated February 25, 2009, from David McClain, President, University of Hawaii System, transmitting The Research Corporation of the University of Hawai'i's Annual Report for the fiscal year ending June 30, 2008.

INTRODUCTION

The following introduction was made to the Members of the House:

Representative Bertram introduced his cousins, Mr. Albert Morairty from Maui, and Mr. and Mrs. Michael Morarity from Michigan.

ORDER OF THE DAY

COMMITTEE ASSIGNMENT

The following measure was referred to committee by the Speaker:

H.C.R. No.	Referred to:
89	Committee on Education

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

H.B. Nos.	Re-referred to:
31	Committee on Labor & Public Employment
1436, HD1	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture
1619	Committee on Finance

At 12:13 o'clock p.m. the Clerk requested a recess and 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 RESOLUTION (FLOOR PRESENTATION)

The following resolution (H.R. No. 80) was announced by the Clerk and the following action taken:

H.R. No. 80, entitled: "HOUSE RESOLUTION HONORING THE HAWAII ALLIANCE OF THE BOYS AND GIRLS CLUBS," was offered by Representative Yamashita.

Representative McKelvey moved that H.R. No. 80 be adopted, seconded by Representative Yamashita.

Representative McKelvey recognized the contributions of the Hawaii Alliance of Boys and Girls Clubs.

Representative Keith-Agaran applauded the Boys and Girls Club Youth of the Year Program and commended the participants.

Representative Carroll then introduced the Hawaii Youth of the Year finalists who were seated on the floor of the House:

Ms. Meghan McGrath Big Island Youth representative and freshman at Pahoa High School;

Ms. Rachel Getz, Marine Corp Base Hawaii Youth representative and sophomore at Pearl City High School;

Mr. Benjie Baclig, Boys and Girls Club Hawaii representative and senior at Waimea High School;

Mr. Benjamin Hoyt, Boys and Girls Club Maui representative and sophomore at King Kekaulike High School;

Mr. Meko Thompson, II, Boys and Girls Club Army representative and sophomore at Radford High School; and

Ms. Samantha Bernard, Boys and Girls Club Hickam Air Force Base representative and senior at the Myron B. Thompson Academy.

The motion was put to vote by the Chair and carried, and H.R. No. 80 was adopted with Representatives Berg, Finnegan, M. Oshiro and Takai being excused.

At 12:45 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:52 o'clock p.m., with the Speaker presiding.

At this time, the Chair announced:

"Members at this time, we are on Unfinished Business. Please note that House Bill No. 1436, House Draft 1, has been re-referred solely to the Committees on Water, Land, & Ocean Resources and Agriculture per Committee Referral Sheet No. 24 that has been placed on your desk today. The Committee on Education 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 B. Oshiro moved to suspend the rules of the House to reconsider action previously taken on H.B. No. 1436, HD 1, seconded by Representative Evans.

At 12:53 o'clock p.m. Representative Pine requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:54 o'clock p.m.

The Chair addressed Representative Choy, stating:

"Representative Choy, what is the motion before this Body?"

Representative Choy responded, stating:

"The Motion before this Body is to waive Committee referral on this and to put this bill on the floor for Third Reading."

The Chair responded, stating:

"We are suspending the Rules of the House to reconsider action taken on House Bill No. 1436, House Draft 1."

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. 1436, HD 1. (Representatives Berg, Finnegan and Takai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 428, recommending referral to the Committee on Education, seconded by Representative Evans and carried. (Representatives Berg, Finnegan and Takai were excused.)

SUSPENSION OF RULES

Representative B. Oshiro moved to suspend the rules of the House to consider certain House bills for Third Reading by consent calendar, seconded by Representative Evans.

The Chair then stated:

"Representative Ward, what is the motion before this Body at this point in time? Representative Blake Oshiro, please repeat the motion so that the Members understand what we are voting on."

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering certain House bills for Third Reading by consent calendar. (Representatives Berg, Finnegan and Takai were excused.)

UNFINISHED BUSINESS

H.B. 1436, HD 1:

Representative B. Oshiro moved that H.B. No. 1436, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I waited until the appropriate time, I hope. Mr. Speaker, I'm rising with reservations on this. I know it's Third Reading, but the Bill still has to go over to the Senate and be considered by them.

"A couple of things concern me. We are saying that we are opening up the agricultural district to educational facilities. The first thing I would think about there is, the wisdom of placing an educational facility in an agricultural district, where you're going to have some chemicals applied to the agricultural crops. So, what you're doing is putting students, really, in proximity to some substances that could cause some serious ramifications for the students.

"The other concern I have is, just because years ago I represented a client in a case involving the attempt to put a slaughter house near a residential project on Maui, and the concern is that if you're going to open this up to appurtenances that are handling livestock, then you could end up with some uses that maybe should go through a special permit process, instead of just being allowed as of right.

"And I would hope that the Senate would take a look at those concerns and consider it as they look at this bill. Thank you."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Mr. Speaker, my apologies for failing your pop-quiz, because I was thinking about what I was going to say, anticipating that she was going to speak. A good excuse, right?

"I was actually preoccupied, because this is a bill which hits very close to home in the farmlands of Hawaii Kai, where the Kamilo Nui Valley has nurseries. That is Kamehameha Schools Bishop Estate land, and they want to integrate some of their educational classes with that land, and to get them down on the farm, so it's not abstract classroom, but here's really nurseries, here's real coqui frog dangers, etc. And also, the Malama o Maunalua Bay wants to show how the runoff from that valley really contributes to the pollution in Maunalua Bay. So, Ag. and education can

go hand in hand. And for the edification of my colleague, I hope she would take that to heart. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 1436, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

At 12:59 o'clock p.m., the Chair noted that H.B. No. 1436, HD 1, passed Third Reading.

At this time, the Chair announced:

"Members, please note that House Bill No. 31 has been re-referred solely to the Committee on Labor & Public Employment, per committee referral sheet No. 24 that has been placed on your desk today. The Committees on Consumer Protection & Commerce and Judiciary waived their referral to this measure, and therefore it is appropriate for the House to consider action for passage on Third Reading."

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, to rules were suspended to reconsider action previously taken on H.B. No. 31. (Representatives Berg, Finnegan and Takai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved to reconsider action taken pursuant to the recommendation contained in Stand. Com. Rep. No. 205, recommending referral to the Committees on Consumer Protection & Commerce and Judiciary, seconded by Representative Evans and carried.

UNFINISHED BUSINESS

H.B. No. 31:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 31, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

At 1:01 o'clock p.m., the Chair noted that H.B. No. 31, passed Third Reading.

STANDING COMMITTEE REPORTS

Representative Yamane, for the Committee on Health presented two reports:

(Stand. Com. Rep. No. 649), recommending that H.R. No. 43, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 650), recommending that H.C.R. No. 53, be referred to the Committee on Finance.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 43 and H.C.R. No. 53, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Herkes rose to speak in opposition to the measures, stating:

"In opposition. We need to deal with HHSC this Session. We don't need another delay like this."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 43, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII HEALTH SYSTEMS CORPORATION TO ESTABLISH A BLUE RIBBON PANEL TO CONDUCT A HEALTH CARE NEEDS ASSESSMENT AND OPERATIONAL STRUCTURE ANALYSIS," was referred to the Committee on Finance with Representative Herkes voting no, and with Representatives Berg, Finnegan and Takai being excused; and

H.C.R. No. 53, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII HEALTH SYSTEMS CORPORATION TO ESTABLISH A BLUE RIBBON PANEL TO CONDUCT A HEALTH CARE NEEDS ASSESSMENT AND OPERATIONAL STRUCTURE ANALYSIS," was referred to the Committee on Finance with Representative Herkes voting no, and with Representatives Berg, Finnegan and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 651), recommending that H.C.R. No. 51, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans 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 INCREASE EDUCATIONAL EFFORTS TO PREVENT AND ERADICATE CERVICAL CANCER," was referred to the Committee on Finance with Representatives Berg, Finnegan and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 652), recommending that H.C.R. No. 43, as amended in HD 1, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 43, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO INVESTIGATE HEALTH RISKS AND POTENTIAL ENERGY USES OF POLYSTYRENE FOOD CONTAINERS AND TO ESTABLISH STANDARDS FOR BIODEGRADABLE PLASTIC FOOD CONTAINERS AND GROCERY BAGS," was referred to the Committee on Consumer Protection & Commerce with Representatives Berg, Finnegan and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 653), recommending that H.R. No. 52, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 52, entitled: "HOUSE RESOLUTION URGING THE USE OF POLYVINYL CHLORIDE AND HIGH-DENSITY POLYETHYLENE PIPE AND FITTINGS FOR THE CONSTRUCTION OR REPAIR OF PRIVATE AND PUBLIC POTABLE WATER SYSTEMS," was referred to the Committee on Finance with Representatives Berg, Finnegan and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 654), recommending that H.C.R. No. 66, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 66, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE USE OF POLYVINYL CHLORIDE AND HIGH-DENSITY POLYETHYLENE PIPE AND FITTINGS FOR THE CONSTRUCTION OR REPAIR OF PRIVATE AND PUBLIC POTABLE WATER SYSTEMS," was referred to the Committee on Finance with Representatives Berg, Finnegan and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 655), recommending that H.C.R. No. 27, be referred to the Committee on Hawaiian Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 27, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF DISPARATE TREATMENT IN HAWAII'S CRIMINAL JUSTICE SYSTEM," was referred to the Committee on Hawaiian Affairs with Representatives Berg, Finnegan and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 656) recommending that H.B. No. 710, HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 710, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 657) recommending that H.B. No. 1032, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1032, entitled: "A BILL FOR AN ACT RELATING TO NOTARY PUBLIC SEALS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 658) recommending that H.B. No. 1075, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1075, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 659) recommending that H.B. No. 875, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 875, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 660) recommending that H.B. No. 1554, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1554, 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 Berg, Finnegan and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 661) recommending that H.B. No. 135, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 135, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INSECT," passed Second Reading and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 662) recommending that H.B. No. 274, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 274, entitled: "A BILL FOR AN ACT RELATING TO PATRIOT DAY," passed Second Reading and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 663) recommending that H.B. No. 1070, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1070, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 664) recommending that H.B. No. 813, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 813, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 665) recommending that H.B. No. 520, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 520, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition of Stand. Com. Rep. 665, Relating to Buildings. Thank you, very much. This bill seeks to completely repeal a law that was passed last year, which was passed through both Chambers, House and Senate, went up to the Fifth Floor, and was signed into law. And I think that the Founding Fathers, who created the process of the Legislature, understood that bills would be vetted and that everyone should have a chance to improve and hone bills. And occasionally, yes, like a little *manini* fish, somehow some mistake gets through a hole in the net. But that does not mean to me that, because a *manini* fish got through the hole in the net, that somehow it didn't work.

"It's a bill that had a reason why it was voted on and passed into law. Because it was some kind of an idea that said that, 'Maybe this might work. Maybe this might be important.' Because we're knocking down a ton of buildings that are actually, like the plate lunch, a unique part of Hawaii. Hawaii is so unique in the sense that it can blend many different diverse elements. It doesn't stop at food. It doesn't stop at music. And it doesn't stop in architecture. What happens with architecture in Hawaii, when nobody really notices, 'cause look old, so knock 'um down. It's old fashioned. Like any kind of art, it has a message. It reveals our history,

and it reveals our heritage. And in unique cases, such as certain plantation homes, it is a unique blend, the *hapa haole* blend of Asian plus European, in the architecture.

"So, when people look at that, and you can explain it to a child, he's going to say, 'Wow, that's pretty cool.' It also expresses the graciousness of our time before, when you sat on your veranda and you looked out. These are ways to teach children.

"The thing is, we're knocking down buildings. Sometimes, they need to be knocked down. Go for it. What this bill initially intended, was merely to say, 'If the guy's dying, can we give him a funeral?' That's all we wanted. All the bill initially said was, take a photograph, and to go for it. So at least, later, we can recreate the building. It's not 'zippo,' gone forever. Like a person, gone forever. You never can learn from them again.

"So, what I'm just saying is that I understand. It was the intention, and it got a life of its own. It went on, and there were mistakes made. The implementation was not in accordance with what this House and the Senate passd. But do we 'throw the baby out with the bath water?' To me, that is no more rash than the rash implementation of the bill. So you're kind of like doing the same thing, and then you're saying, oh, somehow it made it through two houses, and it's a wrong bill.

"So, with all due respect, and I do respect very much the opponents of what's going on, and I empathize deeply. I know it has to be fixed. I cannot, in good conscience, vote in support."

Representative B. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative B. Oshiro's written remarks are as follows:

"In support of HB 520 HD1, which aims to modify Act 228 (2008) that was originally aimed at strengthening aspects of the State's Historic Preservation Office (SHPO) by requiring structures over fifty years old to be documented through archive quality photographs; the intent of this Act was consistent with best practices for historic preservation – and should be implemented in the future with the proper coordination with City and State officials.

"If our intention is to strengthen the State's current historic preservation practices then we should have a holistic approach and work to strengthen the State Historic Preservation Office both statutorily and financially.

"The introducers of this measure correctly identify the inability of City and State departments to effectively carry out the intent of Act 228. If we want real change as to how historic preservation protocol is carried out, then we need to adequately fund and staff the State Historic Preservation Office. This office is consistently underfunded, understaffed, and the support services to effectively carry out this office's mission are lacking (storage facilities, museum support, etc.).

"In the future, I hope that improving our State's Historic Preservation Office, and its mission, will include: adequate funding and staffing of the SHPO; improved research and conservation capabilities; appropriate recruiting of the SHPO director - requiring that the individual has some background in historic preservation; adoption and implementation of the International Existing Buildings Code (IEBC); convening a task force to identify ways to improve the Department's overall mission; and expanding the technological capabilities of the SHPO."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 520, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDINGS," passed Second Reading, and was placed on the calendar for Third Reading with Representative Ching voting no, and with Representatives Berg, Finnegan and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 666) recommending that H.B. No. 921, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 921, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representatives Cabanilla and Ito, for the Committee on Housing and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 667) recommending that H.B. No. 361, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 361, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representatives Cabanilla and Ito, for the Committee on Housing and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 668) recommending that H.B. No. 1186, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1186, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING DEVELOPMENT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 669) recommending that H.B. No. 382, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 382, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"I will be voting on this measure with reservations. I simply do not understand the bill, but I will reserve judgment until Third Reading, if I find out it is useful."

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. 382, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE TORT LIABILITY," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 670) recommending that H.B. No. 1148, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1148, 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 Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 671) recommending that H.B. No. 147, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 147, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Pine rose to speak in support of the measure with reservations, stating:

"I just want to stand with support with reservations for this particular measure, Stand. Com. Rep. 671. Originally, this bill increased the minimum value of stolen property of services constituting theft in the second degree, from $300 to $1000. But now in the recent amendment, it leaves it blank, and so it's a little easier for me to vote with reservations. I think my concern is that in 2005, the Penal Code Review Committee fully considered to increase this. However, they rejected it, saying it was unnecessary.

"And, my second concern is that I think we should stop veering, as a Body, to be more lenient to criminals, and instead, have them serve their time, or pay the price for their criminal actions."

Representative Tokioka rose and asked that the Clerk record an aye vote with reservations 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 Har 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. 147, 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 Ching and Thielen voting no, and with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 672) recommending that H.B. No. 294, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 294, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL LIABILITY OF TRUSTEE TO THIRD PARTIES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 673) recommending that H.B. No. 1212, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1212, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 674) recommending that H.B. No. 1512, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1512, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 675) recommending that H.B. No. 128, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 128, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 676) recommending that H.B. No. 130, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 130, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUDGMENTS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 677) recommending that H.B. No. 1751, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1751, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNICATIONS FRAUD," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 678) recommending that H.B. No. 233, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 233, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 679) recommending that H.B. No. 654, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 654, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Thielen rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. A potential conflict. I have contractors in the family," and the Chair ruled, "no conflict."

Representative Thielen continued, and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Har rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I have a ruling on a potential conflict? At my law firm, I do represent contractors. Thank you," and the Chair ruled, "no conflict."

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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 654, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representatives Manahan and McKelvey, for the Committee on Tourism, Culture, & International Affairs and the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 680) recommending that H.B. No. 1141, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1141, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THRILL CRAFT OPERATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 681) recommending that H.B. No. 570, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 570, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 682) recommending that H.B. No. 1144, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1144, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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. 1144, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OF THREATENED AND ENDANGERED SPECIES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representatives Ito and Morita, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 683) recommending that H.B. No. 589, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 589, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representatives Ito and Morita, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 684) recommending that H.B. No. 590, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 590, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Mr. Speaker, a 'no' vote please, on 'Relating to Renewable Energy Facilities,' because of the automatic approval provision. 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. 590, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," passed Second Reading, and was placed on the calendar for Third Reading with Representative Thielen voting no, and with Representatives Berg, Finnegan and Takai being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 685) recommending that H.B. No. 1047, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1047, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 686) recommending that H.B. No. 1008, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1008, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations on this bill, please. I'm concerned, Mr. Speaker, that the ultimate result will be to urbanize, or at least take some of our best lands out of agriculture. Thank you."

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. 1008, 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 Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 687) recommending that H.B. No. 730, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 730, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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:

"I rise in support of Stand. Com. Rep. No. 687, HB No. 730, HD 1. According to the Humane Society of the United States, in a national ranking of dog fighting laws in the states and the District of Columbia, Hawaii ranked 50th in part, because it is one of two states with no penalties for paying admission or wagering on an organized dogfight or for breeding, selling or possessing dogs with the intent to fight them in a dogfight.

"The Michael Vick case sadly exposed the truth that no community is immune from dogfighting. Comprehensive laws, such as the contents contained in this measure, will properly equip Hawaii's law enforcement sector to successfully charge and convict those involved in dogfighting in Hawaii.

"Dogfighting is also associated with other crimes such as illegal gambling, drug distribution, and gang violence.

"Bait animals are also used, such as smaller dogs, cats, or even rabbits, to determine a dog's propensity to fight. These "bait animals" are also used in ring practice to sharpen the dogs killing skills for their matches.

"Dogs used in the actual dogfight are subject to extreme injuries and often die because of blood loss, dehydration, exhaustion, or infection hours or days after the fight."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 730, 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 Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 688) recommending that H.B. No. 1035, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1035, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Keith-Agaran 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. 1035, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPEALS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 689) recommending that H.B. No. 1229, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1229, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTICE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representatives Karamatsu and Herkes, for the Committee on Judiciary and the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 690) recommending that H.B. No. 1415, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1415, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 691) recommending that H.B. No. 640, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 640, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. A 'no' vote, please, for me on this, and just a few comments. Thank you. Mr. Speaker, there is a process underway right now, where there is a comprehensive review of the Environmental Impact Statement procedures in the statutes. Some of us have been contacted for personal interviews by the group that's doing the comprehensive review.

"There is a process in place whereby the Department of Transportation or other entities can request an exemption. They have a list, in fact, of exemptions and should be able to refer to those to exempt certain things that will not have an environmental impact, or a cumulative impact. I don't think it's a good idea to step in the middle of this process and do a piecemeal fix. I don't think it's necessary at this point. Thank you."

Representative Morita rose to speak in support of the measure, stating:

"Mr. Speaker, in support of the measure, and just some additional information regarding this bill. This bill really wouldn't be necessary if certain agencies were doing their job. But unfortunately, the Department of Transportation is not using its exemption list, and they're requiring projects to go through the Chapter 343 process unnecessarily. As a result, there's a backlog of over 400 construction projects, and at some point the Legislature has to step in, because this kind of situation, which is really unnecessary if the laws were interpreted properly, and the exemption list, which actually exists right now, was used as it should be.

"So, in order to clear up this backlog, unfortunately, the Legislature needs to step in. 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. 640, 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 Representative Thielen voting no, and with Representatives Berg, Finnegan and Takai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 692) recommending that H.B. No. 1226, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1226, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Shimabukuro 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 Wooley 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 Wooley's written remarks are as follows:

"This GMO-industry supported bill raises serious questions about regulation in the State of Hawaii that need to be addressed. However, our legislative response should not be a preemptive law that would eliminate nearly all county and State authority to regulate GMO.

"Currently, anyone can buy, grow, sell, or research GMO in Hawaii with very limited exception. In addition, GMO need not be labeled anywhere in the process. As a result, we actually have a lack of oversight, particularly as research has shown GMO can cross over and infiltrate crops on farms that are trying not to grow GMO and is associated with significant, but as yet unknown, human health risks. Also, many developed countries prohibit GMOs, which means we may jeopardize our ability to export crops in the future. My biggest concern is this bill, if law, would handcuff our State and county agencies and put our farmers and consumers at serious risk. Before moving forward with a GMO bill that would prohibit our State and county agencies from taking any regulatory action, we must make sure we have a system in place to protect our local economy and the health and safety of our people."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Keith-Agaran rose and asked that the Clerk record an aye vote with reservations for him, 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 McKelvey 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."

Representative Morita 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 Tsuji rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. This is a very good bill. Thank you very much for your nodding in compliance. I believe that bio-technology will play an increasing and vital role for our future. We therefore need science. We depend upon science, but also we respect culture. And we need legal protection for genetic engineering for plant organisms, and their use is therefore necessary.

"This bill tries to address both sides. Science and technology, and also respecting culture and heritage. If carried out, and I believe in a responsible manner in compliance with federal requirements, genetic engineering will be conducted safely, without endangering public safety, and also disrupting our heritage and culture in Hawaii. Thank you, very much."

Representative Tokioka rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support, and may I ask that the words from the speaker from the Big Island be inserted as if they were my own? And I'd like to thank him for all the hard work he has done over the past year and a half on this measure. Thank you, Mr. Speaker."

Representative Karamatsu rose in support of the measure and asked that the remarks of Representative Tsuji be entered into 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 rise in support with a brief comment. As we talk about a global economy, it's a genetically modified economy. For those of us who worked a lot in overseas development, literally 80 percent of the cornmeal and the corn-fed people of the world have genetically modified corn. There's no turning back, and I know there's precautions about it. Taro is exempted in this one. Wheat has, maybe, 10 or 20 percent already. With genetically modified rice, it's maybe a little bit less. But in order to feed the world, this has been a blessing, and not the curse that I think some people may be possibly mistaking it as being.

"It's science, it's a little more sophisticated than we can truly understand. But, it's something that's here, and it's something that I think we have to protect as we proceed. Thank you."

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. I want to speak in support of the bill. And I would like the remarks from the Chairman of Agriculture to be entered as my own. I just want to add that this is one of the best drafted bills that I've seen in a very long time. The language is very substantive, and it provides a balance for agriculture. Thank you, very much."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like a ruling on a potential conflict. At my law firm, I represent the Hawaii Crop Improvement Association, but nothing related to this bill. Thank you," and the Chair ruled, "no conflict."

Representative Manahan rose to speak in support of the measure, stating:

"Mr. Speaker, just standing in strong support, and I think the amendments that were made in the Agriculture Committee were more than reasonable, and I 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 H.B. No. 1226, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED PLANT ORGANISMS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll and Morita voting no, and with Representatives Berg, Finnegan and Takai being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 693) recommending that H.B. No. 1048, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1048, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I would like a vote with reservations, and a few remarks. Thank you. Mr. Speaker, I would ask Members to look at page 5 of this bill. The thing that is causing me trouble is found on lines 13 to 15. The bill states that in the establishment of boundaries for rural districts, the 'Land Use Commission shall include,' and then it goes on to this provision that I find to be troubling, 'low density, residential lots, and residential subdivisions on agricultural lands existing before January 1st, 2009.' This could go out and catch some of those developments, including the one on the Big Island that was such a controversy a couple of years ago. I think it deserves further analysis, and I think the bill could go forward without that provision. 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. 1048, 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 Berg, Finnegan and Takai being excused.

Representatives Ito and Cabanilla, for the Committee on Water, Land, & Ocean Resources and the Committee on Housing presented a report (Stand. Com. Rep. No. 694) recommending that H.B. No. 948, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 948, 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 Berg, Finnegan and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 695) recommending that H.B. No. 876, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 876, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 696) recommending that H.B. No. 1270, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1270, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 697) recommending that H.B. No. 1101, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1101, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF HUMAN SERVICES," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 698) recommending that H.B. No. 866, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 866, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Har rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in strong support of Stand. Com. Report No. 698, House Bill No. 866, House Draft 1. Mr. Speaker, first of all, I want to thank the Chairs of the Transportation and Judiciary Committees for hearing and passing out this measure, because I truly believe that this bill will, in fact, provide traffic relief for the residents of West Oahu and Central Oahu.

"Mr. Speaker, may I request permission to submit written comments into the Journal for my further comments? Thank you," and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I stand in strong support of Standing Committee Report No. 698, House Bill 866, House Draft 1, Relating to High Occupancy Vehicle Lanes. This bill would allow all motor vehicles, regardless of number of persons on board, to use high occupancy vehicle lanes or zipper lanes when one or more lanes of traffic have been shut down by law enforcement officers or emergency services personnel. It would also require the Department of Transportation to develop protocols for the use of HOV or zipper lanes.

"As commuters from the Leeward side know, many long hours that could be better spent at work or with family are spent commuting. Adding to the commute is the issue of accidents or other incidents on the freeway. For every minute that an incident (i.e. stall, blown out tire, car accident) is allowed to stay on the freeway, that incident causes 10 minutes of backlog in traffic. This adds to additional time wasted in traffic. Currently, the HOV/zipper lanes are overly restrictive and underutilized. As such, there must be more flexible use of the HOV and zipper lanes, particularly when incidents cause a lane to be closed. We must make full use of all lanes, mitigate traffic and reduce time on the road. For these reasons, Mr. Speaker, I stand in strong support. Thank you."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In support. At first when I saw this bill, I had to admit, I thought it was another toll road special, but it obviously isn't. What's great about this bill is that it keeps traffic moving, and anything that keeps traffic moving is music to my ears. 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. 866, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 699) recommending that H.B. No. 808, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 808, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 700) recommending that H.B. No. 1165, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1165, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran 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 Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak to express my continued reservations with HB 1165.

"The Department of Transportation in the bill is asking for authority to create rules for the various commercial harbors, ostensibly based on the need to address safety concerns. I certainly understand the need for safety rules; however, the Maui community's long-established shared use of certain commercial harbors for recreational and cultural purposes should be recognized and preserved. The Department of Transportation's recent strained relations and record of indifference to local residents using Kahului Harbor for canoe racing and practices, and for fishing and surfing, raises some concern that perhaps the rules proposed ostensibly for safety are primarily aimed at limiting or even displacing longtime community use of our harbor and other nearshore waters for commercial interests. I certainly hope this is not the case and that this is not primarily another example of commercial and business interests trumping local community concerns.

"I believe appropriate safety rules can be crafted through creativity and improved strategic planning in the state's master plan, including the use of better technology for business and recreational activities that will foster rather than inhibit joint use of the available space. Existing residents who gather for traditional and cultural practices should be taken into consideration when planning for the future so that they may continue to carry out their customs. Access and use of our nearshore waters are an important aspect of the Public Trust. As this bill moves forward, I hope there will be practical, open and frank dialogue between traditional and cultural practitioners, government agencies and the business community about the goals of this bill.

"Please record my vote 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. 1165, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

At 1:25 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 876, HD 1
H.B. No. 1270, HD 1
H.B. No. 1101, HD 1
H.B. No. 866, HD 1
H.B. No. 808
H.B. No. 1165

THIRD READING

H.B. No. 254, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 254, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

H.B. No. 349, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 349, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE," passed Third Reading by a vote of 44 ayes to 4 noes, with Representatives Belatti, Luke, Morita and Takumi voting no, and with Representatives Berg, Finnegan and Takai being excused.

H.B. No. 1273, HD 1:

Representative B. Oshiro moved that H.B. No. 1273, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this bill. I rise after quoting the Majority Leader who says, 'Read the bill, and then speak to the bill.' And I want you to know that I've read, I've re-read, then re-read the bill, and I've even talked to the Chair. Well, we exchanged an email about this. Does this have condominiums in it? And, as I indicated on Second Reading, I have a substantial concern in my district in that regard.

"Mr. Speaker, what I'd like to do is to walk through the bill, particularly where there seems to be a convolution, or a contradiction.

"Page 1 is very clear. It's a great bill. It has great intention. But on the purpose, it states that it is with single family dwellings in mind, except when you go down to the bottom of page 2, line 17. Every private entity is then mentioned, where it cannot prohibit or restrict clotheslines. And if you go to page 3, where it says what is a private entity, private entities include condominium associations.

"So Mr. Speaker, the intention is to exempt them out. Let us be clear, let us tweak it and tighten it, but the way it reads now, it's too 'loosey goosey' to really say that these guys in my district are not going to be brought in by this. Thank you."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative 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 H.B. No. 1273, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Ward voting no, and with Representatives Berg, Finnegan and Takai being excused.

H.B. No. 365, HD 1:

Representative B. Oshiro moved that H.B. No. 365, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Har rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I have ruling on a potential conflict? At my law firm, I represent contractors. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and H.B. No. 365, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

At 1:29 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 254, HD 1
H.B. No. 349, HD 1
H.B. No. 1273, HD 1
H.B. No. 365, HD 1

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 72 through 79) and concurrent resolutions (H.C.R. Nos. 90 through 100) were referred to Printing and further action was deferred:

H.R. No. 72, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR ESTABLISH A TASK FORCE TO CONSIDER THE ESTABLISHMENT OF TOWNSHIPS OR OTHER POLITICAL SUBDIVISIONS TO ASSIST IN THE PROVISION OF INFRASTRUCTURE IN PRIVATE SUBDIVISIONS," was offered by Representative Hanohano.

H.R. No. 73, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH REPORTING REQUIREMENTS FOR HOSPITALS AND MEDICAL FACILITIES REGARDING HOSPITAL-ACQUIRED INFECTIONS," was jointly offered by Representatives M. Lee, Brower, Rhoads and Har.

H.R. No. 74, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT AN INDEPENDENT APPRAISAL OF MOLOKAI PROPERTIES LIMITED LANDHOLDINGS ON THE ISLAND OF MOLOKAI," was jointly offered by Representatives Ito and Har.

H.R. No. 75, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT, TO PROVIDE LIMITED ENFORCEMENT SERVICES AT NIGHT ON A REGULAR BASIS AND TO CONTINUE PROVIDING ENFORCEMENT SERVICES ON WEEKENDS AND HOLIDAYS AT KANEOHE BAY," was jointly offered by Representatives Ito and Chong.

H.R. No. 76, entitled: "HOUSE RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO INCLUDE GIFTED AND TALENTED STUDENTS IN THE SPECIAL NEEDS CATEGORY," was jointly offered by Representatives Awana, Cabanilla, Ching, Finnegan, Manahan, Marumoto, B. Oshiro, Thielen, Tsuji, Yamashita, Belatti, Chong, Karamatsu, Keith-Agaran, C. Lee, Magaoay, Sagum, Takumi and Tokioka.

H.R. No. 77, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO SET ASIDE STATE-OWNED LAND AT 6091 KALANIANA‘OLE HIGHWAY AS "PRESIDENT BARACK OBAMA BIRTHPLACE STATE PARK."," was jointly offered by Representatives Berg and Ward.

H.R. No. 78, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO ADOPT ORDINANCES PROHIBITING THE DISCHARGE OF BACKWASH FROM NEW RESIDENTIAL SWIMMING POOLS INTO STORM DRAINS AND REQUIRING DISCHARGE INTO A SANITARY SEWER," was jointly offered by Representatives Berg and Hanohano.

H.R. No. 79, entitled: "HOUSE RESOLUTION PROCLAIMING NOVEMBER 21, 2009, AS ISLAM DAY," was jointly offered by Representatives Berg, Hanohano and Belatti.

H.C.R. No. 90, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO STUDY THE FEASIBILITY OF THE FUTURE IMPLEMENTATION OF AN AMBULANCE DISPATCH CENTER ON THE WEST SIDE OF KAUAI, BASED IN KALAHEO," was jointly offered by Representatives Sagum, Morita and Tokioka.

H.C.R. No. 91, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR ESTABLISH A TASK FORCE TO CONSIDER THE ESTABLISHMENT OF TOWNSHIPS OR OTHER POLITICAL SUBDIVISIONS TO ASSIST IN THE PROVISION OF INFRASTRUCTURE IN PRIVATE SUBDIVISIONS," was offered by Representative Hanohano.

H.C.R. No. 92, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY, SHERIFF DIVISION, AND TO REPORT ON THE SUITABILITY OF THE ADMINISTRATIVE ORGANIZATION OF THE DEPARTMENT OF PUBLIC SAFETY AND SHERIFF DIVISION," was offered by Representative Hanohano.

H.C.R. No. 93, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH REPORTING REQUIREMENTS FOR HOSPITALS AND MEDICAL FACILITIES REGARDING HOSPITAL-ACQUIRED INFECTIONS," was jointly offered by Representatives M. Lee, Brower, Rhoads and Har.

H.C.R. No. 94, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AND FINANCIAL AUDIT OF THE HAWAII PUBLIC HOUSING AUTHORITY'S MAINTENANCE CONTRACTS," was jointly offered by Representatives Say, Chong, Manahan, Rhoads and Shimabukuro.

H.C.R. No. 95, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT AN INDEPENDENT APPRAISAL OF MOLOKAI PROPERTIES LIMITED LANDHOLDINGS ON THE ISLAND OF MOLOKAI," was jointly offered by Representatives Ito and Har.

H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT, TO PROVIDE LIMITED ENFORCEMENT SERVICES AT NIGHT ON A REGULAR BASIS AND TO CONTINUE PROVIDING ENFORCEMENT SERVICES ON WEEKENDS AND HOLIDAYS AT KANEOHE BAY," was jointly offered by Representatives Ito and Chong.

H.C.R. No. 97, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE A MEASURE TO REGULATE RESPIRATORY CARE PRACTITIONERS," was jointly offered by Representatives Nakashima, Awana, Brower, Herkes, Keith-Agaran, M. Lee, Magaoay, Manahan, Nishimoto, B. Oshiro, Saiki, Shimabukuro, Wooley, Yamane, Yamashita, Aquino, Belatti, Berg, Choy, Coffman, Hanohano and Rhoads.

H.C.R. No. 98, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO SET ASIDE STATE-OWNED LAND AT 6091 KALANIANA‘OLE HIGHWAY AS "PRESIDENT BARACK OBAMA BIRTHPLACE STATE PARK."," was jointly offered by Representatives Berg and Ward.

H.C.R. No. 99, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO ADOPT ORDINANCES PROHIBITING THE DISCHARGE OF BACKWASH FROM NEW RESIDENTIAL SWIMMING POOLS INTO STORM DRAINS AND REQUIRING DISCHARGE INTO A SANITARY SEWER," was jointly offered by Representatives Berg and Hanohano.

H.C.R. No. 100, entitled: "HOUSE CONCURRENT RESOLUTION PROCLAIMING NOVEMBER 21, 2009, AS ISLAM DAY," was jointly offered by Representatives Berg, Hanohano and Belatti.

ANNOUNCEMENTS

Representative M. Lee, for the Committee on Finance, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measures, stating:

"House Bill 819, HD 2, 'RELATING TO CRIME.' This mandates that minors, 15 to 17 be tried as adults in cases of 1st and 2nd degree murder.

House Bill 593, HD 1, 'RELATING TO SHORELINE SETBACKS.' Allows DLNR to establish an interim construction moratorium along Kailua Beach.

House Bill 681, HD 1, 'RELATING TO THE TRANSIENT ACCOMMODATIONS TAX.' Requires that not less than 40 percent of moneys allocated to the Tourism Special Fund, from the TAT be used for tourism product development and cultural programs.

House Bill 378, HD 1, 'RELATING TO TRANSPORTATION.' Allows the Department of Transportation to hire and award security contracts by negotiation, and not through a bid.

House Bill 1567, HD 1, 'RELATING TO SKILLED NURSING FACILITIES.' Adds skilled nursing facilities to the businesses that may qualify for benefits, under the State Enterprise Zones Law.

House Bill 994, HD 1, 'RELATING TO TOURISM.' Appropriates an unspecified amount of funds for the application of a spaceport license.

House Bill 1098, HD 1, 'RELATING TO GENERAL ASSISTANCE.' Placing a four month limit on general assistance to households without minor dependents with appropriate exceptions.

House Bill 1097, HD 1, 'RELATING TO ASSISTANCE FOR AGED, BLIND, AND PERMANENTLY AND TOTALLY DISABLED PERSONS.'

"These bills would be heard in Room 308, one hour after session.

"In addition, decision-making would be held on the following bills, 30 minutes after the hearing has ended. The two bills that would be up for decision-making are:

"House Bill 332, HD 1, 'RELATING TO EMPLOYMENT SECURITY.' Establishing eligibility for unemployment insurance. That was previously heard on Friday, February 27th.

House Bill 271, 'RELATING TO REAL PROPERTY.' This was heard on Tuesday, March 3rd. This permits the registrar of the Bureau of Conveyances to accept electronic documents with electronic signatures.

"That would also be heard in Conference Room 308, and that would be 30 minutes after the end of the previous hearing. Thank you, Mr. Speaker."

ADJOURNMENT

At 1:32 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, March 6, 2009. (Representatives Berg, Finnegan and Takai were excused.)

TWENTY-FIFTH DAY

Friday, March 6, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:04 o'clock p.m., with the Speaker presiding.

The invocation was delivered in song by Mr. Richard "Klunx" Ah Lee Sam, III, of the Chief Clerk's Office, after which the Roll was called showing all Members present with the exception of Representatives Berg, Chong, Finnegan and Takai, 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 message from the Governor (Gov. Msg. No. 257) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 257, dated March 4, 2009, transmitting the Employees' Retirement System's report on its Pension Management Information System, pursuant to Act 158, section 124.2, SLH 2008.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 35 through 39) were received and announced by the Clerk:

Sen. Com. No. 35, transmitting H.C.R No. 85, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION CELEBRATING THE 50TH ANNIVERSARY OF HAWAII'S ADMISSION INTO THE UNION OF THE UNITED STATES AS THE 50TH STATE," which was adopted by the Senate on March 5, 2009.

Sen. Com. No. 36, transmitting S.B. No. 113, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," which passed Third Reading in the Senate on March 5, 2009.

Sen. Com. No. 37, transmitting S.B. No. 384, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 5, 2009.

Sen. Com. No. 38, transmitting S.B. No. 673, entitled: "A BILL FOR AN ACT RELATING TO ZONING," which passed Third Reading in the Senate on March 5, 2009.

Sen. Com. No. 39, transmitting S.B. No. 1055, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," which passed Third Reading in the Senate on March 5, 2009.

On motion by Representative Evans seconded by Representative Pine and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representatives Berg, Finnegan and Takai were excused.)

S.B. No. 113
S.B. No. 384
S.B. No. 673
S.B. No. 1055

INTRODUCTION

The following introduction was made to the Members of the House:

Representative M. Lee introduced her youngest son, Mr. Andrew Lee, his wife Ms. Cindy Manalo, and their infant son, Master Vaughn Samuel Lee, who were visiting from Brooklyn, New York. They were accompanied by Grandpa Sam Lee.

At 12:10 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:28 o'clock p.m.

LATE INTRODUCTIONS

The following late introductions were made to the Members of the House:

Representative Marumoto introduced her friend, Mr. Louis R. Codones with the Pensacola News Journal in Florida.

Representative Cabanilla introduced a member of her legislative staff, Ms. Netra Halperin from Maui.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R. Nos.	Referred to:
72	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
73	Committee on Health
74	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
75	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
76	Committee on Education, then to the Committee on Finance
77	Committee on Tourism, Culture, & International Affairs, then to the Committee on Water, Land, & Ocean Resources
78	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources
79	Committee on Tourism, Culture, & International Affairs

H.C.R. Nos.	Referred to:
90	Committee on Health, then to the Committee on Finance
91	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
92	Committee on Public Safety, then to the Committee on Legislative Management, then to the Committee on Finance
93	Committee on Health
94	Committee on Human Services, then to the Committee on Legislative Management, then to the Committee on Finance
95	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

96	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
97	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
98	Committee on Tourism, Culture, & International Affairs, then to the Committee on Water, Land, & Ocean Resources
99	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources
100	Committee on Tourism, Culture, & International Affairs

S.B. No.	Referred to:
190, SD1	Committee on Human Services, then to the Committee on Finance

COMMITTEE REASSIGNMENT

The following bill was re-referred to committee by the Speaker:

H.B. No.	Re-referred to:
1503, HD1	Committee on Economic Revitalization, Business, & Military Affairs

At this time, the Chair announced:

"Members of the House, prior to going on to the Order of the Day, the Chair would like to request your indulgence since most of these measures are on Second Reading. If you're going to state your comments, for or against, on Second Reading, they should be incorporated in your remarks for Third Reading. I would like to adjourn session today by 1:00 this afternoon so our Neighbor Island Members can catch their flights home. If you're going to speak on Second Reading, we'll incorporate that as part of Third Reading. If you don't speak on Second Reading, then you can speak on Third Reading.

"Let's move on Members of the House, to the Order of the Day, Unfinished Business. Members, please note that House Bill No. 1503, House Draft 1, has been re-referred solely to the Committee on Economic Revitalization, Business, & Military Affairs per Committee Referral Sheet No. 25 that has been placed on your 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 on Third Reading."

SUSPENSION OF RULES

Representative B. Oshiro moved to suspend the rules of the House to reconsider action previously taken on H.B. No. 1503, HD 1, seconded by Representative Evans.

At this time, the Chair addressed Representative McKelvey, stating:

"Representative McKelvey, what is the Motion before this House?"

Representative McKelvey responded, stating:

"The Motion before this House, Mr. Speaker, is to reconsider the recommendations made in the Standing Committee Report to move this on to the Judiciary Committee, and to instead bring this measure before the Body for Third Reading."

The Chair then stated:

"You're absolutely correct. Thank you, very much."

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. 1503, HD 1. (Representatives Berg, Finnegan and Takai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 604, recommending referral to the Committee on Judiciary, seconded by Representative Evans and carried. (Representatives Berg, Finnegan and Takai were excused.)

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering certain House bills for Third Reading by consent calendar. (Representatives Berg, Finnegan and Takai were excused.)

UNFINISHED BUSINESS

H.B. No. 1503, HD 1:

Representative B. Oshiro moved that H.B. No. 1503, HD 1, pass Third Reading, seconded by Representative Evans.

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. This measure basically is looking at setting up a new limited liability company for what they call, public purpose corporations. A public purpose corporation is one where the bottom line isn't maximizing profits to the shareholders. It's about supporting a higher public good. Legislation like this is being considered in other bodies across the United States. One company, a major one, has pulled out of California because of the failure of that Legislature to look at this kind of issue.

"I believe that this is a good opportunity. The bill is a work in progress. There are a lot of issues with it. I will admit it's the 'bufo toad' to bills right now. But it will go to the Senate, and will hopefully come back to us so we can continue to work on this. But, we will be one of the first States in the country to have such a thing. And given the interest of major corporations becoming public purpose corporations, I think that it's wise that the Legislature continue to look at this issue. Thank you."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with some reservations on this bill. It's not quite as good as it's been made out to be. It's in effect, a hybrid and an aberration, if you will, from the standard corporate laws, the standard nonprofits, which are public purpose corporations, which do have social purposes.

"This one is convoluting, I'm afraid, into more big government, and probably some kind of a 'voodoo economics' to make things on one particular group of the political spectrum look much better and more invasive. Thank you."

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of HB 1503 which provides Hawaii limited liability companies the ability to declare themselves as public purpose companies.

"This law does plow new ground and we should not be afraid of taking the lead on a new area.

"The purpose of the legislation is to provide any limited liability company that opts for a public purpose designation to exercise the right to exclude conferred by any patent in which the company has an interest for three public purposes: creating and retaining jobs, strengthening labor rights and enhancing environmental protection. This law creates a category akin to non-profit corporations and other entities that place the public interest ahead of making a profit, and in fact, for non-monetary objectives that support community building."

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:

"Mr. Speaker, just in strong support. This is a relatively new concept, but I think it's one well worth exploring and investigating. We do need corporations whose bottom line is not just the bottom line, but is the community in which they serve. So, I applaud the Chair for actually putting forward a very progressive and forward thinking bill. My only hope is that this does get more discussion, and we do get a good bill out of this, because this is a good thing to have; corporations that are looking out for the community."

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 HB 1503 HD1, Relating to Limited Liability Companies.

"Mr. Speaker the purpose of this measure is to require any limited liability company that opts for a public purpose designation under this measure to exercise the right to exclude conferred by any patent in which the company has an interest for three public purposes: creating and retaining jobs, strengthening labor rights, and enhancing environmental protection. In addition to directly serving the public interest, creating a statutory requirement that a public purpose designated company use its patents to pursue specific non-monetary objectives may also increase the likelihood that the company will obtain a permanent injunction in court should its patent(s) be infringed upon [see eBay v Mercexchange 547 U.S. 388 (2006)], further increasing the company's ability to serve the public interest.

"Furthermore, the immediate demand for a public purpose designated LLC is twofold:

1) Public confidence in traditionally structured corporations and other corporate entities, which are designed to pursue short-term profits at the expense of all other considerations, is at an all-time low. Hawaii would be the first state in the nation to offer a public purpose LLC designation; and

2) Given the large number of U.S. corporate giants that are in either in bankruptcy or on the verge of filing, thousands of patents essential to rebuilding our economy and strengthening our nation's competitiveness, including a significant percentage of green technology patents, will be coming under some measure of public control. Hawaii's public purpose LLC structure will provide the ideal vehicle to redeploy the technologies covered by these patents back into the private sector in order to reenergize the innovative core of our national economy.

"For the reasons stated above, I support the measure."

Representative Belatti rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support with a few comments. Members, I'd just like to express my support for this. In the past, I've had some concerns with this type of legislation, but I think it is worthy of continued discussion.

"My concern is, and I hope what will be discussed as this moves forward, is that what is being created through this bill is a public purpose company that links the ability of this new type of corporate entity, to the noteworthy goals of job creation, strengthening labor rights and enhancing environmental protections.

"I think this is something innovative, and I applaud the introducer for introducing this bill, but I do hope that it will receive much more considerable attention, particularly in the areas of how this type of corporation may be subject to our tax laws, and other parts of State government. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, to be fair, if we want to strengthen labor rights nationally and internationally, why don't we say we want to strengthen stockholders' rights, nationally and internationally. That's where the skew is, and that's where I think we have to see through that it's not a balanced bill, unless it's adjusted according to what the previous speaker said is on one side, can be on both sides of the issue. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 1503, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

At 12:36 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 1503, HD 1

STANDING COMMITTEE REPORTS

At this time, the Chair stated:

"Members, please note, the 48-hour notice for Standing Committee Report Nos. 701 to 723, as listed on pages 2 to 6 of your Order of the Day."

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 701) recommending that H.B. No. 245, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 701 on H.B. No. 245, 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. 245, HD 1, were made available to the Members of the House.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 702) recommending that H.B. No. 1351, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 702 on H.B. No. 1351, 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. 1351, HD 2, were made available to the Members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 703) recommending that H.B. No. 366, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 703 on H.B. No. 366, 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. 366, HD 2, were made available to the Members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 704) recommending that H.B. No. 874, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 704 on H.B. No. 874, 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. 874, HD 2, were made available to the Members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 705) recommending that H.B. No. 1414, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 705 on H.B. No. 1414, 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. 1414, HD 1, were made available to the Members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 706) recommending that H.B. No. 1537, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 706 on H.B. No. 1537, 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. 1537, HD 1, were made available to the Members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 707) recommending that H.B. No. 1040, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 707 on H.B. No. 1040, 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. 1040, HD 1, were made available to the Members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 708) recommending that H.B. No. 1316, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 708 on H.B. No. 1316, 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. 1316, HD 2, were made available to the Members of the House.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 709) recommending that H.B. No. 865, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 709 on H.B. No. 865, 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. 865, HD 1, were made available to the Members of the House.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 710) recommending that H.B. No. 1611, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 710 on H.B. No. 1611, 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. 1611, HD 2, were made available to the Members of the House.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 711) recommending that H.B. No. 812, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 711 on H.B. No. 812, 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. 812, HD 2, were made available to the Members of the House.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 712) recommending that H.B. No. 1696, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 712 on H.B. No. 1696, 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. 1696, 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. 713) recommending that H.B. No. 197, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 713 on H.B. No. 197, 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. 197, 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. 714) recommending that H.B. No. 244, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 714 on H.B. No. 244, 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. 244, 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. 715) recommending that H.B. No. 591, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 715 on H.B. No. 591, 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. 591, 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. 716) recommending that H.B. No. 267, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 716 on H.B. No. 267, 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. 267, HD 2, were made available to the Members of the House.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 717) recommending that H.B. No. 1663, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 717 on H.B. No. 1663, 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. 1663, HD 1, were made available to the Members of the House.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 718) recommending that H.B. No. 319, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 718 on H.B. No. 319, 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. 319, HD 1, were made available to the Members of the House.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand.

Com. Rep. No. 719) recommending that H.B. No. 1272, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 719 on H.B. No. 1272, 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. 1272, HD 1, were made available to the Members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 720) recommending that H.B. No. 1422, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 720 on H.B. No. 1422, 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. 1422, HD 1, were made available to the Members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 721) recommending that H.B. No. 869, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 721 on H.B. No. 869, 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. 869, HD 1, were made available to the Members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 722) recommending that H.B. No. 1593, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 722 on H.B. No. 1593, 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. 1593, HD 1, were made available to the Members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 723) recommending that H.B. No. 1784, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 723 on H.B. No. 1784, 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. 1784, HD 2, were made available to the Members of the House.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 724) recommending that H.B. No. 632, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 632, HD 1, entitled: "A BILL FOR AN ACT RELATING TO POLICY ADVISORY BOARD ON VETERANS' SERVICES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 725) recommending that H.B. No. 35, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 35, 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 Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 726) recommending that H.B. No. 214, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 214, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR WAILUA EMERGENCY BYPASS ROAD REPAIR AND RESURFACING, AND WAIMEA WASTEWATER TREATMENT PLANT UPGRADES FOR THE COUNTY OF KAUA‘I," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 727) recommending that H.B. No. 573, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 573, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY AND BUDGET RESERVE FUND," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 728) recommending that H.B. No. 1218, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1218, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 729) recommending that H.B. No. 1730, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1730, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 730) recommending that H.B. No. 34, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 34, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 731) recommending that H.B. No. 694, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 694, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 732) recommending that H.B. No. 1607, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1607, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 733) recommending that H.B. No. 1729, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1729, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 734) recommending that H.B. No. 1260, HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1260, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 735) recommending that H.B. No. 39, HD 1, as amended in HD 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 39, HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE REVENUES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 736) recommending that H.B. No. 861, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 861, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Pine rose to speak in support of the measure with reservations, stating:

"I'm voting in support with reservations on Stand. Com. Rep. No. 736. I'm just always leery of relieving the procurement process under a particular department, in this case, the Office of Elections. We've had a lot of irregularities occur in the last election that brought many concerns from all parties."

Representative Marumoto rose in support of the measure with reservations and asked that the remarks of Representative Pine be entered into 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 861, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 737) recommending that H.B. No. 1046, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1046, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF REAL PROPERTY BY THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 738) recommending that H.B. No. 1231, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1231, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 739) recommending that H.B. No. 1642, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1642, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PURCHASES OF HEALTH AND HUMAN SERVICES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 740) recommending that H.B. No. 1728, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1728, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Pine rose to speak in support of the measure with reservations, stating:

"Yes, in support with reservations regarding Stand. Com. Rep. 740, at the bottom of page 10. I'm just concerned because this removes the requirement that fees cannot exceed 50 percent of the statutorial assessed fee for the non-taxed revenue.

"But, what's more concerning is that it removes the requirement that a fee can be changed within a department, and no longer be subject to the approval of the Governor. I think we need those checks and balances. If the Legislature's not going to talk about just the fees, we also need the Governor to be the check on the fees that we're going to raise on the people."

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representative Pine be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I question this measure. I will vote for it, with reservations, but it allows increases without the consent of the Board of Regents, as far as the University of Hawaii fees. 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. 1728, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 741) recommending that H.B. No. 1741, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1741, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Pine rose to speak in support of the measure with reservations, stating:

"Yes, support with reservations on Stand. Com. Rep. No. 741. What this bill does is, it suspends the portions of the Conveyance Tax transmitted to the Land Conservation Fund. It also reduces the portions of the Conveyance Tax transmitted to the Rental Housing Trust Fund, as well as reduces portions of the Conveyance Tax to the Natural Area Reserve Fund.

"We went through, several Legislatures ago, to create this type of appropriation to these different areas because we believe the environment was something we should take more seriously, as well as taking seriously, providing affordable housing to the people of Hawaii. So, I understand we're trying to balance the budget, but I think this is an area that we should try to avoid as much as possible."

Representative Thielen rose in support of the measure with reservations and asked that the remarks of Representative Pine be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Wooley 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 Wooley's written remarks are as follows:

"In these tough economic times, the Legislature must turn over every rock in State government and look for ways to balance our budget. And as a member of the Finance Committee, I have supported many bills that I dislike because I know that we need to put all potential options on the table. I believe this bill, however, is 'penny wise and pound foolish,' as it diverts dwindling funds (the Conveyance Tax will already fall between 50-60 percent as a result of the economic downturn) and small amounts of money into the general fund at the expense of critical programs that protect our economy, our health, and our safety.

"Special funds are not the best way for government to support programs. However, without this funding, resources for affordable rental housing, private-public partnerships that protect our watersheds (i.e., our drinking water), and youth programs will disappear. In addition, programs that prevent invasive species from entering the State or becoming established and efforts to protect land for agricultural, conservation and cultural use will end at a critical time. In tough times, we need to be extra vigilant to make sure we don't jeopardize our future options, particularly when we can make a big difference at cut rate prices. Testimony against this bill also identified a significant number of critical jobs that will be eliminated if this bill becomes law."

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 C. Lee rose and asked that the Clerk record an aye vote with reservations for him, 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 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. 1741, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 742) recommending that H.B. No. 1744, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1744, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative McKelvey rose to speak in opposition to the measure, stating:

"Thank you very much, Mr. Speaker. I'll reserve my comments for Third Reading, but please register a 'no' vote for me."

Representative Luke rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. On Stand. Con. Rep.. 742, with reservations, and I'll reserve my comments for Third Reading."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Chang rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

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 rise in opposition to H.B. 1744 - Relating to Transient Accommodation Tax. I am concerned this bill might hurt the counties, and in turn they might have to raise property taxes to make up for lost revenue. As the Hawaii Council of Mayors states in their testimony, "The counties provide the critical security, transportation, water and sewer infrastructure." It is important to continue sharing revenue with the counties so they are able to provide the necessary services. Thank you."

Representative Belatti rose and asked that the Clerk record a no vote for her, 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 Coffman 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 opposition to the measure, stating:

"Mr. Speaker, a 'no' vote with a small comment. Because I love my Neighbor Island guys, but I don't serve at your pleasure. I serve at the

pleasure of my district. But this bill is for you guys, because it's going to take $100 million from your islands. This is the TAT Tax, which we are pulling out of counties, and putting in the State coffers.

"This is bad policy. I know we got to have everything on the table, but this goes to the edge and off, and too far into the deep, Mr. Speaker. So, I'm voting 'no.' Thank you."

Representative Tokioka rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Carroll rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Nakashima rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Aquino rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Sagum rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Keith-Agaran rose and asked that the Clerk record an aye vote with reservations for him, 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 Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Pine rose to speak in support of the measure, stating:

"In support. Just thought I'd help the Finance Chair on one of these. You spend 15, 16, to 17 hours together, you realize how tough the budget's going to be for us this year. And really, the one good thing that this bill does, is take away the super priority given to the counties, and allows the State to prioritize allocation amongst the programs that serve the people of Hawaii through the State.

"So, it's a good discussion that will continue. And in the end, we'll decide whether this is the way to balance the budget."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1744, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Belatti, Bertram, Carroll, Ching, Hanohano, Luke, McKelvey and Ward voting no, and with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 743) recommending that H.B. No. 1748, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1748, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Ward 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 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 opposition to H.B. 1748 - Relating to Insurance Premium Taxes. I am concerned this bill might hurt consumers. Hawaii already has one of the highest life insurances premium tax rates in the nation and I believe we shouldn't be increasing taxes when the economy is not growing. I believe this bill might force the insurance companies to raise new policy rates, which could lead to more uninsured, or there is a chance the companies could go out of business.

"The National Association of Insurance and Financial Advisors states in their testimony that "Increasing the GTE rate to 4.265% will only increase the cost of the life insurance contract on new life insurance policies to the consumer because it is the consumer who will bear that increase in the tax rate because the insurance companies will include the tax into the set premium charge." Thank you."

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 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. 1748, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE PREMIUM TAXES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Ching, Marumoto and Ward voting no, and with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 744) recommending that H.B. No. 1829, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1829, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC STIMULUS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 745) recommending that H.B. No. 611, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 611, 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 Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 746) recommending that H.B. No. 979, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 979, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 747) recommending that H.B. No. 1175, HD 1, as amended in HD 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1175, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading, and was placed on the calendar for

Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 748) recommending that H.B. No. 1404, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1404, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 749) recommending that H.B. No. 1495, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1495, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE INCOME TAX," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 750) recommending that H.B. No. 1544, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1544, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX EXEMPTIONS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 751) recommending that H.B. No. 1598, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1598, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1598, 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 Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 752) recommending that H.B. No. 1605, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1605, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Pine rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I wanted to note my reservations on 752. And I have a couple of comments, just briefly. What this bill does, is establish a new Hawaii tax review initiative, basically to go over all of our tax policies to see that they're relevant and relating to the current times.

"To me, I feel this is duplicative, because we already have a Tax Review Commission, and at this point, with our budget shortfall, we should not be creating new programs that already duplicate a current process."

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. 1605, 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 Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 753) recommending that H.B. No. 1735, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1735, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 754) recommending that H.B. No. 1739, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1739, 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 Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 755) recommending that H.B. No. 588, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 588, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 756) recommending that H.B. No. 1043, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1043, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING TAX CREDITS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 757) recommending that H.B. No. 1153, HD 1, as amended in HD 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1153, HD 2, 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 Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 758) recommending that H.B. No. 1504, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1504, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Thielen 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 with reservations, stating:

"Mr. Speaker, also reservations and the timeliness of adding … When the health costs are going up and we have a deficit, it's going to be tough to make this fit in. Thank you."

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 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. 1504, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 759) recommending that H.B. No. 1583, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1583, 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 Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 760) recommending that H.B. No. 1731, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1731, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Sagum rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Luke rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Chang rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1731, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 761) recommending that H.B. No. 1749, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1749, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Pine rose to speak in support of the measure with reservations, stating:

"Yes, with support, but with reservations. This increases the insurance premium tax applicable to mutual benefit societies and health maintenance organizations, and I just believe that's going to increase the cost of healthcare."

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 a no vote for her, and the Chair "so ordered."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in total opposition of taxing HMSA, Kaiser, and all the HMOs. We have already a tax on the sick. Now we've got a premium that is going up. This is going to add to it, and let's be very frank, whenever these things go up, they get passed on to the consumers. So, this hurts everybody's constituents in this room. Again, bad policy, over the edge. 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. 1749, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE PREMIUM TAX," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Marumoto and Ward voting no, and with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 762) recommending that H.B. No. 1184, HD 1, as amended in HD 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1184, HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," passed Second Reading, and was placed on the

calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 763) recommending that H.B. No. 1584, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1584, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RATE OF INTEREST APPLICABLE TO OVERPAYMENTS OF TAX," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 764) recommending that H.B. No. 1600, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1600, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 765) recommending that H.B. No. 1747, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1747, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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 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. 1747, 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 Berg, Finnegan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 766) recommending that H.B. No. 1171, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 766 and H.B. No. 1171, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred one legislative day.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 767), recommending that H.R. No. 54, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 54, entitled: "HOUSE RESOLUTION RECOGNIZING APRIL AS SEXUAL ASSAULT AWARENESS AND PREVENTION MONTH," was referred to the Committee on Judiciary with Representatives Berg, Finnegan and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 768), recommending that H.C.R. No. 68, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 68, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING APRIL AS SEXUAL ASSAULT AWARENESS AND PREVENTION MONTH," was referred to the Committee on Judiciary with Representatives Berg, Finnegan and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 769), recommending that H.C.R. No. 16, as amended in HD 1, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 16, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING STATE AND COUNTY ACTION TO STIMULATE INDIVIDUAL SAVINGS AND DEVELOPMENT OF CREDIT AND TO FORMULATE AN INVENTORY OF BANKING SERVICES AVAILABLE TO LOW-INCOME PERSONS AND THOSE WITH NO CREDIT HISTORY IN THE STATE," was referred to the Committee on Consumer Protection & Commerce with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 770) recommending that H.B. No. 355, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 355, HD 1, pass Third Reading, seconded by Representative Evans.

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:

"This bill simply asks for two measures. First, the bill asks that late fees cannot exceed more than 20% of the monthly maintenance fee. There are associations in Hawaii that currently charge a fine of as much as fifty percent of association fees if the condominium owner is more than ten days late. With these difficult economic times, this added fee can place untenable hardship on the owner.

"The second provision of this bill is to require associations to give owners ten days notice of an action or possible action to turn matters over to an attorney. This should be done by both postal and electronic mail – in the event that the owner is out of town.

"Mr. Speaker, the compelling necessity for this type of legislation is that, in many cases, the condominium associations, contrary to standard fair credit practices, are conglomerating late occurrences instead of treating each late occurrence separately. They are counting the 10 day notification period of a previous late occurrence as credit towards a subsequent late occurrence. This decreases the waiting and notification requirements before they are allowed to refer the case to an attorney. Condominium associations need to be regulated in the same manner as any other debt collector.

"Attorney's fees are very costly and can contribute to a property going into foreclosure.

"These are simple measures to place in the statute, however they will increase fairness to condominium owners."

Representative Pine rose in support of 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 strong support of this measure, Stand. Com. Rep. No. 770, HB 355, HD1.

"Currently, each condominium association has the autonomy to assess fines, fees, and collection mechanisms for those within its membership that are in arrears. This bill does not erode that autonomy on the collection process, but rather defines parameters to protect condominium owners from egregious financial penalties for merely being late in their maintenance payments.

"In these economic times, association boards have the means to assess attorney fees and fines without any cap or financial ceiling for a member who may be late in paying their maintenance fee by one day.

"In Ewa Beach for example, a condominium association charges $115 a month for maintenance fees and if the member is late by one day- is assessed a fine of greater than 50% of that fee- that amount being $60 and attorney's fees of $200 applied.

"Albeit associations have the authority to set their own fining policies, we need to ensure homeowners have the ability to stay current on their financial obligations and offer remedy without ramifications that penalize them into homelessness.

"A 20% cap on the amount of the late fee/fine is necessary to ensure owners in financial difficulties have the capability to repay their debts. The bill also addresses the added burden of attorney fees being assessed after one- day in arrears. A ten- day holding off period or stay on attorney's fees will assist homeowners pay off their debt and remain in their homes.

"Mr. Speaker, I strongly urge my colleagues to support HB355 HD1 to help define and guide associations into preserving a sound collection process without harming those trying to repay their debts."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 355, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

At 12:53 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 355, HD 1

THIRD READING

H.B. No. 710, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 710, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

H.B. No. 1032:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1032, entitled: "A BILL FOR AN ACT RELATING TO NOTARY PUBLIC SEALS," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

H.B. No. 1075:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1075, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

H.B. No. 875:

Representative B. Oshiro moved that H.B. No. 875, pass Third Reading, seconded by Representative Evans.

Representative Pine rose in support of 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 strong support of House Bill 875. The purpose of this bill is to enhance options for resolving condominium disputes by extending the Condominium Dispute Resolution Pilot Program for another two years.

"The pilot program, set forth in sections 514A-121.5 and 514B-161, Hawaii Revised Statutes, and set to expire on June 30, 2009, was established to facilitate quick and economical resolutions of disputes between condominium owners and management.

"If HB875 were to not advance, owners would still be required to pay a $2 per year tax into the Condominium Education Trust Fund without being in receipt of the very services the tax was supposed to sustain.

"Mr. Speaker, I cannot as an elected official condone the collection of a tax assessed upon one segment of the population that happens to own a condominium unit and offer them nothing of value in return for that tax. Our founding fathers coined such maneuver, "taxation without representation." Mr. Speaker, I strongly urge my colleagues to support HB875."

The motion was put to vote by the Chair and carried, and H.B. No. 875, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

H.B. No. 1554:

Representative B. Oshiro moved that H.B. No. 1554, pass Third Reading, seconded by Representative Evans.

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 support of Standing Committee Report No. 660, House Bill 1554, Relating to the Hawai`i Community Development Authority. This measure allows the Chairperson of the Department of Hawaiian Home Lands (DHHL) and the Director of the City and County Department of Planning and Permitting (DPP) to designate a representative to serve on the Hawai`i Community Development Authority, which will make it easier to obtain quorum and allow important decisions to be made without delay, without depriving the representation of DHHL and DPP. This is a small technical amendment, but without which crucial development decisions would be delayed unnecessarily. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.B. No. 1554, entitled: "A BILL FOR AN ACT RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

H.B. No. 135:

Representative B. Oshiro moved that H.B. No. 135, pass Third Reading, seconded by Representative Evans.

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Just very briefly, I just want to say that sometimes the bill stands for what it is, and sometimes a bill is actually symbolic for a democracy. I introduced this bill on behalf of the 5th graders at Pearl Ridge Elementary. And so, I really want to thank them for participating in our democratic process."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support, and I just want to say that I hope this bill has wings and flies, thank you."

Representative Manahan rose to speak in support of the measure, stating:

"In strong support. Strong support. I wanted to commend the Majority Leader for taking this initiative. I thought it was a really good lesson for the testifiers who came from Pearl Ridge Elementary. They certainly educated the Committee, and I learned something new about the *Pulelehua*, the Kamehameha Butterfly, and it's certainly a worthy measure. Thank you."

Representative Ching rose to speak in support of the measure, stating:

"In support, and I would be remiss if I didn't also lend my support, as someone who used to teach at an elementary school. Truly, when the children do see that something's being done on behalf of them now, they have an interest and a stake in the Legislature. So, you are doing something very powerful. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 135, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INSECT," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

H.B. No. 274:

Representative B. Oshiro moved that H.B. No. 274, pass Third Reading, seconded by Representative Evans.

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this Stand. Comm. Rep. 662, House Bill 274. It's just to recognize the approximately 3,000 victims of the 9/11 terroristic attacks, and to also recognize the great heroes in the aftermath of the attack, as they tried to save and rescue lives after this most horrific incident in our history. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.B. No. 274, entitled: "A BILL FOR AN ACT RELATING TO PATRIOT DAY," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

H.B. No. 1070:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1070, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

At 12:57 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 710, HD 1
H.B. No. 1032
H.B. No. 1075
H.B. No. 875
H.B. No. 1554
H.B. No. 135
H.B. No. 274
H.B. No. 1070

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 81 through 87) and concurrent resolutions (H.C.R. Nos. 101 through 108) were referred to Printing and further action was deferred:

H.R. No. 81, entitled: "HOUSE RESOLUTION ENCOURAGING THE HAWAII STATE LEGISLATURE TO ALLOW LEGISLATORS TO WEAR ALOHA ATTIRE DURING FLOOR SESSIONS AND ENCOURAGING THE HAWAII STATE JUDICIARY TO ALLOW ATTORNEYS TO WEAR ALOHA ATTIRE WHEN APPEARING IN STATE COURTS," was jointly offered by Representatives Shimabukuro, Carroll, Manahan, McKelvey, Wakai, Brower, C. Lee and Luke.

H.R. No. 82, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REFRAIN FROM SELLING PUBLIC LANDS THAT CONTAIN OR ARE CONTIGUOUS TO HAWAIIAN FISHPONDS," was jointly offered by Representatives Hanohano, Awana, Berg, Carroll, Shimabukuro, Bertram and Tokioka.

H.R. No. 83, entitled: "HOUSE RESOLUTION REQUESTING THE DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT TO APPLY FOR ACCREDITATION WITH THE COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, INC," was jointly offered by Representatives Magaoay, Coffman and Herkes.

H.R. No. 84, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT A STOCK ASSESSMENT OF CERTAIN MARINE LIFE TO DETERMINE A BASELINE FOR FUTURE MANAGEMENT MEASURES," was offered by Representative Ito.

H.R. No. 85, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A PLAN TO CREATE A PRE-KINDERGARTEN ACADEMY," was jointly offered by Representatives Chong, Cabanilla, Ito, Keith-Agaran, Takumi, Wooley and Yamashita.

H.R. No. 86, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A PLAN TO INCREASE ACADEMIC SERVICES TO STUDENTS IN THE AFTER-SCHOOL PLUS PROGRAM," was jointly offered by Representatives Chong, Cabanilla, Takumi, Wooley and Yamashita.

H.R. No. 87, entitled: "HOUSE RESOLUTION URGING THE STATE OF HAWAII TO CHANGE THE STREET NAME OF FORT BARRETTE ROAD TO KUALAKAʻI ROAD," was jointly offered by Representatives Har, Awana, Carroll, Hanohano and Tokioka.

H.C.R. No. 101, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE HAWAII STATE LEGISLATURE TO ALLOW LEGISLATORS TO WEAR ALOHA ATTIRE DURING FLOOR SESSIONS AND ENCOURAGING THE HAWAII STATE JUDICIARY TO ALLOW ATTORNEYS TO WEAR ALOHA ATTIRE WHEN APPEARING IN STATE COURTS," was jointly offered by Representatives Shimabukuro, Carroll, Hanohano, Manahan, McKelvey, Wakai, Yamane, Belatti, Brower, C. Lee, Luke and Saiki.

H.C.R. No. 102, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REFRAIN FROM SELLING PUBLIC LANDS THAT CONTAIN OR ARE CONTIGUOUS TO HAWAIIAN FISHPONDS," was jointly offered by Representatives Hanohano, Awana, Berg, Bertram, Carroll, Morita, Shimabukuro and Tokioka.

H.C.R. No. 103, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT TO APPLY FOR ACCREDITATION WITH THE COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, INC," was jointly offered by Representatives Magaoay, Coffman and Herkes.

H.C.R. No. 104, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT A STOCK ASSESSMENT OF CERTAIN MARINE LIFE TO DETERMINE A BASELINE FOR FUTURE MANAGEMENT MEASURES," was offered by Representative Ito.

H.C.R. No. 105, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A PLAN TO CREATE A PRE-KINDERGARTEN ACADEMY," was jointly offered by Representatives Chong, Takumi and Yamashita.

H.C.R. No. 106, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A PLAN TO INCREASE ACADEMIC SERVICES TO STUDENTS IN THE AFTER-SCHOOL PLUS PROGRAM," was jointly offered by Representatives Chong, Keith-Agaran, Takumi and Yamashita.

H.C.R. No. 107, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE A MEASURE TO REGULATE RESPIRATORY CARE PRACTITIONERS," was jointly offered by Representatives Chong, Ito and Takumi.

H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII TO CHANGE THE STREET NAME OF FORT BARRETTE ROAD TO KUALAKAʻI ROAD," was jointly offered by Representatives Har, Awana, Carroll, Hanohano and Tokioka.

At this time, Representative Evans 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 Pine and carried. (Representatives Berg, Finnegan and Takai were excused.)

At 12:59 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives stood in recess until 9:00 o'clock a.m., Tuesday, March 10, 2009. (Representatives Berg, Finnegan and Takai were excused.)

STANDING COMMITTEE REPORTS

In accordance with the motion made, the following Standing Committee Reports (Stand. Com. Rep. Nos. 771 through 973), were received by the Clerk prior to 12:00 midnight this legislative day, and the following action was taken:

Stand. Com. Rep. No. 771 (HSG/WLO) and H.B. No. 1443, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOME OCCUPATIONS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 772 (JUD) and H.B. No. 951, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 773 (FIN) and H.B. No. 556, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO VETERAN BURIAL GRANTS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 774 (FIN) and H.B. No. 560, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO VETERANS SERVICES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 775 (FIN) and H.B. No. 610, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SCIENCE AND TECHNOLOGY," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 776 (FIN) and H.B. No. 658, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI OFFICE OF VETERANS' SERVICES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 777 (FIN) and H.B. No. 988, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 778 (FIN) and H.B. No. 1207, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 779 (FIN) and H.B. No. 1405, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 780 (FIN) and H.B. No. 1429, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ABOUT FACE PROGRAM," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 781 (FIN) and H.B. No. 1831, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 782 (FIN) and H.B. No. 333, 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 10, 2009.

Stand. Com. Rep. No. 783 (FIN) and H.B. No. 703, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 784 (FIN) and H.B. No. 704, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 785 (FIN) and H.B. No. 739, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY ASSISTANCE TO NEEDY FAMILIES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 786 (FIN) and H.B. No. 1064, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES TO ADDRESS THE BUDGET SHORTFALL," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 787 (FIN) and H.B. No. 1284, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 788 (FIN) and H.B. No. 1354, 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 10, 2009.

Stand. Com. Rep. No. 789 (FIN) and H.B. No. 1364, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE

BUDGET," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 790 (FIN) and H.B. No. 28, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEAD HUMAN BODIES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 791 (FIN) and H.B. No. 29, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEAD HUMAN BODIES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 792 (FIN) and H.B. No. 343, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RURAL PRIMARY HEALTH CARE TRAINING," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 793 (FIN) and H.B. No. 811, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REGISTERED NURSES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 794 (FIN) and H.B. No. 814, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 795 (FIN) and H.B. No. 1372, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSITIONING OF THE REGIONS AND FACILITIES OF HAWAII HEALTH SYSTEMS CORPORATION," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 796 (FIN) and H.B. No. 124, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PROFESSIONAL EDUCATION," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 797 (FIN) and H.B. No. 1057, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII COLLEGE SAVINGS PROGRAM," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 798 (FIN) and H.B. No. 123, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 799 (FIN) and H.B. No. 347, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 800 (FIN) and H.B. No. 363, 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 10, 2009.

Stand. Com. Rep. No. 801 (FIN) and H.B. No. 1044, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 802 (FIN) and H.B. No. 1071, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 803 (FIN) and H.B. No. 1221, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING PROJECTS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 804 (FIN) and H.B. No. 1232, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABLE AFFORDABLE HOUSING," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 805 (FIN) and H.B. No. 1694, 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 10, 2009.

Stand. Com. Rep. No. 806 (FIN) and H.B. No. 697, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 807 (FIN) and H.B. No. 895, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAX ON TOBACCO PRODUCTS OTHER THAN CIGARETTES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 808 (FIN) and H.B. No. 896, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 809 (FIN) and H.B. No. 989, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN'S HEALTH CARE," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 810 (FIN) and H.B. No. 1371, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 811 (FIN) and H.B. No. 625, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SURCHARGE FOR INDIGENT LEGAL SERVICES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 812 (FIN) and H.B. No. 1016, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 813 (FIN) and H.B. No. 1293, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 814 (FIN) and H.B. No. 1379, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ORDERS FOR LIFE SUSTAINING TREATMENT," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 815 (FIN) and H.B. No. 1713, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAZARDS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 816 (FIN) and H.B. No. 268, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 817 (FIN) and H.B. No. 269, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 818 (FIN) and H.B. No. 345, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 819 (FIN) and H.B. No. 623, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE IDENTIFICATION," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 820 (FIN) and H.B. No. 779, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM FOREIGN-COUNTRY

MONEY JUDGMENTS RECOGNITION ACT," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 821 (FIN) and H.B. No. 782, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM MEDIATION ACT," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 822 (FIN) and H.B. No. 1025, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 823 (FIN) and H.B. No. 1065, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES TO ADDRESS THE BUDGET SHORTFALL," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 824 (FIN) and H.B. No. 1094, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERMANENCY HEARINGS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 825 (FIN) and H.B. No. 1103, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FINANCIAL ASSISTANCE FOR INDEPENDENT LIVING SERVICES AND CENTERS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 826 (FIN) and H.B. No. 1525, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 827 (FIN) and H.B. No. 87, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 828 (FIN) and H.B. No. 179, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FACILITIES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 829 (FIN) and H.B. No. 618, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS ACT," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 830 (FIN) and H.B. No. 1031, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 480, HAWAII REVISED STATUTES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 831 (FIN) and H.B. No. 1061, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 832 (FIN) and H.B. No. 1062, entitled: "A BILL FOR AN ACT RELATING TO GAS PIPELINE SYSTEMS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 833 (FIN) and H.B. No. 1438, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATORS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 834 (FIN) and H.B. No. 272, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGISTERED AGENTS ACT," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 835 (FIN) and H.B. No. 1059, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ONE CALL CENTER," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 836 (FIN) and H.B. No. 1060, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF HEARING NOTICES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 837 (FIN) and H.B. No. 172, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECONSTITUTING SCHOOLS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 838 (FIN) and H.B. No. 180, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 839 (FIN) and H.B. No. 395, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 840 (FIN) and H.B. No. 985, 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 10, 2009.

Stand. Com. Rep. No. 841 (FIN) and H.B. No. 1376, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 842 (FIN) and H.B. No. 242, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 843 (FIN) and H.B. No. 318, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO VOG," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 844 (FIN) and H.B. No. 1433, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 845 (FIN) and H.B. No. 279, 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 10, 2009.

Stand. Com. Rep. No. 846 (FIN) and H.B. No. 281, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 847 (FIN) and H.B. No. 370, 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 10, 2009.

Stand. Com. Rep. No. 848 (FIN) and H.B. No. 371, 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 10, 2009.

Stand. Com. Rep. No. 849 (FIN) and H.B. No. 426, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON OAHU," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 850 (FIN) and H.B. No. 574, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 851 (FIN) and H.B. No. 834, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY STANDARDS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 852 (FIN) and H.B. No. 1483, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR BETTER PLACE HAWAII, INC.," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 853 (FIN) and H.B. No. 1491, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL FACILITY TAX CREDIT," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 854 (FIN) and H.B. No. 1627, HD 1, as amended in HD 2, 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 10, 2009.

Stand. Com. Rep. No. 855 (FIN) and H.B. No. 1628, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIOENERGY HAWAII, LLC," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 856 (FIN) and H.B. No. 1678, 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 10, 2009.

Stand. Com. Rep. No. 857 (FIN) and H.B. No. 638, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 858 (FIN) and H.B. No. 1768, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 859 (FIN) and H.B. No. 425, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING, LLC PROJECTS ON OAHU," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 860 (FIN) and H.B. No. 427, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST ONE PLANET PACIFIC ENERGY, LLC, A PROCESSING ENTERPRISE," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 861 (FIN) and H.B. No. 986, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 862 (FIN) and H.B. No. 1807, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 863 (FIN) and H.B. No. 586, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE KANEOHE BAY REGIONAL COUNCIL," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 864 (FIN) and H.B. No. 1604, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 865 (FIN) and H.B. No. 754, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 866 (FIN) and H.B. No. 863, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHING A COUNTY TRANSIT ORIENTED DEVELOPMENT INFRASTRUCTURE REVOLVING FUND," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 867 (FIN) and H.B. No. 1388, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 868 (FIN) and H.B. No. 381, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII ENDOWMENT FUND," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 869 (FIN) and H.B. No. 601, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE WORKS OF ART SPECIAL FUND," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 870 (FIN) and H.B. No. 960, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 871 (FIN) and H.B. No. 1204, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 872 (FIN) and H.B. No. 1471, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FARMS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 873 (FIN) and H.B. No. 1763, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 874 (FIN) and H.B. No. 413, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 875 (FIN) and H.B. No. 685, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 876 (FIN) and H.B. No. 686, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO REDUCED IGNITION PROPENSITY CIGARETTES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 877 (FIN) and H.B. No. 954, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO A MAJOR DISASTER RESERVE TRUST FUND," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 878 (FIN) and H.B. No. 990, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 879 (FIN) and H.B. No. 1014, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 880 (FIN) and H.B. No. 1568, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE AMERICAN RED CROSS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 881 (FIN) and H.B. No. 1776, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC

ASSISTANCE," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 882 (FIN) and H.B. No. 139, 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 10, 2009.

Stand. Com. Rep. No. 883 (FIN) and H.B. No. 142, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTRA-STATE AVIATION," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 884 (FIN) and H.B. No. 145, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 885 (FIN) and H.B. No. 617, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MASS TRANSIT ROUTE ECONOMIC ZONES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 886 (FIN) and H.B. No. 1037, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL ACTIONS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 887 (FIN) and H.B. No. 1163, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 888 (FIN) and H.B. No. 1166, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PASSENGER FACILITY CHARGE SPECIAL FUND," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 889 (FIN) and H.B. No. 1168, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AIRPORTS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 890 (FIN) and H.B. No. 1518, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 891 (FIN) and H.B. No. 262, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 892 (FIN) and H.B. No. 1045, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 893 (FIN) and H.B. No. 1592, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 894 (FIN) and H.B. No. 1074, 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 10, 2009.

Stand. Com. Rep. No. 895 (FIN) and H.B. No. 1167, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 896 (FIN) and H.B. No. 1362, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENETIC COUNSELORS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 897 (FIN) and H.B. No. 1373, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 898 (FIN) and H.B. No. 553, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ENTERPRISE ZONES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 899 (FIN) and H.B. No. 994, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 900 (FIN) and H.B. No. 1187, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 901 (FIN) and H.B. No. 447, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PAYDAY LENDING," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 902 (FIN) and H.B. No. 243, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION SYSTEMS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 903 (FIN) and H.B. No. 975, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SYSTEMS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 904 (FIN) and H.B. No. 36, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 905 (FIN) and H.B. No. 317, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOBILE MEDICAL CARE," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 906 (FIN) and H.B. No. 1782, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INFORMATION EXCHANGE," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 907 (FIN) and H.B. No. 1617, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII AT HILO," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 908 (FIN) and H.B. No. 1451, 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 10, 2009.

Stand. Com. Rep. No. 909 (FIN) and H.B. No. 983, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 910 (FIN) and H.B. No. 111, entitled: "A BILL FOR AN ACT RELATING TO STATE SALARIES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 911 (FIN) and H.B. No. 442, 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 10, 2009.

Stand. Com. Rep. No. 912 (FIN) and H.B. No. 602, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 913 (FIN) and H.B. No. 643, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 914 (FIN) and H.B. No. 358, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG TREATMENT," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 915 (FIN) and H.B. No. 519, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INMATES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 916 (FIN) and H.B. No. 1051, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EMERGENCY PREPAREDNESS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 917 (FIN) and H.B. No. 1152, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS' ACCOUNTS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 918 (FIN) and H.B. No. 987, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 919 (FIN) and H.B. No. 1125, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CERTAIN FUNDS UNDER THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 920 (FIN) and H.B. No. 1390, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 921 (FIN) and H.B. No. 1550, 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 10, 2009.

Stand. Com. Rep. No. 922 (FIN) and H.B. No. 1676, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 923 (FIN) and H.B. No. 1145, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO REMNANT LANDS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 924 (FIN) and H.B. No. 1712, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FISHING," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 925 (JUD) and H.B. No. 310, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 926 (JUD) and H.B. No. 1636, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL PHYSICIANS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 927 (JUD) and H.B. No. 1417, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOBILE BILLBOARDS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 928 (FIN) and H.B. No. 1097, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ASSISTANCE FOR AGED, BLIND, AND PERMANENTLY AND TOTALLY DISABLED PERSONS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 929 (FIN) and H.B. No. 1666, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 930 (FIN) and H.B. No. 332, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 931 (FIN) and H.B. No. 1271, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 932 (FIN) and H.B. No. 1378, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 933 (FIN) and H.B. No. 980, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECREATIONAL RENAISSANCE," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 934 (FIN) and H.B. No. 1552, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 935 (FIN) and H.B. No. 1766, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 936 (FIN) and H.B. No. 378, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 937 (FIN) and H.B. No. 681, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 938 (FIN) and H.B. No. 963, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKS OF ART SPECIAL FUND," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 939 (FIN) and H.B. No. 819, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 940 (FIN) and H.B. No. 690, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 941 (FIN) and H.B. No. 899, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 942 (FIN) and H.B. No. 1015, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO OBLIGATIONS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS TRUST FUND," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 943 (FIN) and H.B. No. 1665, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN

FISHPONDS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 944 (FIN) and H.B. No. 541, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE PERSONNEL," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 945 (FIN) and H.B. No. 1479, 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 10, 2009.

Stand. Com. Rep. No. 946 (FIN) and H.B. No. 215, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCING," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 947 (FIN) and H.B. No. 311, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 948 (FIN) and H.B. No. 645, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO KAENA POINT," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 949 (FIN) and H.B. No. 984, HD 3, as amended in HD 4, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 950 (FIN) and H.B. No. 1536, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 951 (FIN) and H.B. No. 1692, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 952 (FIN) and H.B. No. 271, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 953 (FIN) and H.B. No. 1439, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 954 (FIN) and H.B. No. 593, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SHORELINE SETBACKS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 955 (FIN) and H.B. No. 982, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 956 (FIN) and H.B. No. 991, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 957 (FIN) and H.B. No. 1567, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SKILLED NURSING FACILITIES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 958 (FIN) and H.B. No. 183, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 959 (FIN) and H.B. No. 1098, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 960 (FIN) and H.B. No. 1289, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 961 (FIN) and H.B. No. 1464, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 962 (FIN) and H.B. No. 1693, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO WEST OAHU," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 963 (FIN) and H.B. No. 1526, 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 10, 2009.

Stand. Com. Rep. No. 964 (FIN) and H.B. No. 1538, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTALLY-SENSITIVE PRODUCTS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 965 (FIN) and H.B. No. 1686, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 966 (FIN) and H.B. No. 1174, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 967 (FIN) and H.B. No. 1470, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC PROCUREMENT CODE," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 968 (FIN) and H.B. No. 901, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 969 (FIN) and H.B. No. 949, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 970 (FIN) and H.B. No. 1809, 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 March 10, 2009.

Stand. Com. Rep. No. 971 (FIN) and H.B. No. 993, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION, RELATING TO THE DISPOSITION OF PROJECTED EXCESS REVENUES," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 972 (FIN) and H.B. No. 952, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," were placed on the calendar for Third Reading on March 10, 2009.

Stand. Com. Rep. No. 973 (FIN) and H.B. No. 981, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," were placed on the calendar for Third Reading on March 10, 2009.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 9:00 o'clock a.m., Tuesday, March 10, 2009.

TWENTY-SIXTH DAY

Tuesday, March 10, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 9:03 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Dr. Kalani Brady of the John A. Burns School of Medicine, after which the Roll was called showing all Members present with the exception of Representative Takai, who was excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Fifth Day was deferred.

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 258) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 258, dated February 27, 2009, transmitting the 2nd Annual Report Summary of the Small Business Utilization Council, pursuant to Hawaii Administrative Rules, Chapter 3-124, Subchapter 9, "Small Business Preference Rule."

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 40 through 80) were received and announced by the Clerk:

Sen. Com. No. 40, transmitting S.C.R. No. 44, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE UNITED STATES GEOLOGICAL SURVEY REPORT, "THE CORAL REEF OF SOUTH MOLOKAI, HAWAII: PORTRAIT OF A SEDIMENT THREATENED FRINGING REEF", ENCOURAGING FEDERAL, STATE, AND COMMUNITY COOPERATION TO STEWARD THE SOUTH MOLOKAI REEF FISHERY," which was adopted by the Senate on March 6, 2009.

Sen. Com. No. 41, transmitting S.B. No. 53, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 42, transmitting S.B. No. 107, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVOCATION," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 43, transmitting S.B. No. 108, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 44, transmitting S.B. No. 112, entitled: "A BILL FOR AN ACT RELATING TO THE CHILDREN'S JUSTICE PROGRAM," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 45, transmitting S.B. No. 121, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS ACT," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 46, transmitting S.B. No. 162, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 47, transmitting S.B. No. 205, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OWNER-BUILDERS," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 48, transmitting S.B. No. 208, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 49, transmitting S.B. No. 230, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RIGHTS OF VICTIMS," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 50, transmitting S.B. No. 259, entitled: "A BILL FOR AN ACT RELATING TO JURY DUTY," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 51, transmitting S.B. No. 309, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 52, transmitting S.B. No. 438, entitled: "A BILL FOR AN ACT RELATING TO BOARD OF EDUCATION MEETINGS," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 53, transmitting S.B. No. 461, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 54, transmitting S.B. No. 477, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT RETENTION OF ATTORNEYS," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 55, transmitting S.B. No. 497, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 56, transmitting S.B. No. 501, entitled: "A BILL FOR AN ACT RELATING TO THE TEACHER EDUCATION COORDINATING COMMITTEE," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 57, transmitting S.B. No. 535, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 58, transmitting S.B. No. 567, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 59, transmitting S.B. No. 614, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 60, transmitting S.B. No. 654, entitled: "A BILL FOR AN ACT RELATING TO VOTING," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 61, transmitting S.B. No. 688, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 62, transmitting S.B. No. 721, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT-WIDE IMPROVEMENT PROGRAMS," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 63, transmitting S.B. No. 782, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 64, transmitting S.B. No. 786, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PLACES," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 65, transmitting S.B. No. 799, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CLARIFY THE

SELECTION OF THE STUDENT MEMBER OF THE BOARD OF EDUCATION," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 66, transmitting S.B. No. 843, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 67, transmitting S.B. No. 848, entitled: "A BILL FOR AN ACT RELATING TO METAL," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 68, transmitting S.B. No. 851, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 69, transmitting S.B. No. 856, entitled: "A BILL FOR AN ACT RELATING TO IDENTIFICATION," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 70, transmitting S.B. No. 880, entitled: "A BILL FOR AN ACT RELATING TO GAS PIPELINE SYSTEMS," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 71, transmitting S.B. No. 896, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 72, transmitting S.B. No. 906, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 73, transmitting S.B. No. 930, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 74, transmitting S.B. No. 936, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF HEALTH CERTIFICATES," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 75, transmitting S.B. No. 937, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 76, transmitting S.B. No. 1108, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 77, transmitting S.B. No. 1120, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 78, transmitting S.B. No. 1142, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 79, transmitting S.B. No. 1215, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATED TO RESIDENCE REQUIREMENTS FOR MEMBERS OF THE LEGISLATURE," which passed Third Reading in the Senate on March 6, 2009.

Sen. Com. No. 80, transmitting S.B. No. 1622, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," which passed Third Reading in the Senate on March 6, 2009.

On motion by Representative Evans seconded by Representative Pine and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representative Takai was excused.)

S.B. No. 53
S.B. No. 107
S.B. No. 108
S.B. No. 112
S.B. No. 121, SD 1
S.B. No. 162
S.B. No. 205, SD 1
S.B. No. 208
S.B. No. 230, SD 1
S.B. No. 259
S.B. No. 309
S.B. No. 438
S.B. No. 461, SD 1
S.B. No. 477
S.B. No. 497, SD 1
S.B. No. 501
S.B. No. 535
S.B. No. 567
S.B. No. 614
S.B. No. 654
S.B. No. 688
S.B. No. 721
S.B. No. 782, SD 1
S.B. No. 786, SD 1
S.B. No. 799
S.B. No. 843, SD 1
S.B. No. 848
S.B. No. 851, SD 1
S.B. No. 856
S.B. No. 880
S.B. No. 896, SD 1
S.B. No. 906
S.B. No. 930
S.B. No. 936
S.B. No. 937
S.B. No. 1108
S.B. No. 1120
S.B. No. 1142, SD 1
S.B. No. 1215
S.B. No. 1622, SD 1

INTRODUCTION

The following introduction was made to the Members of the House:

Representative Har introduced 3rd, 4th and 5th grade students of the Ohana Council of Mauka Lani Elementary School. They were accompanied by counselors and advisors, Ms. Arisa Domingo, Ms. Tammy Sakato and Mr. Keahi Teson.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R. Nos.	Referred to:
81	Committee on Legislative Management, then to the Committee on Judiciary
82	Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources
83	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
84	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
85	Committee on Education, then to the Committee on Finance
86	Committee on Education, then to the Committee on Finance
87	Committee on Water, Land, & Ocean Resources, then to the Committee on Transportation

H.C.R. Nos.	Referred to:
101	Committee on Legislative Management, then to the Committee on Judiciary
102	Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources
103	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

104	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
105	Committee on Education, then to the Committee on Finance
106	Committee on Education, then to the Committee on Finance
107	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
108	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

S.C.R. No.	**Referred to:**
44	Committee on Water, Land, & Ocean Resources

S.B. Nos.	**Referred to:**
53	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
107	Committee on Transportation, then to the Committee on Judiciary
108	Committee on Human Services, then to the Committee on Judiciary
112	Committee on Human Services, then to the Committee on Judiciary
113	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
121, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Finance
162	Committee on Education, then to the Committee on Finance
205, SD1	Committee on Economic Revitalization, Business, & Military Affairs, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
208	Jointly to the Committee on Public Safety and the Committee on Labor & Public Employment, then to the Committee on Finance
230, SD1	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
259	Committee on Judiciary
309	Jointly to the Committee on Public Safety and the Committee on Labor & Public Employment, then to the Committee on Finance
384	Committee on Education, then to the Committee on Transportation, then to the Committee on Finance
438	Committee on Education, then to the Committee on Judiciary
461, SD1	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
477	Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance
497, SD1	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance
501	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance
535	Committee on Human Services, then to the Committee on Judiciary
567	Committee on Health, then to the Committee on Judiciary
614	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance
654	Committee on Judiciary, then to the Committee on Finance
688	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
721	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
782, SD1	Jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
786, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
799	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance
843, SD1	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
848	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
851, SD1	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
856	Committee on Judiciary
880	Committee on Consumer Protection & Commerce, then to the Committee on Finance
896, SD1	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance
906	Committee on Judiciary, then to the Committee on Finance
930	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
936	Committee on Health, then to the Committee on Consumer Protection & Commerce
937	Committee on Health, then to the Committee on Judiciary
1055	Committee on Transportation, then to the Committee on Water, Land, & Ocean Resources

1108 Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1120 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

1142, SD1 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1215 Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance

1622, SD1 Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House bills for Third Reading by consent calendar. (Representative Takai was excused.)

CONSENT CALENDAR

UNFINISHED BUSINESS

At this time, the Chair stated:

"At this time, there will be no discussion, as these are items agreed to by the Body for placement on the Consent Calendar. For those who would like to submit written comments, you may do so by the end of today on these measures that are on the consent calendar."

At 9:10 o'clock a.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 9:10 o'clock a.m.

At 9:11 o'clock a.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:19 o'clock a.m.

At this time, the Chair stated:

"Members, once more, let me state for the record that we are adopting the Standing Committee Reports on pages 1 through 16, and that the House Bills listed on page 1 to 21, as may be amended, pass Third Reading. This is the Consent Calendar, so there is no discussion, but you may submit your written comment, for or against these measures."

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 703) recommending that H.B. No. 366, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 366, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MANTA RAYS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 704) recommending that H.B. No. 874, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 874, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL REAL PROPERTY," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 705) recommending that H.B. No. 1414, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1414, HD 1, entitled: "A BILL FOR AN ACT RELATING TO METAL," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 716) recommending that H.B. No. 267, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 267, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 718) recommending that H.B. No. 319, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 319, HD 1, pass Third Reading, seconded by Representative Evans.

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I stand in support of HB 319 HD1. This bill would require employees to post and keep posted employee entitlements to family leave, as well as possible adverse impacts of taking family leave.

"Mr. Speaker there is a considerably large discrepancy between the types of family leave that employees offer, and what the employees know are offered to them. For example, according to surveys done in 2007 by the Executive Office on Aging and the Joint Legislative Committee on Family Caregiving, 80% of employers surveyed offer paid bereavement leave, while only 4.7% of the employees surveyed knew of this benefit. Over 66% of the employers also offer leave without pay, but only 5% of the employees knew about it. By making this information available to employees, this bill would help family caregivers and others to plan ahead for family emergencies and to avoid taking actions which might affect their retirement benefits.

"Mr. Speaker, doing more to inform workers about their employment rights is always a good thing, and Hawaii's employees need easy access to this information. We are just two years away from the first of the 'baby boomers' to reach 65, and the need will only continue to escalate as our community ages.

"I urge my fellow colleagues to support HB319, HD1."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 319, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Finnegan voting no, and with Representative Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 720) recommending that H.B. No. 1422, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No.

1422, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 721) recommending that H.B. No. 869, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 869, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 773) recommending that H.B. No. 556, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 556, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Magaoay's written remarks are as follows:

"Mr. Speaker, I rise in strong support of House Bill 556 House Draft 2 Relating to Veteran Burial Grants. Mr. Speaker, On July 26, 1941, President Franklin D. Roosevelt issued Military Order No. 81, placing the Philippine Commonwealth Armed Forces and the Special Philippine Scouts under the United States Armed Forces command to join the military assault against the Japanese forces in defense of America's democracy thereby making them eligible for equal benefits.

"Throughout 1941-1946, tens of thousands of Filipino soldiers were held as prisoners, risking their lives and the lives of their families while maintaining underground battles against the invading Japanese forces and boldly assisting the United States Armed Forces in its campaign to liberate the Philippines.

"Filipino wartime veterans, many of whom were permanently disabled and honorably discharged from the military after serving more than ninety days on active duty military service during World War II became eligible for federal veterans' benefits and services.

"Mr. Speaker, former President Bill Clinton on October 17, 1996, former President George W. Bush on July 26, 2001, and the United States Congress by House Resolution Number 622 on September 13, 2006, recognized and proclaimed the vital role that the Filipino wartime soldiers played in assisting the United States Armed Forces to defeat the invading Japanese forces in defense of freedom.

"Despite these formal acknowledgements of Filipino and Filipino American veterans' contributions to the cause of the United States during World War II, have not received veterans' benefits and services from the federal government, a long standing moral injustice that needs to be corrected. 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. 556, HD 2, entitled: "A BILL FOR AN ACT RELATING TO VETERAN BURIAL GRANTS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 778) recommending that H.B. No. 1207, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1207, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 780) recommending that H.B. No. 1429, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1429, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Sagum's written remarks are as follows:

"Mr. Speaker, I rise in support of H.B. 1429 HD2, Making an Appropriation for the About Face Program.

"H.B 1429 recognizes the significant role the Hawaii National Guard plays in the training and development of at-risk youth to become future contributing members of society by first keeping them in school and second, helping them to successfully graduate.

"The Hawaii National Guard's About Face Programs are now entering its sixth year of operation having served 2,000 plus youth annually statewide. Its mission is to provide positive youth development programs during after school and non-school hours that are designed to help at-risk and not at-risk youth, ages 10 - 19, statewide, focus on: alternative activities that steer them away from immersion into juvenile crime, family strengthening, prevention and reduction of teen pregnancies, and drug awareness issues that will contribute to the prevention and reduction of teen drug use and abuse.

"The Department of Defense contracts with six (6) social service agencies statewide to carry out the service delivery of its About Face programs.

"The youth that we serve come from diverse ethnic, socio-economic status, and psycho-social backgrounds. Many are from low-income families with histories of involvement with the juvenile justice or child welfare services system.

"Youth attend a class after school or during the summer break at 39 sites located on all islands except Niihau. Many classes take place in Hawaii Army National Guard Armories throughout the State. Some students completing their programs enroll in yet another and sequential curriculum chosen from the various age appropriate About Face programs. Other students apply their learning to their school work with the goal of better grades, promotion to the next grade level and eventual graduation from high school. Still others apply their recently acquired life and work readiness skills to find part-time jobs to help supplement their family's income.

"This bill will provide much needed positive role models to youth who are faced with a daily barrage of mixed messages from the media that on one hand, promotes "Just say no to drugs!" and on the other hand, the Hollywood industry that glamorizes drugs, criminal pursuits of fast money and popularizes sex to the level that confuses and pollutes the impressionable minds and developing attitudes of youth. Through National Guardsmen and women, dedicated curriculum instructors and facilitators, the youth receive a different take on life and their future. They learn through decision-making and critical thinking skills development that there is always a choice. That you don't have to join the neighborhood gang. That you don't have to have sex at 11 years old. That you don't have to end up in Juvenile Detention or jail. These role models, mentors and teachers must somehow tell their students, especially the very socially and economically oppressed ones, that there is hope, there is resolution, there is a way out.

"True, there are those youth who although enveloped in urban blight, profound poverty and surrounded by ignorance and want, somehow manage to succeed in life through their own stubborn resiliency and sheer determination. However, there are not many of these self-made attorneys, physicians and professionals and we find fewer of them every day. We are long past the days of Oliver Twist where a child remains inherently good, kind, and decent regardless of his bleak environment and situation. Now, we have TV, the Internet and the movie industry constantly assaulting our

youth with propaganda to form a new mindset. Thus, the after school About Face programs are very much needed in today's latchkey society.

"In summary, the Department of Defense remains committed to the youth of Hawaii in delivering its About Face programs statewide and in remote places such as Waimea, Waianae, Molokai, Lanai, Hana, Pahala, Naalehu, Keaiakekua and Honokaa that are in dire need of such programs to keep teens and adolescents gainfully occupied and out of trouble.

"On behalf of the Department of Defense and for the sake of the children, I urge you to support this bill, now about to crossover to the Senate, as my colleagues in the House have. Thank you, very much."

Representative Tokioka's written remarks are as follows:

"In support. House Bill 1429 HD2 makes an appropriation for the National Guard's About Face Program. This legislation is aimed at helping the Hawaii National Guard serve at-risk youth. The National Guard uses this program to promote a healthy lifestyle and fulfill its mission of community service by helping disadvantaged youth. The About Face Program works to develop valuable life skills, such as filling out job applications, balancing a checkbook, problem-solving, critical thinking, budgeting and working with computers. The About Face Program also provides children and teenagers with valuable after-school activities, while also allowing our National Guard members to serve their communities.

"The About Face Program is truly valuable, and even in this current time of economic difficulty, the Legislature cannot afford to allow such a worthwhile program to falter. 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. 1429, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ABOUT FACE PROGRAM," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 781) recommending that H.B. No. 1831, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1831, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 783) recommending that H.B. No. 703, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 703, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 785) recommending that H.B. No. 739, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 739, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY ASSISTANCE TO NEEDY FAMILIES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 786) recommending that H.B. No. 1064, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1064, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES TO ADDRESS THE BUDGET SHORTFALL," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 788) recommending that H.B. No. 1354, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1354, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 794) recommending that H.B. No. 814, HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 814, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Magaoay's written remarks are as follows:

"The purpose of House Bill No. 814 HD2 is to specify the renewal period for the recertification of certified nurse's aides and to limit the number of continuing education hours for their certification.

"Mr. Speaker, this bill is important because it not only benefits our Filipino community who make up the majority of the certified nurse's aides work force, but it will also benefit the people of Hawaii who are offered an alternative to expensive, institutional long term care services.

"I support the significant contributions healthcare professionals, volunteer nurses and instructors who dedicate themselves to improve the health of Hawaii's people and at the same time meet our high standards of health care.

"Thank you Mr. Speaker, and I ask my colleagues to support me 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. 814, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 797) recommending that H.B. No. 1057, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1057, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII COLLEGE SAVINGS PROGRAM," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 798) recommending that H.B. No. 123, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 123, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 800) recommending that H.B. No. 363, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No.

363, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 802) recommending that H.B. No. 1071, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1071, HD 3, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 807) recommending that H.B. No. 895, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 895, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak in support of HB 895 HD 2, relating to tax on tobacco products other than cigarettes.

"I agree with the purpose of this bill which is to deter the use of tobacco products other than cigarettes such as snuff, cigars and pipe tobacco by way of increasing the tax on these products. I had the opportunity to hear about this bill from some of the future voters from my community on this very measure. Lea Pigao, a friend of my niece, showed me the kinds of products being offered. They looked and smelled like candy.

"One third of the additional funds realized from the increased tax will be used to fund the community health centers special fund which helps educate our population on the health risks of these tobacco related products.

"I urge my colleagues to vote in favor of the bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 895, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAX ON TOBACCO PRODUCTS OTHER THAN CIGARETTES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 808) recommending that H.B. No. 896, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 896, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 813) recommending that H.B. No. 1293, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1293, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 819) recommending that H.B. No. 623, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 623, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Karamatsu's written remarks are as follows:

"I rise in support. State identification is vital for seniors, children, and other individuals who do not possess a driver's license or other picture identification. Currently, obtaining a state identification card (certificate of identification) is a lengthy process because processing and administration is conducted at a single location with limited hours of operation. This leads to long lines and some individuals are turned away due to the daily demand. There have been recent attempts to bring state identification personnel into the community, but only for specific dates and times.

"Community members and organizations such as the Waipahu Neighborhood Board recognize that the City & County of Honolulu's Satellite City Halls are convenient locations for State identification processing. Satellite City Halls provide services with extended hours, weekend availability, and convenient locations.

"The authority to process and issue State identification cards is vested in the Attorney General. The purpose of this bill is to allow the Attorney General to contract with one or more counties to process and issue State Identification cards at Satellite City Halls or other locations. 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. 623, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE IDENTIFICATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 820) recommending that H.B. No. 779, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 779, pass Third Reading, seconded by Representative Evans.

Representative Karamatsu's written remarks are as follows:

"I rise in support. This bill enacts the Uniform Foreign Country Money Judgments Recognition Act and in so doing, replaces and updates similar law codified as chapter 658C, HRS. It updates former law by, among other things, allocating burden of proof with respect to application of law, setting out procedure for obtaining recognition of foreign country money judgments, expanding grounds for denying recognition and allocating burden of proof to do so. Finally, it establishes statute of limitations. 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. 779, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM FOREIGN-COUNTRY MONEY JUDGMENTS RECOGNITION ACT," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 821) recommending that H.B. No. 782, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 782, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Karamatsu's written remarks are as follows:

"I rise in support. This bill adopts the Uniform Mediation Act. It provides certain rules for mediations and establishes a privilege that assures confidentiality of mediations in legal proceedings. In addition, the measure protects integrity and knowing consent through provisions that provide exceptions to the privilege, limits disclosures by the mediator to

judges and others who may rule on the case, requires mediators to disclose conflicts of interest, and assures that parties may bring a lawyer or other support person to the mediation session. 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. 782, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM MEDIATION ACT," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 822) recommending that H.B. No. 1025, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1025, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 823) recommending that H.B. No. 1065, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1065, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES TO ADDRESS THE BUDGET SHORTFALL," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 824) recommending that H.B. No. 1094, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1094, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERMANENCY HEARINGS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 825) recommending that H.B. No. 1103, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1103, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FINANCIAL ASSISTANCE FOR INDEPENDENT LIVING SERVICES AND CENTERS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 828) recommending that H.B. No. 179, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 179, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FACILITIES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 829) recommending that H.B. No. 618, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 618, pass Third Reading, seconded by Representative Evans.

Representative Karamatsu's written remarks are as follows:

"I rise in support. This bill enacts the Uniform Prudent Management of Institutional Funds Act to replace and update the existing Uniform Management of Institutional Funds Act. It provides guidance and authority to charitable organizations concerning the management and investment of funds held by those organizations. In addition, the measure provides additional protections for charities and also protects the interests of donors. It also modernizes rules governing expenditures from endowment funds. Further, the bill gives institutions ability to cope more easily with fluctuations in the value of the endowment. Finally, it updates provisions governing the release and modification of restrictions on charitable funds to permit more efficient management of these funds. 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. 618, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS ACT," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 830) recommending that H.B. No. 1031, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1031, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 480, HAWAII REVISED STATUTES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 831) recommending that H.B. No. 1061, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1061, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 832) recommending that H.B. No. 1062, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1062, entitled: "A BILL FOR AN ACT RELATING TO GAS PIPELINE SYSTEMS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 835) recommending that H.B. No. 1059, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1059, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Magaoay's written remarks are as follows:

"Mr. Speaker, this bill will minimize disruption of service to customers and will provide advance warning to excavators with location of underground facilities prior to excavating.

"This bill will allow continued operation of the State's One Call Center beyond the current sunset date of June 30, 2009 by making the law permanent. This will prevent accidental damage to underground facilities with minimal disruption of service to our residents.

"Thank you Mr. Speaker, and I ask my colleagues to support me 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. 1059, HD 2, entitled: "A BILL

FOR AN ACT RELATING TO THE ONE CALL CENTER," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 836) recommending that H.B. No. 1060, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1060, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF HEARING NOTICES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 838) recommending that H.B. No. 180, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 180, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 839) recommending that H.B. No. 395, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 395, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 845) recommending that H.B. No. 279, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 279, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 847) recommending that H.B. No. 370, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 370, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Tokioka's written remarks are as follows:

"In support. The purpose of this bill is to reduce the cost of energy production from diesel fuel, by reducing the Hawaii license tax from two cents to one cent per gallon, and to undo the inadvertent application of other fuel tax increases set upon diesel sold for the purposes of power generation.

""Naphtha" is a new cleaner-burning fuel source and is cheaper than diesel. It is new to the State and is therefore not defined in Hawaii Fuel Tax Laws. Act 103 (2007) clarifies that naphtha fuel, used in power-generating facilities, is subject to the fuel tax rate of one cent per gallon, not the State tax rate of 16 cents per gallon, and the county transportation tax rate of 13 cents per gallon. KIUC annually uses 15 million gallons of naphtha fuel. At the current 16 cents per gallon State transportation tax rate, this would result in a $2.4 million annual tax liability, while the current 13 cents per gallon County of Kauai fuel tax rate, would result in a $2 million annual tax liability.

"Due to the large dollar impact to KIUC members, if the sunset provision is not repealed, KIUC may be forced to burn diesel in their naphtha generator. This will result in a less efficient plant with higher emissions and operating costs. This will also result in no net tax revenue gain for the State of Hawaii, and in our current economic climate, this is an opportunity to generate revenue that we cannot pass up.

"In an effort to lead the way in renewable energy generation, KIUC's Strategic Plan calls for them to be at 50% renewable energy generation by 2023. This is more aggressive than the State's proposed 40% by 2030. KIUC's next unit of generation will be able to burn multiple fuels, including renewable biofuels. KIUC member/shareholders will bear the investments in renewable energy, and economics and reliability should be properly evaluated.

"In summary, applying road taxes to fuel that will never be used for transportation-related causes is unfair to those consumers purchasing that fuel, and I support this bill and its intent to correct such a mistake. This legislation will help reduce the burden placed upon local residents and businesses by the ever-increasing costs of electricity, and will make sure that the revenue from taxes levied on power generating fuel will not be mistakenly used for other purposes."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 370, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 848) recommending that H.B. No. 371, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 371, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Tokioka's written remarks are as follows:

"In support. The purpose of House Bill 371 is to make permanent the one cent per gallon tax set on naphtha fuel for power generating facilities. Naphtha fuel is a cleaner-burning, more environmentally friendly source of power than diesel and other liquid fuels, and we should do everything we can to promote its use in Hawaii.

"Act 209 (2007) is accountable for the one-cent addition to the license tax, but it was not intended to be applied to diesel oil sold or used for power generation purposes. Act 209 was supposed to help promote the use of transportation fuels containing alcohol through an exemption of the excise tax on retail sale of fuels containing at least 10% alcohol.

"This bill will ensure that naphtha sold for the purpose of power generation will remain exempt from fuel tax increases that were intended to support our highway infrastructure. This, in itself, is a worthy cause, but not one that should be laid at the feet of our power producers. On average, KIUC burns 15 million gallons of diesel annually which amounts to an additional $150,000 tax liability. This bill will help to ensure that our most modern power generation plants are able to continue to use cleaner burning, more environmentally friendly naphtha fuel whenever possible."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 371, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 849) recommending that H.B. No. 426, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 426, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON OAHU," passed

Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 853) recommending that H.B. No. 1491, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1491, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL FACILITY TAX CREDIT," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 854) recommending that H.B. No. 1627, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1627, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 855) recommending that H.B. No. 1628, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1628, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIOENERGY HAWAII, LLC," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 856) recommending that H.B. No. 1678, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1678, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 858) recommending that H.B. No. 1768, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1768, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Tokioka's written remarks are as follows:

"In support. This measure raises the ceiling for construction contracts from $25,000 to $50,000. This raise in the procurement bid ceiling will not only expedite the process for smaller projects to get underway, but will also ensure that we continue to provide work for the construction industry. This ultimately will benefit the community as a whole."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1768, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 860) recommending that H.B. No. 427, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 427, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST ONE PLANET PACIFIC ENERGY, LLC, A PROCESSING ENTERPRISE," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 861) recommending that H.B. No. 986, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 986, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 862) recommending that H.B. No. 1807, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1807, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 868) recommending that H.B. No. 381, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 381, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII ENDOWMENT FUND," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 870) recommending that H.B. No. 960, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 960, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 872) recommending that H.B. No. 1471, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1471, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Magaoay's written remarks are as follows:

"Mr. Speaker, the purpose of HB 1471 HD2 is to establish a pilot program within the Department of Agriculture to develop safe food certification for farms that form agricultural cooperatives which establish a purchasing agreement with our local agricultural communities.

"There is a need to support the certification of farmers throughout the State to meet standards for a safer food supply. This would be a great partnership which would increase our local market supply of fresh and safe cuisine for our hotels and restaurants.

"I believe it is imperative that we promote locally grown produce while making sure that food safety will be a priority to all concerned. This bill will accomplish these goals.

"Thank you Mr. Speaker, and I ask my colleagues to support me 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. 1471, HD 2, entitled: "A BILL

FOR AN ACT RELATING TO FARMS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 875) recommending that H.B. No. 685, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 685, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 876) recommending that H.B. No. 686, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 686, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REDUCED IGNITION PROPENSITY CIGARETTES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 877) recommending that H.B. No. 954, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 954, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A MAJOR DISASTER RESERVE TRUST FUND," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 879) recommending that H.B. No. 1014, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1014, HD 3, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 880) recommending that H.B. No. 1568, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1568, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Magaoay's written remarks are as follows:

"Thank you, Mr. Speaker. Mr. Speaker, I rise in strong support of House Bill 1568, House Draft 1. Mr. Speaker, the American Red Cross is a volunteer-led humanitarian organization whose mission is to prevent and alleviate human suffering by helping people prevent, prepare for, and respond to emergencies, and providing disaster relief to the people of Hawaii. Although established by Congressional Charter in 1905, the American Red Cross is NOT a government agency and must rely on the generosity of Hawaii's people to provide critical services to the community. All disaster training, services, and financial assistance to victims is free. I strongly urge this body to support House Bill. No. 1568 HD1 in assisting the American Red Cross, Hawaii State Chapter, with needed capital improvement projects.

"The Hawaii Red Cross renders aid to victims of about 100 disasters in Hawaii per year with food, clothing, shelter, rental assistance, and mental health counseling for everything from everyday house fires to major disasters like hurricanes, earthquakes, and floods. In addition, they teach about 35,000 people per year how to prepare their families, schools, and businesses for a disaster.

"The majority of disaster victims are the poorest of the poor. Up to 82% of them live in low to moderate income areas, and at least 34% live below poverty level. The majority make less than $25,000 per year. Over half do not own their homes and have no property insurance, so they are truly destitute after a fire destroys everything they own or claims the life of a loved one. Hardening of the Red Cross headquarters building to protect renovated assets and ensure continuity of operations during times of disasters will require funding for hurricane screens and film for doors and windows, generators to continue operations at headquarter and neighbor island offices, retaining wall and lanai to prevent flooding and mud in room where disaster volunteers assemble. Additional building renovation needed to create disaster storage space and solar panels for clean reliable energy.

"The Hawaii Red Cross 30 year old headquarters building has never undergone any kind of upgrade or renovation, is badly in need of repair and maintenance, is not ADA compliant and has no disaster operation center. This headquarters building coordinates statewide operation of 8 other Red Cross offices on Neighbor Isles and military bases. Major renovation has been completed, but there is not enough funding to protect this renovated building. It is still vulnerable to hurricanes and major floods, and there is no generator to operate the building after a disaster strikes. Improvements are needed to ensure the continuance of statewide disaster relief and safety services to the people of Hawaii for everyday and major disasters. This funding will make a difference between being prepared or not.

"In making this appropriation, you will ensure the Hawaii Red Cross will be there to respond after disaster strikes throughout 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. 1568, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE AMERICAN RED CROSS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 881) recommending that H.B. No. 1776, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1776, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 888) recommending that H.B. No. 1166, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1166, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PASSENGER FACILITY CHARGE SPECIAL FUND," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 891) recommending that H.B. No. 262, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 262, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 892) recommending that H.B. No. 1045, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1045, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Har's written remarks are as follows:

"Mr. Speaker, I stand in support of Standing Committee Report No. 892, House Bill 1045 House Draft 1, Relating to the Hawaii Housing Finance and Development Corporation (HHFDC). This bill would clarify the authority of HHFDC to modify and amend development agreements for housing projects between HHFDC's predecessor, the Housing Finance and Development Corporation, and eligible developers, as well as authorize HHFDC to impose fees to recoup program administrative expenses for loans, grants, services, and real estate documents.

"This bill makes housekeeping amendments to Chapter 201H, Hawaii Revised Statutes. This would help HHFDC cover administrative costs, and thereby preserve more of its fiscal assets for use in developing and preserving affordable housing statewide. For this reason, I stand in 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. 1045, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 894) recommending that H.B. No. 1074, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1074, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 897) recommending that H.B. No. 1373, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1373, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 898) recommending that H.B. No. 553, HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 553, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ENTERPRISE ZONES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 899) recommending that H.B. No. 994, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 994, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 902) recommending that H.B. No. 243, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 243, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Tokioka's written remarks are as follows:

"In support. House Bill 243 will help to ensure that Hawaii's farmers have access to reliable sources of irrigation water. By allocating funds for specific irrigation systems across the islands, as well as for a general agricultural water development plan, this bill takes into account the need for a comprehensive, state-wide plan of action that focuses on area- and county-specific needs. We will need both in order to ensure the survival of our State's agricultural industry, and I believe that this bill could be a useful tool to further that cause."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 243, HD 2, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION SYSTEMS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 903) recommending that H.B. No. 975, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 975, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SYSTEMS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 904) recommending that H.B. No. 36, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 36, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 908) recommending that H.B. No. 1451, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1451, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support of HB 1451, HD 2 which will continue to provide financial support for Hawaii high tech industry via credit while also mitigating revenue losses to the State by placing a limit of $50,000,000 on the aggregate of credits claimed in a taxable year beginning after December 31, 2009 by all taxpayers for investments in Qualified High Tech Business (QHTB).

"I understand the concerns of opponents of credits, yet I think that in the long-run, providing local high-tech entrepreneurs a reason to locate initially in the islands is a good thing. This bill recognizes the benefit of attracting high-tech businesses to Hawaii with tax credit incentives so that we can provide high tech jobs to our people, yet rein in any potential abuses that the tax credit provides to those QHTBs in Hawaii. The bill fine tunes the treatment of high-tech credits under Chapter 235 of the Hawaii Revised Statutes so that only those QHTBs who are truly committed to providing additional jobs to our people will get tax credit to initially help the QHTB in starting up in Hawaii. The bill also provides sources of revenue for the State through fees generated by certain comfort letters and certifications issued by Department of Tax.

"In the future, we do need to work on other quality of life, education and workforce improvement issues that impact whether high tech business will stay in Hawaii even after these credits are gone.

"Overall, this is a good compromise for high tech businesses and for the State of Hawaii. I urge my colleagues to vote in favor of the bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1451, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 909) recommending that H.B. No. 983, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 983, HD 1, pass Third Reading, seconded by Representative Evans.

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of HB 983 HD 1, the Majority Package Safe Routes to School Bill.

"Mr. Speaker, we all know rush hour traffic is horrendous. This is because far too many of Hawai`i's 180,000 public school students are personally chauffeured to school by parents who feel the roads are too dangerous for their children to walk or bike there, themselves. This self-fulfilling prophecy becomes true because, then, there really are too many cars on the road.

"There is a federal program, started four years ago, to fund community planning efforts and the construction of infrastructure for the creation of Safe Routes to School (SRTS). This program was intended to provide funds for programs like the walking school bus and the installation of traffic calming road treatments around Hawai`i's 257 public schools. The funds were also earmarked for community planning.

"We have HB 983 before us, Mr. Speaker, because there has been little action on the part of our responsible state agency to fully implement this program. HB 983 requires the Department of Transportation (DOT) to conduct a statewide pupil travel evaluation to learn how students get to school. This is a problem not only for the counties and the DOE, but also for the State, and we need to work together to fix it.

"HB 983 requires the Director of the DOT, in consultation with the Department of Education, the Department of Health, and Hawaii Association of Independent Schools, to use the information obtained to disperse the funds for SRTS school-based workshops and community-based planning projects. After five years and $5 million dollars appropriated, there are still over 82 percent of those funds waiting to be used.

"By passing HB 983, the funds will help reduce vehicular travel and congestion by encouraging walking and bicycling and, most importantly, empowering the community to come together to solve the traffic problem.

"HB 983 requires the DOT to work with the community organizations that have received or applied for SRTS grants to streamline the funding process. Helping these community organizations help Hawai`i's kids get on bikes and walk to school is a crucial part of the SRTS vision.

"Last, HB 983 requires the DOT to come back to the Legislature, report on efforts and progress, so we can see improvements in multi-modal, balanced transportation planning and the creation of Safe Routes to School. 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. 983, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 911) recommending that H.B. No. 442, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 442, entitled: "A BILL FOR AN ACT RELATING TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 912) recommending that H.B. No. 602, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 602, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 916) recommending that H.B. No. 1051, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1051, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EMERGENCY PREPAREDNESS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 917) recommending that H.B. No. 1152, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1152, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS' ACCOUNTS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 919) recommending that H.B. No. 1125, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1125, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CERTAIN FUNDS UNDER THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 920) recommending that H.B. No. 1390, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1390, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak in support of HB 1390, HD 2 which increases the fee schedule of compensation for medical care in worker's compensation cases to an unspecified percent of fees prescribed in the Medicare resource-based relative value scale applicable to Hawaii as prepared by the U.S. Department of Health and Human Services. The current allowable fee which has a cap of 110% of fees prescribed in the Medicare resourced-based relative value scale drastically limits the number of medical providers who could provide medical services to injured workers. By increasing the medical fee schedule, more medical providers will be willing to take in injured workers who need medical care. If we wish to support our medical doctors, it's measures like this that will make sure they will come to Hawaii and be able to make a living in Hawaii.

"I urge my colleagues to vote in favor of the bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1390, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 921) recommending that H.B. No. 1550, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1550, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 922) recommending that H.B. No. 1676, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1676, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Marumoto voting no, and with Representative Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 927) recommending that H.B. No. 1417, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1417, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Magaoay's written remarks are as follows:

"Mr. Speaker, this purpose of this bill is to close a loophole that allows persons to place banners and other advertising devices for others on their vehicles or trailers for compensation, as long as the vehicles or trailers are not used primarily to display advertising.

"I believe by changing the current Hawaii law, we will close the loophole that enables some companies who work around our system which was designed to reduce billboards and inappropriate advertising in our islands.

"We have the opportunity to preserve our island beauty from commercial advertising for future generations and the quality of life of our residents.

"Thank you Mr. Speaker, and I ask my colleagues to support me 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. 1417, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOBILE BILLBOARDS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 930) recommending that H.B. No. 332, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 332, HD 2, pass Third Reading, seconded by Representative Evans.

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I stand in support of H.B. 332 H.D. 2, which is a Women's Caucus measure relating to employment security for victims of domestic violence.

"HB 332 provides that victims of domestic violence will not be denied unemployment insurance if they are separated from their work because of abuse, if they have to move to avoid future violence against themselves or their children, or if they have to obtain treatment from being injured by their abuser.

"HB 332 also provides that a domestic violence victim's suspension or discharge from work will not be considered misconduct under the law and will not effect their eligibility for unemployment benefits. Women often fear being stalked while going to work, or fear that violence could happen at home or at work. They are at risk of losing their employment because of the chaos surrounding them. It is nearly impossible to find employment living under threats of violence.

"Fear of losing financial security is often the main reason domestic violence victims return to their abusers, so it is very important to allow victims to assert their independence with the assistance of unemployment benefits. With these financial resources, women can escape the destructive relationships they're trapped in, leave these abusive situations, achieve safety, pick up the pieces of their lives and start the healing 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. 332, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 934) recommending that H.B. No. 1552, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1552, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 935) recommending that H.B. No. 1766, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1766, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak in support of HB 1766, HD 2 which addresses the woeful conditions of our small boat harbors and helps to implement the Recreational Renaissance initiative of the Department of Land and Natural Resources (DLNR). This bill allows the State to responsibly raise revenues to repair Ala Wai and Keehi Harbors by allowing limited issuance of commercial use permits for vessels with assigned moorings in those harbors.

"The bill also authorizes the DLNR to enter into a public-private partnership to develop portions of Ala Wai Boat harbor facilities that are presently under-utilized to maximize the revenue potential from this harbor. Additional revenues will reduce overreliance by DLNR on higher mooring fees to support long overdue improvements to these two harbors.

"To allay safety concerns of the Ala Wai Harbor recreational boaters and nearby surfers who cross the passageway from the harbor to the open water from time to time, the number of commercial use permits is limited to fifteen percent (15%) of the total berths and vessels are limited to 65 feet in length.

"The bill also provides for a cost-of-living index increase to keep up with the increasing maintenance cost of the harbors.

"Altogether, this is a responsible measure that emphasizes that the main purpose of the Ala Wai and Keehi harbors remains recreational, and yet provides for essential revenues by allowing a very limited amount of commercial activity.

"I urge my colleagues to vote in favor of the bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1766, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Brower voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 941) recommending that H.B. No. 899, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 899, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 942) recommending that H.B. No. 1015, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1015, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OBLIGATIONS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS TRUST FUND," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 943) recommending that H.B. No. 1665, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1665, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN FISHPONDS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 944) recommending that H.B. No. 541, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 541, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE PERSONNEL," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 945) recommending that H.B. No. 1479, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1479, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 949) recommending that H.B. No. 984, HD 3, as amended in HD 4, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 984, HD 4, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak in support of HB 984, HD 4 which will create a new Hawaii Communication Commission. This new commission will be responsible for broadband regulation, broadband franchising and broadband permitting in a flexible, timely and responsible way. This bill, based largely on recommendations found in the Hawaii Broadband Task Force created by Act 2 of the 2007 Legislature, intends to advance broadband within the State of Hawaii.

"This bill will ensure high-speed broadband services at affordable prices available to the general public. High-speed broadband services are essential for the advancement of education, health, public safety, research and innovation, civic participation, e-government, economic development and diversification, and public safety and services.

"This bill will also foster an open and transparent government because it will seek to increase a flexible, timely and responsible access to public rights-of-way and public facilities for broadband service providers.

"Passage of this bill helps position Hawaii for global competitiveness in the twenty-first century.

"I urge my colleagues to vote in favor of the bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 984, HD 4, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 950) recommending that H.B. No. 1536, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1536, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 952) recommending that H.B. No. 271, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 271, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 956) recommending that H.B. No. 991, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 991, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 958) recommending that H.B. No. 183, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 183, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 961) recommending that H.B. No. 1464, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1464, HD 3, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 963) recommending that H.B. No. 1526, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1526, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 967) recommending that H.B. No. 1470, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1470, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC PROCUREMENT CODE," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 970) recommending that H.B. No. 1809, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1809, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

THIRD READING

H.B. No. 813, HD 1:

Representative B. Oshiro moved that H.B. No. 813, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak in support of HB 813, HD 1. This bill, which designates a language access month to publicize government services providing language assistance, is entirely fitting. More than any other state, Hawaii has been built on being welcoming to immigrants and making opportunities equally available to immigrants. As Hawaii continues to be a crossroad in the Pacific, we benefit by allowing our residents with limited English proficiency to access government services that enable them to be self-sufficient and productive members of our community. This bill promotes more awareness of the available services and educates all of us of the importance of such services in fostering a more cohesive and dynamic society.

"I strongly support the bill."

The motion was put to vote by the Chair and carried, and H.B. No. 813, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 921, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 921, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 1148, HD 1:

Representative B. Oshiro moved that H.B. No. 1148, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Tokioka's written remarks are as follows:

"In support. As a Neighbor Island Representative, I am in strong support of any measure that will help streamline the notification process for meetings, hearings and briefings etc., for our Neighbor Island constituents. Requiring all state meeting notices to be posted on the state calendar would eliminate duplication and centralize the postings to one easily accessible location that would adhere to Sunshine Law and support the public who wish to participate in the legislative process."

The motion was put to vote by the Chair and carried, and H.B. No. 1148, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 294, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 294, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL LIABILITY OF TRUSTEE TO THIRD PARTIES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 1512, HD 1:

Representative B. Oshiro moved that H.B. No. 1512, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Karamatsu's written remarks are as follows:

"I rise in support. A goal of mine is to play a small role in helping survivors of domestic violence. There are cases where an individual has threatened to harm not just his partner, but his partner's pet. Unfortunately, pets get caught in the crossfire of an abusive relationship. Therefore, House Bill 1512, House Draft 1 addresses this threat by authorizing the family court, when issuing a temporary restraining order, to award exclusive care of a pet animal or equine animal and enjoin the restrained party from having any contact with the animal. Under the Hawaii Revised Statutes section 711-1100, "Pet animal" means a dog, cat, domesticated rabbit, guinea pig, domesticated pig, or caged birds (*passeriformes*, *piciformes*, and *psittaciformes* only) so long as not bred for consumption and "equine animal" means an animal of or belonging to the family *Equidae*, including horses, ponies, mules, donkeys, asses, burros, and zebras. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 1512, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 130, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 130, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUDGMENTS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 1751, HD 1:

Representative B. Oshiro moved that H.B. No. 1751, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Karamatsu's written remarks are as follows:

"I rise in support. This bill updates existing statutes relating to cable television and telecommunications service fraud to address an expanding array of technology services offered by communication companies that include cable television and telecommunications, Internet-based, or wireless distribution networks. It establishes the offense of

communication service fraud in the first and second degrees, provides civil remedies, authorizes forfeiture, and establishes evidentiary presumption. The purpose of the measure is to discourage theft of cable television and telecommunications service. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 1751, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNICATIONS FRAUD," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 570, HD 1:

Representative B. Oshiro moved that H.B. No. 570, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. The amendments in HB 570, HD 1 address some of the challenges of climate change in a state where the coastal zone is an important area for recreation, subsistence and residential use. The bill aims to clarify, among other things, the importance of maintaining public access in a meaningful way in the coastal zone, and the protection of shorelines for present and future recreational purposes, and the proper criteria for the counties to consider in creating shoreline setbacks and the regulations for applying those setbacks.

"Given the reality of climate change, the bill authorizes tools to minimize the damage from coastal hazards including tsunamis, hurricanes, wind, storm waves, flooding, erosion, sea-level rise, subsidence, and pollution. The bill also requires the use of shoreline erosion data for setback purposes as appropriate and encourages the use of early planning, variances for innovative design, and minimum buildable areas.

"For these reasons, I am voting in favor of the bill."

The motion was put to vote by the Chair and carried, and H.B. No. 570, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 589, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 589, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 590, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 590, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Berg and Thielen voting no, and with Representative Takai being excused.

H.B. No. 1047, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1047, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 730, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 730, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 1229, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1229, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTICE," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 1415, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1415, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 632, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 632, HD 1, entitled: "A BILL FOR AN ACT RELATING TO POLICY ADVISORY BOARD ON VETERANS' SERVICES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 35, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 35, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 214, HD 1:

Representative B. Oshiro moved that H.B. No. 214, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Sagum's written remarks are as follows:

"Mr. Speaker, I rise in strong support of HB214, HD1, Authorizing the Issuance Of General Obligation Bonds and Making an Appropriation for Wailua Emergency Bypass Road Repair and Resurfacing, and Waimea Wastewater Treatment Plant Upgrades for the County of Kauai.

"The Bill provides an appropriation of $6 million for fiscal year 2009-2010 to assist Kaua'i County with upgrades to the Waimea Wastewater Treatment Plant (WWTP). The project is anticipated to cost approximately $12 million, and the County will fund the difference between any appropriated State funds and the total project cost.

"The funds will be used to expand the capacity and upgrade the Waimea WWTP, which treats wastewater from the community of Waimea, Kaua'i. Users of the plant include the public schools in the Waimea area, as well as the Kaua'i Veterans' Memorial Hospital, which is part of the State's Hawai'i Health Systems Corporation.

"Benefits of the West-side project include:

1. Ability to lift present capacity restrictions, by allowing new connections, including connections for the development of affordable housing and business expansion;

2. Upgrades in effluent water quality to meet standards for irrigation reuse and improve water quality on the coastal plain between Waimea and Kekaha; and

3. Solar electric capacity in order to offset the energy requirements associated with the plant expansion.

"The Wailua Emergency Bypass road repair funds are sorely required, as there is ONLY one road to get from Waipouli to Lihue. IF a fatal accident occurs on any part of the highway, residents and visitors have no way to get to Lihue and the airport. Unfortunately, that corridor has had more than its share of fatalities in recent years, and residents and visitors have experienced delays of two or more hours.

"Mr. Speaker, the upgrading of the Waimea Wastewater Treatment Plant is very important to the growth of the West Side of Kauai and the Wailua

Emergency Bypass road repair funds are important to the East side of the island. I strongly support this bill."

Representative Tokioka's written remarks are as follows:

"In support. HB 214 is intended to appropriate funds for the County of Kaua‘i to repair the Wailua emergency bypass road and upgrade the Waimea wastewater treatment plant. These capital improvement projects are not only necessary, but long overdue.

"The Wailua bypass road is the only access between the county seat of Līhu‘e and the largest population centers on Kaua‘i when the main State highway is closed. Closures occur frequently, because of weather emergencies and traffic accidents. The route experiences almost 90 major traffic accidents a year. When fatalities are involved, the State highway must be closed for hours, cutting off residents of the North and East sides of the island from the airport, the major hospitals and medical centers, and University of Hawai‘i facilities. The State Department of Transportation is planning alternatives to the main highway, but implementation is years away. The planned improvements to the bypass are of a basic nature – resurfacing and installation of basic safety features such as guardrails and signage to enable its continued use during emergency closures.

"The Waimea wastewater treatment plant upgrade will be used to make improvements necessary for reliable sewer service to private and public customers in Waimea, including the Kaua‘i Veterans’ Memorial Hospital and Waimea area public schools. The upgrade will also improve effluent water, resulting in better water quality on the coastal plain between Waimea and Kekaha. The Waimea wastewater treatment plant is currently running at over 90 percent capacity, causing the County of Kaua‘i to restrict new sewer connections due to the facility's limitations. The upgrade will allow the County to lift present capacity restrictions, allowing new connections for the development of affordable housing and business expansion in Waimea.

"I can clearly see the need for State funds to support these capital improvements, and as such, I support this bill."

The motion was put to vote by the Chair and carried, and H.B. No. 214, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR WAILUA EMERGENCY BYPASS ROAD REPAIR AND RESURFACING, AND WAIMEA WASTEWATER TREATMENT PLANT UPGRADES FOR THE COUNTY OF KAUA‘I," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 573, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 573, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY AND BUDGET RESERVE FUND," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 1218, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1218, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 34:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 34, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 694:

Representative B. Oshiro moved that H.B. No. 694, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak in support of HB 694 which authorizes the Hawaii Health Systems Corporation (HHSC) and the Maui Regional System Board to remove the Maui Regional Health Care System (Maui Region) and its facilities from HHSC by transferring regional assets to a legal entity that will finance and continue to provide healthcare services to Maui residents.

"Maui Memorial Medical Center is the only hospital facility for Maui and Lanai. Given HHSC's continuing financial difficulties, this bill provides the opportunity to spin-off the Maui Region and to allow its managers to explore partnerships and other non-state financing transactions with third-parties. This measure holds the promise that the Maui Region can survive and continue to provide the level of service needed on Maui and Lanai.

"A related bill, HB 1372, which applies to all of the regional health care systems under HHSC, including the Maui Region, also allows for this possibility. I am also in support passage of these related bills to continue the dialogue on this important issue to my community and to the State.

"For these reasons, I am voting in favor of the bill."

The motion was put to vote by the Chair and carried, and H.B. No. 694, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 1231, HD 1:

Representative B. Oshiro moved that H.B. No. 1231, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Mr. Speaker, I rise to speak to express my support for HB 1231, H.D.1. which would establish a transitional management team within the Hawaii Health Systems Corporation to plan for necessary restructuring to ensure the strength of the State's healthcare safety net.

"I believe this bill will allow for streamlining services while creating efficiency of operations. This will allow for restructuring functions and services by eliminating duplication of services and eliminating certain expenses without compromising quality of services.

"It is for these reasons I support this bill."

The motion was put to vote by the Chair and carried, and H.B. No. 1231, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 979, HD 1:

Representative B. Oshiro moved that H.B. No. 979, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak in support of HB 979, HD 1 which addresses two important environmental concerns affecting our *aina*. This bill will set aside special funds to: (1) support invasive species control and mitigation; and (2) promote reforestation and sediment run-off mitigation.

"Invasive species range from the pesky cocqui frogs that are spreading throughout our islands, to miconia that still needs monitoring and eradication, to blocking brown tree snakes that devastated the birds on the island of Guam. By investing financial resources to protect against unwanted invasive species, we preserve our fragile environment for future

generations. Even in tight economic times, guarding against harm to our natural environment are wise and prudent outlays.

"Similarly, we must nurture our environment by promoting reforestation of our forests and conservation lands. By taking these measures, we do our part in mitigating sediment run-off and thereby protecting and fostering the continued health and welfare of our residents.

"I urge my colleagues to vote in favor of the bill."

The motion was put to vote by the Chair and carried, and H.B. No. 979, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Wooley voting no, and with Representative Takai being excused.

H.B. No. 1404, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1404, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 1495, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1495, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE INCOME TAX," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

At 9:23 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 366, HD 2
H.B. No. 874, HD 2
H.B. No. 1414, HD 1
H.B. No. 267, HD 2
H.B. No. 319, HD 1
H.B. No. 1422, HD 1
H.B. No. 869, HD 1
H.B. No. 556, HD 2
H.B. No. 1207, HD 1
H.B. No. 1429, HD 2
H.B. No. 1831, HD 2
H.B. No. 703, HD 1
H.B. No. 739, HD 2
H.B. No. 1064, HD 1
H.B. No. 1354, HD 2
H.B. No. 814, HD 2
H.B. No. 1057, HD 1
H.B. No. 123, HD 2
H.B. No. 363, HD 2
H.B. No. 1071, HD 3
H.B. No. 895, HD 2
H.B. No. 896, HD 1
H.B. No. 1293, HD 2
H.B. No. 623, HD 1
H.B. No. 779
H.B. No. 782, HD 1
H.B. No. 1025, HD 1
H.B. No. 1065, HD 1
H.B. No. 1094, HD 1
H.B. No. 1103
H.B. No. 179
H.B. No. 618
H.B. No. 1031
H.B. No. 1061, HD 1
H.B. No. 1062
H.B. No. 1059, HD 2
H.B. No. 1060, HD 1
H.B. No. 180, HD 1
H.B. No. 395, HD 1
H.B. No. 279, HD 2
H.B. No. 370, HD 2
H.B. No. 371, HD 2
H.B. No. 426, HD 1
H.B. No. 1491, HD 2
H.B. No. 1627, HD 2
H.B. No. 1628, HD 1
H.B. No. 1678, HD 1
H.B. No. 1768, HD 1
H.B. No. 427, HD 1
H.B. No. 986, HD 1
H.B. No. 1807, HD 1
H.B. No. 381, HD 2
H.B. No. 960, HD 2
H.B. No. 1471, HD 2
H.B. No. 685, HD 2
H.B. No. 686, HD 1
H.B. No. 954, HD 1
H.B. No. 1014, HD 3
H.B. No. 1568, HD 1
H.B. No. 1776, HD 1
H.B. No. 1166, HD 1
H.B. No. 262, HD 2
H.B. No. 1045, HD 1
H.B. No. 1074, HD 2
H.B. No. 1373, HD 1
H.B. No. 553, HD 2
H.B. No. 994, HD 1
H.B. No. 243, HD 2
H.B. No. 975, HD 1
H.B. No. 36, HD 1
H.B. No. 1451, HD 2
H.B. No. 983, HD 1
H.B. No. 442
H.B. No. 602
H.B. No. 1051, HD 1
H.B. No. 1152, HD 1
H.B. No. 1125, HD 2
H.B. No. 1390, HD 2
H.B. No. 1550, HD 2
H.B. No. 1676, HD 1
H.B. No. 1417, HD 2
H.B. No. 332, HD 2
H.B. No. 1552, HD 2
H.B. No. 1766, HD 2
H.B. No. 899, HD 1
H.B. No. 1015, HD 1
H.B. No. 1665, HD 1
H.B. No. 541, HD 1
H.B. No. 1479, HD 2
H.B. No. 984, HD 4
H.B. No. 1536, HD 2
H.B. No. 271
H.B. No. 991, HD 2
H.B. No. 183, HD 1
H.B. No. 1464, HD 3
H.B. No. 1526, HD 2
H.B. No. 1470, HD 1
H.B. No. 1809, HD 2
H.B. No. 813, HD 1
H.B. No. 921, HD 1
H.B. No. 1148, HD 1
H.B. No. 294, HD 1
H.B. No. 1512, HD 1
H.B. No. 130, HD 1
H.B. No. 1751, HD 1
H.B. No. 570, HD 1
H.B. No. 589, HD 1
H.B. No. 590, HD 1
H.B. No. 1047, HD 1
H.B. No. 730, HD 1
H.B. No. 1229, HD 1
H.B. No. 1415, HD 1
H.B. No. 632, HD 1

H.B. No. 35, HD 1
H.B. No. 214, HD 1
H.B. No. 573, HD 1
H.B. No. 1218, HD 1
H.B. No. 34
H.B. No. 694
H.B. No. 1231, HD 1
H.B. No. 979, HD 1
H.B. No. 1404, HD 1
H.B. No. 1495, HD 1

At this time, the Chair stated:

"Members of the House, please remember to submit to the Clerk your list of House Bills on the Consent Calendar for which you will be inserting comments, in support or opposition, to 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 10:04 o'clock a.m.

At this time, the Chair announced:

"Members, before proceeding, let me state for the record that, if you look at the clock, the clock is an hour behind time because of the electrical shortage that occurred this morning in the State Capitol. So right now, it's about 10:05 at this point in time.

"Members, at this time we will be taking up the items on the Ordinary Calendar. We just completed our Consent Calendar and we are now moving on to the Ordinary Calendar.

"At this time Members, please note that the Chair will be moving two items to the end of calendar. On page 32, Stand. Com. Rep. No. 882, Relating to Transportation, H.B. No. 139, HD 2, to the end of calendar.

"Also, Members of the House, on page 34, Stand. Com. Rep. No. 900, H.B. No. 1187, HD 1.

"Members, at this time, the Chair will be taking an item out of order. Please turn to page 46, and I would like to refer to H.B. No. 1175, HD 2."

H.B. No. 1175, HD 2:

Representative B. Oshiro moved that H.B. No. 1175, HD 2, pass Third Reading, seconded by Representative Evans.

At this time, Representative M. Oshiro offered Floor Amendment No. 3, amending H.B. No. 1175, HD 2, as follows:

"SECTION 1. House Bill No. 1175, House Draft 2, (RELATING TO TAXATION) is amended as follows:

1. By amending section 3 to read:

"SECTION 3. This Act shall take effect on July 1, 2020.""

Representative Souki rose, stating:

"On H.B. No. 1175, is the motion to pass this measure? Then, I wish to record a 'no' vote."

At 10:07 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 10:07 o'clock a.m.

Representative M. Oshiro moved that Floor Amendment No. 3 be adopted, seconded by Representative M. Lee.

The motion was put to vote by the Chair and carried, and Floor Amendment No. 3, amending H.B. No. 1175, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was adopted with Representative Takai being excused.

At 10:07 a.m., Floor Amendment No. 3 was adopted and H.B. No. 1175, HD 3 was placed on the calendar for action on Thursday, March 12, 2009.

ORDINARY CALENDAR

UNFINISHED BUSINESS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 766) recommending that H.B. No. 1171, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that notwithstanding the recommendations contained in Standing Committee Report No. 766, that H.B. No. 1171, HD 1, be recommitted to the Committee on Finance, seconded by Representative Evans.

Representative Finnegan rose to speak in opposition to the motion to recommit, stating:

"Thank you, Mr. Speaker. I am speaking in opposition to the motion to recommit. On the process. I will try my best to stay within process. Thank you, Mr. Speaker. I believe that if this bill is recommitted, that this bill will be then killed. And if this bill is killed, there are consequences to that, Mr. Speaker.

"I rise with objections to the motion to recommit. Excuse me, Mr. Speaker. I'm trying to figure out how I speak about this, in opposition to the recommital. Mr. Speaker, because we are recommitting the bill, and it kills the bill, I find it very difficult to discuss this bill without even referring a little bit to the bill. Can I have some leeway on it?"

The Chair responded, stating:

"No, if I let you a little leeway, I'll have to let everyone have leeway. So, just keep your remarks to your opposition to the process of the recommital."

At 10:10 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 10:12 o'clock a.m.

Representative Finnegan continued in opposition to the motion to recommit, stating:

"Thank you, Mr. Speaker. I will keep my comments very short. This is the Superferry bill that we are killing, and that is why I am in opposition. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 1171, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was recommitted to the Committee on Finance, with Representative Finnegan voting no, and with Representative Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 701) recommending that H.B. No. 245, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 245, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I'm rising to speak in favor of House Bill 245, Relating to Renewable Energy Facilities. Thank you. Mr. Speaker, I think the bill is very well crafted. It contains all of the protections that we need to have, while also helping renewable energy projects move forward.

"If the Members turn to page two of the bill, it talks about the siting of a renewable energy facility that may be allowed. It's not a 'shall' be allowed. It's not a mandate. It may be allowed. And it's very clear that the section shall not exempt renewable energy facilities from our land use and environmental protections. And, it also does not prevent any agency or authority from imposing reasonable and appropriate restrictions on the type of siting, development, construction and operation of a renewable energy facility. I applaud the amenders of the bill, and I think it's a very good measure and should move forward. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 245, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 702) recommending that H.B. No. 1351, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1351, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE AGRICULTURAL PARKS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 706) recommending that H.B. No. 1537, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1537, HD 1, pass Third Reading, seconded by Representative Evans.

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:

"HB 1537 specifies that any person who provides for an automated external defibrillator training program is generally immune from vicarious civil liability resulting from any act or omission of a Good Samaritan attempting to use the device to resuscitate a person.

"It is a good bill, as it will encourage more businesses to have defibrillators on their premises and to train their employees to use it in an emergency. Glen Waki of Kahala and Aina Haina McDonald's has installed defibrillators in his restaurants and had the respective staff trained to implement the device. Good owners should not be sued since they are acting as Good Samaritans. Lawsuits might cause the removal of defibrillators to avoid liability. We need to encourage our business owners to have emergency equipment available and not discourage them from doing so! Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1537, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 707) recommending that H.B. No. 1040, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1040, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 708) recommending that H.B. No. 1316, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1316, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Har rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I have a ruling on a potential conflict, please? At my private law firm, I do represent design professionals. Thank you," and the Chair ruled, "no conflict."

Representative Rhoads rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition. Mr. Speaker, we already have in Hawaii, in the Uniform Contribution among Tortfeasors Act, which allows those who have been found negligent, if more than one person is found negligent for a specific incident, everyone's on the hook. The Uniform Contribution among Tortfeasors Act allows the negligent parties to take money to contribute to each other's payments so that no one gets stuck with more than their fair share.

"No one wants to be sued. I understand that, but it does seem to me that if we have an exemption for everyone, then no one can be sued. Mahalo."

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. In cases involving tort claims relating to the maintenance and design of public highways, design professionals and public utility companies are sometimes left with liability beyond their percentage of negligence because of our current joint and severability law. This measure will help our local companies, but still protect our public by abolishing joint and several liability for design professionals and public utilities in tort claims relating to the maintenance and design of public highways, except when a design professional's or public utility's degree of negligence is 25% or more. 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. 1316, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TORTS," passed Third Reading by a vote of 40 ayes to 10 noes, with Representatives Belatti, Berg, Hanohano, Keith-Agaran, C. Lee, Luke, Nishimoto, Rhoads, Saiki and Shimabukuro voting no, and with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 709) recommending that H.B. No. 865, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 865, HD 1, pass Third Reading, seconded by Representative Evans.

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 Standing Committee Report No. 709, House Bill 865, House Draft 1, Relating to Transportation. This bill would require the Statewide Transportation Council to comply with county transportation-related plans, county general plans, and all community, development, or community development plans adopted pursuant to the county general plan, to the extent that compliance does not affect the receipt of federal funds. This bill was a recommendation of the 2007 Interim Task Force on Smart Growth Development because the Smart Growth Task Force recognizes the need to ensure that state and county plans are coordinated appropriately.

"Improving coordination between the State and counties is critical to ensure our major backbone infrastructure is planned, funded and constructed in a timely basis. As transportation funding begins to shrink at the federal level, it is important to coordinate our efforts at the State and county levels to maximize our returns.

"While the Island of Oahu has the Oahu Metropolitan Planning Organization (OMPO) to set its priorities, the Department of Transportation (DOT) sets the Statewide Transportation Improvement Program, or STIP, for the Neighbor Islands. This bill will ensure that the DOT will take into account county transportation and general plans to ensure consistency and to eliminate conflict with county plans when the STIP is implemented. Furthermore, by providing consistency between the STIP and county plans, Hawai`i will have more effective transportation systems that will better meet the transportation needs of Hawai`i's citizens.

"Finally, Mr. Speaker, as we know Hawai`i has a finite amount of land, and our development decisions will continue to affect us as our population continues to grow which is why I continue to advocate for smart growth development. HB 865 HD 1 will ensure that our transportation-related plans will be cohesive and comprehensive.

"Accordingly Mr. Speaker, I stand in strong support. Thank you."

Representative Pine 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 Committee was adopted and H.B. No. 865, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 710) recommending that H.B. No. 1611, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1611, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations. This bill, H.B. No. 1611, House Draft 2, requires truthful labeling of meat and fish that has been gas-treated. Mr. Speaker, the bottom line is whether or not you believe that gas-treated meat and fish is dangerous to one's health. I think that's what we're here to, I guess to protect people's health.

"These products are regarded as safe by the FDA, however, there are some questions in regards to that. So, there's still time to research and debate this issue further, because it has a defective date, Mr. Speaker. So, I'm going to leave that for a later time. Thank you."

Representative Pine rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. With reservations, please. Basically, as the previous speaker said, that this bill would require certain supermarkets to start labeling their food that had been treated with a certain gas. This particular gas is used nationwide to keep meat fresh.

"My only concern is, as we, as a legislative body, despite the fact that there has been really no proof, nationwide, that this type of gas is bad for people. We, as a Body are making a determination away from the Food and Drug Administration, to say that there is something wrong with this particular process. My concern, by taking that position, that we are publicly saying to the State of Hawaii that any store that does this particular process is doing something wrong to you. I think that's just the wrong way to go about it. I understand that there's some concern, but it's a concern without true proof."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I'm also voting 'aye' with reservations. I think it might be preferable to allow people who do not treat the meats with gas to be able to allow them to say that their meats are not treated with gas. Thank you very much."

Representative Evans rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in support. I know that as all things change, I think this is a time where the public is asking us to do more labeling, making more educated choices for themselves. So, I think that we should support moving this bill forward. Thank you."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In strong support. May I have the comments of the previous speaker inserted into the Journal as if they were my own?

"And, just real quickly, this is a disclosure item, as far as I can see. People are being told that this is fresh, and it's not. It's been gassed to preserve it beyond its life. I know of real allegorical stories of people who have gotten meat that they thought was fresh, opened it up, and ate it, and were sick. With all the food poisoning scares, and the peanut industry, and other things, this bill is all about, basically, food safety, and it's very imperative. Thank you very much."

Representative Pine rose to respond, stating:

"Just in rebuttal, Mr. Speaker. I would be happy to concede that this is something that's very important to do, if the previous speaker can provide evidence that that person did get sick from this particular treatment. It could just be that the meat was just plain bad."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1611, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LABELING OF MEAT AND FISH PRODUCTS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 711) recommending that H.B. No. 812, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 812, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of Stand. Com. Report 711, House Bill 812, House Draft 2. Thank you. At least two former United States Surgeon Generals, Antonia Novello and C. Everett Coop have declared domestic violence to be a problem of epidemic proportion nationwide.

"According to our Honolulu Police Department, up to one-third to one-half of the police officers' work time is spent responding to domestic calls. The bill before us is to protect our victims of domestic violence by allowing them to terminate their rental agreement without penalty, so long as they can confirm abuse, with a temporary restraining order, or a protective order with a written affidavit by a deputy prosecutor.

"In a domestic violence situation, victims are often faced with multiple competing challenges; escape, economic viability, appearance in court and single parenting, are only some of the difficulties they face. This measure will save lives by allowing our victims an option to flee their violent situation. 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. 812, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 712) recommending that H.B. No. 1696, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1696, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTAL INDUSTRY," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

At 10:23 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 245, HD 1
H.B. No. 1351, HD 2
H.B. No. 1537, HD 1
H.B. No. 1040, HD 1
H.B. No. 1316, HD 2
H.B. No. 865, HD 1
H.B. No. 1611, HD 2
H.B. No. 812, HD 2
H.B. No. 1696, HD 2

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 713) recommending that H.B. No. 197, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 197, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ching rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. Just a request for a ruling on a potential conflict. I serve on a board of directors of a condominium. 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. 197, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 714) recommending that H.B. No. 244, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 244, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Mr. Speaker I'm rising to speak against House Bill 244. Thank you. Mr. Speaker, this bill will provide lower utility rates for agricultural activities, and the lower rates are including potable water, electricity, and freight transportation. I support ag operations and their need to be able to bring their produce and other products to market. But the problem with this is, all other utility and transportation ratepayers are going to have to pay a higher rate. So, by passing this bill forward, what we're really doing is ensuring that our constituents who are not agricultural operations or operators, are going to have to pay higher utility rates for water, electricity, and transportation.

"OHA, who normally would be in favor of an ag bill of this nature, cautions that the bill has the potential to go too far, and it stated that to provide these discounted rates across the board, at the expense of other ratepayers, it could be overly burdensome, almost at the point of a tax for other ratepayers, especially in these economically-challenging times. And that is why I'm opposing the bill, Mr. Speaker."

Representative Evans rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in support. I think our community overwhelmingly has said that they want agriculture to succeed, and not only that, they want to eat local foods. If the community rises up and says this is important to them, then I see that this bill really reflects what I think is an overwhelming opinion of our taxpayers that they want this for us. I think this promotes agriculture, and I ask our Members to support it. Thank you."

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Yes, I'd like a ruling on a potential conflict, Mr. Speaker. My law firm represents both water public utilities, and ratepayers of water public utilities," and the Chair ruled, "no conflict."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with reservations, and I'd like to adopt the words of the speaker from Kailua. And, just additionally, when you're talking to the community in regards to whether or not they want to be supportive of agriculture, of course they're going to say 'yes.' I think we all want our food to be fresh and be grown here in Hawaii.

"But, when you put that in comparison with paying more for some of these expenses such as, we need our food, we need water, we need some of these other thing, like electricity, because it says, 'included, but not limited to' some of these services. But these costs that increase at the home level, they may have a different opinion. Thank you."

Representative Cabanilla rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of this measure. I would say that in this Chamber, we always talk about preservation of important ag lands. We always talk about preservation of agriculture. This is one way that we can support what we say. Thank you, Mr. Speaker."

Representative Tsuji rose to speak in support of the measure, stating:

"Mr. Speaker, thank you very much. I rise in support. Thank you. Current HRS provides a mechanism for the establishment of preferential rates for potable water used in agricultural activities. This bill increases that scope of the law to provide preferential rates for any other public utility service used for agricultural activities in agricultural districts, such as electricity and freight transportation.

"I know there are concerns that preferential rates would be subsidized by all other utility ratepayers who may find that higher rates may be overly burdensome, particularly during our economically challenging times. These concerns merit further consideration. And should this bill move forward, the current language also includes a defective date of January 1,

2090. And thus, I urge my colleagues to support this measure, and encourage further discussion. Thank you, very much."

Representative Pine rose to speak in support of the measure with reservations, stating:

"Just with reservations. I have similar concerns as the previous two speakers here. However, I would much rather prefer that we allocate money through the Agriculture Department, instead of having the rest of the ratepayers pay during this economic time."

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 however, with reservations of H.B. 244 Relating to Public Utilities. Agriculture is important and we must support it, but I am concerned that utility and transportation ratepayers might have to pay higher rates as a result of this bill to subsidize agricultural utility and transportation ratepayers. The Office of Hawaiian Affairs worries that this bill might go too far and in their testimony said, 'We must be careful to ensure that the preferred rates from the public utility services are provided to ratepayers who are engaged exclusively in agricultural activities. Otherwise, the intent of this bill will be frustrated and OHA's support cannot be maintained.' 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. 244, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Thielen voting no, and with Representative Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 715) recommending that H.B. No. 591, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 591, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you. This is very similar to the previous bill, and so I just wanted to vote with reservations."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Thielen rose and asked that the Clerk record 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. 591, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 717) recommending that H.B. No. 1663, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1663, HD 1, pass Third Reading, seconded by Representative Evans.

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

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 1663: Relating to Taro Security.

"The Kauai Taro Growers Association, a 501(c) (3) nonprofit organization was registered in 1987, following in the footsteps of an organization founded by a generation before them. The registered purpose statements are as follows:

To engage in and support study and research relating to taro production and of poi and other taro products.

To disseminate information among the members relating to improved farming techniques, equipment and all other developments pertinent to the industry.

To promote the availability of land for taro production; promote the production of taro and taro products; enhance the marketing of taro and taro products; engage in all other activities for the advancement of the common interests of taro growers.

To publicize taro and taro products and to encourage their consumption by the public.

To promote mutual cooperation and encouragement among taro growers.

"The 42 farms on Kauai totaling 396 acres of taro, provides approximately 78% of the state supply (Oahu/Maui 18% and Big Island 4%), have signed to support HB1663 HD1, and have made compromises in respect for the Hawaiian culture, which will leave the Hawaiian taro varieties that they now grow vulnerable to possible diseases that may enter Hawaii.

"According to DOA, new pests and diseases are entering uninspected since 2006, due to a change in federal procedures since 9/11 that doesn't allow our State inspectors to check the 900,000+ pounds of taro entering Hawaii per year. From 1997 to 2005 there were over 345 insects, mollusks, weeds and nematodes (and this does not include possible bacteria, fungus or diseases) that the state inspectors previously stopped prior to 2006 and it would be a matter of time before the leaf blight in Samoa and disease in the Solomon Islands that decimated the taro crops arrives here. The insect vector required to transmit this disease is found in Hawaii. It is hoped that the continued research on the non-Hawaiian varieties may provide a future remedy should the disease reach Hawaii.

"The taro industry has been on a steady decline from 1948 when there was 14,000,000 pounds of taro, to 6,800,000 in 2000 and now 4,300,000 pounds that correlates with the decline in taro farms. Kauai farmers also have the highest yield per acre at 13,600 lb/acre and Oahu/Maui at 10,533 lb/acre and Big Island at 4,222 lb/acre.

"The following calculation is the amount of servings per week that the Kauai taro farmers supply the State.

4,300,000 X 78% = 3,354,000 lbs from Kauai
3,354,000 lb X 4 (servings per lb) = 13,416,000 servings
13,416,000 servings / 52 weeks = 258,000 servings per week

"Everyone is encouraged to educate themselves on the research that has been done and know that there are ways to use genetic engineering in a secure facility that will not allow the results to escape nor allow public access to avoid previous destructive acts at experimental areas with plants destroyed, mistakenly thought to be genetic modified plants, and that could lead to the release of results of the study. Research being conducted on the Chinese Bun Long variety has resulted in stopping the leaf blight problem that plagues current organic and conventional taro production and lead to solving the severe leaf blight disease that decimated the taro in Samoa.

"Genetic engineering could focus on this particular aspect in which researchers can identify the gene that could fight the disease and look for similar genes in the current varieties and then use the hand pollination method to cross breed and create a variety resistant to leaf blight. This method would be more efficient in finding the correct crosses that would

work instead of the trial and error method that leads to creating hundreds of crosses and then go through a process of elimination.

"Education is needed on how cross pollination occurs with taro and that the odds are about 2 billion to one, of taro cross pollinating in the field, which would be similar to someone never leaving their home because they are afraid that a meteor may strike them. Bun Long which has been in Hawaii for 150 years as stated in this bill has never crossed with the Hawaiian varieties. Have the Hawaiian varieties cross pollinated with each other? And if it did, the only way to check would be to utilize genetic engineering to find out.

"The farmers have also compromised to avoid the cross pollination issue all together, by agreeing to the amendment that there be no open field testing and that all open field testing be conducted outside of Hawaii. The farmers also want to make it very clear that there are no GMO taro planted and that there are no GMO taro to be planted.

"The farmers are worn down by this issue for the past three years and would like to go back to the fields, spend their time farming and focus on ways to remedy the many other challenges facing them daily.

"Mr. Speaker, it is time to let the taro farmers do their farming. 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 to speak in strong support of House Bill 1663 HD1, which prohibits the development, testing, propagation, release, importation, planting, or growing of genetically modified Hawaiian taro. It also prohibits certain activities related to GMO non-Hawaiian taro.

"Legislation to protect this valuable cultural and nutritional agricultural resource had a rough, and ultimately disappointing, ride in this Body during the 2008 session. With this bill, we have a fresh opportunity to redeem ourselves and do what is right to preserve Hawaiian taro for present and future generations.

"As Vice-Chair of the Committee on Hawaiian Affairs, I have heard compelling testimony from Native Hawaiians, grassroots farmers, concerned scientists and academics, and a widely diverse number of individuals who want to preserve *kalo* as it has been handed down through the generations. I am also pleased that this bill is also designed to preserve and protect to some extent varieties of non-Hawaiian taro as well.

"I also realize that this bill is not perfect. It needs more work as it moves ahead through the remainder of the Session. Some of the suggested amendments that have come to my attention are: no non-Hawaiian taro shall be genetically modified outside an enclosed laboratory to which public access is either prohibit or strictly regulated; no genetically modified non-Hawaiian taro shall be released within or imported to the State of Hawaii. There will no doubt be other amendments put forth – some desirable, others less so – but the important thing is to keep the momentum going … and ultimately produce a law that will truly protect our precious taro resource.

"I urge my colleagues to join me in supporting HB 1663."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1663, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TARO SECURITY," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Hanohano voting no, and with Representative Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 719) recommending that H.B. No. 1272, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1272, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. This bill, Stand. Com. No. 719, makes clarifying amendments to the Electronic Waste Recycling Act by making minor revisions to the terms, 'covered electronic device' and 'manufacturer.'

"Mr. Speaker, actually, I'm not really in favor of the clarifications. I'm actually pretty curious as to who this will affect. But, I'm going to be voting 'no,' and, my 'no' vote is because I'm not in favor of the Electronic Waste Recycling Act. I do not believe that development of this State-run program is necessary, as many manufacturers and industry associations provide extensive information on their websites about how and where to recycle their electronic products, Mr. Speaker. And, I'm just not that fond of State-run programs. Thank you."

Representative Evans rose to speak in support of the measure, stating:

"Mr. Speaker, in support. We have moved into the information age, and the technology age. With electronic waste, the volume is unimaginable. What's going to happen to us over the next years to come? We have got to set the groundwork, and I applaud the Chair moving this forward.

"This issue has been around for many, many years. It started out as a Resolution to look at it. I think people see it as a problem, and I, again, think we have to move forward on 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. 1272, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC WASTE RECYCLING," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Finnegan voting no, and with Representative Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 722) recommending that H.B. No. 1593, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1593, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'd like to note my reservations and make a few comments. Mr. Speaker, I understand that the impetus for this bill is to assist with a conflict between certain lessees and a land owner. I guess I'm really just concerned about this bill because in some of the testimony, it was brought to our attention that this bill might be a violation of the contract clause, under both the Hawaii State Constitution and the U.S. Constitution.

"Again, I want to stress that I understand the nature of the conflict and that this bill is being cast as a way to support small, local businesses. And for that reason, I can see why it might be something favorable to do. However, it does concern me, regarding these constitutional questions. 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. Small businesses and farms are an essential element in strengthening and diversifying Hawaii's economy and creating jobs for our people and despite their contribution to Hawaii's economy, small businesses and farms are at a disadvantage in terms of land ownership. The commercial, industrial, and farm properties that exist within the State's

districts are primarily owned by a few landowners. These landowners control large tracts of land and retain their ownership by means of leases to small businesses and farms, which in turn supply services and products for our community.

"The purpose of the first part of this bill is to stabilize Hawaii's economy by addressing some of the burdensome or vague provisions of existing commercial and industrial leases of certain lands within urban districts by clarifying provisions in long-term commercial and industrial ground leases, without substantial reduction in the economic benefit to the landowners or impact on their ownership of the land, without impairing their lease contracts, and without the taking of any property rights without due process of law. House Bill 1593, House Draft 1 states:

Notwithstanding any other law to the contrary and unless expressly stated to the contrary in the lease, any lease of commercial or industrial leasehold property shall be subject to the following terms and conditions:

(1) Whenever a lease existing on July 1, 2009, or entered into thereafter, provides for the renegotiation of the rental amount or other recompense during the term of the lease and the renegotiated rental amount or other recompense is based, according to the terms of the lease, in whole or in part on a fair and reasonable annual rent as of the commencement of the term, that provision shall:

(A) Be construed to require that the rent shall be fair and reasonable to both the lessor and the lessee to the lease; and

(B) Take into account any and all relevant attendant circumstances relating to the lease, including:

(i) Past renegotiation practices and policies throughout the previously renegotiated lease rents;

(ii) The uses and intensity of the use of the leased property during the term of the lease approved by the lessor;

(iii) The surface and subsurface characteristics of the leased property and the surrounding neighborhood of the leased property on the renegotiated date; and

(iv) The gross income generated by the lessee on the renegotiated date; and

(2) Unless otherwise specified in the lease, if the lessee has subtenants with subleases that provide for recovery by the lessee of ground lease rent, those subtenants shall be charged their pro rata share of the fair and reasonable annual rent as renegotiated pursuant to this section.

"In the second part of this bill, the purpose is to carry out the mandate of Article XI, section 3, of the Hawaii Constitution to conserve and protect agricultural lands and assure availability of agriculturally suitable lands.

"The Legislature finds that the land use law was enacted to "preserve and protect land best suited for . . . agricultural purposes and to facilitate sound and economical urban development" (Senate Standing Committee Report Number 580; 1961 Senate Journal). Since that time, however, lands classified by the land study bureau as class A and class B lands, the lands most suited for intensive agricultural use, have declined from three hundred fifty-nine thousand six hundred ninety acres (Class A, one hundred twenty-five thousand one hundred sixty acres; class B, two hundred thirty-four thousand five hundred thirty acres) in 1960 to one hundred seventy-two thousand ninety-four acres (Class A, fifty-six thousand six hundred fifty-three acres; Class B, one hundred fifteen thousand four hundred forty-one acres) in 2007. These agricultural lands are a resource that cannot be replaced once they are lost to development.

"The inventory of lands that are suitable for agriculture is essentially fixed. Unlike other agricultural inputs, agricultural lands cannot be manufactured when the demand for them increases. In 1960, the land study bureau estimated that there were nearly three hundred sixty thousand acres of class A and B lands on the six major islands. These were the lands upon which the State depended for profitable, competitive agricultural production. By 2007, the inventory of class A and B lands had declined to slightly more than one hundred seventy-two thousand acres, making it more important than ever to conserve Hawaii's most productive agricultural lands, especially in counties with a population of over five hundred thousand residents.

"Part two of this bill provides that whenever any agreement or document for the lease of private agricultural lands with soil classified by the land study bureau's detailed land classification as overall (master) productivity rating class A or B for agricultural use in counties with populations of over five hundred thousand provides for the renegotiation of the rental amount and the term of the lease, and the lessee has made improvements or is seeking to make improvements on the land, the renegotiated term of the lease shall include an extension of the lease for a period of not less than seventy-five per cent of the original term of the lease.

"Further, the measure requires that for a boundary amendment for agricultural lands with soil classified by the land study bureau's detailed land classification as overall (master) productivity rating class A or B, no amendment of a land use district boundary shall be approved in counties with a population of over five hundred thousand where: (1) A farming operation as defined in Hawaii Revised Statutes section 165-2 is being conducted on the land; (2) The land is important for agriculture based on the stock of similarly suited lands in the area; (3) The district boundary amendment will harm the productivity or viability of existing agricultural activity in the area; and (4) The district boundary amendment will cause fragmentation of or intrusion of nonagricultural uses into largely intact areas of agricultural lands with soil classified by the land study bureau's detailed land classification as overall (master) productivity rating class A or B. These requirements will help to protect some of our most valuable and productive agricultural lands. Thank you."

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representative Belatti be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative McKelvey rose in support of the measure, stating:

"Mr. Speaker, I am in strong support."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Saiki rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this measure. This is House Bill 1593. It is the first of a line of somewhat troubling bills today that are attempting to impair existing commercial contracts. Although bills enacted by the Legislature enjoy a constitutional presumption, the presumptions should not apply here, because this bill, as previously mentioned, violates the contracts clause of the U.S. Constitution.

"The test for the contracts clause is comprised of three factors. The first is whether the statute operates as a substantial impairment of a contractual relationship. Second, whether the statute is designed to promote a significant and legitimate public purpose. And third, whether the statute is a reasonable and narrowly drawn means of promoting a significant and legitimate public purpose.

"I would submit that this legislation meets none of these criteria for the following reasons. First, this bill rewrites provisions that are contained in existing contracts. Second, this legislation does not set forth a significant and legitimate public purpose, and the Legislature has not conducted any recent due diligence to determine whether or not commercial lease rents are or are not burdensome.

"The most recent due diligence that this Body has conducted was done in 2003, when we asked the Legislative Reference Bureau to conduct a study on commercial lease rent. That study was completed in 2003, and

one of the conclusions that the LRB found was, quote unquote, 'lease rents are probably right where they should be.'

"Whether we agree with that conclusion or not today, the fact of the matter is, that there is no other legislative finding on this specific issue that justifies this legislation.

"The third reason that this bill is not constitutional, is that it is not reasonable and it is not narrowly drawn to promote a public purpose. Even if there is a public purpose, and there is not, this bill is arbitrary, and does not even consider other alternatives to address this specific situation, such as by creating incentives for lessors to lower their commercial lease rent. Thank you."

Representative Shimabukuro rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support however, with reservations of H.B. 1593 – Relating to Real Property. While I agree and sympathize with the tenants, I do have a concern that this bill is targeted at one group of people and may end up effectively changing agreed upon terms of previously negotiated long term commercial and industrial lease contracts. Proponents of this bill have candidly admitted before the Senate Committee that they are pushing this bill as leverage in their negations. I am also concerned that this bill will limit the ability to freely negotiate leases in a manner that best suits the business requirements of both the lessor and lessee. Agreements to provide lower lease rents at the beginning of a long term lease to allow the lessee to grow their business in exchange for a long term commitment by the lease to maintain and improve the property may no longer be feasible under the provision of this bill. By prohibiting the enforcement of higher standards for the repair, maintenance, and surrender, the overall maintenance of properties may decline, impacting both subject property and the surrounding community. Thank you."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Very briefly, I'd just like to counter, I think, some of the criticisms as to the constitutionality of this measure.

"First and foremost, the question is whether it is a substantial impairment of the contract clause. I don't believe that it is, because all this is doing is finding a definition for what is fair and reasonable. Most of the commercial leases say 'fair market rent.' And so, therefore what you do is you look at the market value prevailing throughout that area, or that county, or the state, and you determine what is 'fair and reasonable.'

"Unfortunately, this lease term is subject to renegotiation every 10 years. And because it doesn't say anything about market; all it says is 'fair and reasonable,' all the landlord needs to do is put forth some justification to state that it's reasonable. And so all they need to do is say, 'I'm going to make this the best commercial property you've ever seen. I'm going to make substantial infrastructure improvements. I'm going to make the roads great. I'm going to make a great building,' and all of those things. As long as they can show that it's reasonable, they therefore get to bump up the lease rents by five times, ten times, per square foot. And that's what we're faced with, with this issue.

"And so it's for that reason, I think, we need to really look at this, because, unfortunately, when the new landlord came in, they did not go with the previous practice of the Damon Estates. And that, unfortunately, has put the lessees into a very untenable situation.

"In these days and times of economic downturn, where our small businesses are already struggling, I don't think that it's anywhere near fair to be asking them to pay 5 times or 10 times more their square-foot rent, in these economic times, where very, very few people are able to make it as it is. Thank you, very much."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support, and with the hat of a former small businessman who basically was in business with my landlord, because every time I made a dollar, there was a huge percentage. And, I don't think we're breaking a lease so much as we're shooting a 'shot across the bow' of guys who are either part of the local oligopoly, or those who have come in from the mainland who can do the 100, 200, 300, 400 %, and basically decimate the heart of the small business community, because there's only, what, eight to twelve percent of the land in circulation, which otherwise is taken off because of huge ownership.

"There's such an imbalance that's going on, Mr. Speaker. And some of these rents are just prohibitive. What we've got to do is tell them, we don't want rent control, but we don't want them also to go crazy and knock everybody out, just because they're trying to bleed another 100% or 50% out of the lessees.

"So, I think this piece of legislation will serve to put sobriety and sincerity in the renegotiations, at least for the sake of halting some of the stuff that's chasing a lot of people away. And it's not only just the small 'mom and poppers,' it's substantially large businesses who don't own the land, but they own the buildings, and their businesses are in jeopardy. And they are the ones who hire the people who make Hawaii work. Thank you, Mr. Speaker."

Representative McKelvey rose in support of the measure and asked that the remarks of Representative B. Oshiro be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1593, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Third Reading by a vote of 43 ayes to 7 noes, with Representatives Berg, Hanohano, Luke, Morita, Nishimoto, Saiki and Takumi voting no, and with Representative Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 723) recommending that H.B. No. 1784, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1784, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak in opposition of HB 1784, HD 2 which purports to alleviate the perceived crisis of doctors leaving Hawaii. The approach in this measure is reckless, wrongheaded and generally based on faulty assumptions, and fanciful use of facts and comparisons. There are a number of bills moving through this body today, including HB 1636, HD 1; HB 310, HD 2; HB 1316, HD 2; and HB 1037, HD 2, which tip the balance of fairness towards the wrong doer and against the victim, but this is the most egregious.

"One major concern with this bill is that it unnecessarily reduces or takes away rights of patients who may have valid and substantial injuries as a result of a medical provider's negligence. Section 3 of the measure reduces the statute of limitations for medical tort claims- from 2 years to 1 year after the patient discovers or should have discovered the malpractice. It also reduces the outside limit of bringing suits from 6 years to 3 years.

"In the case of minors, the measure not only shortens the limitation period from 6 years to 3 years, but also changes the outside limit in the case of minors and effectively shortens what we understand as childhood

from 16 years old to 8 years old. We have this kind of limitations period to balance the need to protect minor children with some certainty on when a claim must be sought. This proposed "reform" impacting victims who are minors effectively sacrifices these children on an insurance company's altar of actuarial certainty.

"Proponents argue that high malpractice premiums charged by the doctor-run and owned insurance company providing coverage to Hawaii's physicians are the primary cause of doctors leaving practice in Hawaii. Putting aside the fallacy in that premise, I simply object to skewing rights of patients to chase a Holy Grail of lower malpractice premiums. The key to lower malpractice is to follow the simple maxim of "Do no harm." Since the Insurance Commissioner reports that the carrier covering Hawaii's doctors has paid out excess premiums to its members regularly in recent years, it appears that the insurance company has enjoyed good years and the Hawaii payout experience merits a return of excess premiums to Hawaii's doctors. With that kind of recent experience for the carrier, it belies me why this bill did not include a premium rollback as a condition of these drastic changes.

"This bill supposedly addresses a shortage of doctors practicing in certain specialties, particularly in rural areas, as well as to reduce the alleged high malpractice insurance premiums that these medical specialties pay. The Hawaii Medical Association (HMA), a primary proponent of the wish list of harsh changes in this bill, asserts that many doctors are leaving the state primarily due to high medical malpractice insurance premiums. Yet HMA offered no substantiated facts in support of this contention. HMA also claims that there is a flight of doctors from Hawaii because of the so called high premiums. However, the record of registered physicians at the Department of Commerce and Consumer Affairs (DCCA) shows that there has been an increase of licensed physicians in Hawaii for years 2000 to 2009. The data shows that in 2000, there were 3,044 licensed physicians and in 2009 there were 3,925 licensed physicians, an increase of almost one-third over the nine year period.

"The so-called reformers also argue that this bill will solve the dearth of specialty physicians in the rural areas. However, this problem is not unique to Hawaii. The problem affects every rural area across the country. Medical malpractice tort limitations and caps on damages will not solve this problem. It has not solved the problem in rural areas of California or Texas, both of which have enacted caps on damages.

"There is also the lie that there is an explosion of lawsuits against doctors practicing in Hawaii, and that somehow a lawsuit explosion is to blame for the higher malpractice premiums. The Legislature addressed lawsuits against doctors previously by creating a screening procedure that has effectively deterred the filing of frivolous medical malpractice lawsuits: the Medical Claims Conciliation Panel (MCCP). Under Hawaii law, medical claims must first be submitted to the MCCP before a lawsuit can be filed. Furthermore, a claim cannot be filed unless a doctor in the same specialty who is a member of the panel finds that the claim has merit. The MCCP annual reports show that medical malpractice claims filed in Hawaii has been reduced by 42% from 2001 to 2008. The claims that have gone before the MCCP screening panel have dropped from 173 in 2001 to 100 in 2008. And as for allegations of frivolous claims, the MCCP panel found 2 claims to be frivolous in the last 4 years and 11 over the past 15 years; this is less that 1% of all the claims that MCCP heard. Finally, the number of medical claims that actually ended up in courts shows that there is a substantial reduction of cases filed, from 55 in 2002 to 40 in 2008. As for cases that actually ended up going to trial, only 11 cases went to trial in the past five years. That amounts to roughly about 2 cases per year. These facts demonstrate that there is no explosion of malpractice claims, lawsuits and trials.

"Mr. Speaker, it's perplexing that we are addressing a perceived problem in ways that only harm important rights of our regular residents. Making changes to our existing medical tort laws should not be based on a whim. The facts do not warrant radical obliterations of the rights of those who have valid and reasonable claims for their injuries arising from negligent care from their providers. The system is not broken, so let's not fix it. For all of these stated reasons, I will be voting against this bill."

Representative Rhoads rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition. Mr. Speaker, in the year 2008, there were exactly 3,917 physicians and surgeons in Hawaii. In that same year, 2008, the Medical Claims Conciliation Panel accepted, or 100 claims were accepted with the MCCP. So that means for 3.9% of the doctors in 2008, a claim was filed against them. What that also means is that the average doctor in Hawaii gets sued once every 39 years. The number of doctors in Hawaii has actually increased since 2000. In 2000 there were over 3,044. Now there are 3,925.

"The number of claims that have been filed with the MCCP has dropped from 173, which is still a tiny number, considering how many doctors visits, surgeries, and medical procedures are done every year. That number has dropped to 100 in 2008.

"I understand that there's a problem on the Neighbor Islands in particular, with the availability of medical care, but this bill isn't going to make any difference in terms of improving that situation. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations on this bill. This bill tries to move us forward with a very important issue of medical tort reform. I support this bill, as it is a way to continue moving forward. Capping non-economic damages is an important part of medical tort reform, and caps on non-economic damages do not come into effect until economic damages reach $1.5 million in this bill.

"The median settlement awarded in a jury verdict of this nature is $235,000. The deletion of the section of attorneys fees, along with the elimination of a non-economic cap for the awards, less than $1.5 million in economic damages, dilutes severely the reform aspect of this bill.

"I appreciate the work of the Chairs of Judiciary and Health, as I know that this issue is very difficult to deal with. However, my hope is that this bill returns from the Senate with more of a reformed aspect to it.

"Mr. Speaker, the previous speaker spoke about doctors in general, and how there're more doctors. Well, we can also take a look at my mom, my father, and how it's not easy to get doctor's appointments, especially in these fields. You can tout, and you can speak about all of these numbers of many doctors that exist out there, but services also continue to climb, and more people using these services continue to climb. And, we're talking about specialties in the medical field.

"So, if you're going to start talking about all of these doctors, when this bill covers specialties of doctors, I didn't think that the speaker was providing the type of evidence to get to the way the things that are in this bill in regards to specialty areas of medical practice.

"So, Mr. Speaker, I hope that this improves, but I am still with reservations on the bill. Thank you."

Representative Pine rose to speak in support of the measure, stating:

"Yes, just in rebuttal of the Labor Chair. As the previous speaker mentioned, some statistics were a little skewed. I can just tell you, for example, orthopedic surgeons have said that they get sued several times a year. And that is one of the reasons why they're leaving in mass droves. Yes, I'm speaking in support. Thank you, Mr. Speaker."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Also in support. At least this is a beginning, and I applaud the Chairman for beginning this, though it is far from perfect. If you talk to doctors, you will hear the reality of what's going on. And I think there were a number of panel discussions earlier in this Session. And I think that this is an area that the public has also expressed their concern. They know that their own doctors are deciding to leave the field, especially in the specialties that we mentioned."

Representative Cabanilla rose to speak in support of the measure, stating:

"In support, Mr. Speaker. And I'll be very brief. I just want to thank the Chairs of Health and Judiciary for taking this on. This is my fifth year in this Chamber, and I'm really happy that we're having this discussion on medical tort reform, because I think it's something that we should have accomplished years ago.

"This is a small measure to appease our specialty doctors to stay where they're at, and a way of us expressing to them that we are listening to them. That they have a part in this Chamber. That their interests are also being discussed. Out there in the field they feel that their interest is not heard, and that this Chamber is full of lawyers, and their interests are not being undertaken. I'm happy to report to them that no, they are not forgotten. We talk about doctors in this Chamber. And I want to thank the lawyers in this Chamber for supporting this bill. Thank you."

Representative Marumoto rose to speak in support of the measure, stating:

"Very briefly, Mr. Speaker. In favor. I'm happy to see some caps on damages in this field. I think the fear of lawsuits on the part of doctors has led to very high costs and defensive medicine, in ordering excessive tests, and leaving long paper trails in case of a lawsuit. I don't understand one provision of the bill, that says the caps on the judgments will not apply if the claimant's economic damages are less than $1.5 million. I don't know the effect of what percent of people have damages that are less than $1.5 million. But, it would seem that many people would fit under this limit. So, I don't know whether this might negate the cap on non-economic damages. But, we shall study it further as this bill progresses, hopefully to final passage. Thank you."

Representative Karamatsu rose to speak in support of the measure, stating:

"In support. Mr. Speaker, in this bill, we tried to find a delicate balance to protect patients, and at the same time to retain doctors. So, at this time, I'd like to insert written comments into the Journal. Thank you."

Representative Karamatsu's written remarks are as follows:

"I rise in support of House Bill 1784, House Draft 2, Relating to Medical Torts. Mr. Speaker, there has been a disturbing trend over the years as more and more doctors either leave the islands or retire, leaving our residents with inadequate access to healthcare, if at all. Our Neighbor Island residents especially suffer the unfortunate consequences of our growing lack of physicians. There are several factors contributing to this mass exodus of doctors, including a high cost of living, low reimbursement rates, and high medical malpractice insurance premiums.

"House Bill 1784, House Draft 2 attempts to address one of the main reasons that doctors claim is forcing them to leave our State. This tort reform proposal originally offered a $250,000 cap on noneconomic damages, with a $3 million cap for gross negligence cases. However, after careful consideration of the concerns expressed by the medical community, legal community and patient advocates, the Judiciary Committee has amended this measure to better reflect a more balanced approach to addressing tort reform. More specifically we removed the specific award amount for noneconomic damages, included a provision to exclude the cap on noneconomic damages in cases where the economic damages are less than $1.5 million, removed the sections on attorney fees, periodic payments, admissible evidence, and the $3 million cap in cases of gross negligence, clarified the language in the adverse notification section, and established a medical malpractice taskforce and a medical malpractice rate and awards cap commission in order to best determine and regularly maintain the most reasonable, yet realistic medical malpractice insurance premiums and noneconomic damage caps possible.

"And while your Committee recognized the importance that the physician profile section brings in encouraging consumer awareness and protection, we felt that it was best not to jeopardize passage of this measure because of a potential title problem that the profiling section posed, and therefore, with the prior consent of your Health Chair, chose to delete that section.

"The measure before us today is a well-thought out compromise that attempts to address the concerns of all affected parties based on factual research and best practices from other states, while keeping in mind the unique situation of our island state. This measure also strives to bring all the affected stakeholders together to develop realistic solutions to the impending medical crisis we are facing. Medical tort reform is a very complex and emotional issue that has gone unaddressed for years. It is time that we bring the affected stakeholders and experts together to have an open and candid discussion about the actual reasons that are forcing our doctors to leave and what we can do to keep them here. Without that discussion we will never truly find the solutions we need, which is why the establishment of this task force is so important.

"In short Mr. Speaker, your Judiciary Committee recognizes the sensitive divide on this issue, the need to bring the affected stakeholders together for an open and honest discussion, and that even though this is only one of many different components affecting our State's healthcare system, the critical need to move this measure forward for further discussion.

"This measure in its current draft provides us with the opportunity to continue the meaningful policy discussions regarding doctor recruitment and retention and therefore, I ask my colleagues to support this measure so that these discussions may continue on in the Senate. Thank you."

Representative C. Lee 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:

"Thank you, Mr. Speaker. I rise in opposition to this bill and would like to make a few comments. Thank you, Mr. Speaker. This is a bill that I've been very conflicted over, as both a person who has family members who are nurses, doctors, physician's assistants, and, as a lawyer. I've been conflicted because, I think out there in the community, the constituents are also divided.

"And, to reach my conclusion, I had to look back on what was the overarching purpose of the tort law system. Going back to torts 101, the overarching purpose of the tort law system is to encourage socially efficient behavior, by setting up legal structures that …"

Representative Evans rose to a point of order, stating:

"Point of order. The current speaker seems to be looking at the audience and not addressing the Speaker."

The Chair addressed Representative Belatti stating:

"Representative Belatti, would you please address the podium?"

Representative Belatti continued, stating:

"Yes, Mr. Speaker. So, the purpose of the tort law system, as I've learned, is to one, compensate victims for their injuries. Two, to deter potential wrongdoers from intentionally or negligently injuring others. And three, to promote fairness and corrective justice.

"As this Body knows, low reimbursement rates for doctors, the high cost of living, and high malpractice insurance premiums have contributed to the crisis that exists in Hawaii's healthcare system, with Hawaii's doctors leaving rural areas and high-risk specialties to the detriment of Hawaii's patients.

"Tort reform is just one piece of a larger plan to address this crisis. Originally, when House Bill 1784 made its way through the Health Committee, I supported it, because it included measures of transparency and accountability. Other pieces, which are a part of House Bill 1784, as it

passed through the Health Committee, included the requirements that, one, mandated liability and insurance premium rollbacks. Two, required patient notification by healthcare providers of adverse events, which would increase communication between doctors and patients. And three, provided transparent public information on doctors, so that the public at large would be able to make informed decisions when selecting their healthcare providers.

"As the bill progressed to the Judiciary Committee, however, important features were gutted. For example, this bill no longer requires the online publication of physician profiles. It also narrowed the definition of 'healthcare provider,' so that the notification requirement is essentially ineffective in alerting and protecting Hawaii's people from medical errors.

"For these reasons, I no longer support the reforms contained in this amended House Bill 1784. Recognizing that this bill will likely move out of this House, I hope that some of the concerns that I have raised and other colleagues have raised will be taken up by the Senate. 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. 1784, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS," passed Third Reading by a vote of 37 ayes to 13 noes, with Representatives Belatti, Berg, Brower, Hanohano, Keith-Agaran, Luke, Morita, Nishimoto, Rhoads, Saiki, Shimabukuro, Takumi and Wakai voting no, and with Representative Takai being excused.

At 10:53 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 197, HD 1
H.B. No. 244, HD 1
H.B. No. 591, HD 1
H.B. No. 1663, HD 1
H.B. No. 1272, HD 1
H.B. No. 1593, HD 1
H.B. No. 1784, HD 2

Representatives Cabanilla and Ito, for the Committee on Housing and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 771) recommending that H.B. No. 1443, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1443, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Herkes rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition. I'm guilty. I do carpentry in my garage. It's what we do in the rural areas. One of my neighbors is retired and to supplement his income, he makes ukuleles. I believe that's carpentry. It's just, that's what our garages are for."

Representative Har rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations. My only concern with this measure is the fact that it doesn't take into account previous contracts entered into, for example, declarations of covenants, conditions, and restrictions. And, I think that those are superseding documents and arguably, should we pass this measure without some language regarding that previously entered into agreements between homeowners and developers or associations are not recognized, we could be, arguably, interfering with contractual relations. So, I would just caution the Members on that. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Mr. Speaker, this bill is really all about the future. The future of small business is going to be in the home, and if you're a carpenter, or if you're otherwise, this is a beginning document which we're going to have to amend continually, because if we go more telecommuting, more computer technology based businesses, this bill will be filled up to the brim. Right now it's just an opener. Thank you."

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 support of the measure, stating:

"Thank you, Mr. Speaker, I support this bill and have short comments. Thank you. This is a very good idea. During these tough economic times, we should be responsibly looking for ways to encourage entrepreneurship. The purpose of this bill is to allow owner-occupants of the home to operate a small business out of their home, as long as it does not have serious negative impacts on the surrounding residential area.

"This gives start-up businesses a way to keep costs low. The risk of starting a business is lessened. And this is also a good quality of life measure for those who are trying to juggle home, family and work. This is a good idea that deserves more discussion. Thank you."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I am voting for this measure, but just would like to express a reservation. I believe this is more a county function, and if they would like to pass this, I would encourage them to do so. 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:

"In this time of recession it is important to encourage as many revenue streams as possible. Also as a social worker I support giving Hawaii residents the opportunity to realize the 'American Dream' of owning and operating their own business. This will give self-determination and autonomy for many people. Instead of relying on an employer, their successes and failures are solely their own responsibility.

"It is expensive to rent office space. In this time of high rents and increased environmental awareness, it makes sense to utilize the home that has already been purchased or rented instead of leaving it to sit empty all day while the occupant is taking up precious office space.

"This bill will help many types of home businesses, from lei and handicraft makers to and other cottage industries to accountants, naturopaths and e-Bay sellers. Now, especially with the advent of the Internet, many businesses can easily be operated unobtrusively at home. This diversifies our economy, a goal of many Hawaii policy-makers. Remember, Microsoft was started in a garage.

"HB 1443 will especially help mothers with young *keiki* or elderly *kupuna* be able to care for their *ohana* while bringing in income for their family. Opponents have said that they are concerned that if many home businesses were allowed to have to employees, not already living in the home, it could destroy the "social fabric" of neighborhoods. I hold a masters degree in psychology and am a professional social worker. I can tell you definitively that if many mothers stayed home to care for their children or parents and had a couple of friends over to help them with their business at the same time, it would actually greatly strengthen the "social fabric" of these neighborhoods.

"Opponents have also said that they were concerned about traffic impacts. Actually home businesses would have the exact opposite effect. More people would stay home, instead of contributing to rush hour traffic. And the employees would many times be neighbors that could walk or bike to work. Or they would be driving in the opposite direction to commuter traffic. And regarding parking, most neighborhood parking

problems are during the evening, when people are home, not during working hours.

"While opponents talk about county homerule, I am interested in even more fundamental homerule, that of the homeowner deciding how to live in their own home."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1443, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOME OCCUPATIONS," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Herkes, Pine and Thielen voting no, and with Representative Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 772) recommending that H.B. No. 951, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 951, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak against the bill. Thank you. Mr. Speaker, this would give landowners immunity, were there to be falling rocks or other things that would occur from their property. I'm particularly concerned about a parcel that is located right above Kalaheo High School's playing field. And, if the private landowner were to have immunity, and not do anything to make sure that that hillside stays stabilized, we could end up with a football player, or soccer player, or whoever, being injured. I don't think we want to do this, and I think that we ought to take a look throughout our districts, and those people who have hillsides that may be not so stable, should take a hard look at this bill. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in strong opposition. Mr. Speaker, boulders don't care who's liable when they fall on people or smash houses, and I speak from personal experience. In the flood of '88, a boulder probably as big as your desk, 10 feet tall, came through my neighbor's house. I only had three feet of mud and boulders, and small ones in my house.

"The problem with this bill is that it would give upslope landowners license to ignore these hazards. It also gives immunity for conditions that can be remedied. The point is, if liability is only linked to those where maintenance is done in negligent terms, why would a landowner do anything at all, Mr. Speaker? It sends the wrong signals, for what otherwise is a very dangerous situation in many of our constituencies.

"Just last week in Ahukini Street, a boulder as big as that rug on the top of our House Chamber, fell off and broke down. And there's people, as I speak, sleeping at night in terror, fearing that this is going to happen.

"Fortunately, there is liability, and fortunately, there are people who are looking at it; engineers who are measuring it's movement and it's dangerousness. But this bill kind of gives too much *carte blanche*.

"Mr. Speaker, The bottom line is this. If you own a swimming pool, you're always going to be liable if anybody drowns in it. If you're fortunate enough in Hawaii to own a mountain, if boulders fall down, you should be liable. Especially, we live in a volcanic-formed island. We have mountains all over the place. This bill is contrary to the geography in which we live in. Thank you."

Representative Evans rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in support. The way I read the bill on page three, it says, 'the landowner shall not be liable for any damage, injury, or harm to persons or property outside the boundaries of the landowners land.'

"If I listen to the previous speakers, I really have concerns of all the people that can't control the land that's outside of their boundaries. And if I listen to the previous speakers, I would say that government must have a role in this. If we're going to hold this landowner responsible for a hillside that's above them, these people don't have the knowledge and experience to understand storm water runoff. They don't understand if in fact there was an earthquake, and somehow it got compromised. So, what, are we going to subsidize and pay for people to counsel and go and analyze?

"You know the Representative from the Big Island would love to have experts look at the terrain, and what's going on with earthquakes and storms and flooding, and how it's impacted. But we're not there yet.

"So, I think this bill actually, really addresses the fact that people that live on land can't control what's above them on hillsides, for example, or how streams may change course because of flooding. So I think the bill, the House Draft 1, I think really included some good consideration, provided, the bill says, 'that a landowner shall remain liable for damages proximately caused by negligence or wanton acts or omissions committed in the course of any activities on the improved land.' So, if the landowner, if there's storm water runoff and it's coming down and it's coming on their property, and somehow it's compromising their property, they have some responsibility, because they know it's a problem. So, I think this is covered in here, so I think this is a good bill. Thank you, Mr. Speaker."

Representative Luke rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. You know, this bill actually goes a little further than giving immunity to landowners. What it does is, for instance, if you see a boulder, and it's on your land, if you don't do anything about it, then you have full immunity. But, if in trying to go ahead and protect your neighbor from your boulder coming down, and you try to stabilize it, then you're hooked for liability. So, it's actually backwards. So what it does is, it encourages, even during dangerous situations, if you see a dangerous situation, you ignore it, because you know you'll be immune. But if you try to go and see if you can stabilize it or try to correct it, then you're liable.

"It's just backwards thinking. Especially when, people who live on cliff sides, boulders are coming down. I don't know if it's because of changing climate, or changing soil concentration, but just in the last 10 years, it seems like boulders are coming down all over, whether it's in Nu'uanu, Liliha, or Hawaii Kai side, Manoa, Nanakuli side, it's coming down all over. We as policy makers need to figure out what we can do to proactively encourage landowners to get rid of dangerous situations, instead of discouraging. And this bill goes ahead and discourages that. Thank you."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition, and just short comments. Our legal review of the bill said exactly the same thing as the previous speaker. The liability for the owners of this unimproved land would only incur liability if they tried to maintain the land. The safer counsel may be to do nothing to avoid liability. So, only the landowners who try to do preventive maintenance can be held liable. This is definitely a disincentive to fix a potentially harmful situation. Thank you."

Representative Marumoto rose to speak in opposition to the measure, stating:

"In opposition, Mr. Speaker. Yes, I agree with the previous speaker, in that if a landowner does nothing, then the landowner is not liable. But, if there should be a boulder looming above a home, the landowner, in moving it and trying to ameliorate the situation, is liable. The unintended consequence of this bill is to encourage landowners to do nothing. If they do nothing, then they are not liable. Once they try to remove a rock, or ameliorate a landslide condition, then they are liable.

"So, I am opposed to this measure, because in my area, in Ainakoa, a young girl was killed by a boulder a few decades ago. But, just a few years ago, a boulder came down and smashed into a car in Waialae Nui

Valley. So we are always living with the threat of boulders, and we don't want to give landowners complete immunity from removing hazards. The word 'stabilize' is in this bill. During the hearing, I asked a question, whether the stabilization meant removal of threatening rocks, and my understanding is that is what one meaning of that word is.

"So, I encourage all people to take a good look at this. Vote 'no' if you feel that you want to protect the people who are downhill from many of these landowners. Thank you. That includes the State and large estates. Thank you."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Also in opposition. And it's all been well said by previous speakers, so I will try not to go too long. But, in my valley that I share in Nu'uanu, we have had our share of problems and danger, and knowledge is a great thing. The more people know about what's going on, the better. And when people are not knowledgeable, this is where problems exist. So in opposition, and I ask that the words of the speaker of Nu'uanu/Pacific Heights be entered as my own."

Representative Ward rose to respond, stating:

"Mr. Speaker, I continue in opposition. Just for the record, so the reading of the bill is correct, and following where the Majority Floor Leader left off, she forgot to mention that it says, 'provided that a landowner shall remain liable for damages proximately caused by negligence or wanton acts or omissions committed in the course of any activities on the unimproved land,' which has been translated as, 'if you don't do anything, you're not liable. If you do something to try to prevent it, you're theirs.' So, it sends the signal, don't touch your land, jeopardize other people, because you're going to be okay, you're not going to be liable.

"So, it's very clear that this is bad policy for those of us, and all of us who live on mountainous, volcanic islands. Thank you."

Representative Har rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Mr. Speaker, I've been listening to all the previous speakers, and again, let's look at the language in the bill. It clearly states: 'provided that a landowner shall remain liable for damages proximately caused by negligence or wanton acts or omissions.' 'Proximately caused by negligence' means, Mr. Speaker, that if the landowner knew or recently should have known of this condition and did nothing, they will therefore be liable. So, all these concerns that are being raised are essentially moot, because the language in here clearly addresses, if a landowner knows, or should have known, reasonably known, that there was a dangerous condition that existed on their land, it doesn't say, 'look away and don't do anything about it.' It states you will still be held liable. For those reasons, Mr. Speaker, I am in support. Thank you."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Manahan rose in support of the measure and asked that the remarks of Representative Har be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Wooley 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 Wooley's written remarks are as follows:

"I support the intent of this bill and the concept of indemnifying landowners for natural conditions that exist on their property. However, I have concerns that this bill may discourage landowners from taking action to make their property safe. I suggest the language of the bill be amended to indemnify landowners that make a good faith effort to make their property safer for themselves and their neighbors."

Representative Saiki rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this measure. This bill as introduced, has been introduced every year for several years now by landowners who want to be absolved of any responsibility for maintaining their open spaces. Every single member of this Body whose communities are adjacent to a mountain, a ravine, a slope, or a valley, should think very carefully about this legislation.

"Last year, when we heard a bill that was similar to this in the Water, Land Committee, where landowners testified that if legislation like this were to pass, then the onus would be on down slope residents to protect themselves from the potential for a rock fall.

"The solution that was provided by the landowners was that residents should, at their own cost, build walls or fences to protect themselves from boulders and other dangerous conditions that were upslope of their homes.

"We should think very carefully about enacting this legislation, because it will also reverse over 50 years of common law in Hawaii, that basically imposes upon landowners a duty of reasonable care to innocent bystanders.

"For these reasons, I 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. 951, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY," passed Third Reading by a vote of 32 ayes to 18 noes, with Representatives Belatti, Berg, Ching, Finnegan, Hanohano, Keith-Agaran, Luke, Marumoto, McKelvey, Morita, Nishimoto, Pine, Saiki, Shimabukuro, Takumi, Thielen, Wakai and Ward voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 774) recommending that H.B. No. 560, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 560, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, Mr. Speaker. I rise in opposition to 774. This was a tough one for me. First, I'd like to reveal a potential conflict. I work at a homeless veterans' shelter," and the Chair ruled, "no conflict."

Representative Pine continued in opposition, stating:

"Basically, what SCR 774 does is, it increases the tax per wine gallon to benefit veterans. The first sentence was okay, but when you combine it with benefitting veterans, it was not more of a logical feeling for me, but an emotional one. As I deal with homeless veterans every day, I understand their personal struggles. And there is already a negative connotation put on them, that many of them are homeless because they're drunks and alcoholics and things like that. I just saw this addition of these two things as a bad message to send to the public. I would much rather prefer that we have a specific allocation to this special veterans' fund. For those reasons, I am in opposition."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. Mr. Speaker, if you want to fund programs for veterans, then prioritize it. I'm sure that the intentions of the introducers weren't to say that there is a nexus between funding veterans' services and alcohol consumption. When I first read the bill, I was a little stunned that this mechanism for funding sends a bad message. I cannot support something that gives the impression that veterans are drunks.

"The funding mechanism for special funds are almost always created with a nexus. I think we should kill this bill and fund veterans respectfully and rightfully out of the general fund. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, as a veteran and not a drunkard, I would like to adopt the words of the previous speaker 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. 560, HD 2, entitled: "A BILL FOR AN ACT RELATING TO VETERANS SERVICES," passed Third Reading by a vote of 45 ayes to 5 noes, with Representatives Brower, Finnegan, Herkes, Marumoto and Pine voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 775) recommending that H.B. No. 610, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 610, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SCIENCE AND TECHNOLOGY," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 776) recommending that H.B. No. 658, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 658, HD 1, pass Third Reading, seconded by Representative Evans.

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. In strong support of SCR 776 HB 658 HD1.

"The purpose of this bill is to support military veterans by appropriating general fund revenues to support an additional full-time veterans' counselor position for the Maui Office of Veterans' Services. At this time, the current Maui Office of Veterans' Services is short handed and lacks the ability to reach all veterans on the island of Maui. This also includes the islands Lana'i and Moloka'i.

"We must never fall short of what is due to our veterans and it is our duty to make sure that they receive adequate and essential services.

"Again, I strongly support this measure and ask my colleagues to support our veterans by supporting 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. 658, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI OFFICE OF VETERANS' SERVICES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 777) recommending that H.B. No. 988, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 988, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 779) recommending that H.B. No. 1405, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1405, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Choy rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Choy's written remarks are as follows:

"Other states in the last few years have requested guidance on how nexus is established in their states for purchases from the Internet or mail order companies' products sold to their residents. To help solve this problem, states have started clarifying this situation by legislating nexus laws. This bill is similar to legislation being heard in three other states.

"This bill establishes economic nexus by following the decision made by the State Courts of New York. Nexus is established if there is an agreement between an out-of-state seller with a resident in this state which the resident receives a commission directly or indirectly from the out-of-state seller. If this relationship occurs, the seller has established a nexus for all sales made by the seller to the state.

"This bill also will help level the playing field for local 'brick and mortar' establishments."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On SCR 779, House Bill 1405, House Draft 2. Thank you, Mr. Speaker. With reservations. The purpose of this bill is to ease the fiscal crisis currently facing the State, and maximize the State's ability to capture taxes owed by out-of-state businesses by specifying the business activities that would constitute a sufficient connection with Hawaii, to allow the State to impose the general excise tax on those activities. This is akin to the Streamline Sales Tax, and I have concerns on the overall effects on taxes on our residents, Mr. Speaker.

"Also, though, an unintended effect of this bill is that online sellers are likely to eliminate their compensation programs for persons who are residents of this State. So, for those reasons, I stand with reservations."

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, thank you. I also rise to vote with reservations on this bill. As noted by the previous speaker, this bill attempts to collect general excise tax on out-of-state purchases made by the Internet, by mandating the general excise tax if the sales are due to referrals by a Hawaii resident.

"A similar bill is moving through the Senate that adopts a different approach. It adopts voluntary collections. Which approach is better, is unclear to me at this time, but I hope that more light is shed on this bill. Thank you, Mr. Speaker."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. Just a couple of points. The Department of Taxation estimates that the revenue gained for this measure is about $4 million per year. But more importantly according to Director Kawafuchi, this legislation allows for clarification of the current law in place today. And, it will do so without raising any additional taxes. What this does, Mr. Speaker, is level the playing field between the bricks and mortar businesses here, in retail, with those that are doing business on the Internet. 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 McKelvey rose in support of the measure and asked that the remarks of Representative M. Oshiro be entered into 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 reservations. And just want to clarify that this does not tax Hawaii residents."

Representative Berg 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:

"I stand in support, Mr. Speaker. Other states do it, why can't we do it? Thank you."

Representative Marumoto rose to speak in opposition to the measure, stating:

"In opposition, Mr. Speaker. I believe it is a tax on the residents when they purchase something online. 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. 1405, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Brower, Hanohano and Marumoto voting no, and with Representative Takai being excused.

At 11:18 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1443, HD 2
H.B. No. 951, HD 1
H.B. No. 560, HD 2
H.B. No. 610, HD 2
H.B. No. 658, HD 1
H.B. No. 988, HD 2
H.B. No. 1405, HD 2

At 11:18 o'clock a.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:19 o'clock a.m., with Vice Speaker Magaoay presiding.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 782) recommending that H.B. No. 333, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 333, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations. Thank you. This creates a State Earned Income Tax Credit funded initially with TANF funds, Mr. Speaker. My reservation on this bill is that the EITC on the federal level is highly abused, and this bill could also cause some administrative and legal issues for our Department of Taxation. Thank you."

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:

"Mr. Speaker, I rise in support of HB 333, HD 2. Opponents to State earned income tax credits often warn policymakers about taxpayer abuse or high rate of overpayments associated with federal and State EITC programs. This criticism, however, tends to exaggerate the issue of abuse insofar as critics often rely on an Internal Revenue Service report published ten years ago as evidence of overpayment. That report, however, was compiled using a methodology that has since been criticized and discredited by the United States Department of Treasury Inspector General in a 2001 December report entitled, "There Are Significant Weaknesses in the Internal Revenue Service's Efforts to Measure Earned Income Credit Compliance." Within the past ten years, tax laws have changed, and the IRS has implemented an improvement plan to catch and prevent EITC overpayments due to error and fraud. Because concerns over EITC fraud are overstated and based on outdated and faulty data and because the EITC is a proven tool for incentivizing work and supporting working families, I support HB 333, HD2."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 333, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 784) recommending that H.B. No. 704, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 704, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. Thank you, Mr. Speaker. This is a bill to license homecare agencies. The Department of Health is already struggling with the cuts that are going to be, and have been made on that particular department. And, at this point in time, I think we should be really cautious about how we move forward in spending more money, especially because of balancing the budget.

"This bill also states, and I understand that this is, I guess a booming industry, from what I've read. But, it also states that there is a repeal for the license in the bill. So, I'm not actually understanding. Did they want to just try out licensing them? Is it important enough to license them? If so, then why would you consider already putting a repeal on a licensing requirement. So, I'm voting 'no.'"

Representative M. Lee rose to speak in support of the measure, stating:

"Standing in strong support of Stand. Com. No. 784. In recent years, there has been a proliferation of homecare agencies, and homecare agencies are really important these days because we want to encourage people to be taken care of in the home. But, we want to make sure that the care is safe care. So, this bill is an extremely important bill, and it's part of the package that is supported by the Joint Legislative Committee on Aging in Place, and actually brought to our Committee by people in the community who saw a need for licensure.

"So, I hope that we can pass this bill on, and that even though it may cost a little money, I think in the long run it will save money, because our hospitals, our long-term care facilities are becoming more and more expensive, and we need to encourage people to be cared for at home. Thank you."

Representative Finnegan rose to respond, stating:

"Thank you. In just short rebuttal. In regards to saving money, Mr. Speaker, I don't think that it saves money. People are doing this currently without being licensed, so those options for going into being cared for at the home level is already occurring. And that's my point, Mr. Speaker. We go in with spending more money in an area when we just, at this point

in time, we're struggling for every nickel and dime, from what I understand. This is probably unprecedented in the amount of money that we have to make up for the budget balancing. Thank you."

Representative M. Lee rose to respond, stating:

"Just in rebuttal, Mr. Speaker. Thank you. It isn't true that people are always being cared for safely, at home. There are documented incidents of where people are not being cared for safely at home, and that's precisely the reason for this bill."

Representative Finnegan rose to respond, stating:

"Thank you. I know it's my third time, but I just wanted to make sure it was clear that I did not say that people are always being taken care of in the home, safely. That was not my statement. My statement was that people are being cared for at home. That this is additional money, and I don't see how it's saving money. Thank you."

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, I'm standing in support. I didn't want to get between the two, the rebuttals. They can go in the middle. Thank you, Mr. Speaker. I would like the words of my colleague from Mililani, her first statement entered as my own.

"I did want to make a couple comments. I understand the concern about the fiscal impacts, and I would just like to share with my colleagues that, that is a concern as this bill moves forward.

"Also, Mr. Speaker, the intent of the bill, again, is to look at this as a viable option in the future, as it moves forward. There are cost impacts right now, but if we do not find ways to support the proper care, and the most expedient care in the home setting, then it will have a negative cost impact to the whole system.

"Mr. Speaker, I just want to comment in regards to the question regarding the potential repeal date of June 30, 2014. The reason why the Health Committee left that in, is because, as it goes forward, there should be a reevaluation to make sure that if this is the right direction to go, that we have an opportunity in this Body, to relook at that. And, if there needs to be changes, or a repeal, or even an extension or elimination of the sunset, then, we, as a Body can set that forth at that time. 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. 704, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 787) recommending that H.B. No. 1284, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1284, HD 1, pass Third Reading, seconded by Representative Evans.

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. 1284 - Relating to Health. The current healthcare system does not provide parity to those physicians who provide services to our needy. The Occupational Therapy Association of Hawaii states in their testimony that, 'Currently, many private clinics do not accept Medicaid because of the low reimbursement. These consumers are then referred to another clinic, and must wait for approval for medical care. Access to care is compromised, which may escalate the intensity of care needed and preventable use of the emergency room, which is costly. Reimbursement to providers at 100% of Medicare may encourage more providers to accept Medicaid clients.' This bill will help encourage specialist to accept patients who may not otherwise be able to find a physician to treat them. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1284, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 789) recommending that H.B. No. 1364, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1364, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Choy rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Choy's written remarks are as follows:

"The purpose of this bill is to enhance the openness and transparency of our government.

"People come to the Legislature to request funding for their many deserving causes. Their requests go through a grueling process and if they pass, their requests are sent to the Executive Branch for execution.

"It is at this place in the process that transparency becomes clouded. People have very little information on their appropriations. They constantly have to wonder if their appropriations will be released.

"Disclosure is the key for financial accountability. When information is displayed and reasons given for decisions made by the Executive Branch, confidence in government is enhanced. This bill does not diminish the powers of allotment by the Executive Branch. It merely asks for disclosure. There are no consequences attributed to not do this request, but passing this measure will go far in showing that openness in government is alive in this State.

"Finally, this bill can be accomplished by merely requesting that the Director of Budget and Finance to post on their website the status of items such as CIP, GIA, or other appropriations on a spreadsheet."

Representative Nakashima rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Nakashima's written remarks are as follows:

"Mr. Speaker, this bill will require the Governor or Director of Finance to submit a report to the Legislature for each restriction of an appropriation authorized by the Legislature. I believe that it is sound fiscal policy for the Legislature to receive a report from the Executive Branch with regard to any restrictions that have been placed by the executive on the actions of the Legislature. Such variance reports are common and are good business practices.

"This is a fundamental check in the checks and balances of government, and I strongly support this measure."

Representative Ward rose to speak in opposition to the measure, stating:

"In opposition, Mr. Speaker. This bill singles out the Governor to report to us when, and if, and ever, there's a withholding and not a release of funds. It breaks with 50 years of traditions, with the Gubernatorial-Legislative relationship. It is something that is not needed, particularly at this time.

"The Governor balances the budget every month, *vis-a-vis* the Department of Budget and Finance. Cash in, cash out. How much can we spend? How much do we have to hold back?

"I think this bill is based upon a wrong assumption, a misinterpretation, of the very nuanced financial fiscal role that the Governor now plays. This is not the best way to do policy by punitive, and mistrust. We have the purse strings to allocate it, but they are the ones who give it out. I think this just is a bad bill. Thank you."

Representative Choy rose to respond, stating:

"Mr. Speaker, HD1 takes out the punitive aspects of the bill. This bill is for openness and transparency, and that's always good in good government."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1364, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Finnegan, Thielen and Ward voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 790) recommending that H.B. No. 28, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 28, HD 1, pass Third Reading, seconded by Representative Evans.

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 am in support of HB28 HD1 Relating to Dead Human Bodies.

"This measure would prevent commercial exploitation of human body remains by prohibiting the sale of dead human bodies, including human bodies or remains that have been plastinated through the use of polymers; unless it is for the purpose of medical education or research by a university, hospital or qualified institution.

"This measure will also raise the monetary penalty for the misuse of a dead human body from $1,000 to $5,000, or imprisonment of up to one year or both.

"Medical and educational research is beneficial to the understanding of the human body for medical treatment. However the educational or health related values do not outweigh the moral and ethical concerns regarding the possible exploitation of unconsenting human beings. The selling and buying of dead human bodies or remains reduces the human body to an article of trade and opens the door to unscrupulous individuals attempting to profit financially from those less fortunate.

"For these reasons, I 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. 28, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEAD HUMAN BODIES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 791) recommending that H.B. No. 29, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 29, HD 1, pass Third Reading, seconded by Representative Evans.

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 am in support of HB 29 HD1 – Relating to Dead Human Bodies.

"This measure would ensure the ethical treatment of human body remains, including human bodies or remains that have been plastinated through the use of polymers by requiring a permit issued by the Department of Health prior to commercially displaying dead human bodies.

"The measure will also require the Department of Health to adopt rules to require an exhibit promoter to provide valid written authorization to publically display a dead human body for consideration has been obtained from any of the following individuals: the decedent, including but not limited to, authorization given by will; or a person authorized to make an anatomical gift under the Revised Uniform Anatomical Gift Act. If the dead human body is a minor, the valid written authorization will be from the parent or legal guardian.

"The fee will be determined by the Department of Health and be no more than what is reasonably necessary to fund the administration of the permitting process. It also establishes the Human Remains Exhibit Permit Fund into which shall be deposited the fees collected.

"Various exhibitions of plasticized cadavers arranged to demonstrate the workings of the human body have been travelling across the country. Exhibits have been set up in Atlantic City, Fort Lauderdale, Cincinnati, Las Vegas, and New York and internationally in Budapest, Hungary; Vienna, Austria; Santiago, Chile; and Madrid, Spain.

"The State of Hawaii is no exception. An exhibit displaying dead human bodies put on by Premier Exhibition Inc. opened on June 14, 2008 at Ala Moana Center and ran through January 18, 2009. There is no doubt that the exhibit is a dramatic and educational display. However, the exhibitors admit that they could not verify where the bodies came from, and this means that the human beings, while they lived, most likely did not give their consent for their bodies to be used in this way after they died. Interestingly, soon after the opening of the exhibit we learned that Bank of Hawaii had sold all of its shares of Premier Exhibition Inc. In doing so, Bank of Hawaii joins twenty-one other financial institutions that have also divested all of its shares of Premier Exhibition, Inc. Although there could be a myriad of reasons for Bank of Hawaii's decision to divest holding, it demonstrates that the long term investments in Premier Exhibition Inc. is not in the best interest of Bank of Hawaii and its shareholders.

"The issue of selling, donating, or gifting one's body for a commercial purpose is important, but not germane to the central concern regarding consent or lack thereof. In this instance, it is questionable that these people gave consent and if so, whether the people understood that they would be plasticized and propped up and exhibited in this manner. Anatomical or whole body donations are negatively impacted when the public perception of unethical procurement and display occur. These exhibits do not come from a philanthropic educational institution; while exhibit promoters may claim to put these displays for educational benefit of society, the true bottom line here is profits. According to the advertisements for such exhibitions, millions of people across the world have been to such exhibits. According to Sarah Redpath, Director, " No Bodies 4 Profit", there are currently three major body exhibition companies, each with about a dozen shows each containing about 25+ whole human bodies, galleries of fetuses, and uncountable organs. Combined, there are potentially thousands of whole and partial human remains circulating the US unchecked." If anyone would like more information on the organization's mission, they can go to www.nobodies4profit.org.

"Plastination, is a process wherein human tissue is preserved by the removal of liquids and fats and then injecting it with plastic polymer. Exhibitor's claim that it is safe and without public health risks, however there is evidence that if the plastination process is not cured properly, the bodies exhibited may leak liquefied fat. This poses potential health risks, which can be complicated further by the lack of donor consent and

knowledge of body origin. California Assemblywoman Fiona Ma observed at a human remains exhibit in San Francisco, "The bodies on display were porous, leaked bodily fluids and immediately raised health concerns." Testimony provided by Dr. Scott Lozanoff, Chair of Anatomy Department of the University of Hawaii John A. Burns School of Medicine states " these remains could harbor disease that would be almost impossible to track…The 'bodies Exhibit' recently shown at Ala Moana is an example [of] a commercial display that poses potential risk in terms of the origin of material, transportation, and handling. Commercial distribution of unclaimed human bodies and parts presents a significantly greater risk if used in commercially related activities involving anatomical dissection."

"These exhibits of plasticized cadavers have generated controversy over human rights violations. Questions of who are these people and where do they come from remain unanswered. New York Attorney General Andrew Cuomo concluded his investigation of one such exhibitor, finding "The grim reality is that Premier Exhibitions has profited from displaying the remains of individuals who may have been tortured and executed in China. Despite repeated denials, we now know that Premier itself cannot demonstrate the circumstances that led to the death of the individuals. Nor is Premier able to establish that these people consented to their remains being used in this manner. Respect for the dead and respect for the public requires that Premier do more than simply assure us that there is no reason for concern. This settlement is a start." A press release of the report may be obtained from http://www.oag.state.ny.us/media_center/2008/may/may29a_08.html. I wrote a letter to Attorney General, Mark J. Bennett seeking his interpretation and possible injunction. A written response from Attorney General Bennett states, "In regard to possible criminal violations, section 711-1108, Hawaii Revised Statues, prohibits abuse of a corpse, which is defined as when 'a person treats a human corpse in a way that the persons knows would outrage ordinary family sensibilities.' It is not unreasonable to believe that the exhibitor knew that this type of exhibit may offend certain people, both because of the possibility that the people were political prisoners or victims of torture in life, and due to the graphic nature of the display. The facts presently known, however, do not appear to rise to the level of criminal abuse of a corpse." The Attorney General further states "It is my understanding that DOH has no concerns about the exhibit that would fall under its purview, and will not be pursuing the matter further."

"By requiring a permit, the measure seeks to eliminate the potential for unscrupulous individuals to benefit from the commercialization of displays of dead human bodies without prior consent from the decent.

"This measure seeks to balance the right to display human bodies or remains for educational and health purposes while ensuring that the bodies have been procured in a legal and ethical manner and pose no public health risk.

"Mr. Speaker, I would also like to thank the following persons and organizations for their assistance and support for this measure: California Assemblywoman Fiona Ma and her staff, Pennsylvania Representative Mike Fleck and his staff, Sarah Redpath Director of No Bodies 4 Profit, Dr. Scott Lozanoff Chair of Anatomy Department of the University of Hawaii John A. Burns School of Medicine, Dr. Marita Nelson Professor Emeritus University of Hawaii Department of Pathology, Dr. Angel Yanagihara University of Hawaii Pacific Biosciences Research Center, Mr. Harry Wu Executive Director of the Laogai Research Foundation, Mr. John White, Mr. Richard Hennessey, and Dr. Hong Jiang members of Falun Dafa and Mr. Glennon Gingko a concerned citizen. Special recognition is also given to my session Legislative Aide, Ms. Carmen Rodrigues. Her diligence and passion for this issue has enabled this measure to come this far and if approved, forever memorializes her exemplary work.

"For the reasons set forth above, I support this measure."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations on this particular bill, HB 29, HD 1. Thank you. My reservations continue to be the same from when I sat in the Health Committee, and that is the additional responsibilities of the Department of Health, in creating a new, I guess, a new responsibility, and going through the motions of doing a new responsibility, when these types of exhibits don't happen very often. On top of that, maybe not the Department of Health, and maybe the Department of Commerce and Consumer Protection should be the more appropriate place to do it, because it's more a business matter than a health matter. And so, I speak with 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. 29, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEAD HUMAN BODIES," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Marumoto voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 792) recommending that H.B. No. 343, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 343, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RURAL PRIMARY HEALTH CARE TRAINING," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

At 11:30 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 333, HD 2
H.B. No. 704, HD 1
H.B. No. 1284, HD 1
H.B. No. 1364, HD 1
H.B. No. 28, HD 1
H.B. No. 29, HD 1
H.B. No. 343, HD 1

At this time, Representative Marumoto rose, stating:

"Mr. Speaker, may I make a correction to that last vote, if I may?"

At this time, the Chair responded, stating:

"It's too late, the vote has already been taken."

At 11:30 o'clock a.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:31 o'clock p.m.

LATE INTRODUCTION

The following late introduction was made to the Members of the House:

Representative Mizuno introduced students from Okinawa participating in the student exchange program between Hawaii and Okinawa, Japan. There were accompanied by their chaperones:

Ms. Tomomi Chinen, Naha High School;
Mr. Atsushi Teruya, Shuri-Higashi High School;
Mr. Yoshikazu Matsubara, Okinawa Prefectural Board of Education;
Mr. Kenichi Iwai, Deputy Superintendent, Okinawa Prefectural Board of Education;
Ms. Susan Sato, Department of Education; and
Former State Representative Dennis Arakaki.

UNFINISHED BUSINESS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 793) recommending that H.B. No. 811, HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 811, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise to speak against this measure. This bill removes the requirement that foreign nursing school graduates have their credentials evaluated by the National Commission on Graduates of Foreign Nursing Schools. The intent of this bill is to ease the nursing shortage, by relaxing some of the requirements for international school graduates.

"I understand the need to find ways to answer the shortage, but we cannot do it at the expense of the quality of our nurses. We need to have high standards, because there is a potential for harm. CGFNS, that's the graduates of nursing, have a track record of protecting the public, by ensuring that nurses and other healthcare professionals educated in foreign nations, are eligible and qualified to meet licensure, immigration, and other practice requirements in the U.S.

"CGFNS checks each international nurse's history for prior convictions, and all foreign licenses must be validated as authentic and unencumbered in every nation that the nurse has been licensed in. If a nurse's credentials are adequate, then he or she should not have a problem. It is a good system that has ensured the qualification of nurses, here in Hawaii.

"Under this measure, CGFNS would be replaced with a burdensome and expensive State review process. One of the reasons the Board of Nursing testified against this bill is because of this burden. The Board stated that New Mexico and Alaska recently relinquished their state reviews, in favor of keeping the CGFNS process, because the number of reviews they had were in the thousands, and they could not keep up. This could be a worse problem in Hawaii, because our great State attracts so many foreign nurses, from a variety of countries.

"Moreover, this would cost the State resources at a time when we cannot afford to do it. Supporters for this bill have used California as a model for how a state review could operate. Yet, in California, it has found that the cost of retaining reviewers went to approximately a million dollars a year, and they were still unable to review Ukrainian, Eastern European, African, and some South American nurses' credentials, because they did not have the money to hire more reviewers with expertise in these countries' nursing programs.

"Finally, It has been stated that a reason we can do away with the CGFNS, is because the National Council Licensure Examination for Registered Nursing is an assurance that nurses are qualified. If that was the case, why do we have to worry about credentials? Let's just open up the NCLEX exam to anyone, regardless if they've got a nursing degree or not. I don't feel comfortable with that. I think we can all agree that our nurses need the proper education and training, beyond just taking a test to assure that they are qualified to take care of their patients. Thank you, very much."

Representative Ching rose in opposition to the measure and asked that the remarks of Representative Marumoto be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Cabanilla rose to speak in support of the measure, stating:

"I rise in support of this measure, Mr. Speaker. Well, I think these arguments are moot for two reasons. The agency that licenses nurses is the National Council on Licensure Examinations, which every registered nurse has to take to be able to pass. That's the national standard.

"As far as the Commission on Foreign Graduates, there are two states that have done away with that. And, what's happening is that every nurse, a foreign graduate nurse, of which I am not one, can go to those states and take this examination. In those states, you can go everywhere, in any state to do that. You can come here, in Honolulu and take a California exam. Or, you can go to California and take a Hawaii exam. And, there is a reciprocity law for this State, meaning any nurse that's licensed in the other 49 states, can apply for reciprocity.

"Those states that open up the doors for foreign graduates, without the CGNFS are now enjoining that, in the sense that they're now having application fees and examination fees, in which we're losing out, by maintaining this CGNFS. They just take the exam there, pass there, and apply for reciprocity.

"I think that we should do away with it, because of our market share, and application fees, and examination fees, because there's no way that we can stop a foreign nurse from coming and practicing in our State. Thank you, Mr. Speaker."

Representative Aquino rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in strong support of this measure. The intent of this bill is to streamline the licensing requirements for international nursing graduates, to meet Hawaii's, and our nation's shortage of qualified and certified nurses. Some states, including California, do not have CGFNS certification requirements. The removal of this certification requirement would allow Hawaii to meet the growing pressures and demands of needed healthcare delivery.

"The bill offers alternatives to this certification requirement, by requiring a breakdown of educational programs from the applicant's nursing school, as well as an official school transcript.

"This proposed process will help all internationally educated nursing license applicants the opportunity to prove their competency in the NCLEX. This bill does not lower nursing practice standards. In the proposed process, the Board of Nursing is still required to adopt rules to make sure that State patient care will not be compromised, and nursing standards are where they should be.

"All this bill does is provide equal opportunities for both domestic and international nursing applicants. Thank you."

Representative Yamane rose in support of the measure and asked that the remarks of Representative Aquino be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak in support of HB 811, HD 2 which removes an unnecessary barrier to entry for qualified foreign nursing school graduates applying for licensure by examination for registered nurses in Hawaii.

"This bill allows Hawaii residents who are nurse graduates of foreign nursing schools to apply for a Hawaii license without incurring the added financial burden of obtaining certification from another agency, the Commission on Graduates of Foreign Nursing School.

"This bill does not decrease Hawaii's standards in anyway. Instead, it facilitates applications for licensure by Hawaii residents who are foreign graduate nurses. Streamlining the certification process, while at the same time safeguarding our high nursing standards, is accomplished under this bill. The certification process created by this measure not only retains accountability of credentials and professional nursing skills, but also fast tracks qualified nurses into Hawaii's health care work force.

"I support and vote in favor of the bill."

Representative M. 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 M. Lee's written remarks are as follows:

"Mr. Speaker, I rise with concerns on HB 881, Relating to Registered Nurses. As a registered nurse, I know for a fact that nursing is regulated because it is a profession that poses risk of harm to the public if practiced by someone who is unprepared and incompetent.

"To be a licensed registered nurse, one must meet certain education requirements and pass an examination requirement. For unlicensed foreign nursing school graduates applying for a registered nurse license in Hawai`i, this bill will remove the requirement to have educational credentials evaluated by a professional evaluator.

"Forty-five state boards and the National Council of State Boards of Nursing firmly believe that domestic and international nurses must be held to the same standards of nursing education, training and testing. The days of having separate State nursing requirements are gone. In a few years, licensing will move towards global mobility that would allow health practitioners to provide aid to countries in need, be they the Philippines, England, the U.S. or any others.

"The Commission on Graduates of Foreign Nursing Schools International is an immigration-neutral, nonprofit organization that is an internationally recognized authority on RN credentials evaluation. According to the State Board of Nursing, soon there will be forty-six states that will require the CGFNS review. The remaining four will be the gateway where thousands of international nurses whose credentials are not reviewed by the CGFNS will go through. New Mexico and Alaska recently relinquished their individual state reviews because they simply could not keep up. California does 1,000 reviews a month. If California decides to abandon its reviews, those numbers will go to the remaining handful of states, of which Hawai`i will become one. This measure would create something we could not implement.

"In conclusion, Mr. Speaker, preserving uniform licensing requirements for education and examination ensures consumer safety and nurse mobility in times of crisis and emergencies. Uniform requirements lessen confusion for patients, nurses, other health team members and third party payers, as well as legislators and policy makers. Implementing the California model will be extremely costly. It would be better to consider a resolution to the Commission on Foreign Nursing Schools encourage a more timely response to applicants who are experiencing challenges with the current system."

Representative McKelvey rose in support of the measure and asked that the remarks of Representative Aquino be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

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 legislature finds that a foreign nursing school graduate may obtain a license to practice as a registered nurse in Hawaii either by examination or by endorsement. A foreign nursing school graduate may obtain a license by endorsement if the applicant already possesses an unencumbered license as a registered nurse in another country and, in the opinion of the Board of Nursing, meets the qualifications required of registered nurses in Hawaii at the time of graduation. If a foreign nursing school graduate does not already possess a registered nurse license in another country, the applicant may obtain a Hawaii license by examination by passing the National Council Licensure Examination and by complying with applicable requirements of state law and board of nursing rules that regulate nursing.

"Section 16-89-8(c), Hawaii Administrative Rules, requires that a school transcript of a foreign nursing school graduate applying for a license by examination be evaluated by a professional educational credential evaluator recognized by the Board and the applicant must arrange to have the evaluator send a report directly to the Board. The Commission on Graduates of Foreign Nursing Schools fulfills this credential evaluation function by either issuing a certification through its international certification program at a cost of $418, or by issuing a full education course-by-course report at a cost of $378.

"The international certification program is composed of three parts:

(1) A credentials review;
(2) The international qualifying examination; and
(3) An English proficiency examination.

"The legislature further finds that not all states require foreign nursing school graduates to undergo these additional procedures to be licensed to practice as registered nurses. For example, California only requires a foreign nursing school graduate to send a document known as the "Breakdown of Educational Program for International Nursing Programs" form to the applicant's school with a request for transcript. Hawaii's rules already require a foreign nursing school graduate to provide a student final record or official transcript sent directly from the applicant's school to the Board of Nursing.

"The purpose of this Act is to require the Board of Nursing to adopt rules to remove the requirement for a foreign nursing school graduate to furnish either a written certification or a full education course-by-course report as a condition to take the licensing examination to obtain a license to practice as a registered nurse in Hawaii."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 811, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REGISTERED NURSES," passed Third Reading by a vote of 46 ayes to 4 noes, with Representatives Ching, Hanohano, Marumoto and Thielen voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 795) recommending that H.B. No. 1372, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1372, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On Stand. Com. No. 795, I just wanted to note my reservations. I know that this particular issue, having to do with the Hawaii Health Systems Corporation, is just complicated, and there are other moving bills. So for my own sake and to keep track, I wanted to make sure that I vote with reservations on it."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1372, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSITIONING OF THE REGIONS AND FACILITIES OF HAWAII HEALTH SYSTEMS CORPORATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 796) recommending that H.B. No. 124, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 124, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PROFESSIONAL EDUCATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 799) recommending that H.B. No. 347, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 347, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 43 ayes to 7 noes, with Representatives Belatti, Berg, Coffman, Hanohano, Herkes, Luke and Saiki voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 801) recommending that H.B. No. 1044, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1044, HD 2, pass Third Reading, seconded by Representative Evans.

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:

"The intent of affordable housing is to house people that can't afford market rates, and to keep State affordable housing resources recycling. What is happening now is that when properties are foreclosed, the State interest is being overlooked. It is imperative that taxpayers' contributions to affordable housing are protected and cycled back into providing more affordable housing."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1044, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 803) recommending that H.B. No. 1221, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1221, HD 1, pass Third Reading, seconded by Representative Evans.

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:

"This measure appropriates $50 million in general obligation bond funds to match federal funds from the stimulus package for affordable housing projects. Especially in times of economic hardship, affordable housing is a priority. Housed residents are less likely to need other social services and can remain contributing members of society."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1221, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING PROJECTS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 804) recommending that H.B. No. 1232, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1232, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Could you note my reservations on this particular measure, Relating to Sustainable Affordable Housing, House Bill 1232, House Draft 1? And, just quick comments.

"The affordability and perpetuity are, I believe, too restrictive, and it doesn't allow for recapture of shared appreciation. Thank you."

Representative Pine rose in support of the measure with reservations and asked that the remarks of Representative Finnegan be entered into 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:

"I am in strong support of HB 1232. I cannot support the sale of public housing. The vast majority of public lands held by the State are ceded lands. The claims of the Hawaiian people for reparations from the U.S. following the illegal overthrow of their kingdom are still unresolved. This is why our State Supreme Court banned the sale of ceded land; and this is why many are calling on this Legislature to enact a moratorium on the sale of ceded land. With a complete inventory of ceded lands still incomplete, we should not allow publicly held land to be sold, period.

"Furthermore, public housing is part of the public trust, and the State has a fiduciary duty to use public trust lands for the betterment of Native Hawaiians. We all know that land is extremely scarce in Hawaii; why else would forced lease-to-fee conversion be so controversial? Many landowners feel that no amount of money can compensate for the loss of this precious commodity.

"The State should take the same tactic; no matter how good a deal may seem today, the money earned will be spent swiftly at the discretion of HPHA. On the other hand, land that remains in the State's trust will continue to be passed to the next generation, and so on, leaving a priceless legacy that is guaranteed to increase in value over time.

"Finally, I should remind this body that HB 1232 is very similar to a bill we passed last year that the Governor vetoed it because she wanted the definitions of "affordable" tightened. Thus, the Governor supports this concept, but simply wants the measure refined.

"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. 1232, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABLE AFFORDABLE HOUSING," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

At 11:46 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 811, HD 2
H.B. No. 1372
H.B. No. 124, HD 1
H.B. No. 347, HD 2
H.B. No. 1044, HD 2
H.B. No. 1221, HD 1
H.B. No. 1232, HD 1

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 805) recommending that H.B. No. 1694, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1694, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I'm voting 'no' on this, because the amended bill deletes the homeless preference."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

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 favor of HB1694. This bill requires the Hawaii Public Housing Authority to establish a minimum monthly rent for State public housing units and an annual Consumer Price Index adjustment of minimum rent. We need to support and require public housing residents to be part of supporting their own housing needs. This will instill a sense of pride and will help public housing become sustainable.

"During FY 2008, HPA asked the Legislature for $27 million in CIP appropriation and $11 million from emergency funds. This year, HPA is asking for the same amount to keep public housing operational. We are in the middle of a recession, and our State budget is billions of dollars short. Mr. Speaker, this measure is proposed as an attempt to keep our low incoming housing sustainable using federal tax credits. This company proposes to turn these buildings into mixed-income housing. Although this will help the State in that it will not need to subsidize public housing anymore, the very poor will lose more affordable rentals. Asking tenants to contribute more will help them help themselves and future low income tenants have a place they can call home.

"This bill also asks that costs of repairs to these units and common areas for damages which were caused by tenants, be passed on to the tenant who created the damage, rather than the taxpayers subsidizing the repairs. This will create accountability and eventually a sense of 'pride of ownership.' Again, it is not doing anyone a favor to give these low-income residents a 'free ride.'

"This bill also prohibits preferences for tenant selection. There are 14,000 names on the waiting list for affordable housing. Some people have been working the loop-hole of fast tracking the system to move up higher on the list. We need to level the playing field.

"For the last three years: 2005, 2006, and 2007, the Legislature has passed a Resolution for HPHA to be audited for being a 'troubled performer.' Based on these performance audits, the suggestion was to make the tenants selection process more stringent to pay market rent, but can contribute to their housing needs. These are the "working poor." These people should be given priority over people with poor rental histories and criminal convictions.

"These preferences are contradictory to the audit recommendations. Presently, the preferences are penalizing prospective tenants who are working. There is a built in disincentive for people to work. These audits are paid for by the taxpayers and mandated by the Legislature, yet so far no one has bothered to implement their recommendations. We are trying to help HPA comply with the mandate of HRS 356 D-43(a) to have rents cover the costs of family and elderly housing. The law mandates that these affordable housing projects be self-sustaining. We may not be able to subsidize these programs anymore, which leaves us the only option of selling to for-profit companies, which will diminish available low income inventory. I say we <u>increase</u> low income housing. I ask my colleagues to vote <u>yes</u> and save HPHA."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1694, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Marumoto and Thielen voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 806) recommending that H.B. No. 697, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 697, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm voting with reservations in light of our fiscal situation. I think this particular bill, although well intended, should be one that maybe we would consider not passing. This is over and above what is coming from the stimulus, and so, there will be some relief coming from the stimulus package. Thank you."

Representative Pine rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, on the same measure. Just reservations. I do believe after analyzing some of the stimulus package, that this would definitely qualify for stimulus money. So, there is no need to take money out of the general fund to do so."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 697, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 809) recommending that H.B. No. 989, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 989, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN'S HEALTH CARE," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 810) recommending that H.B. No. 1371, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1371, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Pine rose to speak in support of the measure with reservations, stating:

"Just with reservations as well, on Stand. Com. 810. This area could also qualify for our stimulus funds, and I believe the Governor's team is looking into that right now. So, we can just flag this for the Finance Committee to possibly use these general funds for something else."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations on this particular bill, SCR 810. Actually, just for clarification purposes, the Governor is proposing to substitute general funds. So, in her suggestions to balance the budget, this is to actually substitute general funds, allowing the general funds to be used for something else. So, just wanted to make that clear."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1371, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 811) recommending that H.B. No. 625, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 625, HD 1, pass Third Reading, seconded by Representative Evans.

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 of House Bill 625, House Draft 1, Relating to Surcharge for Indigent Legal Services. The Legislature finds that in the 2007 Assessment of Civil Legal Needs and Barriers of Low- and Moderate-Income People of Hawai‘i, four out of five low- and moderate-income residents did not have their legal needs met and that legal service providers are only able to assist one in three who contact them for assistance.

"The Legislature also finds that to increase the delivery of legal service, more funding is necessary. Additional funds could be generated by increasing the surcharge for indigent legal services, as recommended by the Access to Justice Hui in its Community Wide Action Plan: Ten Steps to Increase Access to Justice in Hawai‘i by 2010.

"The Legislature further finds that the Hawaii Consortium of Legal Services Providers has been working diligently to strengthen and increase outreach and services to low-income residents, and that each unique legal service provider requires a certain minimum amount of funding to meet basic expenses necessary to operate the respective non-profit organization or program. Therefore, the purpose of this bill is to change the allocation formula so that thirty per cent of all funds distributed shall be provided equally to all organizations or programs that meet the qualifications for receipt of the funds, in addition to a seventy per cent distribution of all funds pro rata under the current formula. 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:

"The Expansion of the Surcharge in District Court is long overdue. Since the start of the indigent legal assistance surcharge over 10 years ago, *assumpsit* cases have been exempt from this surcharge. These cases represent the bulk of civil cases handled in District Court and in FY07-08, of the 22,405 civil actions filed in District Court, 13,267 or (55.69%) were *assumpsit* cases. This represents over 13,000 filings where collection agencies and others are not paying their fair share of the Indigent Legal Assistance Fund.

"This bill is aimed to increase funding for legal services. Specifically, it would:

- Increase the surcharge from $25 to $65 in Circuit Court and Court of Appeal filings and increase it from $10 to $35 in District Court filings.
- Expand the surcharge in District Court filings from just summary possession to all cases, including collection cases.
- Continue to exempt: small claims cases, petitions for restraining orders, petitions for temporary restraining orders, cases in which the petitioner is proceeding in *forma pauperis* and all state and county filings.
- Adjust the distribution formula by providing an equal share of 30% of the collection to each legal services entity eligible to receiving funding. The remaining 70% would continue to be distributed *pro rata* based on the portion of their budget spent on direct legal services to indigent clients.

"Increase the Surcharge. This bill could potentially double the funds available for indigent civil legal services by increasing the surcharge on initial court filing fees in civil actions. In this time of economic recession, core services, like those provided by Legal Aid are fundamental to the safety net. These types of civil legal services help those in domestic violence situations, those who needed access to public assistance, those who are subject to predatory lending practices, those who are vulnerable due to disability and those who need representation in this complex legal system.

"This is a much needed bill to ensure that more low- and moderate-income residents have access to justice, which was strongly recommended by the Access to Justice Hui formed by many different members of the Hawaii Bar."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Ruling on a potential conflict. One of the recipients of this money, should this pass, I'm on the Board of Directors of that organization. Thank you," and the Chair ruled, "no conflict."

Representative Shimabukuro rose to disclose a potential conflict of interest, stating:

"I'm sorry, I also need a ruling on a potential conflict. I work at one of the agencies that could receive these funds," and the Chair ruled, "no conflict."

Representative Pine rose to speak in support of the measure with reservations, stating:

"With reservations on this particular measure, Mr. Speaker. Basically, what this bill does is, it increases the surcharge for Circuit Court fees. Some will go from $25 to $65, $10 to $35, $25 to $65, and so forth.

"One of my concerns was, the money raised in this will go directly to certain particular non-profits. I find some complications with that; that we're favoring just a few non-profits to get certain designations of taxes. I'm against that philosophy in general, and I believe that it should go to the general fund, and that we should make funding those non-profit services a priority in the budget.

"I'm also concerned with how this will impact those that cannot afford to file some Circuit Court motions, and different cases for people that have hurt them. For those that are low income, this would definitely increase the fees for them. For businesses especially, though. And I think of small business when I talk about this. It may be just a ‘mom and pop’ store that has many clients that they work with that owe them money. Say they have 10 to 12 different cases that they want to bring to court in one day. That's going to significantly increase, and for some of them, if they are combined, it could be increased 350%. And, in this economy right now, we don't want to add additional burdens to the small business. Thank you."

Representative Ching rose to speak in support of the measure with reservations, stating:

"Yes, I stand with reservations. And it's based on much of the same argument, that the increase in fees is at a very bad time. Thank you."

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 speak in support of the measure, stating:

"Briefly, in support. Just to rebut some of those comments. This is really about access to justice. These non-profits actually serve to make sure that those low-income people that were talked about, can access the courts, they can get legal representation whenever they are brought to be a defendant in a court action, or if they need to pursue a claim in court.

"But, first and foremost, I just want to clarify that these fees, actually, are recoverable if the plaintiff ends up prevailing. The judgment costs are allowed, and costs will become part of the judgment. Therefore, it is clearly reimbursable. And so, it's more like a pass through. That's really what we're seeking in these times when we're not going to be having purchase of services, or grants-in-aid. What we need to look at is creative ways to make sure that these people who cannot access justice, cannot

access the courts, can continue to do so. Otherwise justice will be meaningless. Thank you."

Representative Pine rose to respond, stating:

"Just in rebuttal. It's very difficult to have access to justice, if you can't pay for it to begin with."

Representative Shimabukuro rose to respond, stating:

"Yes, Mr. Speaker. I just want to respond to that. This bill would continue to exempt small claims cases, petitions for restraining orders, petitions with proceeding in *forma pauperis*, or when you're impoverished, and all State and county filings. So, if you're talking about someone that truly can't afford it, or a small business, they probably will not be affected by this bill. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 625, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SURCHARGE FOR INDIGENT LEGAL SERVICES," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Berg, Keith-Agaran and Marumoto voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 812) recommending that H.B. No. 1016, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1016, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, can I get a ruling on a possible conflict. My law firm represents plaintiffs whose claims are being funded by a portion of this measure," 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. 1016, 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 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 814) recommending that H.B. No. 1379, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1379, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ORDERS FOR LIFE SUSTAINING TREATMENT," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

At 11:56 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1694, HD 2
H.B. No. 697, HD 1
H.B. No. 989, HD 1
H.B. No. 1371, HD 1
H.B. No. 625, HD 1
H.B. No. 1016, HD 2
H.B. No. 1379, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 815) recommending that H.B. No. 1713, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1713, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in favor of this motion. Just to add that we also have a problem with the same landlord. We have a very rich Japanese billionaire in my area; and also in the Aina Haina Representative's district, that owns two dozen properties in a very small area, in the one small neighborhood of Kahala, and has amassed at least 16 City and County violations. So, we would also like to see some action taken on this type of landlord who neglects his property and causes visual blight, and some safety and health hazards, as well. 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 to speak in strong support of House Bill 1713 HD2, which allows Civil Defense, when no emergency exists, to enter private property to mitigate hazardous situations after giving the landowner notice. The bill also provides for possible recovery and reimbursement of costs and expenses.

"This bill is similar to a bill I introduced this year. It was prompted by a real-life situation in my own district and elsewhere on the Wai'anae Coast. The flooding that took place earlier this year, creating road closures and property damage. A significant amount of the damage might have been alleviated had precautionary measures been taken beforehand to clear clogged streams and waterways that pass through or are accessed by way of private property.

"In speaking with Civil Defense personnel, I learned that they and others helping them in the flood emergency were frustrated in their attempts to gain access to private property. They were required to obtain very detailed written consent from all landowners along waterways which was very difficult and time-consuming, given the need for prompt action during a critical time.

"This bill, which has considerable community and public agency support, will make it possible to take preventive action before an emergency exists. In the case of private property, dangerous conditions may exist that pose risks of harm to adjoining landowners and others downstream. Allowing Civil Defense to enter private property, after giving proper notice to the landowner, will in the long run help not only the private owner but the community at large. The bill also provides for recovery and reimbursement of public moneys expended in this effort to make private property safer in the interest of public safety.

"I urge my colleagues to join me in supporting this important measure."

Representative Ward rose to speak in support of the measure with reservations, stating:

"With reservations. And said billionaire also has property in my district."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1713, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAZARDS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 816) recommending that H.B. No. 268, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 268, HD 1, pass Third Reading, seconded by Representative Evans.

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:

"Mr. Speaker, I rise in opposition to Standing Committee Report 816, House Bill 268, House Draft 1.

"The Assistant Registrar and the Administrator of Real Property Assessment Division have been meeting to develop the process this bill calls for. So it's already being done. It's unnecessary. It will happen without the bill, so let's save paper and table 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. 268, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Thielen voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 817) recommending that H.B. No. 269, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 269, HD 1, pass Third Reading, seconded by Representative Evans.

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:

"Mr. Speaker, I rise in opposition to Standing Committee Report 817, House Bill 269, House Draft 1.

"The Registrar of the Bureau of Conveyances and the Administrator of Real Property Assessment Division have been meeting to develop the process this bill calls for. So it's already being done. It's unnecessary. It will happen without the bill."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"On Stand. Com. No. 817, I have reservations. They're much the same as the previous bill. I just feel that this will be resolved, and the bill will be unnecessary. 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. 269, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Thielen voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 818) recommending that H.B. No. 345, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 345, pass Third Reading, seconded by Representative Evans.

Representative Coffman rose to speak in opposition to the measure, stating:

"Yes, Mr. Speaker. I rise in opposition to this bill. The County of Hawaii worked hard over many years to get this piece of legislation passed, authorizing the Pilot Campaign Funding Authorization. There's no reason to delay this project at this time. It does not use any general funds. The special fund account is protected by a $3.5 million minimum balance. It can't go below that. A cap of $300,000 per election cycle is included to avoid any significant use of the special fund account.

"In meeting with the Campaign Spending Commission, I asked them if they would be able to support this Pilot Project; and their answer was 'yes.' Again, there is no reason to delay this project. Thank you."

Representative Belatti rose to speak in opposition to the measure, stating:

"Mr. Speaker, I also rise in strong opposition, and would like to make a few comments. As noted by the previous speaker, last year, this Body passed Act 244, which established a Pilot Program for publicly funded campaigns for the Hawaii County Council. This bill was the result of a long term, successful, collaborative effort among voter-owned election advocates, concerned members of the public, and the Hawaii County Council, who had lent the Pilot Project its full support.

"The benefits of publicly financed elections were evident to all last year. The potential to draw out fresh, new candidates who represented a broader cross section of the community; the elimination of influence and special interests, or private wealth from political campaigns; greater public trust in government; and more active citizen participation in the political process.

"Advocates of this measure before us today appear to fall into two categories. The first group of advocates argue that there's simply not enough money allotted to this Pilot Project because of the equalizing funds provision. The second group supports delay because they believe that publicly funded elections is simply a bad idea. If the criticism truly is a lack of funding, then let's look at addressing this problem by raising the current cap by modifying the equalizing funds provision. However, as drafted, simply delaying this inception date, without addressing the purported concerns, is to delay for four years, the start of this Pilot Program. Such a delay sends a strong message to the public that this Body is not committed to voter-owned elections. It is fodder for public cynicism, that government is incapable of operating in any way other than business as usual. Thank you, Mr. Speaker."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Nakashima 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 Nakashima's written remarks are as follows:

"Mr. Speaker, the Campaign Spending Commission in testimony on House Bill 345 urged the Legislature to be proactive rather than passively await possible litigation involving the equalizing fund provisions of Act 244, Session Laws of Hawaii 2008. The bill before us would delay the implementation of the public funding of Hawaii County Council elections to allow us to further study the issues raised by the Supreme Court's decision in David v. Federal Election Commission. This case was the basis for the Federal District Court order in McComish v. Brewer, No. 2:08-cv-1550, Order (Aug. 29, 2008), and found Arizona's equalizing fund provision "violates the First Amendment of the U.S. Constitution."

"As we have received no information from the Attorney General regarding the application of the above cited cases on this bill, I believe that it is necessary to keep this bill alive as a vehicle to address these underlying concerns and prevent an invalidation of the Hawaii law."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. With reservations, and may I just offer some brief comments. As one who worked with the former Chair of Judiciary on this bill, this was something that went from a large, statewide program into a pilot project. So, this is a very important measure, but when I met with the Campaign Spending Commission, I was left with the impression that the funding mechanism for this is really low, and that if they were to move forward, it would basically become a 'horse race.' In other words, whoever gets in and files first would get public financing, and if you didn't get in and file in time, then guess what? You're not eligible.

"It's that creation of an unlevel playing field which bothered me greatly. I hope that when the bill moves over to the Senate, that the Senate could look at it. Any kind of funding that could restore the program, I would support. But, as long as that inequity stays out there, I have to have reservations on this bill. Thank you, very much."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Just very briefly, I think there's actually another category of people that oppose this bill and I would put myself in one of them. I do support publicly funded elections. I have and continue to do so. However, what's throwing a huge monkey wrench into this problem is a decision in *McComish v. Brewer*, in the District Court of Arizona. That decision came out on August 29, 2008, after we passed out the Publicly Funded Pilot Project for the Big Island. And, unfortunately, in that case, they found that the equalizing funds is a violation of the First Amendment.

"Now, of course people will argue whether we are bound to that decision, is not necessarily dispositive. But, my concern is, that case does not go to trial until December 2009. After that, it's almost a certainty that that case will go up on appeal. And when it goes on appeal, it will go before the 9th Circuit Court of Appeals. We are part of the 9th Circuit Court of Appeals. Because this decision is based on the First Amendment of the United States Constitution, any decision rendered by the 9th Circuit Court of Appeals will be binding upon us, and will be binding upon this program.

"And so, what I would hate to happen, is for us to continue along this path, getting near 2010, getting near the election of 2010, suddenly the decision comes out that is completely out of our hands, and then all of a sudden, the Big Island County Council races are thrown totally up in the air into a complete uncertainty. And that, to me, is an untenable situation. And so, for that reason, I support a delay, at least until we see how the landscape and how the dust settles. At that time we can decide how we are to proceed. Thank you."

Representative Evans rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in support. I wanted to add to this discussion, because there's also another reason, I think, we should forward this bill and keep it alive for discussion, and that is basically the real cost of implementing this. There was discussion about the equalizing funds, and for the candidates that want to use this program. But, I think there's more to that. There's so much that has to be done to actually implement this program. It's a lot of staff work, a lot of reports need to be generated, a lot of information technology and reports that have to be created and processes. And, this is a very time-consuming process, so all these policies and procedures have to be put in place.

"Right now, we're struggling with our economy, and I know that different State agencies have pointed out what the true costs of some of these programs are, and yet, the Executive branch is asking for all of these different divisions within these departments to cut back. So, I think it's legitimate to have this discussion and let Finance and our budget analysts really look at what the impact of this has on that department, especially at a time we're asking them to cut back. So, I think keeping the discussion going forward is a good thing at this time. Thank you."

Representative Belatti rose to respond, stating:

"Thank you, Mr. Speaker, just in response. To the speaker from Pearl City, I would like to acknowledge and concede to his point that there is a third category, and would like to acknowledge that. To the previous speaker, I think how I'd like to respond is that, of any State agency, I feel confidence in the State Campaign Spending Commission to execute and implement this program.

"The testimony before the Judiciary Committee revealed that they are well on their way to preparing for this program. As a former State Campaign Spending Commissioner, I know that they are very competent staff people who do very good work. And again, I have full confidence that they could execute on this given their budgeting as it stands now. Thank you, Mr. Speaker."

Representative Wooley 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 Wooley's written remarks are as follows:

"I wholeheartedly support the concept of public financing for political candidates. The goal of public financing is to level the playing field and provide all candidates with an equal opportunity to run for office -- and win, regardless of their personal wealth or corporate sponsorship. This equal opportunity would promote ideals of democracy and a government that is truly for the people and by the people. That said, the logistics of public financing is not simple. Currently, there are legal challenges that jeopardize the Big Island's implementation of Act 244 and questions about whether there is enough funding to support the public financing goals. For these reasons, I am voting to move this bill forward for further discussion, but with reservations."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 345, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Third Reading by a vote of 37 ayes to 13 noes, with Representatives Belatti, Berg, Brower, Ching, Coffman, Hanohano, C. Lee, Luke, Morita, Rhoads, Saiki, Takumi and Thielen voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 826) recommending that H.B. No. 1525, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1525, HD 1, pass Third Reading, seconded by Representative Evans.

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 to speak in strong support of HB 1525, which relates to the awarding of Medicaid contracts by the Department of Human Services to non-profit insurance entities.

"The bid process for the QExA program was egregiously slanted. For example, one requirement was that you had to be a provider of managed care for the aged, blind and disabled population. Well guess what? DHS did not have a managed care program for this population in Hawaii at the time of the QExA bidding process. So, no Hawaii insurance company could possibly meet the QExA bid requirements: not HMSA, not Kaiser, not AlohaCare, not HMAA, not any local insurance company.

"This explains why AlohaCare's bid to be a QExA provider was returned unopened. This may also explain why my repeated requests to DHS for copies of the two winning bids have still remained unanswered.

"Who got the QExA contracts? Let me quote from HGEA's testimony in support of this bill:

> The two for-profit companies, United Health Group, Inc. and WellCare Health Plans, Inc., have been accused of fraud on the Mainland. Last month, the federal Centers for Medicare and Medicaid Services (CMS) stopped WellCare from marketing and enrolling new members in its Medicare-backed drug and medical plans. CMS said that WellCare used forged enrollment applications and provided misleading or inaccurate information to potential customers of these plans. CMS also found WellCare's performance to be substandard in numerous areas and one of

the worst performers among all plans. They also had complaints numbering three times the national average.

"This bill is not about curbing competition; it is about patient safety and quality of care. I firmly believe in competition, but not when it is obviously unfair as is the case here.

"Please support this measure."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. It's because of the befuddling fact that it puts an uneven playing field between profits and non-profits, and if it's about the AlohaCare flap, I think they should be open about it. This seems to be a little bit underhanded to do that. Oftentimes, for-profit has been shown to be less expensive than the non-profits. As we know, non-profits have been skyrocketing their numbers and salaries, etc. So, I think this bill is really making the playing field uneven, and to the disadvantage of the taxpayers, who will end up having to pay more for their healthcare. Thank you."

Representative Shimabukuro rose to respond, stating:

"I just wanted to briefly rebut what was just stated. This bill, actually, it may appear to be not in support of competition. The fact is, is that the people that support this bill are totally in support of competition, but they just want fair competition.

"And, I just wanted to share a bit about the bid process for the QExA contracts. One of the requirements was that you had to be a provider of managed care for aged, blind, disabled at the time of the bidding. Well, guess what? Hawaii did not have managed care for the aged, blind, disabled at the time of the bidding process, so, no Hawaii insurer could qualify. HMSA, Kaiser, HMAA, AlohaCare, none of them were eligible. And this explains why AlohaCare's bid was actually returned unopened from the bid process.

"So, that's why this bill, which may seem like a drastic measure, is necessary, and I urge my colleagues to support it for further discussion."

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, in rebuttal, and in opposition. I will concede to the point in the way that the language was written, that excluded some non-profits, probably was very unjust, but it does not justify the fact that, now, we're just going to make it only for non-profits. So, I think there's something very wrong with that language.

"I just simply believe that what this bill does, for example, for those of you who don't really know, it allows the Department of Human Services to restrict Medicaid contract awards solely and only to non-profit insurance entities. And, I just believe that this concept is false, and I oppose this bill because it's bad for Hawaii's healthcare consumers. It does not allow competition if it's only for non-profits. Currently, those that do have the contracts are for-profits. And, there is an image out there, and a belief, that non-profits in healthcare are bad people. And, I do have to say that the companies that currently do have some of our contracts are actually reducing costs for the State of Hawaii, and therefore reducing costs for the state taxpayer.

"And so, I just believe that we should not pass this bill at this time. Thank you."

Representative Cabanilla rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. The Hawaii State Constitution does not allow the issuance of special revenue bonds to hospitals that are for-profit. And, this reminds me of Hawaii Health System, in my district.

"The idea is that non-profits are somehow more deserving of obtaining State assistance, since there is no profit involved to raise the costs. The same principals should be applied to the awarding of Medicaid contracts to non-profits only, as well. Non-profits do not charge the State for their profits, so they can keep the costs down. Many other types of State assistance, such as grants-in-aid, also show preferences for non-profits. Medicaid contracts should be no different. I urge my colleagues to support this measure. Thank you."

Representative Shimabukuro rose to respond, stating:

"Sorry, I just wanted to briefly rebut what was said earlier, about this being bad for consumers. The reason that this bill seems so drastic is that the current situation is really bad for consumers, and I wanted to just quote briefly from HCA's testimony:

"The two for-profit companies, United Health Group and WellCare Health Plans, have been accused of fraud on the mainland. Last month, the federal centers for Medicare and Medicaid Services stopped WellCare from marketing and enrolling new members in its Medicare-backed drug and medical plans. CMS said that WellCare used forged enrollment applications and provided misleading or inaccurate information to potential customers of these plans. CMS also found WellCare's performance to be substandard in numerous areas and one of the worst performers among all plans. They also had complaints numbering three times the national average."

"So, to me, this bill really is about protecting the consumer."

Representative Pine rose to respond, stating:

"Mr. Speaker, just in rebuttal, again. I think the key word there was 'accused.' I think a lot of us, in our official capacities have been accused of many things. But, the result is, what are they doing for Hawaii? And, the facts are, that for Hawaii residents, they are doing a good job. They are lowering the cost for all taxpayers.

"This bill infers that this kind of free and open competition does not benefit consumers, and I think the fact, later on is, as this process moves forward, will prove that it in fact, does. 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 however, with reservations of H.B. 1525 – Relating to Medicaid. The proposed bill allows for procurement of all Medicaid contacts in the State and that DHS shall solicit proposals only from non-profit insurance entities and award contracts only to non-profit insurance entities. I am concerned that the language is too broad and the lack of open competition could lower the quality of service that people receive.

"The State Procurement Office says, 'HRS Chapter 103F applies to all state agencies, and should not place restrictions on a specific procurement for one agency. If there is justification for this particular procurement to be restricted to non-profit organization, it should be addressed in the competitive request proposals document, or it has a broader application, in the Medicaid administrative rules. The State must maintain a fair and equitable treatment of all providers, who deal with the procurement processes of the State.' 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 H.B. No. 1525, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Third Reading by a vote of 46 ayes to 4 noes, with Representatives Marumoto, Pine, Thielen and Ward voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 827) recommending that H.B. No. 87, HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 87, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 833) recommending that H.B. No. 1438, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1438, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATORS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

At 12:15 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1713, HD 2
H.B. No. 268, HD 1
H.B. No. 269, HD 1
H.B. No. 345
H.B. No. 1525, HD 1
H.B. No. 87, HD 2
H.B. No. 1438, HD 1

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 834) recommending that H.B. No. 272, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 272, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGISTERED AGENTS ACT," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 837) recommending that H.B. No. 172, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 172, HD 2, pass Third Reading, seconded by Representative Evans.

Representative McKelvey rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Bertram rose to speak in opposition to the measure, stating:

"Yes, in strong opposition. Just a quick word is that this is still continuing to implement the No Child Left Behind Act, and holding schools to loose standards that just as a rote learning experience, which has proven to be a failure. We shouldn't be going down this road anymore. I really think we need to get rid of the Act, and then we can really look at our schools. Thank you."

Representative Coffman rose to speak in opposition to the measure, stating:

"Yes, Mr. Speaker, in opposition. A couple comments. Basically, President Obama's new Education Secretary, Arne Duncan, and Congress, will be amending No Child Left Behind to make the law more fair in the coming years, on how we measure our students. I believe we should not be jumping the gun before President Obama, Secretary Duncan, and Congress have the opportunity to amend this piece of legislation. Thank you."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Finnegan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. Thank you, Mr. Speaker. This particular bill is about reconstituting schools. Mr. Speaker, there's been some comments in regards to NCLB, and if you take a look and you talk to people, teachers, parents, principals, Department of Education, there's a section, or quite a few people in there that said, if it weren't for NCLB, some significant changes may not be happening today. I understand, and as a previous speaker has spoken, that there may be some changes in NCLB to make it, quote unquote, 'fairer.'

"Maybe there are some changes that need to be made. But overall, putting teeth in accountability for our kids' education, making sure that we are moving in the right direction of educating our kids, is very important. Assessments and tests are very important. You don't, as some say, 'throw the baby out with the bathwater,' because of maybe some negative effects of NCLB.

"Having said that, in regards to reconstituting schools, sometimes the formula of a school of the people who are there, whether it be teachers or principals or whatever, it's not the best mix for that particular school. It's very, very difficult to have, either teachers or principals move from one school to the other. And, we should at least have our thoughts moving towards what is best for the kids. What combination of teachers or principals are best for those kids, so that they can have a learning environment that is best for their learning.

"And I think by automatically saying 'no,' I don't think that the DOE, we should not be able to do that. I think it's wrong. I think we should be looking out for our kids and what best learning environment there might be, instead of looking at, how do we protect people. We have to think about creating the best learning environment for our kids. That could mean that for that particular combination of people, at that school, that might not be the right combination. Thank you."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Mr. Speaker, this bill is not perfect. No Child Left Behind is not perfect. But one thing that will never wither away in both of those is accountability. Even though they're going to amend it, accountability is going to be built into it. We face a crisis in education in this country. For the first time in the history of America, in this State, people 40 years old and above, are more educated than people who are 20 years old and below.

"We are 'dumbing down' our future generations. Usually, the kids are always smarter than their parents. Now it's in reverse. That is a very, very bad sign. We're slipping into third-world education. We've got to have accountability. It won't go away, and this bill gives and empowers accountability. Thank you."

Representative Keith-Agaran 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 Nakashima 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 Nakashima's written remarks are as follows:

"Mr. Speaker, this bill was proposed by the Superintendent of Education and would allow for the reconstitution of a public school that has been in restructuring for four or more school years. I am concerned that the Superintendent would seek legislative relief before addressing these issues in good faith with our public sector unions. The bill has been amended by the House Education and Labor Committees to require that these procedures be negotiated with the respective unions, which is why I am now able to support these proposals.

"As passed by Congress, the "No Child Left Behind" legislation explicitly left intact any existing collective bargaining agreements and protected the rights of teachers, principal and other school employees. There is nothing in the law that prevents the Superintendent from seeking amendments to these contracts to provide for the extreme case of a school that has not been able to make any progress. Obviously in this case, we must seek some other remedy.

"I am concerned that as the criteria for passing the test approaches one hundred percent under the "No Child Left Behind" law, every public school will soon find themselves failing as the law would require that every test be absolutely perfect -- an unobtainable criteria which will eventually sentence every public school in the nation to failure."

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 however, with reservations of H.B. 172 Relating to Reconstituting Schools. I am concerned that this bill might have a negative impact on teachers. It seems the DOE will have the power to remove or transfer teachers to another institution, not because of anything they personally have done wrong, but because the school as a whole is not performing at an acceptable level. Having been a teacher myself, I do worry that this bill might not be fair to our educators. Thank you."

Representative Aquino 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 support of the measure, stating:

"Thank you very much, Mr. Speaker. In support. I wasn't going to say anything, but when two members of the Minority Caucus support the bill, sort of an out-of-body experience, if you know what I mean.

"I actually support this bill for different reasons than the Minority Leader. I actually don't support No Child Left Behind. I believe a high-stakes testing, one-size-fits-all approach is not the way we do school reform.

"However, in this particular bill, I urge colleagues to actually read the bill. When you reconstitute a school under this measure, it has to take into account many other factors besides just test scores. I can tell you, Mr. Speaker, if we see schools that are not doing well, I can assure you they are falling short in a number of areas, not just test scores. They more than likely have a high absenteeism rate. They do not have strong leadership. They have teachers who may not be as committed or dedicated or highly qualified as we may want. They lack community support. The children in that campus may not feel healthy and safe. The curriculum might need some tweaking. It may not be sequential or an integrator. There are just many factors that go into whether a school is successful or not.

"But, I do agree on a central premise, that if a school does well, or if a school does not do well, I look at the adults in that school, and not the children. I frankly think it's the adults in that school that make or break a school.

"So, what this bill really does, is to give the superintendent another tool, granted, a heavy tool, a 'draconian' measure to look at whether or not you walk into a school and say, 'We're going to reconstitute this campus.' There are 26 states that have this measure that would allow a superintendent to do this. I think, again, it is just one approach. It's not the absolute approach.

"If you read the studies, and I urge colleagues to read the Fordham Foundation study that was done. They looked at Prince George's County in Maryland, where they studied six elementary schools that were reconstituted in 1996, and they went back and looked at those schools in the year 2000, and how they did.

"We should do things, Members, based on research, based on what makes sense, but ultimately, and most of all, what helps our children. Thank you, Mr. Speaker."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker, I'd like to adopt the words of the previous speaker, the Chair of Education. However, aside from the NCLB comments, and just like to say we do agree on some things."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 172, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECONSTITUTING SCHOOLS," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Bertram, Coffman and McKelvey voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 840) recommending that H.B. No. 985, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 985, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Nakashima rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Nakashima's written remarks are as follows:

"Mr. Speaker, strong school communities and the delivery of quality public education continue to be a great concern of mine as a former educator. The advent of Act 51, with its academic and financial plans, shifted schools' focus away from the school-based budgeting process that has been a hallmark of the greater school autonomy granted by the legislature.

"I authored House Bill 985, HD2 Relating to Education, which is included in the House Majority Package. This bill is an important initiative in an effort to insure that schools comply with existing law that requires the school to solicit input from parents, teachers, students and the community in the allocation of school resources. This bill is a significant first step toward creating greater responsiveness and transparency in school level decision making.

"Transparency, responsiveness, and community support is especially important at a time when our schools face dwindling resources with which to teach our children."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On this measure, Relating to Education, HB 985, School Finances and School Community Councils Appeals Process, I stand with reservations. Thank you. This bill requires fiscal accountability measures at the school level, and requires the BOE to develop an appeals process for school community councils.

"Mr. Speaker, in Act 51, there was a combination of parts that talked about how a school works, what authority a principal has, the government structure, that kind of thing. I've always been under the system that you have to try as best as possible, to push the decision-making down to the lower level, to the school level. By creating a process of appeals, it's really no different than what they're doing now. Anytime there's disagreement at the school level, they say, 'Okay, go up the chain of command,' and then it gets lost somewhere. Mr. Speaker, I think that's one of the reasons why I'm not supportive of doing that kind of thing.

"I hate to always bring up the Charter School system, but the Charter School system, whether you like it or not, those decisions are pushed down to the local school level. They don't have any other place to go. So, they have to figure it out. If there's a principal that makes bad decisions, that principal, through their leadership skills, or development of those

leadership skills, will eventually have to communicate, do the things that that local school board wants them to do. And there needs to be some kind of communication and leadership skills on both parts to make this happen.

"What we often do is, we take those decision-making things out of the school level. That, I think is not the right thing to do. It wastes time. It takes away attention from what can be done at the school level. I understand why this bill is being submitted, or introduced, and that's because maybe we don't like the way principals make decisions in our communities. Well, then there should be an accountability measure at that school to correct that. There should be a way that the School Community Council can make something happen at the School Community Council. You can't do a 'one size fits all' approach, and that's what this bill basically does. It doesn't give credit to those principals who do a good job at communicating with their SCCs. It doesn't allow for school principals that, if they have an SCC that doesn't work, that they can take the leadership skills and move forward for the sake of the children.

"This is a very delicate matter, I understand that. But letting us, the 76 of us, determine what happens at the school level, I think is something that just causes confusion in the whole governance system of the Department of Education and in our education system. So therefore, I am with reservations. Thank you."

Representative Evans rose to speak in support of the measure, stating:

"Mr Speaker, I rise in support. Mr. Speaker, in my previous life, I worked for a very large organization, AT&T. And, after that, I worked for the Department of Land and Natural Resources in Washington State. And I can tell you, when you have a very large organization, after a while, you learn that sometimes you have to definitely have process spelled out for people.

"I believe that the Chairman of Education has been working on this topic of School Community Councils for several years now, and I think, as we work with this concept, we learn that sometimes we have to have standard operating procedures. So, I think that it's time to keep fine tuning this, and I think this is good, because, as we know, we have so many schools in our Department of Education, and I think that this is the right thing to do. "

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 985, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 841) recommending that H.B. No. 1376, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1376, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm in opposition to HB 1376. I am a little puzzled by this particular measure. I don't know why the Education Committee is advancing it. But, it would create a Commission to be appointed by the Governor to study certain aspects of our schools. And I believe the Department of Education is already pursuing the same type of study. So, I'm just concerned in that, if the two bodies, the two Commissions come out with different information, different results, different recommendations, it could be confusing to all of us concerned. Thank you, very much."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, thank you very much, Mr. Speaker and Members. I wish to speak with some reservations. Again, in all due respect to the Chairman. On this particular measure, on facilities, I believe it is the elected Board of Education's policy-making role to act on this particular measure and not the Legislature. However, I am aware that this bill is supposed to be a spur for them to act.

"But again, the danger that we are undertaking is that if we continue to make policy for the Board of Education, and the Board of Education just becomes more lethargic and does not carry out their responsibilities. A lot of the measures that we are passing should be the Board of Education's policy role. Constitutionally, they have that right. We have provided them the power to make policies for the Department of Education.

"So, we have a dual situation. We're making policy, and the Board is making policy, and it creates a lot of confusion. Thank you very much, Mr. Speaker."

Representative Berg rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support, with just a few comments. Speaking as a Representative from the district where probably the first school will be closed shortly, I'm concerned about this whole issue of consolidation of schools, of course, as a Vice Chair, and also as a Representative of that district. At first, I wasn't real comfortable with the notion of having a Commission that would actually look generically at the criteria for schools to be consolidated, or to have the disposition decided. However, going through the process with my district school, I believe that having one Commission, one Council, one entity that will look at the whole process, and that have fair criteria, perhaps will be a little bit more reassuring to communities, rather than leaving it up to the different districts or different complexes or superintendents to decide the fate of certain schools.

"So, I rise in support of this, and I look forward to seeing what happens when it goes to the Senate. 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 Standing Committee Report No. 841, House Bill 1376 House Draft 1, Relating to Education. This measure creates the Facilities Alignment Commission (FAC) to establish criteria for the selection of public schools to be constructed, expanded, consolidated, or closed, and recommend a list of areas for new school construction, and of schools for expansion, consolidation, or closure. This also requires the Board of Education (BOE) to comply with these recommendations if the legislature does not disapprove of them in their entirety. I support this bill to ensure effective planning for our schools.

"The Department of Education (DOE) currently has a "matrix" of their priorities for all capital improvement projects which is ultimately approved by the BOE. While the Department sets the priorities on the matrix, this list of priorities is inefficient in that we simply are not building schools fast enough or making repairs in a timely manner. This bill will help address these concerns by streamlining the priority listing.

"The FAC is an important step in having the DOE and BOE review, evaluate and make the best use of its assets and resources. The FAC would consider multiple issues when making recommendations to close, open, or consolidate schools. Furthermore, considerations such as the overuse or underuse of school facilities, school academic success, and whether the successes of schools are due to school size, will also be taken into account. Finally, a macro-perspective will be utilized by taking into consideration the best interests of the students, the best way to preserve their potential for success, and the impact of the consolidation or closure of a school, including the costs of deferred and future repair and maintenance. These recommendations would be made followed with public hearings to get appropriate public response to these recommendations. This would further ensure an objective and transparent process in systemwide planning.

"In Kapolei, the growing "Second City," the population of young families and the corresponding demand for schools is only increasing, while schools in other areas are aging and are underutilized. The FAC

created by this measure would streamline the process and guide resources to areas that most need them. 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. 1376, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 45 ayes to 5 noes, with Representatives Ching, C. Lee, Marumoto, Thielen and Ward voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 842) recommending that H.B. No. 242, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 242, HD 1, pass Third Reading, seconded by Representative Evans.

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:

"Mr. Speaker, I rise in strong support of HB 242 HD 1. As amended, this measure would play a vital role in supporting a more diversified agriculture industry in Hawaii. Currently, our State's farmers are oftentimes unable to make full use of – and therefore profit from – lesser grade produce. The proposed added-value processing facilities called for in this bill would therefore do much to broaden what can be made from such produce by providing our farmers with the means to develop newer, more innovative products such as guava jelly and pineapple juice. Utilizing off-grade produce in this manner would generate far higher returns for our agricultural producers while enhancing their financial stability in the process. Ultimately, then, these facilities would open the door to manufacturing a more extensive range of "Made in Hawaii" products that may be more easily exported than fresh goods, adding both value and a far longer shelf life to produce that might otherwise have gone to waste.

"HB 242 HD 1 would accomplish this important endeavor by appropriating funds for the planning and modification of value-added processing facilities at Maui Community College (MCC) and Del Monte. Already, MCC's Maui Culinary Academy has developed products that have added value to sugar, pineapple, and grape products grown on Maui. The Culinary Academy is also working with the Maui Cattle Company to develop products for non-prime cuts of beef. These efforts highlight the tremendous scope of untapped potential that can be harnessed through the creation of value-added processing facilities across the State. In the midst of our present economic crisis, and with this Body charged with the task of generating revenue rather than spending it, I believe that appropriating funds for such facilities represents a worthwhile investment in our future, and therefore urge my fellow colleagues to support HB 242 HD 1 and help Hawaii's struggling agricultural producers. 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. 242 - Relating to Agriculture I believe this bill gives the opportunity to diversify the products that can be offered to consumers and provide products that may be more easily exported than fresh goods, such as cacao. The proposed facility will fulfill a vital need toward making our agriculture industry sustainable and will help address food security issues as well. The ability to create value-added products from agriculture resources is a win-win for both economy and agriculture.

"The Department of Agriculture states, 'The Hawaii Department of Agriculture recognizes the importance of value added processing as a component that can utilize lesser grade produce and add income to a farming operation. It also diversifies the products that can be offered to consumers and provides products that may be more easily exported than fresh goods. We greatly appreciate your committee's interest in assisting our agriculture procedures to obtain higher returns for their products and thereby achieve greater financial stability.' 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. 242, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 843) recommending that H.B. No. 318, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 318, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Marumoto rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"Mr. Speaker, I rise with reservations on HB 318 HD1, Relating to Vog Research. The bill appropriates an unspecified amount of federal funds under the Homeland Security Grant program to study vog and find specific varieties of crops resistant to vog.

"I have reservations because I'm just not sure what Homeland Security has to do with this. Can we even use this funding source? Would it be hard to meet grant requirements? Is it allowed?

"Even the State Department of Defense isn't sure on that one, and testified that the funding might be more appropriately taken from another source.

"For these reasons, I am voting with reservations on HB 318 HD1, Relating to Vog Research."

The motion was put to vote by the Chair and carried, and report of the Committee was adopted and H.B. No. 318, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VOG," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 844) recommending that H.B. No. 1433, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1433, HD 2, pass Third Reading, seconded by Representative Evans.

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:

"Thank you, Mr. Speaker. I rise in strong support of HB 1433 HD 2, which proposes much-needed improvements to the inspection, quarantine, and eradication fee collection process. Specifically, this measure would strengthen the funding mechanism for the Hawaii Biosecurity Program by establishing fines for those who fail to pay for or remit the fee, while also clarifying the scope of that fee by making exemptions for cement and liquid bulk freight.

"It goes without saying that, over the years, the threat of invasive species has increased manifold. In the absence of adequate funding, both our agriculture industry and our environment have been losing the war, whether against the coqui frog, miconia, or some other as-of-yet undiscovered, newly introduced pest. The passage of the Hawaii Biosecurity Plan in 2008 signified a landmark moment for Hawaii to begin turning the tide against invasive species. The comprehensive plan and its corresponding cargo-fee funding mechanism have together heralded a

renewed sense of optimism concerning our ability to safeguard the State from unwanted pests. In hindsight, given the adverse effects of our unprecedented global recession, it was indeed a wise decision to shift the funding mechanism for our State's inspection and quarantine services from one of dependence upon volatile and unpredictable general funds, to one based firmly on a fee-for-service model.

"This fee, and the fines imposed for failing to pay or remit it, are essential if we are to fully implement our innovative and comprehensive Biosecurity Plan, which has already made Hawaii the nation's leader in the prevention of invasive species. The upfront costs associated with bringing the program online are essential if we are to create a more efficient and streamlined infrastructure to deal with the high volume of imported cargo that must be painstakingly inspected for unwanted pests.

"Simply put, we cannot develop a sustainable agriculture industry if parasitic varroa mites infect our honey bees, thus compromising their ability to pollinate farm crops. We cannot have a thriving and robust tourism industry if aggressive red imported fire ants invade our parks, golf courses, and beaches, attacking visitors and tourists alike with their venomous sting. And we cannot expect to have a reliable energy source if opportunistic brown tree snakes inadvertently short-circuit our power lines on a regular basis, causing island-wide blackouts as is the case in Guam. The costs associated with the introduction of such pests far outweigh the perceived inconvenience of paying for the inspection, quarantine, and eradication fee, or its associated fine. In closing, I therefore urge my fellow colleagues to join me in my support of HB 1433 HD 2. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I do have some with reservations for Stand. Com. No. 844. Thank you. Mr. Speaker, this bill establishes fines for failing to pay or remit the Inspection, Quarantine and Eradication Fee, and exempts liquid bulk freight and cement bulk freight from the fee. The Committee set a fine of $100 per every half ton for failing to pay the fee.

"Mr. Speaker, this particular bill comes from last year, where we enacted this inspection fee, and I was against that bill at the time, because of the increase in cost of goods for residents, and I'm still not in support of it. Mr. Speaker, also, I believe the Department of Agriculture has also had a difficult time in finding people to do some of the work that is supposed to be funded by this Fund.

"Again, this is an increase in cost of goods. I don't agree with the Act in the first place, even though a lot of money is going into inspection. But, what this does is, most of the people who are not paying for this particular fee are airlines. It's the airlines that aren't paying for it. And, that's a place where we didn't charge in the first place, in regards to these types of fees.

"But what happens is, if you put on top of that another 'failure to pay' type of fine, I don't think that that's good for the airline companies. And these airline companies, later on in the agenda, we have another bill that wants to help these airline companies by not charging them the GET on their fuel. So, if you want to help the interisland airlines, I don't think that this measure is a good one. 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 stand in support. In 2008, Chapter 150A was passed by this Body to address invasive species. This bill simply helps to provide clarification on that measure by excluding cement bulk freight and liquid bulk freight for which this measure was not intended. I support this housekeeping measure and I ask other Members to be just as supportive in taking protective steps as we work forward in addressing invasive species. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support with auditory comments.

[*Sound of coqui frogs*.]

"And, because of that, I'm for the bill."

Representative Wooley rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Wooley's written remarks are as follows:

"I support HB 1433, which amends the law relating to cargo fees by exempting cement and liquid bulk freight, allowing fines to be levied for the failure to pay the appropriate cargo fees, and requiring that money paid in fines be deposited into the pest inspection, quarantine, and eradication fund. I applaud the primary author of this bill. If this bill becomes law, it will help to protect our economy and our fragile ecosystem from invasive species by setting forth consequences for individuals who fail to pay the existing cargo fees. I also hope this measure will help to address problems caused by the lack of adequate funds to fully implement eradication measures for alien species."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1433, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

At 12:37 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 272, HD 1
H.B. No. 172, HD 2
H.B. No. 985, HD 2
H.B. No. 1376, HD 1
H.B. No. 242, HD 1
H.B. No. 318, HD 1
H.B. No. 1433, HD 2

At 12:37 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:49 o'clock p.m., with the Speaker presiding.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 846) recommending that H.B. No. 281, HD 2, as amended in HD 3, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 281, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In regards to Stand. Com. Report No. 846, Relating to the Environment, I'd just like to vote with reservations. I just have concerns that it might be too prescriptive. 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. 281, HD 3, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," passed Third Reading by a vote of 49 ayes, with Representatives Sagum and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 850) recommending that H.B. No. 574, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 574, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In regards to Stand. Com. No. 850, Relating to the deposit beverage container program, in opposition. I know that in the Governor's proposal for the budget, this is one of the areas where she's suggesting that there be a raid. Instead of expanding the program right now, we're under, like we said, a really different situation this year, where we have to make up for a lot of money, and balancing the budget.

"And so, instead of expanding programs, we should be, not necessarily moving forward on any expansions, and looking for ways that we can balance the budget. I think this is an additional $9 million we would have to make up. 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. 574, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Finnegan and Marumoto voting no, and with Representatives Sagum and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 851) recommending that H.B. No. 834, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 834, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I'm rising to oppose Standing Committee Report 851, House Bill 834, Relating to Water Quality Standards. Mr. Speaker, Mayor Hannemann came over to our Committee and asked us to support the bill to reduce our water quality standards, and this is because of the City's ongoing litigation where it has been sued by the Sierra Club and other environmental groups for contaminating the water with their waste water treatment emissions. They've been found in violation by the federal government, as well. The bill, plain and simple, lowers water quality standards for Oahu, and it does it by tying Hawaii's fragile ecosystem to federal standards, that are based upon East Coast waters.

"Those East Coast waters are vastly different from our subtropical ecosystem. And it's well known that among the many differences, Hawaii residents eat three times as much fish, and we enjoy our beaches year-round, compared to our mainland counterparts. So, tying us to East Coast standards really doesn't make any sense.

"We also go much further offshore, snorkeling, surfing, sailing and fishing, and so the infrequent use designation for waters 500 meters out, simply doesn't apply to Hawaii.

"Since this measure is before the courts, we're being asked by the Mayor to step in, in the middle of the litigation, and I always think that's a bad idea, when people come to the Capitol and say, Let's impact what's going on in the Judicial system.'

"I think that this bill should not move forward, and in the event it does, I hope our side rethinks it, and does not go to Conference Committee on it. Thank you. And, I think our surfers, snorkelers, fishermen, fisherwomen, all of them will appreciate it if we keep our waters clean. Thank you."

Representative Evans rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in support. Mr. Speaker, I just wanted to comment on the previous speaker saying that we're doing this for an elected official, and I don't believe that. I actually believe that sometimes issues come before us, and they come before us in many ways. This just happens to have been on the front page of the paper, this discussion about a wastewater treatment plant. Sometimes when issues like that come forward, it makes us rethink and revisit our regulations, and this brought to our attention water quality standards.

"I think it's very appropriate for this Body to actually be looking at it, now that our consciousness was raised on this issue. And, when we heard some discussion in our Caucus from the Chairs that were involved in this, it seems that our water quality standards have not been changed in many, many years. And so, it's very appropriate for us to move this forward. Thank you."

Representative Ward 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 opposition to the measure, stating:

"Yes, Mr. Speaker. In opposition. Through my district runs the pipelines from the wastewater sewage plant in upper Ewa. This would directly impact my constituents that use the ocean in Ewa Beach, and I can tell you that they are not in favor of this bill.

"As the previous speaker who spoke in opposition to the bill, from Kailua said, that Hawaii's very different. And now we're trying to apply some different standards from the mainland. And, so on behalf of my constituents, I definitely speak against this measure, and think that we should be a lot more special than that. Thank you."

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. At my law firm, I'm one of the attorneys that represents the plaintiffs that have sued the City over their wastewater treatment plant," and the Chair ruled, "no conflict."

Representative Awana rose in opposition to 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 opposition. If we are to override Administrative Rules, I do not see this measure as tightening up our water quality standards. Instead, I see it as lowering the standards which may ultimately lead to the detriment of those who live in our island state.

"The Office of Hawaiian Affairs had provided testimony on this measure. The existing standards are not conducive to the complexities to our island state. Coral reefs around the State are disappearing and near-shore reef fish have migrated to other areas to survive. Certain species of fish are deemed toxic and inedible for human consumption.

"Therefore, I believe to lower these standards and to pass this measure will be sending a message that our environment can be compromised. I have grave concerns on this and cannot support this measure. However, I appreciate the Chair of Energy and Environmental Protection in her attempt at bringing attention to the lackluster inattentiveness of the Department of Health in updating the standards that have long been overdue. 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 C. Lee rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative C. Lee's written remarks are as follows:

"From our bays and beaches, to our streams and their watersheds, Hawaii has among the highest water quality standards in the nation that

has protected our environment and everyone who plays, swims and drinks this precious resource.

"The Department of Health has been tasked with revising Hawaii's water quality standards, but has been unable to follow through since 2005. House Bill 834 assigns the Legislature the power to decide Hawaii's water quality standards since the Department of Health has been stalled so long. However, I rise in opposition to this measure, not only because this bill lowers Hawaii's overall water quality standards to match minimum federal requirements without regard to Hawaii's unique marine environment, but moreover, because it places such responsibility with the Legislature.

"We are not a scientific body, and we are not equipped to make complicated decisions with regard to the specific science behind our water quality standards. As history has shown, the Legislature is a forum to bring all to the table and come up with a compromise. However, some policies cannot and should not be compromised, and our water quality is one of them. In the past as a matter of policy we have left these standards to best science in the Department of Health. Moving these standards back to the realm of the Legislature will move these standards back to the realm of compromise, and as has been the case in many other states whose legislatures dictate water quality standards, we risk basing our water quality standards on a compromise, for better or worse, but not on best science.

"By keeping our water quality standards dictated by Administrative Rule, we ensure that proper minds with specific experience vet such standards and prevent the corruption or circumvention of our water quality laws by special interests or as a result of the political process."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support however, with reservations of H.B. 834 – Relating to Water Quality Standards. The proposed bill amends State water quality standards for marine waters to conform to federal standards in regards to pollutants for the protections of aquatic life in surface water and for the protection of human health for consumption.

"While this measure seeks to improve the water quality standards, non-priority pollutants in Hawaiian waters are unknown. If non-priority pollutants are adopted blindly, treatment plants will be required to initiate testing for these constituents, and if found at levels higher than the standards the facilities could be held liable for violation of these adopted standards.

"According to the Sierra Club, Hawaii's standards should be different due to the amount of people in the water and the high fish diet of people in the area. Laurence K. Lau, the Deputy Director of Health for the State of Hawai'i has stated that, 'fish consumption standards are 3.1 times more stringent than EPA Criteria, because the average daily consumption of fish locally estimated is higher than average'. The passage of this bill would lead to violations of federal standards that should not apply to Hawaii's waters. Thank you."

Representative Wooley rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Wooley's written remarks are as follows:

"Water quality standards for pollutants usually are set by state and federal agencies after experts expend significant time, effort, and resources to ensure public health is protected. This bill, however, makes the Hawaii State Legislature become "the expert" making the decision to seriously degrade our existing water quality standards without requiring any scientific analysis of the effects these changes will have on human health or aquatic species. While this decision may help the City and County of Honolulu save money, it is not an appropriate decision for the Legislature and may come at the expense of our tourist economy, the people of Hawaii, and aquatic species. I am particularly concerned about public health risks that may be caused by these reduced water quality standards because Hawaii has a high level of fish consumption as well as large numbers of people who use (and many who frequently use) our coastal waters for recreation."

Representative Keith-Agaran rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. As an ocean-water swimmer, with reservations."

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 834, HD2, Relating to Water Quality Standards.

"Did you know Hawaii possesses 85 percent of the coral reefs in the nation? Do federal water standards even attempt to address this sensitive part of our ecosystem?

"They do not. In fact, federal standards have never been applied to subtropical coral reefs – so how do we know what will happen if we decide to undertake that experiment?

"Already because of pollutants, some reef fish are so full of toxins that people are advised not to eat them. Do we really want to take a step toward hastening this process by loosening our standards without first getting some element of scientific certainty?

"Our wonderful beaches and our beautiful coral reefs bring tourists and are a big economic driver in our state. Do we really want to put all that at risk?

"I don't. And for that reason, I am opposed to HB 1712 HD 2, relating to fishing."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 834, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY STANDARDS," passed Third Reading by a vote of 41 ayes to 8 noes, with Representatives Awana, Berg, C. Lee, McKelvey, Pine, Saiki, Thielen and Wooley voting no, and with Representatives Sagum and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 852) recommending that H.B. No. 1483, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1483, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Rhoads rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, just needed to request to see whether I have a potential conflict of interest. Better Place Hawaii is a client of my wife," 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. 1483, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR BETTER PLACE HAWAII, INC.," passed Third Reading by a vote of 49 ayes, with Representatives Sagum and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 857) recommending that H.B. No. 638, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 638, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Choy rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Choy's written remarks are as follows:

"This bill is based on two premises:

1. A contract, once protested will be prevented from starting or if started, will cause severe financial consequence for the State.

2. The administrative hearing process is lengthy because of the nature and diligence of the process.

"Because of these constraints, a protest should not be frivolous or made for an immaterial amount. Therefore the Procurement Officer shall dismiss the protest if the amount of the error is one percent or less of the bid amount of the person awarded the contract.

"Additionally, this bill requires a person protesting a bid to:

1. Deposit a protest deposit of 1% of the contract, for contracts over one million dollars, but protest deposit should not be more than $50,000.

2. The protest will be dismissed if the amount of the discrepancy is not more that 10% of the total value of the contract.

"This bill will hopefully make any protest a thoughtful one, with everyone knowing the serious consequences to protesting a bid. In addition, the procuring office can help avert protests by making the bid process clear and not conducive to misinterpretations."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition and short comments. Mr. Speaker, this bill requires the dismissal of frivolous or bad faith protests. Currently, there is no explanation as to why this is necessary. There has been no favorable testimony, only negative treatment from the State Procurement Office, which has been in DAGS, and so I'm voting 'no.'"

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. 638, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Finnegan voting no, and with Representatives Sagum and Takai being excused.

At 1:58 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 2:02 o'clock p.m.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 859) recommending that H.B. No. 425, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 425, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING, LLC PROJECTS ON OAHU," passed Third Reading by a vote of 49 ayes, with Representatives Sagum and Takai being excused.

At 2:05 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 281, HD 3
H.B. No. 574, HD 2
H.B. No. 834, HD 2
H.B. No. 1483, HD 1
H.B. No. 638, HD 1
H.B. No. 425, HD 1

At 2:05 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:47 o'clock p.m.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 863) recommending that H.B. No. 586, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 586, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Wooley 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. 586, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE KANEOHE BAY REGIONAL COUNCIL," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 864) recommending that H.B. No. 1604, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1604, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to Stand. Com. No. 864, House Bill 1604, Relating to Real Property. Thank you. This bill imposes a new tax on the value of improvements surrendered to a lessor, by a lessee, without compensation to the lessee, upon the expiration of a long-term commercial lease.

"In other words, if you rented property from me, and you built things on it, I would have to pay a brand new tax on the value of the improvement when I get the property back.

"So, even if I didn't ask for it, even if I don't want it, I still have to pay a tax on the improvement of the property. This tax would be an addition to the added tax I would end up paying anyway, because the improvements raised the property value.

"What if a lessor wanted to give a start-up business a break by providing lower lease rents at the beginning of a long term lease, by allowing the lessee to construct or install improvements on the property? This bill would certainly put an end to that practice.

"I understand, Mr. Speaker, that we are looking at ways to generate new funding sources, or new money, however, I believe that this is unfair. Thank you."

Representative Saiki rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this measure. I'd like to incorporate my comments from House Bill 1593. Thank you," and the Chair "so ordered." (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:

"Mr. Speaker, I rise in strong opposition to HB 1604, for several reasons. As noted by the testimony of groups like the Tax Foundation of Hawaii, there are serious constitutional concerns about this bill including whether this Body has the authority to pass this law which imposes a real property tax on improvements made by lessees and whether this proposal interferes with existing contracts. For my opposition, however, I would like to emphasize the negative unintended consequences this bill may result in. For example, this bill could deter lessors from entering into long-term leases, which will reduce the pool of residential and commercial properties available for our residents and businesses. If lessors do decide to enter into long-term leases in spite of this law, they may decide to prematurely demolish lessee improvements to avoid paying the tax, which would be economically wasteful. For all of these reasons, I oppose HB 1604."

Representative Evans rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. I wanted to make a couple comments, the first one on the Minority Leader's comments about lessors who may say, 'I'm getting something I didn't want.' Well, I'd beg to differ on that, because when you negotiate an agreement with any lessee, you always negotiate on the improvements that are going to be put in by the lessee.

"Personally, I've been involved in this business of helping lessees deal with lessors, and I have to tell you, that will come up in a negotiation. You put in the lease that you want it returned to its original condition. That is what you put in the lease. Unless, you see that you'd get the windfall. The windfall being, maybe a building, an outdoor structure. Maybe it is the waterline. Maybe it is the new road.

"I support this bill, because at the end of the day, it's not about real property. It's about improvements done by a lessee, and a lessor choosing not to have it returned to its original condition. And so, in the end, the lessor is getting an improvement, and a windfall. I guess you can almost say it's a capital gain, and I don't think this is a bad bill. I think it's a good idea, and I recommend we move it forward. Thank you."

Representative Chong rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Chong's written remarks are as follows:

"HB 1604 proposes to establish a mechanism by which the public may share in the gain of a landowner to whom improvements are surrendered at the expiration of a lease of the landowner's land. This bill subjects the improvements to a tax if the lessee constructed the improvements without financial or capital assistance from the landowner and did not receive compensation equaling the value of the improvements at the time of surrender.

"We all have heard instances of commercial and industrial lessees who have been forced to surrender improvements constructed at their own expense upon the expiration of the leases. The lessees have not been compensated by the landowners for the improvements. While legal, this situation does not seem fair to the lessees.

"HB 1604 is intended to encourage a landowner to compensate a lessee for the improvements surrendered upon the expiration of the leased land. The tax is to be triggered only if the landowner does not compensate the lessee for the surrendered improvements. Thus, the landowner may choose to pay the lessee rather than the tax.

"If, however, the tax amount is less than the value of the improvements, the public will benefit from the imposition of the tax.

"HB 1604 is a progressive measure intended to promote fairness for Hawaii's businesses, particularly small businesses, in these dismal economic times. Admittedly, valid criticisms have been raised against the bill. It, however, should be moved along in the legislative process while the criticisms are examined further. Its public purpose is a good one. Consequently, HB 1604 deserves further consideration by the Senate."

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 rise in opposition to H.B. 1604 - Relating to Real Property. I believe this bill might cause problems for both lessors and lessees, which in-turn could have a negative impact on our communities. Kamehameha Schools state in their testimony that, 'This bill does not recognize the severe burdens and risk placed on lessors when such properties are surrendered, including the need to make expenditures on repairs, demolition and environmental remediation, which may be difficult to impossible to collect from lessess. A tax on the value of the improvements without corresponding deductions or credit to lessor for its "losses" on these reversionary events would be unfair.' In 2003 the Legislative Reference Bureau said, 'There is no indication at this time of a broad compelling need for the Legislature to pass legislation to mandate the alteration of existing lease agreements.' Thank you."

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 1604, Relating to Real Property.

"First off, why are we even doing this bill? No one testified in support of it. There was plenty of opposition, however.

"This tax really doesn't make any sense, and it could be considered an unconstitutional taking of private property because there's no justification that the proposed tax is rationally related to a public use or public purpose.

"It could also – depending how much the tax is and we don't even know that yet -- have a chilling effect on the leasing of real property in this State. That can't be good for the economy.

"For these reasons, I am opposed to HB 1604, Relating to Real Property."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1604, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Third Reading by a vote of 40 ayes to 10 noes, with Representatives Belatti, Berg, Brower, Ching, Coffman, Finnegan, Hanohano, C. Lee, Marumoto and Saiki voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 865) recommending that H.B. No. 754, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 754, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition to 865. Thank you. Mr. Speaker, in this bill, ex-officio members are to become an advisory group.

So, what it does is, it takes away the members and becomes an advisory group. It does away with the section change and who appoints the Board.

"Mr. Speaker, I rise in opposition to this bill, because there is no reason for changing the way in which the HTA Board members are currently appointed, nor is there justification for the removal of the current agency make-up of the Board. Having DOT, BLNR, DBEDT, and SFCA involved in tourism policy development at the HTA Board level is the most effective way to optimize our resources towards tourism. By demoting them to an advisory group would be very wasteful and irresponsible.

"Mr. Speaker, this is another one of those bills that there was no testimony in favor of the bill. And, I'm starting to see quite a bit of these, where we don't have any testimony in favor of the bill. Without any public support and no tangible reasoning behind this restructuring, I don't think that this is worth our doing.

"Mr. Speaker, I just think that this is very valuable to have these members on the Board, and we shouldn't be moving in this direction. Thank you."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker, I speak in favor, but with some strong reservations. The only reason I have the reservation is because I believe this is a work in progress, and hopefully we can work it out in the Senate. But, to remove some of the members, and the advisory members, like DBEDT, I think, when you're looking at the long term and not the short term, it can be disastrous.

"DBEDT is the department that has to do with business, economic development, making predictions, and looking at the economy of the State. So if there is any place that they should be, it should be in HTA. And so Mr. Speaker, with these reservations, I would hope that as it moves on and goes onto the Senate, that we can work it out in Conference."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I am voting no on this particular measure. The Minority Leader expressed very well the ramifications of this bill. You'll be taking away a lot of expertise that you might need in terms of transportation and land, and DBEDT.

"Speaker Emeritus talked in terms of looking more long term. Perhaps a lot of the newer Members of this Body are not aware that at one time, DBEDT, the Department of Business, Economic Development and Tourism, the Tourism person, the liaison for the Governor, Marsha Wienert, at one time did have a vote. We, this Body, took away that vote. She is now ex-officio. But at least the Tourism person in the Department sat on the HTA Authority. Now we would not have her even there, except for maybe on call. And I don't think this is a wise move.

"I'm sure it is a work in progress. I would hope that we would improve it. We have a new HTA President/CEO who does not have an extensive background in tourism, and I would think that he needs all the expertise that he can muster. So I hope that this bill will change considerably before its final passage. Thank you."

Representative Pine rose 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:

"Mr. Speaker I rise in support. I encourage us to look at this from a different viewpoint, and that is, if you consider what is being done, they're taking out four government agencies off of a voting Authority Board, and they are asking them to be in an advisory capacity.

"So what you're saying is the Hawaii Tourism Authority now will be focused on, if you look at the makeup of the Governor appointing the members, they will have expertise in visitor industry management, marketing, promotion, transportation, retail, entertainment, visitor attraction, have knowledge and expertise in the area of Hawaiian cultural practices. Then also no more than three members shall represent, be employed, or under contract to any sector of the industry represented on the Board.

"I think what the Chair has done, is he's really brought forth the idea of more of a focus, a primary focus from people in the industry that understand the industry, that are focused on the industry. And is asking government, government agencies, who's not main purpose it is to understand the visitor industry, whose purpose is much wider than that, and asking them to come and be advisory in nature.

"So now, you have them advisory. You have the Department of Business, Economic Development and Tourism, you have the Department of Transportation, you have DLNR, and the Foundation on Culture and the Arts. I think this idea of them being advisory is very appropriate. Let the people who know the business be the ones on the Authority. Thank you, Mr. Speaker."

Representative Manahan rose in support of the measure and asked the remarks of Representative Evans be inserted in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Ward rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in reservation. You know when the 7.5 million visitors were coming, no one said anything. Now when they're not coming, this bill, along with the other bill about getting rid of HTA or giving them more money, or less money. I mean if you're going to stabilize an industry, you've got to have a stable institution. What this does is, it makes it wobble all the more. You're downgrading some of the best and brightest minds, at least those who are the keepers of the culture of the Tourism Authority. So the advantages that we get out of this look like three steps forward, and two backwards. If we're going to stabilize tourism, we've got to stabilize who's doing what.

"I know we've got another bill coming up to even get rid of this whole organization, which really makes this bill even moot. But if that's our big industry, we have to handle it a little bit better than we are now. Thank you."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. I just wanted to do a short rebuttal on the comments having to do with taking away the departments' participation on the HTA.

"One is, they are going to be, according to the legislation, still giving their input, because they are in an advisory mode. So I still think that they even see the value of having those people sit on this committee. And if you're talking about focus, then why wouldn't we leave Marsha Weinert, the tourism person, in there?

"To me, now that I've heard that, now it makes me wonder, what is the underlying cause or reason for this bill in the first place? Is it just to get out, right now, the Governor's people? Because if you're looking at tourism, and we have a tourism liaison, why wouldn't that person, with all that experience, be on this Board? And be a voting member at that. Mr. Speaker, I am still in opposition. Thank you."

Representative Manahan rose to respond, stating:

"I wasn't going to say anything. I'm going to insert this as my written comments. But with regards to the comments of the previous speaker, I do believe that there is a reason. I will quote the Tourism Liaison's testimony before the Finance Committee saying that, 'Tourism and our economy are facing many challenges, and we must foster cooperation and coordination now more than ever.' I agree with that statement, however I think that what is happening, the reality of what's happening on the Board, in practice, is very different.

"For example, in the Finance Committee, I did pose a question to one of the directors, who is an ex-officio member, with regards to the Recreation Renaissance. I asked them if this major, and it's a major proposal, about $240 million which also uses the HTA funding, I asked if this proposal was ever discussed at the Board level, and she told me that it was not. And I asked her, 'Why not?' and she said, 'Well, because I spoke about it with the Chairman of the Board, and the Interim Executive Director,' and apparently that was enough.

"Well, without any Board approval, I asked her if that was right. I can't go into DLNR with a $240 million project, ask for $3 or $4 million from their Board, just by talking to that Director and that Chairman of the Board. I would think that kind of a major proposal would have to go before the Board, and go before a Board vote.

"Another case in point. The tax increase on the surcharge for the rental cars. That was never brought up on the Board as well. That was never discussed, and the Board never took a position on that. The Director of that Department is also an ex-officio member, who's supposed to bring these kinds of discussions forward.

"With regards to the DBEDT representative, I met with somebody from the Creative Industries Division, who uses their marketing for statewide marketing in North America, and they were not using the Hawaii logo. So in order to keep the branding consistent, that issue has never been vetted on the Board. So my question is, if that's the case, if these issues are not coming before the Board, then what are the ex-officio members doing? And perhaps if it's the case that they are too busy to attend the hearings or go to these meetings, which is very understandable, then maybe perhaps they would better serve the HTA as an Advisory Board. Thank you."

Representative Wooley rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support and I'd like to submit written comments. I just want to add that some of the questions that came up during Committee hearings had a lot to do with who is making the decisions. We're talking about a Fund with over $70 million of our dollars, so we want to make sure that it's done right. I think it's important that we move this bill forward, especially for discussion. Thank you."

Representative Wooley's written remarks are as follows:

"The Hawaii Tourism Authority faces an uphill battle in these challenging economic times and after recently losing staff and leadership. In addition, there is an immediate need for HTA to improve its planning, accountability, and breadth of services. This year is the perfect opportunity for the legislature to work with HTA to create a better agency. I support this bill because it provides the legislature with a method (or at least the means to discuss solutions) to strengthen HTA and ensure that our taxpayer dollars are well spent."

Representative Pine rose to respond, stating:

"I just want to thank the Tourism Chair for clarifying the intent of the measure, because we weren't very clear in the hearings that we've had. It seems like there is a dissatisfaction with how some things have been run. And that some people weren't, possibly, doing the things that this body would like them to do. But that's no reason to reorganize an entire Board. I think instead we should just sit down with them, or pass measures that would more clarify the steps of how decision making should be done, but not appear to the public as having a vendetta against a particular person that perhaps did not behave the way we had wanted them to."

Representative Tokioka rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I am in strong support, and may I ask that the words of the speaker from Kalihi, specifically District 29, be inserted as if they were my own," and the Chair "so ordered." (By reference only.)

At 3:05 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 3:08 o'clock p.m.

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Mr. Speaker, I rise to speak in support of HB 754, HD1, which will reorganize the Hawaii Tourism Authority (HTA) Board by removing the Director of Business and Economic Development, and Tourism, Director of Transportation, Chairperson of the Department of Land and Natural Resources, and Executive Director of the State Foundation on Culture and the Arts and placing them on a newly established advisory group to HTA.

"Generally, I support the bill because the change reflects reality. At present, the government members on the HTA are non-voting. Effectively, their current function is basically "advisory."

"The Chair of the Tourism Committee points out that there apparently is some indifference presently in being actively involved with the HTA Board. For example, on its most significant legislative issue of this Session, DLNR did not see the need to go to the HTA Board before proposing a raid of Transient Accommodations Tax funds to pay for that Department's important recreational renaissance initiative.

"The law presently allows these government HTA Board members to delegate their non-voting Board membership to some underling. As a result, these non-voting government directors often send designated employees to provide their non-voting input rather than attending themselves to provide their input. If these non-voting government officials are valuable as a resource providing non-voting insights on the impacts and effect of the tourism industry on government infrastructure and resources, making them advisory – and equally influential as non-voting advisors-- just matches the reality and practice with the written law.

"I strongly 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. 754, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Third Reading by a vote of 44 ayes to 6 noes, with Representatives Ching, Finnegan, Marumoto, McKelvey, Pine and Thielen voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 866) recommending that H.B. No. 863, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 863, HD 1, pass Third Reading, seconded by Representative Evans.

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:

"The establishment of a County Transit Oriented Development Infrastructure Revolving Fund will allow the State to provide low- or no-interest loans to the counties to develop and construct infrastructure, particularly those involving affordable housing.

"This allows the State to have some role in the raising and management of the funding for such projects as affordable housing.

"I urge my colleagues to support this measure."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On that measure, Stand. Com. No. 866, I'm voting with reservations. I'm just wondering where the seed money is coming from."

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 Standing Committee Report No. 866, House Bill 863 House Draft 1, Relating to Establishing a County Transit Oriented Development Infrastructure Revolving Fund. This bill creates the County Infrastructure Development Revolving Loan Fund within the Department of Budget and Finance to provide no-interest loans to the counties for the development, pre-development, or construction of infrastructure projects to expedite the building of transit-oriented development, especially those involving affordable housing.

"The City and County of Honolulu is about to embark on the largest public works project in the State's history, known as the Honolulu High Capacity Transit Project (Project). The Project is expected to spur transit-oriented development all along the mass transit corridor. To accommodate the expected future growth in these areas, upgrades and improvements to increase capacity to infrastructure in these areas will be necessary. Making these upgrades and replacements will result in more compact, dense, and coordinated development along this transportation corridor. I support HB 863 HD1 because transit oriented development (TOD) promotes walking-friendly communities, reduces traffic congestion, air pollution, and our dependence on imported oil. It increases transit ridership, making public transportation more economically viable, with an important goal of reducing urban sprawl.

"Through this measure we can have smart growth and develop real vibrant, sustainable communities. For these reasons, I stand in strong 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. 863, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHING A COUNTY TRANSIT ORIENTED DEVELOPMENT INFRASTRUCTURE REVOLVING FUND," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 867) recommending that H.B. No. 1388, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1388, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm rising in opposition to this measure. Mr. Speaker, what this bill will do is give concessions, lease rent concessions, to airport concessionaires. Here's some money for the Finance Committee, right here. If we give these people a break in their lease rent, that is less money that the Finance Committee has to be able to deal with the serious deficit that we have. Why should we single them out for this favored treatment? If we do that, shouldn't we look at anyone that is renting State land and say that we're doing it for the airport concessionaires, so we're now going to do it across the board for everyone in the State? I think that this just doesn't make sense.

"Yes it's a tough time. And yes, everyone has to work hard to make it. But we don't need to say to this one group, 'You're favored above everyone else.' We won't give the Finance Committee the money that they should be getting, Finance Committee, from these rents, because we're going to say that those concessionaires get a reduced rent. I would think that every Member in this Body who voted against the bill that would give lease concessions to the Mapunapuna tenants, should be voting down on this as well. As well as, I hope a lot of others that don't like the unfairness of this; that we single out one group for favored treatment, and tie the hands of the Finance Committee while doing it. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker, with reservations. By changing the rules after the contract is bid and awarded, this bill undermines the statutory requirements for issuing bids. In so doing, this bill penalizes all parties, whether they bid in good faith, but failed to win the concession. Or whether they review the bid offering, but decided not to bid. Those parties who were not awarded the concession would have lost the bid to the winning bidder, who could be paying less than what they were willing to pay. The bill also prohibits the State from issuing concession agreements in the future. Thank you."

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representative Finnegan be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Awana rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. This measure will be helping many of the small businesses at the Honolulu International Airport in addressing their concerns during this unexpected economic downturn. This measure provides relief by making necessary adjustments to their leases so they can continue to provide conveniences to the travelers.

"Many businesses have operated and hired employees at the airport for decades, and I'm sure that they and their employees would appreciate our assistance by moving this bill forward. Thank you."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. While I do appreciate the support from the Minority Leader, I do need to clarify that the monies that come out of these airport concessions' businesses do not go to the general fund, but remain at the airport to fund the improvements that are being made at the airports themselves.

"A second point Mr. Speaker, is that this measure, if approved, will allow the Governor's office, the Administration, the DOT, to renegotiate some of these leases where the airport concessionaires have been adversely impacted by the sudden and unexpected effect of the global crisis. This is similar to what happened post 9/11 Mr. Speaker, when we did pass emergency legislation to assist small businesses. This has a similar theme and tone to it. Thank you."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. I appreciate those comments from the Finance Chair, however, if there is more money that is left within the airports system, then that's less money that we have to come up with to help the airports. It's unfair, Mr. Speaker, to have one group singled out. We have a lot of State land. We have a lot of lessees. What we're saying today is, there's only one that we care about. One group that we care about. And that's just flatly wrong. Thank you."

Representative Souki rose to speak in support of the measure, stating:

"Yes Mr. Speaker, I speak in favor of this bill. The Representative from Kailua mentioned that it's unfair that they should be given a break in renegotiating contract. But I think we all must remember that since 9/11, the situation in the airports has changed considerably. Where you can only go in and purchase things from one of the vendors of the airport if you have a airline ticket. So you're limited in that respect, you're not comparing apples and apples. You're comparing them with the other State lessees.

"Also, at the airport, there are other vendors that are getting this break to renegotiate. This is only trying to make it fair so that all would have the same opportunity. Thank you."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In support. May I have the words of the Finance Chair, and the Chair of Transportation entered into the record as if they were my own? I also supported the other bill, so I'm being consistent. 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. 1388, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONS," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Pine and Thielen voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 869) recommending that H.B. No. 601, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 601, HD 2, pass Third Reading, seconded by Representative Evans.

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:

"As a new state, Hawaii had the opportunity to take bold new steps to improve the quality of life for its citizens. Legislators dreamt big and enacted a pre-paid health law. The revolutionary leasehold conversion Land Reform Act came into being followed by a unique statewide land use law. A State Works of Art program, the State Foundation of Culture & Arts, funded by 1% of all capital improvement projects couldn't be far behind.

"Now it operates with only 1% of buildings funded by CIP bond money rather than all CIP, but the program is first class and helps support many local artists of all genres – painters, sculptors, muralists, performing arts – modern, traditional, Hawaiian, everything.

"With a downward spiral in revenues, legislators are now scrounging for money for all sorts of projects. The Works of Art Fund is a fat target. 'Let's grab half of it through HB 601 HD2 for other CIP projects or use it to buy facilities, or how about repair and maintenance of facilities,' say legislators.

"'Well, if we take half, there will only be half left. That's not enough. We had better increase the amount received from State CIP authorizations. If we double it, we will be whole. Or if we blank out the percentage of the money we grab, and blank out the percentage of money we receive, nobody will know what we are doing!!!!'

"Well, I say, let's not decimate the program by raiding the fund. What do the introducers want to do with the money? How much do they need? Can we talk?"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 601, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE WORKS OF ART SPECIAL FUND," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 871) recommending that H.B. No. 1204, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1204, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

At 3:17 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 586, HD 1
H.B. No. 1604
H.B. No. 754, HD 1
H.B. No. 863, HD 1
H.B. No. 1388, HD 1
H.B. No. 601, HD 2
H.B. No. 1204, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 873) recommending that H.B. No. 1763, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1763, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker I rise in opposition to this. This is a continuation of the previous bill which, I think we said was, at the time of tourism's downturn and we have a spiraling down in the vortex of organization within the Tourism Authority. This bill essentially gets rid of the Tourism Authority, Mr. Speaker. It's equivalent to the proverbial 'throwing the baby out with the bath', or firing the coach when he doesn't win, except you're firing the coach and you actually fire the whole team, you get rid of the whole team. Or we're starting to redecorate the state room when the ship, the State, the Titanic, is going down.

"It's untimely, it's uncalled for. I think it's good that the Representative from Kalihi and the Chair of Tourism is a very astute oversight individual, but there's a borderline between oversight and micromanaging, and I think we're bumping up against that very, very closely. Thank you."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. In strong support. Let me quote one of the members of the Hawaii Tourism Board, Mr. Steve Yamashiro, who said, 'Get rid of HTA. We're completely dysfunctional.'

"As the speaker from Hawaii Kai said a few bills ago, when we had 7.5 million tourists, we didn't pay close attention to things like HTA. And I have studied the HTA marketing efforts for many years. I've been concerned about them for many years. Let me give you an example.

"When HVCB used to be the prime marketer worldwide, for all of Hawaii, we knew where to go. Now they have split the marketing up. HVB has certain parts of the world. Other parts, *Dentsu* had something. Somebody else has somebody else. When the Japanese market started to fall on the Big Island, because the HVCB has offices there, the hotels would go to HVCB and say, 'You've got to help us with the Japanese market.' They said, 'Well, we can't do that because under our contract, we are not responsible for the Japanese market.'

"So they would say to the head of the HVCB, 'You've got to go talk to the head of HTA to try to straighten this out.' 'Well, we can't do that.' There's even the clause in the contract between HTA and the HVCB that said it prohibits anybody working for HVB to say anything derogatory about HTA. They put a muzzle on the industry. But they haven't put a muzzle on me.

"I have a problem with this whole issue going back to 1972, when I was Vice Chair of the Hawaii Hotel Association. We were called into then Governor Burns' office and he said, 'Don't ever give up fighting the room tax. If the Legislature passes it, I will veto it.' And we fought this successfully for years.

"And then there are certain members of the industry that felt that this marketing money, if used for marketing, would be variable. When it came

time to vote for it in this Body, I was very concerned, and I said to the industry, 'Are you sure that you want me to vote for this TAT, because I can assure you that you can't trust past, present and future legislators to keep their word that this money is to be for marketing, period.

"I think we need to reorganize HTA completely. Thank you."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. On Stand. Com. Rep. 873, I'm in opposition and have some short comments. Mr. Speaker, I'm taking a look at this, what I show are notes of what happened in Committee. I'm looking at it in the Finance Committee, and there are many opponents to this, and no listed people who are for it. Opponents, of course you have the DBEDT, Tourism Liaison, but there's also Hilton Hawaii, The New Otani Kaimana Beach Hotel, Classic Resorts Limited, the Hawaii Hotel and Lodging Association, Starwood Hotels and Resorts Worldwide, Inc., Outrigger Hotels, the Maui Chamber of Commerce, Maui Hotel and Lodging, Marriott Vacation Club, Ko Olina Beach Club, Activities and Attractions Association of Hawaii.

"But I guess my point is, who's in favor of this? Aside from people here. We ask for public comment, and we got public comment. All the public comment says they are in opposition to this. I think that that should serve as some guidance for our decision."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Quite briefly, in opposition. When looking at who might do a better job of taking care of the business of tourism, is it government? Or is it business? HTA has those business people. And I'll just quote if I may, Mr. Speaker, Mr. Max Sword, who says, 'This bill would return tourism marketing back to the dark ages of inflexible marketing efforts, which is why the HTA was formed in the first place. This is a step backwards, not forward.' Thank you."

Representative Souki rose to speak in opposition to the measure, stating:

"Mr. Speaker, I will vote a strong 'no' on this measure. This is probably the worst thing that we can ever do to tourism. You take it away from a quasi-independent organization and put it where it was before, its like *déjà vu*, Mr. Speaker. A lot of the Members don't remember it. But I remember when it was under DBEDT, and we used to provide $25 million, and it ended up with only $5 million for marketing. The same thing is going to happen again. Yes, they've had a bad year or two, especially this past year, and there's a strong reaction now among some people in this Body and with our colleagues across the hall.

"But I think we're acting too rapidly in this measure. We should sit down and take a breath, and try to remember what happened in the past, and what good HTA has done. Yes, they're going through a bad year, but it's a global problem, not just HTA's problem. HTA has increased the revenue of the State of Hawaii tremendously from 1999, to where we are now. And the repayment that they get for doing that, is a repeal. I don't understand. I don't understand how the Members, unless you want to send a message, I can understand that. I see HB 2112.

"But you're sending a terrible message, not only to HTA, but you're sending a message to all of the tourist industry. The hotels, travel agencies, airlines. This is the message that's getting out: That we don't trust the HTA. They're doing a lousy job. So we want to repeal them. But if you try and reflect, and see why they are doing a lousy job, you'll find that historically, it's not the problem of HTA as a principal, as an entity.

"So Mr. Speaker, as this moves along, I would hope that the Members begin to look at some of the historic background, as to why we created HTA and how successful it has been. And look at the problems we've had in the past when it was under a department. Because it is our number one business, and believe me, it is our number one business. We need to keep it separate and basically independent of legislators, of people like me. I was the Finance Chairman when I took away a little bit from them too. But I know the temptation when it's not a quasi-agency, to begin picking away and providing provisos so that eventually you won't have any money left for marketing. I've seen this happen.

"Mr. Speaker, in fact, what we should do is make it more difficult to add the provisos. And when we provide the marketing money, to make sure that all the money goes for marketing. Because that's the one that provides our 'bread and butter,' the money for our education, our health, etc. So please go slow on this measure. Thank you."

At this time, Representative Ward moved that H.B. No. 1763, HD 2, be recommitted to the Committee on Finance, seconded by Representative Marumoto.

The motion was put to vote by the Chair, and upon a show of hands, the motion failed to carry. (Representatives Cabanilla, Nishimoto and Takai were excused)

(Main Motion)

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I'll be very brief in support. I think when we look at the Auditor's report dated January 2009, No. 09-02, I'd just like to quote something from it, because I think that explains why we're going in this direction. Whether ultimately it will pass I'm not sure, but I think it is worth examining.

> Chief among the Authority's responsibilities is to create a vision of Hawaii's tourism and develop a strategic plan of its own that should serve as a roadmap for the organization and its partners. In the five years since our last audit, the HTA has spent nearly $270 million in State funds or 90% of its marketing funds. But without a strategic plan that maps out the long term goals and processes to assess the accomplishments of its major contractors, the Authority's Board of Directors is unable to demonstrate that the promotional dollars have been spent purposefully and or effectively. By failing to define its own strategies and account for its efforts, the Authority has not fulfilled its leadership role to manage Hawaii tourism in a sustainable manner during times of economic decline or prosperity.

"I think if we don't want our Auditor just to be spinning her wheels and giving us reports that we just put on the shelf and never look at and collect dust, then that's one choice. But if we want to actually read her reports, take a look at them, examine them, and then decide what to do, at the end of the day with the final vote, when we've gone through the Session, I think that's a whole other matter. Thank you."

Representative Ching rose to respond, stating:

"Thank you, Mr. Speaker. I just wanted to add that, I don't know if I have exactly the right year, but in 2006, I believe, we were probably, thanks to the marketing efforts of HTA, the number one visitor destination in the world."

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 Bertram rose in support of the measure with reservations and asked that the remarks of Representative Souki be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

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:

"Mr. Speaker, I stand in strong support of HB 1763 relating to the Hawaii Tourism Authority. This bill would repeal the statute which establishes the HTA Board and creates a stand-alone Department of Tourism and redirects the Tourism Special Fund to the DOTourism.

"It is important to understand a few things when considering this measure. First, this proposal before us is a proposal at this point, and the discussion is one that will be taking place eventually as the Tourism Special Fund, the funding mechanism of the HTA, will be sun setting next year. In light of this, I don't think it is unreasonable to begin this discussion sooner rather than later.

"Secondly, I want to thank those members who were open to considering this proposal, as we feel that the current Board has been dysfunctional to say the least. There is a State Auditor's report, which I'm sure many of us have read which sights specific deficiencies of the HTA, so I won't get into those details. But given this current economic crisis—a recession and near depression as it has been referred to by some—I do not think it is appropriate for this Board to be leaderless.

"The Board Chair should be working with staff to hold regular meetings with stakeholders and plan strategically, in order to get a pulse and a handle on our situation. Not to mention, the Board should be responsive to the House and Senate Committees when we ask to meet with them rather than playing politics. There are currently 11 of 12 members right now, and the Governor has not appointed anyone to fill the last seat even though the list of names has been submitted to her. I would think that this would be a priority.

"Meanwhile, we are facing 20% cuts across the board in every department and undoubtedly we will need to go vertical in order to balance a $1.8 billion deficit. Both our public and private sectors are suffering—our schools, retirees, labor unions, hotels, hotel workers, the counties, airlines, car rentals, retailers, and non-profits are all feeling the effects of the sharp decline in visitor arrivals, and this Board is barely meeting. As a result, vendors, hoteliers, and various stakeholder groups are coming to the Legislature to address their issues. If this is going to be the trend, then I would safely argue, that we don't need the HTA Board.

"Finally, this Legislature is considering pay cuts and layoffs and putting everything 'on the table'. So if everything is on the table, then why not have this on there as well? Why shouldn't we look at restructuring our government to see where we can streamline our processes and make them work smarter for the people of the State?

"And on behalf of all the bills passed out by your Committee, Mr. Speaker, let me just say this: At the event last night where many of us were in attendance, the speaker during the closing remarks, compared change to a voyage—Inasmuch as it is important to have an idea of your destination and how you are going to get there, it is equally important to consider *why* we want change. I ask the Members to seriously think *why* it is we are considering this proposal at this point in time and if with good conscience you can tell me that change is not needed, then by all means, let's go on with business as usual. Thank you Members, I urge your 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. 1763, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Third Reading by a vote of 42 ayes to 8 noes, with Representatives Brower, Ching, Finnegan, Hanohano, Pine, Souki, Thielen and Ward voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 874) recommending that H.B. No. 413, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 413, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, this is in regards to Stand. Com. No. 874. Just with reservations. I have comments in regards to, again, going back to balancing the budget. Something like this is a huge undertaking. This is basically establishing a State residential drug abuse program. I know that we also have difficulty in actually having some of these in-community residential programs already as it is. We also don't know the amount and what kind of fiscal impact that this will be.

"Mr. Speaker, I understand the importance of this measure in getting prisoners reintegrated back into the community, however, the timing is not very good."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 413, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 878) recommending that H.B. No. 990, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 990, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Herkes rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Mr. Speaker, this maybe the 5th or 6th year that this House will pass out the Natural Disaster Preparedness Plan for this State. Every other year it was killed in the Senate. There have been some changes in the leadership in the Senate and perhaps we might actually see this happen.

"There have been reliable reports that Hawaii is the least prepared state in the nation for a natural disaster. And we are the only state in the nation that has every single one. And I have them all in my district.

"The mindset of Civil Defense is to be prepared to respond to the event. Not to be prepared for the event itself. Some 5 or 6 years ago, the then Chair of Public Safety and I met with people, professors from the University, representatives from the insurance, real estate and financial institutions in the State of Hawaii. We spent many hours discussing natural disaster preparedness. What the University professors convinced us of was that we need to map all of the natural disasters that are apt to hit any part of the State with some degree of frequency and intensity. They assured us that that could be done.

"And we said, what then do we do with this information? And the information should be public. Everyone in this State should have some idea of what possible natural disaster might impact his or her home. We are short 74,000 shelters in the State of Hawaii. We have areas where there are no sirens. The district of Ka'u, which is larger than Oahu, has one disaster shelter, and that's the Ka'u High gym, which in the case of a strong wind would blow over.

"I think vog has highlighted the inability of Civil Defense to deal with natural disasters. When we get this information, then your land use planning should be based on impacts of natural disasters. Why was anybody living downstream of Kaloko Dam?

"Currently there is a renewance of a proposed development in Ka'u. In an area with no surrounding support community, that is lava zone 1 and 2, tsunami and hurricane. That just flies in the face of any good planning for this State.

"Let me give you another example. We haven't learned from New Orleans or from Houston. When those hurricanes went through there, the glass from high rises was flying all over the streets. Are we going to wait until that happens here? Or are we going to take a look at how we can harden structures that might be impacted by natural disasters. And get it done before the event hits. Did we ever think that the power might go out at the Honolulu Airport for whatever reason? And be prepared for that

event? Instead of waiting to respond, this is a very, very important thing for the safety of the people of this State, and I urge all of your support. Thank you."

Representative Pine rose to speak in support of the measure with reservations, stating:

"Yes, in support with reservations. I would definitely like to echo the sentiments of the previous speaker. I definitely support all those ideas. What I am concerned about, during this fiscal time when we're looking for money, I'm just concerned that this duplicates another department that's already in existence.

"The bill will duplicate ongoing emergency preparedness functions and planning preformed by the State Civil Defense division. This could cost millions of dollars, we're not really sure, but if there is an additional thing that we would like the current State Civil Defense division to do, perhaps we should just put that in statute and give them some more staff. Thank you."

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representative Pine be entered into 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 very much, Mr. Speaker. In support. And may I have the words of the Representative of Puna added into the record as if they were my own. And also just to inform people, there was a 5.2 earthquake in the Big Island I believe, yesterday. And that should serve as a big reminder that we are not prepared. Thank you, very much."

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. 990, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 882) recommending that H.B. No. 139, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, action was deferred to the end of the calendar.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 883) recommending that H.B. No. 142, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 142, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTRA-STATE AVIATION," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Berg voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 884) recommending that H.B. No. 145, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 145, HD 2, pass Third Reading, seconded by Representative Evans.

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. 145, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Bertram and Thielen voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 885) recommending that H.B. No. 617, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 617, HD 2, pass Third Reading, seconded by Representative Evans.

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 of House Bill 617, House Draft 2, Relating to Mass Transit Route Economic Zones. This bill would create a taskforce to recommend parameters for the creation of mass transit route economic zones including eligibility, benefits, and incentives such as tax credits. The taskforce shall report to legislature on their recommendation of the process to designate mass transit route economic zones and incentives to attract businesses and affordable housing to encourage ridership. The policy goal is to make it very convenient for people who use mass transit to reside and do their errands, business, and social activities in the area of the mass transit stations. With such an incentive, we can achieve a sufficient amount of mass transit ridership that will patronize businesses near the mass transit stations. 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. 617, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MASS TRANSIT ROUTE ECONOMIC ZONES," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Berg voting no, and with Representative Takai being excused.

At 3:38 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1763, HD 2
H.B. No. 413, HD 1
H.B. No. 990, HD 1
H.B. No. 142, HD 1
H.B. No. 145, HD 2
H.B. No. 617, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 886) recommending that H.B. No. 1037, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1037, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL ACTIONS," passed Third Reading by a vote of 42 ayes to 8 noes, with Representatives Berg, Hanohano, Keith-Agaran, C. Lee, Luke, Nishimoto, Rhoads and Saiki voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 887) recommending that H.B. No. 1163, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1163, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 889) recommending that H.B. No. 1168, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1168, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AIRPORTS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

At 3:39 o'clock p.m. Representative Pine requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:40 o'clock p.m.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 890) recommending that H.B. No. 1518, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1518, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Pine rose to speak in opposition to the measure, stating:

"Mr. Speaker, Id' like to stand in opposition to Stand. Com. No. 890. I rise in opposition to this bill because, under current law, it is illegal to visibly pass on the general excise tax if the price of the goods or services is fixed by law. Of course allowing the tow companies to pass on the general excise tax would give a special exemption to these companies. If this were to become law, Mr. Speaker, it would be the third consecutive year in which this Legislature authorized a price increase for towing companies. And in my district Mr. Speaker, with all our planned communities and very little places to park, we don't like the towing companies sometimes.

"We increased several towing fees in Act 269 of 2007, including increasing the basic tow rate from $55 to $65. Storage fees went up then as well, from $20 to $25. And mileage fees went up as well, from $6.50 to $7.50 per mile. In 2008, we reinstated a $15 overtime charge in Act 135; that's usually when they come to your house and tow you at 1:00 in the morning, which is 90% of the time in my community.

"That makes this bill a bigger fee increase than we've had for any other particular area in the private sector, because these increases just kept increasing over the last several years. So I think in these economic times, I think we need to send a strong message to the consumer that we're not going to show favoritism to any particular industry, and especially when it comes to towing their cars. Thank you."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations. Mr. Speaker, having just had a bill regarding national disasters, and the economy going to 'hell in a hand basket,' I find it greatly ironical that we are now fixing towing charges for the State of Hawaii as we focus on this bill. I think it's the epitome of micromanaging, and I would hope that in the future it would go to DCCA. Or it can go to DOT. But to have it as part of this Body's major concern, I think, is a waste of time. Thank you."

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 Chang rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Nakashima 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. 1518, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Third Reading by a vote of 41 ayes to 9 noes, with Representatives Berg, Cabanilla, Coffman, Finnegan, Morita, Pine, Saiki, Takumi and Thielen voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 893) recommending that H.B. No. 1592, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1592, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 895) recommending that H.B. No. 1167, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1167, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Yes Mr. Speaker, in regards to Stand. Com. No. 895, this is the Highways Modernization Plan. I have strong reservations because of the immediate tax increase on liquid fuel, however I do understand that this has a defective date and we'll see it again should it move forward, and I will wait till then. This is an important issue that I'm sure, right now, could be helping our people in regards to being stuck in traffic, and some of these things described in the modernization plan will help us do that. Thank you."

Representative Cabanilla rose to speak in support of the measure with reservations, stating:

"I rise in support, Mr. Speaker. But I do have one reservation on one aspect of the bill, and that is increasing the tax on liquid fuels, gasoline. Although we need traffic relief and improvement on our highways, the taxation of gasoline would impact us more who have to live in the outlaying areas where we need to fill our tank more often than the people that live in the urban core. So I would say this is taxing people from Ewa Beach more than the people in Honolulu. Thank you."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. With reservations. Just real quickly, while many of the ideas being put forward in the bill are admirable in trying to raise money for highway projects, what concerns me is the creation of a new special fund. Instead of putting the monies into the Highway Special Fund with SAFETEA-LU coming up before Congress, I think it sends a very bad message. Thank you, very much."

Representative Har rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I rise in opposition to Stand. Com. No. 895, HB 1167, House Draft 2. Mr. Speaker, this is the Administration's Highway Modernization Plan, which proposes to increase the fuel tax, the vehicle registration fee, the vehicle weight fee and rental motor vehicle surcharges, for purported safety and capacity improvements on, among other things, our freeways and roadways.

"Before I get started for my reasons in opposition Mr. Speaker, I first want to recognize the Chair of Transportation, because he does understand the need to make basic transportation infrastructure improvements. However my concerns with this measure deal with the impact it could have to residents of the Leeward side. Mr. Speaker, I am in opposition to this bill because when it is taken in conjunction with another bill before this

Body, House Bill 139, known as the 'Toll Roads Bill,' it creates a system, whereby residents of West Oahu will be paying for capacity and safety improvements statewide, and would also be paying for additional capacity lanes out to West Oahu via a toll.

"Essentially, this bill imposes a double penalty against residents of West Oahu, because they would bear the burden of increased fuel taxes and vehicle fees, and a toll. Mr. Speaker, there's no equity for residents of Leeward Oahu to be paying for these statewide improvements and also having to pay for their own roads. What is so perplexing is that there is this contention from some members of this Body that government cannot afford to construct new roads, therefore only those who would use the new roads should pay.

"However, in this bill, we now want residents of the West Side to pay for everybody else's road improvements? While there are few road improvements in this bill for the Leeward side, we must not double tax our residents. This bill, in conjunction with House Bill 139, will double the taxes for residents of West Oahu, because they are paying for statewide traffic improvements, and new road improvements.

"Another reason I am opposed to this bill is because of the safety and capacity improvements that are not part of this Highway Modernization Plan. They are not specified in this bill. I direct the Members' attention to pages 28 and 40 of this bill, and highlight the tenuous language which includes terms such as, 'safety improvements may include' and other vague terms such as 'various corridor improvements.' If my constituents are going to bear the cost of these increased fuel taxes and fees, shouldn't we know exactly what is being improved?

"Moreover Mr. Speaker, since 2006, I have been asking the Department of Transportation to reinstall the lights on the freeway eastbound and westbound between the Kapolei and Kunia exits. And the Representative from Mililani Mauka has made the same request, for the lights to be reinstalled on the H-2 Freeway. I would submit that reinstallation of these lights are a basic safety improvement. And yet these basic safety improvements are not included in this bill.

"When asked before the Finance Committee on February 27, 2009, the Department of Transportation was unable to confirm whether these lights were part of the modernization program. So until such time they do so, why should residents of West Oahu pay increased taxes and fees for such safety improvements when we don't even know if we're going to even get our basic safety improvements?

"Finally Mr. Speaker, the Modernization Plan proposes the implementation of a Vehicle Miles Traveled Pilot Program, which charges drivers a fee based on the number of vehicle miles used. Mr. Speaker, while this may work on the mainland, Hawaii is different. On the mainland, people with higher incomes live further away from the urban core, while those in lower tax brackets live in the urban core. Mr. Speaker, I submit that, to charge people who live further away in Hawaii is a regressive tax. You are penalizing those who live further away, who are paying extra money for living out there. They couldn't afford to buy homes in the urban core, in East Honolulu or Windward Oahu. And that's why we bought out on the West Side. It was affordable housing out there. And now to penalize us this way, through a Vehicle Mileage Pilot Program, continues to be inequitable. For these reasons I stand in opposition. Thank you."

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, in opposition Mr. Speaker. And I would like to insert the passion of the previous speaker into the Journal as my own. There are bits and pieces I don't agree with, but the basic sentiment is that this does penalize those on West Oahu the most."

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. I wish to speak in favor of this program. This bill will provide $4 billion for our Highway Fund over a period of 6 years. In the history of Hawaii, there's been no such infusion for highway funds that I can recall. Ironically, for those living in the West Side who oppose the bill, at least for some of them, most of the money, the $4 billion, is going to the West Side, to provide improvements to their respective highways. Now we've got to understand, with the highways, there's no 'free lunch.' If we want better highways, we have always paid for it. That's the highway tax.

"Now because the project is on a much larger scale, and to the Governor's credit, she is willing to look at increasing taxes to pay for the highway improvements that we need. Our highways are falling apart. Just take a look at all the potholes that we have around. They need to be improved. We need new roads. The Neighbor Islands need new roads. Maui needs new roads. Lahaina needs new roads. Where's the money going to come from? The stimulus package will provide some dollars, but certainly not enough to take care of the need for the whole State.

"Again Members, we represent the State of Hawaii. We need to remember this. We don't represent Wailuku, Maui, or Paia, Maui, Kauai, Mililani. You represent the State. And as we pass legislation, we pass legislation that's good for the State. If we're going to be provincial, Members, and only look at our particular area, nothing will ever get done on a statewide basis because, 'my area needs it more than yours.'

"So Members please, when you look at the different issues that come here, look at it on a broad basis. You are representatives of the people. Thank you, very much."

Representative Cabanilla rose to respond, stating:

"Just a quick rebuttal, Mr. Speaker. I do agree that Stand. Com. 895 does increase taxes, but it has no comparison whatsoever with House Bill 139. There is no tolling provision in this bill. Thank you."

Representative Har rose to respond, stating:

"Thank you, Mr. Speaker. If I could give just a brief rebuttal to the Chair of Transportation. I appreciate the comments regarding the provinciality of some of my words. However, if that is so in fact the case, then we need to be consistent across the board, meaning in all of our bills, if we're going to look at only one area, then we shouldn't be taking out language in other bills that would only impact certain residents of certain sides.

"Essentially some of us are put in the position to have to defend, and be provincial, and represent our constituents because other Members of this Body have in fact taken out language, and it's not even across the board. It's not even-handed. Thank you, Mr. Speaker."

Representative Finnegan rose respond, stating:

"Mr. Speaker, still with reservations, and I have a new point. I wanted to make sure that we're going to see this again, and that's one of the reasons why I'm not going to vote no on this bill right now, because I think that this needs further discussion.

"However, I did want to talk about one particular issue: that people who live farther away from the urban core pay more in taxes. That's how our gas tax is set up right now. It's per gallon and it's based on a certain amount of cents per gallon, so if you drive more, you pay more. That's the system that we have in place. One of the other things that I learned over the past week in regards to the pilot project of the miles traveled is, that would be the basis of how you would pay for this new pilot program. If you discover how many miles traveled, then you would be paying per mile, which is the same way that we're doing it right now on our gas taxes.

"I just wanted to make that clarification. Whether or not, when you compare the two, if it's a tax increase, that is up for fair discussion. But I must add that that is how we do it currently.

"Mr. Speaker, another huge thing is when we stopped, when we all started to pull back on driving, when the gas prices were really high, the State Highway Fund was not getting it's funding. And therefore our projects aren't being able to be completed, or being able to be done. One thing that I would say is, with all of the things that we're doing for electric

vehicles, wanting to do renewable energy and all of these things, if we do it on a State fuel tax, I think it was a good idea to see if there was another mechanism that we could put into place, because as we look at electric cars and not having a fuel tax, how are we going to build our roads, because that Fund is no longer going to get funded. And then people who own electric vehicles versus people who can't afford electric vehicles and are still moving along with their gas vehicles, because they can't afford buying a new car, will be paying a disproportionate share of highway improvements.

"So this whole thing I think needs more discussion. Again I repeat, I'm not for increasing taxes. I think that there's some merit to switching over the way that the taxes work."

Representative Evans rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in support. Mr. Speaker, when I look at this bill, I'm struck by how they were trying to go to each island and identify the needs of each island, specific projects, and specific safety projects. And I agree with the Chair of Transportation that what's happened in Hawaii is that we've got many roads and bridges and guardrails and our highways are getting old. We have to work on them.

"As a Representative from the Big Island, we drive many, many miles, all of us, to get anywhere. In my community, if I want to go to a public library, I have to drive 25 miles. And our children, to go to high school have to be on the road and go 25 miles. And I know it's been a real struggle for the Department of Education in terms of bus transportation, but I have to tell you, this idea of raising taxes, I think is a reasonable one, and I'll tell you why.

"We all have to share in this together. And I would say that for the Big Island Representatives, on the Big Island we've got 173,000 people and, I can't remember how many miles and miles of road. But we've got the most miles of roads that you can imagine, on the Big Island. And many of us have always felt that Oahu, and we thank Oahu, all the people that live here, because in some ways we benefit from the taxes they pay, because we don't have the population. The population is here on Oahu. So what's happened over time is, we've all been in it together when it comes to the roads.

"And I was surprised today actually. I thought some people would stand up and say they had reservations because we didn't raise enough taxes for roads. There's a whole group of people out there that want us to raise a lot of taxes on gas, because they want us to get off gas. They want us to go electric. They want us to look for alternatives. And many people believe, to motivate policy when it affects all people, sometimes you have to make that leap, the leap being raise taxes hugely, so people start thinking about the alternative energy. So that didn't come up today, which, I'm surprised, I thought it might have come up. So Mr. Speaker, I support this bill. Thank you."

Representative Awana rose in support of the measure and asked that her written remarks, and the remarks of Representative Souki be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Awana's written remarks are as follows:

"Mr. Speaker, I stand in support. I am in support of this measure which calls for a six-year Transportation Modernization Program. This comprehensive approach will address the deteriorating condition of our roadways and the congestion that commuters are forced to endure. Jobs will be created in the area of construction at a time when employment is scarce.

"In particular I appreciate the funding mechanism which calls for everyone to contribute – *kamaaina* and visitors alike. The special fund for this endeavor has been added for transparency. Monies generated by the program could be easily monitored and tracked. In addition, a protection clause has been added to prohibit the use of these revenues for the sole purpose of the modernization projects. Thank you, Mr. Speaker."

Representative Bertram rose in support of the measure and asked that the remarks of Representatives Souki and Evans be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Pine rose to speak in opposition to the measure, stating:

"I was going to submit written comments, but I just can't help myself. In opposition. Now is not the time to raise a lot of taxes. Or for me, no taxes, period. When we raise taxes on your constituents, you make life even harder for them. Especially someone in their family who lost their job, or they got a pay cut, or they have new expenses because the medical expenses have gone up. Supplies are getting more expensive.

"Of course the people of the Leeward Coast want these roads. We don't believe we have enough of them. But just this last election, the people of Oahu, at least, decided to vote for rail. They approved of the tax increase for rail. Half the people in my district are considered to be living below poverty. Of course they want traffic relief, and they believe at least they're going to get it through rail.

"Now we're talking about increasing taxes on just about everything, because I understand the budget is the way it is. Well, we're going to add this too, because there's no longer a trigger in this anymore. It happens very soon. And so with the economy the way it is now, we're going to hurt business, especially those that have to transport things around the island. We're going to hurt families that are just getting by. We're going to have them perhaps, move out of their homes and move in with family, lose their homes, because things are just getting too expensive.

"So yes, everyone on the Leeward Coast, we love these things. But as the Representative from Kapolei said, a lot of us move out there because we can't move closer. So we are amongst the lower income population, at least on Oahu."

Representative Ching rose in opposition to the measure and asked that the remarks of Representative Pine be entered into 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. 1167, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Third Reading by a vote of 39 ayes to 11 noes, with Representatives Berg, Brower, Ching, Coffman, Har, Manahan, Marumoto, Pine, Thielen, Ward and Wooley voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 896) recommending that H.B. No. 1362, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1362, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with reservations on this bill. Mr. Speaker, this establishes a Genetic Counseling Licensure Program within DCCA, requires licensure in order to use the title of licensed genetic counselor, and provides exemptions from licensure requirements.

"I just wanted to bring up one thing, and that is that we should read the Auditor's report. There was an October 2006 sunrise report done, when the Auditor determined that little evidence of consumer harm existed in Hawaii relating to genetic counselors, and that regulation is not warranted, nor should legislation be enacted to license genetic counselors. I just wanted to bring up the Auditor's report. 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. 1362, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENETIC COUNSELORS," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Marumoto voting no, and with Representative Takai being excused.

At 4:05 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1037, HD 2
H.B. No. 1163, HD 2
H.B. No. 1168, HD 2
H.B. No. 1518, HD 1
H.B. No. 1592, HD 1
H.B. No. 1167, HD 2
H.B. No. 1362, HD 1

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 900) recommending that H.B. No. 1187, HD 1, pass Third Reading.

By unanimous consent, action was deferred to the end of the calendar.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 901) recommending that H.B. No. 447, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 447, HD 1, pass Third Reading, seconded by Representative Evans.

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:

"Mr. Speaker, I rise in support of HB 447, HD 1. This amended bill is the product of collaboration among stakeholders in the check cashing industry: check cashing businesses, asset-building coalitions, and low- and moderate-income family service providers. HB 447, HD 1 makes two simple but important changes that will protect consumers and ensure more judicious use of payday lending services. The first change is the addition of the requirement that check cashers clearly disclose their rates and fees to their customers. The second change is the provision for payment plans for consumers who find themselves unable to fully repay their payday loans on time. Because these represent changes that ensure better education of and wiser use of payday lending by the consumer, I 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. 447, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PAYDAY LENDING," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 905) recommending that H.B. No. 317, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 317, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I just rise with reservations. I don't understand why it's under DLNR. 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. 317, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOBILE MEDICAL CARE," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 906) recommending that H.B. No. 1782, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1782, HD 2, pass Third Reading, seconded by Representative Evans.

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 of House Bill 1782, House Draft 2, Relating to Health Information Exchange. Mr. Speaker, we live in the digital age. Technology has provided us with so many opportunities to better our knowledge, services that we provide, and even time management. Likewise, technology has the ability to help us improve the quality and access to Hawaii's healthcare. By establishing a statewide health information technology system, we will be giving physicians tools such as immediate electronic access to patient medical records, which will allow them to read a patient's full medical history, including medications, lab reports, and other relevant medical information that will ultimately lower the rate of medical errors and result in better patient care.

"Both former President George W. Bush and President Barack Obama have publicly stated that every state needs to have a health information technology system by 2014. The growing importance of health information technology is even evidenced in the 2004 creation of the Office of National Coordinator for Health Information Technology within the U.S. Department of Health and Human Services.

"Earlier this month President Obama appointed Vivek Kudra to be the Federal Chief Information Officer (CIO) for the United States of America. Mr. Kundra was named by InfoWorld as one of the top 25 Chief Technology Officer (CTO) and was the 2008 Information Technology Executive of the Year. In his role as the Federal CIO, Mr. Kundra hopes to change the federal government's use of information technology by adopting consumer technology and ensuring that government data is open and accessible, while finding a balance of openness and accessibility with information security.

"By establishing an Office of National Coordinator for Health Information Technology and a Federal CIO to take a role in the development and implementation of health information technology, the federal government is demonstrating their commitment to improving our country's healthcare system.

"Furthermore, the American Recovery and Reinvestment Act of 2009 appropriated $35 billion for information technology, $20 billion of which is dedicated to health information technology alone. With the upcoming availability of the federal economic stimulus funds for health information technology, it would be in our best interest to take advantage of these funds to implement a program that the federal government has mandated us to be on within the next five years.

"Because of the 2014 deadline and the availability of the federal economic stimulus monies for health information technology beginning in 2011, it is even more critical that we take action to implement a health information technology system now. By taking action on this measure and moving health information technology forward, we will be able to take advantage of a ten to one federal dollar match. There is no better time to do this.

"The private sector has already begun to make strides in the field of health information technology. But in order to take advantage of these federal funds they will need the collaborative partnership of the State. Introduction of this bill has begun to bring the public and private sector stakeholders together to further the dialogue on this new area of partnership and the commitment from all parties is strong.

"Health information technology is an essential component to quality healthcare. Passage of this measure will be one of the most important

actions that we as a legislature take this year because we will be making new strides in healthcare, creating new jobs, and bringing in new federal funds.

"The private sector and the federal government have recognized the value in health information technology. It is time that we do too. Together, in a collaborative partnership with the federal government and the private sector we can make the bold step of modernizing our healthcare system.

"I want to thank all of the involved State agencies and private sector partners for their enthusiasm and commitment to making health information a reality in Hawaii and for their continued partnership as this bill moves forward. Thank you."

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:

"Mr. Speaker, I rise in support of HB 1782, HD 2. Sharing health data through modern information technology has the potential to improve the quality and delivery of health care for all of Hawaii's residents. It is imperative that the State explore innovative solutions for meeting citizen's health and health needs that seek to address the ever escalating costs of health care. A State health information exchange is a progressive approach to lowering administrative costs, improving preventive services, reducing medical errors and redundancies, and increasing access to affordable care. I support HB 1782, HD 2 with the purpose that its passage will continue discussion on best practices for the development of a State health information exchange."

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. 1782, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INFORMATION EXCHANGE," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 907) recommending that H.B. No. 1617, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1617, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII AT HILO," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 910) recommending that H.B. No. 111, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 111, pass Third Reading, seconded by Representative Evans.

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, in opposition Mr. Speaker. I rise in opposition to House Bill 111, Relating to State Salaries. Basically what this bill does is, it establishes a two-year statute of limitation for employees in debt to the State through the withholdings of their State salary. Providing something like this sounds like a reasonable thing, but the problem that I have with this bill is very different.

"This bill makes no clear exception for fraud. So if someone frauds the State, this unfortunately, if it's discovered just after that two year period, we won't be able to recover the monies lost from that particular situation. Two years may also be a little too short. I think three is a little better for the salaries, but my biggest concern is the fraud area."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Fraud is actually a crime, and crime has a different statute of limitations. I don't believe it is two years. All this does it make it exactly the same for the individual as it is for the State. Both parties have two years to make any claim. But the fraud issue, I don't recall it being raised in Committee. My recollection is, it's a crime, and it has a different statute of limitations. It's just apples and oranges. Mahalo."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Mr. Speaker, my opposition to this bill is because of the fraud part of it also. I don't think we should reward people that way. I believe that it is covered in here, at least that was the testimony that was given in the Labor Committee through DAGS. 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. 111, entitled: "A BILL FOR AN ACT RELATING TO STATE SALARIES," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Finnegan, Marumoto and Pine voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 913) recommending that H.B. No. 643, HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 643, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. With reservations. And Mr. Speaker, I may have a potential conflict. I have contractors in my family," and the Chair ruled, "no conflict."

Representative Thielen continued in support of the measure with reservations, stating:

"Thank you. Mr. Speaker, I'm voting with reservations, because actually, what this does is, it requires a contractor to perform immigration functions that should be preformed by the federal government. If contractors follow the I-9 requirements when they hire, then that's all they should have to do. They shouldn't have to then step into the role of a federal immigration officer. Thank you."

Representative Har rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, can I please get a ruling on a potential conflict. At my law firm, I represent contractors. Thank you," and the Chair ruled, "no conflict."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations. My reservation is, I guess it's really difficult to determine whether or not someone is a citizen or not. I guess, because of the fraud, because of other things, it makes it very difficult, so I just have some concerns about that. Thank you."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Very briefly, the federal government has supplied many employers with what's called 'e-verify.' It's actually an electronic system where you just enter in some numbers, some names, and you verify whether the person is legally a resident of our country. And it's as simple as that.

"The other thing about the bill is, it only prevents or causes a sanction if it's knowing or intentional employment of the person. So you actually have to have gone through it, and known that they were illegal and did it anyway. And so, unless you're talking about those limited circumstances, I'm not really too worried about some of the concerns brought up by the other side. 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. 643, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

At 4:11 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 447, HD 1
H.B. No. 317, HD 1
H.B. No. 1782, HD 2
H.B. No. 1617, HD 1
H.B. No. 111
H.B. No. 643, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 914) recommending that H.B. No. 358, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 358, HD 1, pass Third Reading, seconded by Representative Evans.

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 a nurse, I can see first-hand that the drug and alcohol abuse epidemic proliferates in our society. I feel that we need consider all options for treatment. Hawaii has a severe lack of in-patient drug treatment facilities. For many drug users, outpatient treatment isn't comprehensive enough.

"This bill is not asking for additional funding, only creative allocation of existing funds already appropriated for drug abuse treatment.

"For the heavily addicted individuals with criminal tendencies, this is also a great sentencing option so they can be isolated from society thereby keeping our constituents safe and simultaneously receive treatment.

"Its also a great option for those who failed drug treatment several times and need to be away from their drug deals and other stimulant to drug use."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations. I was reading this bill, and it sounds very similar to Drug Court, Mr. Speaker. So I was just making sure that as we move forward, that we try not to do any duplication. 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. 358, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG TREATMENT," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, McKelvey and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 915) recommending that H.B. No. 519, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 519, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. I want to speak in favor of this measure. It's very long overdue. And I want to give my congratulations for the good work that the Chair of Public Safety has done. And even more so, Mr. Speaker and Members, if I can just deviate just a little bit, what makes it impressive is that the Chair of Public Safety was in Corrections. She dealt with incarceration. But all of her time has been spent as a Chair looking for rehabilitation of the inmates. And for that, I give plenty aloha to the Chair for the good work that she's done. Thank you, very much."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In all due respect, I rise in opposition. The measure would require the return of all out-of-state inmates in private prisons by December 31, 2015. Now first, many prisoners may not want to return to Hawaii's prison. In fact, many may prefer to stay housed on mainland prisons, as they offer educational and vocational programs not available in our prisons.

"The passage of this measure would require that Public Safety Department plan, design, construct sufficient facilities to house inmates by 2015. Mr. Speaker, taking into consideration the high cost of living, the high cost of property and real estate, here in Hawaii. Would you really want a prison facility built in your back yard? Do you really want that? Do tourists want to see prisons here in beautiful Hawaii? I'm quite certain that your constituents would probably, as mine have expressed, do not want it in my own back yard.

"It's simply not be prudent knowing how land in Hawaii ranges in the hundreds of thousands of dollars more than on the spacious and spacious land-abundant mainland. They have cheap land in isolated areas in which to build. We in Hawaii do not.

"So finally Mr. Speaker, this measure also requires the Public Safety Department to provide a report to the Legislature at the end of each calendar year on any of the inmates not returned with an explanation of reasoning and circumstances for noncompliance. This simply is also not cost effective. It's not a good idea at this time in such budget fiscal crisis. The Department is already understaffed as it is and requiring them to submit this annual report would be very time consuming and labor intensive. It's not practical. It's not feasible. And it's simply not cost effective.

"Mr. Speaker, I think that when we focus on the fact that our main industry is tourism; not oil, not other things. We have to reconsider this measure. Thank you."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I just wonder how many of you know that that high-rise building just Ewa of the Airport is a prison. Thank you."

Representative Pine rose to speak in support of the measure with reservations, stating:

"Just in support with reservations, and I would love to use the words of the Representative from Liliha as my own," and the Chair "so ordered." (By reference only.)

Representative Bertram rose to speak in support of the measure, stating:

"I'm in strong support and would like the words of the speaker from Wailuku incorporated as well. I've also just a few quick comments in the sense that, we have to do something to bring these folks back. I think what the intent of Public Safety was that it won't be just prisons that we'd be bringing them back to. There will be programs, and I think you've seen other bills that have been forwarded, that do exactly that, to start putting in a whole different way of handling low-level offenders. 60% of the men and 80% of the women in prison are for low-level, nonviolent drug offenses. So we really need to rethink this whole thing.

"Really, when we're talking about cost and expense, the Pew Center report that you just got, everybody got a copy of it, specifies the tremendous amount of money that we're wasting, without any good result in our current prison system. We have to move to a whole new system where we actually treat people in their homes, in their communities, and deal with them there rather than putting them into prisons. Thank you."

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak to in support of HB 519, HD 1.

"We spend $50 million of Hawaii taxpayer money annually on out-of-state prisons. This annual cost is expected to increase an additional $13 million of Hawaii taxpayer money after July 1, 2009, in which we will be spending $100 million or more of Hawaii taxpayer money by 2015 to other states.

"While this measure does not directly assist Hawaii's current budget crisis, it can in the future be one way of ending the loss of Hawaii taxpayer money to other states. More importantly, this bill sets a policy that we will invest by a time certain that money here at home in jobs and services for our own residents. We should build the needed facilities at home which will result in spending our money locally for our contractors and our workers to construct these facilities. We can then staff these facilities with local people and contract with local businesses to provide supplies and programs. We cannot afford to continue a $50 million drain of our general tax revenues each year to benefit other states without some end in sight.

"The Department of Public Safety is currently exploring plans to build a new and larger prison here in Hawaiʻi together with the Department of Accounting and General Services and several private entities under contract. That's great. This bill simply places a date and deadline for the Administration to get moving which is never a bad idea.

"I urge my colleagues to vote in favor of the bill."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I have reservations and just short comments. Mr. Speaker, this requires the Public Safety Department to plan, design and construct sufficient facilities to house inmates in Hawaii by 12/31/2015. That's a very short time, and we don't have the money. Throughout the debate, and throughout the years, there has been the question of where we are going to put it.

"This is a very short time frame to do what it wants to set out to do, and I just don't know, where we are going to get the money to do this. Mr. Speaker, I have a lot more comments, but I figured, like all the rest of the bills, we should continue to debate it. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 519, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INMATES," passed Third Reading by a vote of 46 ayes to 2 noes, with Representatives Ching and Thielen voting no, and with Representative Carroll, McKelvey and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 918) recommending that H.B. No. 987, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 987, HD 2, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, McKelvey and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 923) recommending that H.B. No. 1145, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1145, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REMNANT LANDS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, McKelvey and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 924) recommending that H.B. No. 1712, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1712, HD 2, pass Third Reading, seconded by Representative Evans.

Representative C. Lee rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative C. Lee's written remarks are as follows:

"While the intent of this bill is good, "to ensure that rules regarding the taking and protection of *uhu*, *weke/moana kali*, and *ulua/papio* are based on supporting data," I rise in opposition to it. I believe the content of the bill is contrary to its purpose, and would serve to only harm, rather than help, the proper management of these declining marine resources.

"As noted in its Committee Report, the House Water, Land and Ocean Resources Committee "stresses that when regulating marine life, DLNR should not base their rules solely on information gathered at public information meetings, but on all information available, including affirmatively obtaining data supporting the finding that take rules are necessary."

"Fortunately, much of the data this bill requires DLNR to gather already exists. In fact, it is more comprehensive and in depth in many respects than the research this bill calls for. One such study was published just this past year, conducted by:

The Hawaii Cooperative Fishery Research Unit, Department of Zoology, University of Hawaii at Manoa
Hawaii Division of Aquatic Resources, Honokohau Marina, Kailua-Kona
Joint Institute for Marine and Atmospheric Research (JIMAR), University of Hawaii
Coral Reef Ecosystems Division (CRED) NOAA, National Marine Fisheries Service
NOAA/NOS/NCCOS/CCMA- Biogeography Branch
The Oceanic Institute, Makapuu Point

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Assessing the importance of fishing impacts on Hawaiian coral reef fish assemblages along regional-scale human population gradients
I. D. WILLIAMS, W. J. WALSH, R. E. SCHROEDER, A. M. FRIEDLANDER, B. L. RICHARDS AND K. A. STAMOULIS

"This study surveyed 89 separate marine areas to reach its conclusion:

"The availability of a large research vessel to use as a platform for survey cruises made it possible to reach remote and inaccessible parts of Hawaii which have rarely if ever been surveyed until now, and therefore enabled the largest-scale assessment of MHI coral reef fish stocks to date. Our data set provides clear evidence that stocks of target and vulnerable taxa are severely depleted around accessible and populous locations in the MHI, and a number of lines of evidence indicate that fishing is the prime cause."

"Though this and similar studies conclude that fishing has a real impact on the decline of these fish species, the monitoring called for in this bill

takes into account the "effects that runoff, sedimentation, pollution, lack or profusion of fresh water intrusion into the marine ecosystem, and the introduction of invasive species have on the ecosystem that affects the habitat and forage of *uhu*, *weke/moana kali*, and *ulua/papio*" but does not account for the effects of fishing at all.

"House Bill 1712 goes on to state that DLNR has not "properly managed or enhanced fisheries for long-term sustainability of the resources; protected and restored the aquatic environment; protected native and resident aquatic species and their habitat; or provided facilities and opportunities for recreational fishing."

"If DLNR has not been able to follow through with proper management of these species, and if the best available data shows that "fishing is the prime cause" for their depletion, then DLNR must take swift action based on best science to protect the species and promote future recreational fishing.

"However, creating additional requirements for further study and monitoring stretches the resources of the DLNR at a time when resources are already short, and adds additional hurdles to effective resource management, without producing useful conclusions that haven't already been reached. After years of input from all sides, we need action to save what is left of these species in the main Hawaiian Islands. We can wait no longer."

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:

"Mr. Speaker, I rise in opposition to HB 1712 HD 2, relating to fishing.

"This bill directs the Department of Land and Natural Resources to:

(1) Continue to hold public informational meetings to hear concerns and suggestions from the public regarding the taking and protection of uhu, weke/moana kali, and ulua/papio;

(2) Use and present all available data to support the basis for any rule proposed based on the public input, and if no data is available, use all available means to gather the necessary data;

(3) Develop a monitoring and evaluation program to determine the effects that runoff, sedimentation, pollution, lack or profusion of fresh water intrusion into the marine ecosystem that affects the habitat and forage of these fish; and

(4) Develop a monitoring and evaluation program to determine the outcomes to be achieved by the implementation of any proposed rule and estimate the timeframes through which the outcomes will be achieved.

"This bill is very similar to measures that failed to pass the Legislature in 2006 and 2007. It puts too many constraints on the management of marine fisheries resources, and requires scientific justifications so restrictive, it would effectively place a moratorium on any management actions for the better part of a decade.

"In short, this bill is so restrictive it would inhibit rather than enhance sound resource management.

"For these reasons, I am opposed to HB 1712 HD 2, relating to fishing."

Representative Finnegan 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 Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Keith-Agaran 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 Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak to express my continued reservations with HB 1712, HD 2, Relating to fishing.

"This bill imposes constraints on the Department of Land and Natural Resources' management of marine fisheries resources, such as requiring "scientific" justifications so restrictive that it would be difficult, if not impossible to meet. The precautionary doctrine suggests that the stewards of these Public Trust resources should manage our fisheries with sustainability in mind. With the State facing budget challenges, I'm concerned about further impairing DLNR's ability to protect our nearshore stocks.

"The most recent data from scientific surveys in the Main Hawaiian Islands indicates that human impacts are a primary cause of impaired fisheries. See Williams, I. D., et al (2008) *Environmental Conservatism: Assessing the Importance of Fishing Impacts on Hawaiian Coral Reef Fish Assemblages Along Regional-Scale Human Population Gradients*: 261, 270, 271.

"The proponents of bill must agree with Williams and other scientists that "an essential first step towards developing effective management responses is to determine the importance of the various factors contributing to degradation in any particular situation. In particular, it is likely to be difficult to build support for appropriate remedial action if it is not possible to reach a consensus on the underlying cause(s) of resource declines. . . ." The anecdotal information provided by fisherman is particularly useful to perhaps explain problems with what the plain data indicates. In the Williams study, "it did not seem that proximity to high human population density was by itself associated with fish population declines, but rather that the crucial factor was proximity to human populations who were able to readily access, and therefore fish, nearshore waters." But William must conclude, based on the information collected, that "[his] data set provides clear evidence that stocks of target and vulnerable taxa are severely depleted around accessible and populous locations in the MHI, and a number of lines of evidence indicate that fishing is the prime cause."

"With this up-to-date data and information in-hand, DLNR can properly assess the received wisdom of the fishers and other users of the nearshore Main Hawaiian Islands to assist in fashioning the best management practices that will benefit all our people. I can understand and recognize the frustration and perception of water people and fishers who believe the DLNR aquatic biologists are ignoring their experience and knowledge. I think fishers can contribute great value to proper management of our resources.

"But when we are striving for sustainability, I would suggest that leaning on the conservative end may be the best policy rather than continuing unregulated takes. Supporting data, including stock assessments to be conducted for the identified species are lengthy projects, in which these species range across both the Main Hawaiian Islands and the Northwest Hawaiian Islands. It takes years of field research and hundreds of thousands of dollars for each species involved and will effectively place a moratorium on any management actions related to marine fish stocks for the better part of the next several decades. As the proverb states, the medicine prescribed for the patient's ailments may be worse than the cure.

"Please record my vote with reservations."

Representative Wooley 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 Wooley's written remarks are as follows:

"I support the intent of this bill, which will require that more effort be expended by the Department of Land and Natural Resources to monitor,

understand and work with fisherman to determine appropriate fishing levels and limits. However, it is not clear that the Department will be able to meet this mandate, and our fishery resources may suffer significantly as a result.

"Our local fishermen need support, and our fishery resources need protection. This bill may not help either, despite its intent. For this reason, I am voting for this bill with serious reservations."

Representative Shimabukuro rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ito rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ito's written remarks are as follows:

"Mr. Speaker, I rise in support of Stand. Com. Report No. 924, H.B. 1712, H.D. 2.

"Mr. Speaker, some have stated that this is a fishing rights bill. It is far from it. There is nothing in this measure that states that the Department of Land and Natural Resources shall not proceed with establishing rules to regulate the taking of the parrotfish (*uhu*), the goatfish (*weke/moana kali*) and the jacks (*ulua/papio*). All this measure does is state that if the DLNR is to establish rules it should be done in a responsible manner.

"Mr. Speaker, testimony has been submitted stating: "The current measure would impose constraints on the management of marine fisheries resources, such as requiring scientific justifications so restrictive that they would be difficult if not impossible to meet." Nowhere in this measure does it require scientific justification to establish rules.

"The testifier further states: "The mandated process of administrative rulemaking takes into consideration the impacts of each proposal on resources, businesses, and the public, and includes opportunities provided by law for interested parties to provide their comments. Therefore this measure would to some extent re-create existing protocols. Relative to any rule achieving its intended purpose, requiring reports in the manner proposed would do no more than what is already being done, and would therefore result in duplicative effort and thereby detract from the Department's overall efficiency and productivity." This measure only reinforces existing protocol.

"This measure states in Section 2: "The department of land and natural resources shall continue to hold public informational meetings to hear the concerns and suggestions from the public regarding the taking and protection of Uhu, Weke/Moana Kali, and Ulua/Papio."

"Further, this measure does not require any reports from the department. However, it does require the DLNR to develop a monitoring and evaluation program as stated in Section 2: "The department of land and natural resources shall:

1. Develop a monitoring and evaluation program to determine the effects that runoff, sedimentation, pollution, lack or profusion of fresh water intrusion into the marine ecosystem, and the introduction of invasive species have on the ecosystem that affects the habitat and forage of Uhu, Weke/Moana Kali, and Ulua/Papio; and

2. Develop a monitoring and evaluation program to determine the outcomes to be achieved by the implementation of any proposed rule and estimate the timeframes through which the outcomes will be achieved."

"Mr. Speaker, this measure only reinforces what is required of DLNR as stated in statues. HRS Section 187A-2 "Powers and duties of department" states in subsection (6): "The department shall – Gather and compile information and statistics concerning the habitat and character of, and increase and decrease in, aquatic resources in the State, including the care and propagation of aquatic resources for protective, productive, and aesthetic purposes, and other useful information, which the department deems proper." Section 2 of this measure states: "The department of land and natural resources shall use and present all available data to support the basis for any rule proposed based on the public input, and if no data is available, use all available means to gather the necessary information."

"The question then arises, "Does DLNR have the available information and statistics concerning the increase/decrease of Uhu, Weke/Moana Kali, and Ulua/Papio to support the basis for any rules? If this information and statistics are not presently available will the DLNR proceed with gathering and compiling this information and statistics? If not, why not?"

"Mr. Speaker, another testifier stated: "There is already clear and abundant scientific data, analysis and evidence being utilized by the DLNR that points to serious declines in near-shore fish populations, especially among the large fishes that are so important for replenishing the reef." The question then arises, "If the DLNR has in its possession the aforementioned information has the DLNR made this information available to the public? If not, why not?"

"Mr. Speaker, I have always stated that any rule making to regulate Hawaii's marine resources should be done by the Department of Land and Natural Resources without any interference from any outside agency. This measure does not interfere with that process. All this measure does is to require the DLNR to establish rules to regulate the taking of Uhu/ Weke/Moana Kali, and Ulua/Papio in a responsible manner. At no time should the DLNR establish any rules based solely on information and suggestions gathered at public informational meetings. I too want regulations to conserve Hawaii's marine resources so my grandchildren and generations to come can enjoy what I have enjoyed; that is to be able to go fishing anywhere in the State and to be able to partake ocean resources taken from Hawaii's waters. However, I do want regulations that are established in a responsible manner.

"Mr. Speaker, I urge all my colleagues to vote 'yes' on Stand. Com. Report No. 924, HB1712, HD2."

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 1712, HD2—Relating to Fishing

"The fishermen of Hawaii are the only providers of food from our ocean. In tough economic times, the people of an island state turn to its natural resources, the land and the ocean, for sustenance and subsistence. With a population of over a million people, the management of our resources is critical. Faced with challenging impact on the resources including reef decay—caused by siltation, runoff, pollution and other non-point source impacts, overuse and invasive species, the Department should take a proactive and serious approach to determine the true condition of the resource.

"With an estimated population of up to 800,000 people in the late 1700s, the native Hawaiians were fully dependent on natural resources and used <u>temporal</u> and seasonal restrictions to mange the islands' fisheries and create a delicate balance between conservation and use.

"Today, by statute, the Department of Land and Natural Resources is tasked with managing the state's waters from the shoreline out to three miles, and balancing conservation with use. In recent years, the Department has created many new regulations including <u>permanent</u> area closures, community-based managed areas, bag and size limits and further restricted gear type—basing their decisions on "some" science and a heavy amount of public opinion. In keeping with its mission to "manage or enhance fisheries for long-term sustainability of the resources," it is imperative that the Department utilize their biologists to take an actual assessment of the current condition of the marine resources and focus on gathering data and statistics instead of relying primarily on surveys and opinion polls. This would be the only way to properly and responsibly manage the resource and comply with Chapter 187A-2, Hawaii Revised Statutes, which requires the Department to:

(1) Manage and administer the aquatic life and aquatic resources of the State;

(2) Establish, manage, and regulate public fishing areas, artificial reefs, fish aggregating devices, marine life conservation districts, shoreline fishery management areas, refuges, and other areas; and

(3) Gather and compile information and statistics concerning the habitat and character of, and increase and decrease in, aquatic resources in the State, including the care and propagation of aquatic resources for protective, productive, and aesthetic purposes, and other useful information, which the department deems proper.

"By law, the Department should be doing its due diligence to determine the health of the resource and making recommendations to manage accordingly. Erring on the side of caution due to a lack of pertinent information is easy and instinctive, but is an indication of poor management.

"Commercial fishermen have a long and reputable history of using and caring for the resource to ensure fish stocks and their livelihood will be there tomorrow. They have provided constant and invaluable contributions to our local economy and along with recreational fishermen, have fed our islanders for more than a century. Heavily regulated and licensed, commercial fishermen provide the Department with the only substantiated catch data for all local fish caught. In working on future management measures, it is my hope that the Department will consult the expert fishermen from Kauai and all other islands to gain a comprehensive understanding of the resource as they see it. As daily and responsible users of the resource, it would be unacceptable and irresponsible to regulate them based on opinions gathered from occasional recreational fishermen.

"Mr. Speaker, HB1712, HD2 also requires the Department to develop a monitoring and evaluation program to determine the effects that runoff, sedimentation, pollution, lack or profusion of fresh water intrusion into the marine ecosystem, and the introduction of invasive species have on the ecosystem that affects the habitat and forage of *uhu*, *weke/moana kali*, and *ulua/papio*.

"This provision places emphasis on the need to have the Department address the factors that contribute to habitat loss which is a primary cause for any possible decline in fish populations. HB1712, HD2, most importantly, mentions this important impact as one that should be addressed by monitoring.

"This holistic approach to resource management is a step in the right direction. With a monitoring and evaluation program, the fishermen of Kauai and the entire State will have a better understanding of the true condition of the habitat and can willingly and trustingly work towards management measures to provide for continued use of the resource.

"Most importantly, Mr. Speaker, this bill encourages the Department to work with the fishermen of Hawaii towards favorable outcomes, and not against them and I urge my colleagues who eat fish or have constituents who eat fish to support this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1712, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FISHING," passed Third Reading by a vote of 39 ayes to 9 noes, with Representatives Berg, Hanohano, C. Lee, Marumoto, Morita, Pine, Saiki, Takumi and Thielen voting no, and with Representatives Carroll, McKelvey and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 925) recommending that H.B. No. 310, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 310, HD 2, pass Third Reading, seconded by Representative Evans.

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:

"Mr. Speaker, I rise in strong opposition to HB 310, HD 2. The problem with this bill is that it seeks to impose an unreasonable “fix” to the Medical Claims Conciliation Panel (MCCP). The MCCP is intended to offer injured plaintiffs an inexpensive, expedited, informal forum to reconcile their complaints against health care defendants before any litigation begins. MCCP’s decisions are advisory only. Sometimes the parties never reach a settlement. HB 310, HD 2 would convert this conciliatory process into a quasi-adjudicatory process, prompting the parties to focus entirely on positioning themselves in anticipation of litigation, thus undercutting the conciliatory purposes of the MCCP. This bill would further create additional expense and delay to the MCCP process. For these reasons, I oppose HB 310, HD 2."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 310, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS," passed Third Reading by a vote of 37 ayes to 11 noes, with Representatives Belatti, Berg, Hanohano, Keith-Agaran, C. Lee, Luke, Morita, Nishimoto, Rhoads, Saiki and Shimabukuro voting no, and with Representatives Carroll, McKelvey and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 926) recommending that H.B. No. 1636, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1636, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Rhoads rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition. Because it's such a feel-good sounding bill, I figured I'd better explain why I was going to vote against this bill, Relating to Emergency Medical Physicians.

"The cost that the negligence already takes into account that, if you're a doctor in an emergency room, you're not expected to be superman or superwoman. You're expected to do what a reasonable person would do under those circumstances. And giving emergency medical personnel even more leeway is simply unnecessary. The common law as it stands allows for negligence, and you're put in the shoes of someone who, it's understood that it’s a very difficult job that you have and that you'll be given a break legally as a result of that. So that’s why I'm opposed to this. Mahalo."

Representative C. Lee 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. 1636, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL PHYSICIANS," passed Third Reading by a vote of 39 ayes to 9 noes, with Representatives Berg, Hanohano, Keith-Agaran, Luke, Morita, Nishimoto, Rhoads, Saiki and Shimabukuro voting no, and with Representatives Carroll, McKelvey and Takai being excused.

At 4:21 o'clock p.m. Representative Tsuji requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 4:26 o'clock p.m.

At 4:29 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 358, HD 1
H.B. No. 519, HD 1

H.B. No. 987, HD 2
H.B. No. 1145, HD 1
H.B. No. 1712, HD 2
H.B. No. 310, HD 2
H.B. No. 1636, HD 1

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 928) recommending that H.B. No. 1097, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1097, HD 1, pass Third Reading, seconded by Representative Evans.

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of Standing Committee Report No. 928, House Bill 1097, House Draft 1. Mr. Speaker, I stand in support of this bill, and need to point out that this is the Governor's bill to address our budget shortfall. What it would do is change the Assistance for the Aged, Blind and Disabled Program into a block grant program. And I think members should understand the effect that this might have upon those who currently receive benefits from this entitlement program. And these are those aged, blind and permanently and totally disabled individuals.

"I had a chance to talk to the Chair of the Human Services Committee, and he did inform me that approximately 37,000 people today receive these benefits as an entitlement. I guess I need to stand today at this time Mr. Speaker just to let the Body know that we are only looking at these types of 'draconian,' extreme measures to address the shortfall. I look at my notes here, and it says that the fiscal impact of about $2.1 million in 2010, and $2.1 million in 2011. That's a total of about $4 million. But what it would do is basically reduce the monthly benefits from $469 a month, to $450 a month; and reduce the benefit payment amount from 50% to 40% of the federal poverty level. Again the point is that this radical change, or shift, would change the entitlement program for our most needy and vulnerable, to a block grant.

"If this was to occur Mr. Speaker, once the appropriation and the appropriated amount runs out, that's it. I just wanted to point that out for the Members. Thank you."

Representative Shimabukuro rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I also have reservations, and I think that the number is actually 3,700 if I'm not mistaken. But that is still a huge number of people who would probably be put onto the beaches and the streets if their benefits were cut. So I also have reservations and would like to submit written comments."

Representative Shimabukuro's written remarks are as follows:

"I quote from The Legal Aid Society of Hawaii's testimony:

The Legal Aid Society of Hawaii hereby provides testimony in opposition to the House Committee on Human Services on HB1097 - Relating to Assistance for Aged, Blind, and Permanently and Totally Disabled Persons ("AABD"). While we understand the intent and need for this bill, we much prefer another solution that would preserve AABD as an entitlement program.

The Legal Aid Society of Hawaii provides free legal services to the low-income population of the State of Hawaii. We provided civil legal assistance to those in need through nine offices located in Lihue, Waianae, Honolulu, Kaneohe, Kaunakakai, Lanai City, Wailuku, Kona and Hilo. Over the years we have provided leadership around public benefits issues and on an annual basis update our public benefits manual and provide a two-day training on public benefits.

As written, this bill would convert AABD from an entitlement program to a block grant program.

AABD-GA PROBLEM
In Hawai'i there are two financial assistance programs for disabled individuals. Simply stated AABD is for those that are permanently disabled, but that don't qualify for Supplemental Social Security Income ("SSI") because of immigration status or other reasons and General Assistance ("GA") is for those who are either temporarily disabled or who may qualify for SSI.

Because the legislature has recognized an on-going need to support those who are permanently and totally disabled persons, AABD was established as an entitlement program. As such, the benefit level for AABD is set at the same rates as the TANF/TAONF programs. However, GA was created as a block grant program which means that benefit amounts are paid out based on the total allocation provided by the legislature.

Recognizing the need to disburse comparable benefits, over the years DHS has maintained the GA payment at the same rate as the AABD program even when the block grant allocated for GA would not support such levels. To do so, DHS would transfer funds from the AABD to the GA program. However, recently they've been advised that they cannot continue this practice as AABD is an entitlement and GA is blocked grant.

As such, in order to allow for continued transfers and to ensure on-going parity between these two populations, either AABD must be converted to a block grant program or GA must be converted to an entitlement program. This bill converts AABD to a block grant program.

AABD SHOULD NOT BE A BLOCK GRANT
While we understand the problem faced by DHS and the state, we do not think that the solution is in changing a program like AABD into a block grant. By changing AABD, we expose this most vulnerable population to fluctuation in benefits based on the availability of state funds and the numbers of individuals who qualify for the program. Our aged, blind, and permanently and totally disabled citizens do not deserve such fluctuation especially when they are living on a fixed income and are unable to work.

As such we oppose this bill and much prefer an option to convert the GA program into an entitlement program. We submit this solution as a part of our testimony on HB1098 - Relating to General Assistance.

Thank you for the opportunity to testify.
Sincerely,
M. Nalani Fujimori
Interim Executive Director"

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 however, with reservations of H.B. 1097- Relating to Assistance for Aged, Blind, and Permanently and Totally Disabled Persons. The proposed bill changes the State-funded Assistance for Aged, Blind and Permanently and Totally Disabled public assistance program from an entitlement program to a block grand program.

"The assistance amount would be based upon the amount appropriated by the Legislature and would not exceed 62.5% of the standard need. The proposed bill would inevitably expose the program to fluctuation in benefits based on state funds and numbers of qualifiers into the program.

"While I understand the need of the Department of Human Services and their position that allowing the Legislature greater flexibility to control the funding for this program could be beneficial to Aged and Disabled persons, we must be sure that we can improve the State's ability to track

and reliably project costs for this program to ensure the protection and well-being of these individuals. Thank you."

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. 1097, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ASSISTANCE FOR AGED, BLIND, AND PERMANENTLY AND TOTALLY DISABLED PERSONS," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Brower voting no, and with Representatives Nishimoto and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 929) recommending that H.B. No. 1666, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1666, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ward rose and stated:

[*Speaking in a foreign language*.]

The Chair then stated:

"Representative Ward, you're out of order."

Representative Ward then stated:

"Exactly. It's a linguistic protocol that I'm speaking about, and I did it purposely, Mr. Speaker. In this bill, are we saying that Hawaiian is the primary language, and English the secondary? If so, we need to invert one of the clauses that says, 'On the top is the English. On the bottom is the Hawaiian,' whereas now, it's in the opposite. Thank you, and [*speaking in a foreign language*]."

Representative Shimabukuro rose to speak in support of the measure, stating:

"In support. I believe, in our State laws, the Hawaiian and English languages are both recognized as the official languages of our State. So, I think they're at least equal. Thank you."

Representative Awana rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in strong support, with regards to Stand. Comm. Report No. 929. In addition, I'd just like to mention that, if I'm not mistaken, the Hawaiian people were here before anyone else. Thank you."

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. In strong support.

"I support SCR 929 HB 1666 HD1 because this bill will ensure the preservation and promotion of Native Hawaiian culture, history, and language as provided for in the Hawaii State Constitution by requiring that the accurate, appropriate, and authentic Hawaiian names and language, including proper Hawaiian spelling and punctuation with macrons and glottal stops be included on:

(1) All letterheads prepared by or for State or County agencies or officials effective January 1, 2011, provided that any revision to conform any letterhead existing on or before January 1, 2011, to the requirements, may be implemented when the letterhead requires replacement or reprinting, or otherwise requires revision; and

(2) All emblems and symbols representative of the State, its departments, agencies, and political subdivisions, effective January 1, 2011, provided that for existing symbols and emblems, conformance may be delayed until a replacement is required.

"Therefore, this bill will not cost the state anything more than making sure that the *okina* and *kahako* are in its appropriate place in the spelling of Hawaiian words.

"It is time to support the host culture. This legislation is long overdue. I urge my colleagues to please support this significant legislation."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In strong support. And just for everyone, this would actually only take effect when the letterheads and logos are being redesigned. So, I believe this will be a revenue neutral 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. 1666, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE," passed Third Reading by a vote of 49 ayes, with Representatives Nishimoto and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 931) recommending that H.B. No. 1271, HD 2, as amended in HD 3, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1271, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Morita rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with reservations. Mr. Speaker, I am in support of parts I, II, and III of this measure, which increases the tax on a barrel of crude oil to support energy and food security issues. However, I do not support part IV of this bill, which suspends the ethanol blending mandate.

"First of all, I believe the tax increase on a barrel of oil can be well justified as a strategic, long-term investment for Hawaii's food and energy security to decrease pricing volatility, which destabilizes our Hawaii economy, and to lessen the risk of fuel and food supply disruption.

"The cost to Hawaii's residents is estimated to be minimal; as low as $20 per person, per year, compared to the continued exportation of over $2,000 per person, per year, out of Hawaii's economy, just to meet increased energy costs. This does not even include the amount of money exported out of the state for food.

"However, tying this tax increase to a supposed offset, by suspending the ethanol blending mandate is illogical for the following reasons, and without a full understanding of gasoline and ethanol pricing, and with this lack of understanding, it will increase the price of a gallon of gasoline.

"First of all, the ethanol blending mandate does not require ethanol to be blended if it's cost is greater than the wholesale rack price of gasoline. Second, the Legislature has no control over the price of gasoline, much less on the price of ethanol or crude oil. We should not be giving the public false expectations that the increase in a tax will be offset by lower gasoline prices, should we suspend ethanol blending.

"And third, I believe the Finance Committee members used crude oil and ethanol commodity prices in their assumptions. There's no statistically significant correlation between ethanol and crude oil prices. It's like comparing apples and oranges to relate ethanol prices, a finished product that has undergone significant transformation, to a raw material, crude oil, that has to undergo a significant manufacturing process to produce its finished products, which is gasoline and diesel, in this case.

"Wholesale ethanol today is quoted at $1.54 per gallon on the Chicago Board of Trade, for June 2009 delivery. Barge handling costs brings the delivery to Hawaii at a price of $1.86.5 per gallon, before applying the federal tax credit of 45 cents per gallon, yielding a comparable net ethanol price of $1.41.5 per gallon.

"Mr. Speaker, I will have more detail on how these costs are calculated. But, with crude oil at $40 per barrel, and at close today, it was at $45.71. So, with crude oil at $40 per barrel, it equates to approximately $76 per barrel in gasoline costs. Ethanol, at current prices, including the federal tax credit, equates to $59.43 per barrel. So, again, this equates to a cost of 39.5 cents per gallon, a lower cost of ethanol, compared to gasoline.

"In the most recent energy information and administration price data for wholesale gasoline prices in Hawaii, and this is for December 20, '08, it showed a State average of $1.55 per gallon of gasoline, which equates to about $68 per barrel. Since December crude prices have risen by approximately 14 percent from December lows, wholesale gasoline prices are likely to rise by a comparable percentage, to about $77 per barrel.

"Additionally, ethanol is priced on a cost plus basis, not true market value. So, if it sells at a discounted price to its actual value as a fuel extender and octane enhancer, ethanol's octane value is $112 and a half, allowing a refiner to blow …"

Representative Takumi rose to yield his time, and the Chair "so ordered."

Representative Morita continued, stating:

"Thank you. Thank you, Representative. Anyway, there's value in octane. So, ethanol's octane value wasn't apparently factored into the wholesale price, and it's estimated to be between 20 and 35 cents per gallon, which is equivalent to 2 cents to 3.5 cents per gallon of gasoline.

"But, most important, Mr. Speaker, the blending of ethanol in gasoline was studied extensively by this Body and the Administration prior to the promulgation of Rules for the mandate, including detailed studies by Stillwater Associates, BBI International, and Decision Analysis Hawaii. All these studies concluded that ethanol blending was likely to exert downward pressure on Hawaii gasoline prices.

"Part IV of this bill is going to have a significant negative impact on businesses who have already invested substantial amounts to carry out the ethanol blending policy: The promotion of renewable energy, and our commitment of keeping agricultural lands in agricultural productions. For example, Pacific West Energy, LLC., is a company that is pursuing ethanol production in the State of Hawaii. They've invested over $8 million to date in project development. The project has an air permit, and the project's projected budget is $125 million. It is estimated to employ over 300 people, and develop and keep over 50,000 acres in crop cultivation.

"If this mandate is repealed or suspended, the project will not be able to secure further equity and debt financing, and all investments to date will be likely lost, and with it, several hundred jobs.

"Again, simply put, part IV of this bill ruins investors' confidence in Hawaii, in our commitment to renewable energy future, and keeping ag lands in ag production.

"Mr. Speaker, I'd like to make reference to the Federal Renewable Fuel Standards Waiver section, which Hawaii has opted into, requiring increasing ethanol use in motor fuel. This section has lots of problems, and should the State not be able to obtain the waiver from the EPA, the penalties are significant, and could add an additional 14 cents per gallon to the price of gasoline. So, again, section IV is very problematic, and again, it goes against policy that we've been establishing for the last, at least, 6 years. It is a step backwards in the renewable energy future for Hawaii. Thank you."

Representative Choy rose to speak in support of the measure, stating:

"Thank you. And thank you for the comments from the Representative from Kauai. One of the things that I have to say is, this is my idea. Mr. Speaker, when I did come to this Body, you did say to use my creativity to find more revenue for the State.

"This is an idea where, what I wanted to do was, I wanted to use ethanol, the price of ethanol, to lower the price of gas, and then use that particular money to balance our budget.

"I agree with the speaker from Kauai, that there is a difference between cost and price, and the figure she's using is price. The figures I used was cost. The cost price of making a barrel of ethanol was about $80, so that's what I used.

"Now, we know that ethanol is a commodity, so being a commodity, the prices do fluctuate. But, over time, I think all companies will have to make their money, so prices of ethanol will go up. I also realize that there is a federal mandate for ethanol, and in the bill, it does have a provision in there that we must ask the federal government for permission to do this.

"Third, this is not an elimination of ethanol …"

Representative Evans rose to a point of order, stating:

"Mr. Speaker, a point of order. The current speaker is speaking in support, but he is also looking out in the audience."

The Chair addressed Representative Choy, stating:

"Representative Choy, please address the podium. Sorry."

Representative Choy continued, stating:

"Okay. Now, I forgot where I was. I went over the federal mandate. I went over the cost areas of it.

"But, in all fairness, this particular suspension of ethanol is only for three years. And that's when I feel that the State budget will improve. This is like a *kokua* from the oil companies. Will they help us for a mere 36 months? All the figures in the ethanol bill are blanked out. So, the figures, as far as what the barrel tax is going to be, what the different allocations are going to be, have to be determined. I think further conversation on this bill is very, very important. Thank you, Mr. Speaker."

Representative Wooley rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this bill. I just want to thank the original author of this bill. I think this puts on the table some of the most important issues that we face today: energy and food self-sufficiency. And if we are successful with this bill, I think that it could be the most important piece of legislation that we pass this year.

"It addresses the $8.6 billion that we currently export. About $4 billion of that is purely for oil. This bill focuses on the planning, and the funding, and the implementation to make Hawaii energy and food self-sufficient, through economic development, and cooperation with our agencies. So, it will benefit not only our economy, but our environment, and our security.

"The challenge is that, in these times, in particular, we don't want to put additional taxes on the population. I think that is why we have a new part to this bill. I think that we really need to explore the numbers, because if some of the numbers are correct, we may be able to offset any increase in price for our barrel tax.

"So, I really encourage you all to support this bill, move it forward, and we'll continue to have the conversation. Thank you."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations. I also commend the authors of this bill. In Finance, it's known as the 'Freshman Bill.' The Chair of Finance gave an assignment, and I think they've risen to the occasion.

"It's a bill whose time has come. You talk to anybody in your districts, going door to door, at the filling station, 'How do you like the ethanol blending situation?' Or ask the boaters, or the fishermen, or the guys who fill-up their lawnmower, and carry their gas around in a can.

"Nobody likes ethanol. Nobody is getting the advantage of it. Even those who have the climate warming as the big issue know that the footprint of growing the corn, and taking the ethanol, and getting the energy out, regardless of whatever the octane is, it's a lose-lose situation, Mr. Speaker.

"So, this bill, I think is ingenious. It's timely. It's a chance for three years to put money into the coffers, and I think it would, quite frankly, delight the people of Hawaii.

"Now, part two of my reservation is, actually, that there's a tax increase that's associated with that. I'm not very fond of that, but in terms of the ethanol, I think it's an idea whose time has come. Thank you."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Morita rose to respond, stating:

"Thank you, Mr. Speaker. Just again in support with reservations. The main point that I want to make to this Body is the kind of market signals that you're sending out there. What you're doing is you're creating uncertainty in the market, even with a suspension. And again, I only gave you one example of a company that has been investing in a policy direction this Body has taken over the past, at least, six years or more. Again, looking at the continuation of mainly keeping sugar as the primary feedstock, and keeping sugar areas in ag production.

"Again, the main concern about part IV, are the kinds of market signals that you're sending out there to investors in this area. And it's not a very good signal. Thank you."

Representative Choy rose to respond, stating:

"With all due respect to my colleague from Kauai. There's not one drop of ethanol being produced here. And the three year suspension deadline was discussed with people who are going to invest in ethanol. Maybe in three years we will have one drop of ethanol being produced in Hawaii. Thank you."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. I rise in strong support. Just some comments, Mr. Speaker. Several important points of this measure that haven't been touched upon are that this will create a task force for us to review and investigate the broad range of energy and food security issues, and develop an integrated energy and food policy. I'd like to commend, both the Chair of the Energy and Environmental Protection Committee, and the Agriculture Chair for finally melding the two most important policy decisions of this Body to promote and sustain agriculture, open lands, and also at the same time, to diversify renewable energy ability, and away from fossil fuels.

"I'd also like to thank the three freshmen, who I call the drafters of this current version before us, the Representatives from Manoa, Kona, and from the Windward side of the island. They took it upon themselves to craft a bill that would, at the same time, allow us to fund these two different initiatives regarding energy and food through the barrel tax, but at the same time, address some of the concerns that members of the Committee and the community also had.

"I'd like to also thank the Representative from Manoa for his fresh set of eyes upon the issue of the barrel tax. Interestingly, he came into my office last week all excited, like he had found some pot of gold there. He asked me this question. He said, 'Hey Chair, the barrel tax. The five cents on a barrel tax. How do you see that being imposed?' And I say, 'What do you mean by that?' He goes, 'What's the five cents on?' And I say, 'Well, it's on a barrel of oil.'

"And he said, 'No no no no no. It's not.' And I say, 'What do you mean by that? It's five cents on a barrel of oil, this unrefined crude oil coming in.' And he said, 'No,' And he said he'd tell me about it later.

"But, that's the kind of industry we have with this new class of freshmen, Mr. Speaker. So, I was just really pleased to see this measure come out the way it did, and I hope we can all work on it together, because I think it serves some really important policy direction for this state. Thank you."

Representative Luke rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. And I rise to speak in support, but with reservations. It sounds like, from the debate that was going on, what happened after it passed the EEP Committee was that, whatever happened in the later Committees, they failed to get prior concurrence from the EEP Chair, and I hear the frustration in her voice. And, any time we work in this sense, it's just bad 'kung fu.' 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 stand in support however, with reservations of H.B. 1271 - Relating to Government. The proposed bill establishes a task force to review and investigate a broad range of energy and food security issues while developing an integrated energy and food policy, while also increasing the environmental response tax from five cents to $1 per barrel.

"This legislation is representative of one of the largest tax increases we have seen and will eventually impact the gasoline prices of Hawaii drivers. By increasing the tax on a barrel of oil, this measure has the potential to slow the economy down even further due to our states reliance on fuel for transportation.

"This tax is highly regressive and has the potential to impact the poor the most. During a time when our nation and State are in economic uncertainty we must be careful and cautious with the bills we pass. Thank you."

Representative Pine rose to speak in support of the measure with reservations, stating:

"Just, in support, with reservations. I have just a couple of verbal comments. I originally was against this bill, because there was a small tax increase, but when you take the ethanol blend temporarily out of there, it's spending-neutral for the taxpayer. But at the same time, it does raise an estimated $200 million for the State.

"My reservation is, I would like, as it comes back to us, to ensure that we implement in the bill somewhere, that when the ethanol is ready to go back in there, that we would reduce the tax on the barrel of oil, so that it's always spending-neutral for the taxpayer."

Representative Belatti rose to speak in opposition to the measure, stating:

"Thank you. For the reasons described by the Representative from Kauai, I will be voting 'no' on this bill. Thank you."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Chong rose in support of the measure, stating:

"Mr. Speaker, I'm 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. 1271, HD 3, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Third Reading by a vote of 41 ayes to 8 noes, with Representatives Belatti, Berg, Brower, Finnegan, Hanohano, Marumoto, Saiki and Takumi voting no, and with Representatives Nishimoto and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 932) recommending that H.B. No. 1378, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1378, HD 2, pass Third Reading, seconded by Representative Evans.

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 rise in opposition to H.B. 1378 - Relating to Advanced Practices Registered Nurses. This bill could be counterproductive in that it could result in more malpractices cases, which can drive up the malpractice premiums even higher than they are, which might result in even less doctors wanting to practice here. This bill is designed to alleviate the shortage of healthcare in Hawaii, but it could make the problem worse. The Hawaii Medical Association states:

1. APRN's lack the requisite education and training to prescribe independent of direct physician supervision

2. All prescriptive privileges should be decided by the Hawaii Medical Board, and not the Board of Nursing.

3. This bill will create a two-tiered health care system, in which the indigent and less educated patients will receive care inferior to that available to patients of higher socioeconomic status.

4. Should something go wrong while a patient is under APRN care, and the patient is transferred by the APRN to a physician for care, it will be the physician and the hospital who are sued, resulting in more lawsuits and higher malpractice premiums.

"Thank you."

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."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I stand in support of this measure, which recognizes Advanced Practice Registered Nurses (APRNs) as participating primary care providers for insurance purposes, permits APRNs to sign documents related to healthcare for their patients, clarifies the educational requirements for APRNs and updates their authority to prescribe pharmaceuticals, medical equipment and therapeutic regimens in accordance with their scope of practice.

"It is no secret that access to care in the rural areas of our State is limited. The cost of care has also been steadily increasing. The full participation of the Advanced Practice Registered Nurse is an important part of the effort to bring more access to our rural areas, and also to patients to whom access of care is limited. Removing barriers to APRN practice will allow healthcare to be provided to under- served populations and to those who have limited access to health care facilities.

"Evidence gathered over the past forty years demonstrates the ability of APRNs to provide safe, competent and high quality care. On Friday of this week, we will honor an APRN who was recognized recently for her work by the American Geriatrics Society—the first non-physician to receive the Society's "Clinician of the Year Award."

"The $200 million allocated for health professions training in the final federal stimulus package will be divided between the Nursing Workforce Development Programs (Title VIII of the Public Health Service Act) and the Health Professions Training Programs (Title VII). This is a doubling of present funds and much of it will go to support advanced practice education. Further, the Department of Labor will be making funds available to states for nursing education. To compete for these funds, it is critical that we pass HB1378 HD2. Hawaii will need to be in compliance with national practice to compete for the funds.

"It is hard to make the case for the University of Hawaii when our State does not allow full authority. Advanced practice registered nurses are not junior doctors. They practice an honored profession. Medicine and nursing are complementary disciplines, and the best interests of the consumer are met when APRNs can practice without barriers, and as an essential component of the primary healthcare team."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1378, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Ching and Marumoto voting no, and with Representatives Nishimoto and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 933) recommending that H.B. No. 980, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 980, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in support of the measure, stating:

"Thank you. I'm strongly in support of this bill that is proposed by the Department of Land and Natural Resources. I think it will provide many recreational opportunities for our people, but I would like to point out one part, which is of concern to me.

"Apparently, there will be opportunities for motorized recreation on two islands. I suppose this is good news for proponents of people who like to ride motorcycles and who like to ride all-terrain vehicles. But I am concerned because there might be the opportunity for minors to ride all-terrain vehicles. They might be a smaller size, but since these vehicles go very fast, perhaps up to 50 mph, it could be quite dangerous.

"A private contractor is supposed to operate these sites, and I'm sure they'll do a good job, because with regulations, with safety concerns, because they themselves do not want to be liable. But, I still think there is some danger of liability to the operator, and to us, to the State.

"So, because of the liability issue, and because of the possible danger to minors, I would caution us to perhaps put some restrictions on ATV use by minors in this measure. Thank you."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations, particularly regarding Ka Iwi, and the lack of need to have commercialization, if you will. 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 to speak in opposition to HB 980 HD2, "Relating to Recreational Renaissance".

"This bill offers an attractive narrative, presenting itself as a simple way to obtain the funds needed to address the backlog of repairs and improvements in Hawaii parks and recreational areas. We all have our favorite recreational areas that desperately need attention.

"After reviewing the testimony on this measure, however, I fear that this is really the 'wolf in sheep's clothing'.

"This legislative proposal is really not a recreational plan, but a risky financing venture that requires taking out a large loan at the front end and then privatizing our public lands, commercializing our recreational harbors, and saddling our natural areas with increased infrastructure necessary to support tourist use -- all in order to generate the future income to pay off that big debt. In the process, instead of being driven to protect our public trust resources, DLNR will be forced to manage our public resources as commodities to produce sufficient income to remain solvent.

"The plan provides few specifics on how the debt service requirements will ultimately translate into user fees to be shouldered by local users.

"Testimony offered on this measure shows it is favored by commercial interests, opposed by many recreational users, and viewed with utmost caution by affected communities.

"The Hawaii Kai Neighborhood Board, for example, justifiably worries about possible 'improvements' that could ruin the pristine Ka Iwi coastline between Hanauma Bay and Makapuu. The need to pay off DLNR's debt could, in the Board's view, 'cause the State to market the area to more and more tourists in order to generate revenue. This would drive out local use, as is evident at Diamond Head and Hanauma Bay where fees are already imposed.'

"Several testifiers pointed to the danger of more of our recreational areas being 'improved' by DLNR's vision regarding more comfort stations, cabins, camping areas, concessions, boardwalks, parking lots, and similar facilities. They express grave concerns that Ka Iwi could end up like Diamond Head Park, with its information center, T-shirt sales, non-stop tourist buses, vending machines, and so on.

"Residents in East Honolulu have fought for three decades to preserve the area and are justified in their doubts about this financing plan being proposed so hastily and rushed into law. Two environmental organizations reminded us of an agreement between the State and federal governments setting aside Keehi Lagoon to mitigate for the loss of habitat of the Hawaiian Stilt caused by construction of the reef runway.

"Audits done in the past several years suggest that DLNR's problems stem as much from ineffective and broken management as from inadequate finances. This risky financing plan attempts to address the latter, but gives us little confidence about the former.

"Still, even larger questions remain. What about ceded lands? How will they be impacted? For these reasons and concerns, Mr. Speaker, I vote today in opposition to HB 980 HD2 and urge my colleagues to do the same."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Brower rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Brower's written remarks are as follows:

"Mr. Speaker, I applaud the State's interest to revitalize Hawaii's outdoor recreational infrastructure. One of the harbors—the Ala Wai Small Boat Harbor—is located within my district and in need of improvements.

"However, at this time, a portion of this may not be right. A number of constituents and community groups testified in opposition to the Recreational Renaissance Plan embodied in House Bill 980.

"As their Representative, I am their voice and I wish to express some of their concerns over the impact of this Plan on harbor residents and the recreational public.

"Proposed funding mechanisms would overburden the middle-class live-aboards at the Ala Wai Boat Harbor.

1) Additional Fee Increases and Co-Mingling of the Funds

"The State owns and operates the harbors to keep boating affordable for the people of Hawaii. It was never intended for revenue-making purposes. (Our State has designated other harbors for commercial use. Those designations should be maintained and those activities should not encroach upon the Ala Wai harbor.)

"Fee increases for live-aboards at the Ala Wai Boat Harbor mean that, for many who live on fixed income and are struggling through the recession, they may lose their homes.

"For years, the boaters have approached me about how the current fee-tiering system at the harbors results in them, Ala Wai Boat Harbor live-aboards, subsidizing the lower-income harbors (which actually lose the State the most money). One constituent proposes a system that charged one fee to berth a recreational boat in the State of Hawaii, regardless of where the boat is berthed.

"Recreational Renaissance exacerbates this problem because now boaters can forget about seeing more money come to improve the Ala Wai. Now, their fees could fund *non-harbor* improvements, such as beaches, parks and trails.

"Lumping the Special Boating Fund in with other funds administered by the DLNR would facilitate DLNR using the Special Boating Fund money for non-boating projects.

"This constituent, speaking on behalf of many boaters, proposes that each special fund should pay its own way.

2) Proposed funding mechanism would limit public access to popular beaches and parks

"As a native of the islands, I feel that we cannot let our open spaces and beaches slip out of our hands.

"These increases (including parking) will make it much more difficult for the average individual to enjoy the recreational amenities of the Ala Wai harbor.

"We are concerned that the proposal to lease submerged lands at the Ala Wai would force the commercial companies to encroach on the free parking area dedicated for recreational use.

"The State Charter on DOBOR requires the division to offer affordable use of public harbors and parks. The attempt to lease harbor lands to for-profit private companies would displace or economically restrict the Honolulu resident's use of their waterfront park in Waikiki.

"The leasing of submerged lands may be subject to the court ordered moratorium as submerged lands are also considered ceded lands.

3) Public Safety would be jeopardized if commercial vessels were allowed to moor at the harbor

"Related to the previous point, if you let "big boats" into the small boat harbor, paddlers, surfers, free divers, and others may be in danger. There simply is not enough room to accommodate the added road traffic. There may be less people able to enjoy the harbor if their safety is not protected.

4) Commercial Vessels would bring Noise & Toxic Fumes to the surrounding community

"The neighborhood cannot accept the additional noise at all hours of the day and night.

"Trucks delivering food and drink plus trash trucks, tourist buses, trolleys, cabs and other hotel traffic compete for this space and leave their noise and filth behind. To add commercial noise and traffic at this part of the Ala Wai would be an irresponsible action.

"Residents at the nearby Ilikai Marina have testified that, even now, the sounds of some of the small boats can be upsetting when the various noises mentioned above are heard. The sounds of a commercial boat engine can be heard when large boats come to re-fuel at the dock.

"Additionally, the smell of the fuel used, and the crew getting all those boats fit for sea, is not appropriate for a residential area."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 980, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECREATIONAL RENAISSANCE," passed Third Reading by a vote of 45 ayes to 4 noes, with Representatives Berg, Brower, Coffman and Hanohano voting no, and with Representatives Nishimoto and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 936) recommending that H.B. No. 378, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 378, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. This is in regards to the Department of Transportation, the International Airport, and our airport security contracts.

"Mr. Speaker, it's a bit befuddling that we have to have non-bid contracts, or contracts by negotiation at the airport. Two reasons for that. During the hearing in Finance, it became very obvious that what was intended to be protected, rather than open competition, were Homeland Security secrets.

"Now, if a company is going to bid for a contract at an entity as big as the Honolulu Airport, they're not going to be the small 'mom and poppers' that we have guarding a couple acres of land. These are the 'big boys.'

"So, those who are bidding for this, either had it here, or have had experience on the mainland. And to put a negotiation, rather than an open competition to save taxpayers money, and do as we do with usual procurement seems highly, highly unusual, Mr. Speaker.

"So, I stand here saying, are you sure we want to go down this line? Because every other place has procurement, procurement, procurement. This is saying, negotiate it and do it. And I think for these proprietary things, it's a little bit of a 'boogie man.' Thank you."

Representative Evans rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in support. I just want to point out for Members, that in the purpose section of the bill, it clearly states it is problematic to require the Department of Transportation to follow the pre-September 11, 2001 practice of publicly bidding and awarding security contracts at Hawaii's airports, as the Department of Transportation is prohibited from disclosing numerous federal requirements to companies bidding on the contract.

"If you go out to bid, and don't disclose all the requirements, it's just setting you up for a protest. So, I think this is a reasonable thing to move forward and continue discussion. Thank you."

Representative C. Lee rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I just vote with reservations, please. I believe DOT was opposed."

Representative Ward rose to respond, stating:

"Mr. Speaker, a brief retort. I think, in response to what otherwise we always put in the preamble, things that make the bill sound like it's really necessary. Those who are bidding for this have been there and done that.

"If there can be data showed to me that says that these are neophytes, small guys who don't know their way around since 9/11, 2001, I would gladly concede. But, the point is, they've been there, they've done that. This thing about proprietary interests, that's how the CIA and other untoward things happen, because this is top secret, we can't tell you about it, and it ends up doing a lot of spoilage, and I think our airports shouldn't be spoiled. Thank you."

Representative Keith-Agaran rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"I rise to speak in opposition of HB 378, HD1, that will allow the Department of Transportation (DOT) to obtain security services at Hawaii's airports by negotiation and not through a bidding process.

"This bill is not necessary due to the procurement law in Chapter 103D authorizing the State Procurement Policy Board to allow DOT to procure services when it believes it is appropriate, to ask for a waiver or change from the usual sealed bid requirements. The language of this bill would mandate DOT to negotiate the contract. Additionally, it does not address procedures for handling sensitive information without compromising security.

"Therefore, I oppose this bill."

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 however, with reservations of H.B. 378 - The proposed bill allows the Department of Transportation to hire and award security contracts by negotiation and not through a bid. Due to security reasons, contract bidders are unable to see the imposed requirements and confidential matters prior to bidding on a contract. As a result, the winning bidder is unaware of the additional cost factors, causing a contractor to be in a position to either default or cut back on services to meet the added costs imposed by federal requirements.

"The DOT understands the intent of this bill, and appreciates the legislative acknowledgement that these requirements pose unique challenges to the procurement process. The reservations held by the DOT are due to adopted rules that are comparable to this bill.

"We must always remember that security needs to come first. With cooperation from the DOT and slight amendments, this bill can be beneficial to both security contract bidders and to the security of our airports. 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. 378, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 35 ayes to 14 noes, with Representatives Belatti, Berg, Brower, Finnegan, Hanohano, Keith-Agaran, Marumoto, Morita, Pine, Saiki, Takumi, Thielen, Wakai and Ward voting no, and with Representatives Nishimoto and Takai being excused.

At 5:03 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1097, HD 1
H.B. No. 1666, HD 1
H.B. No. 1271, HD 3
H.B. No. 1378, HD 2
H.B. No. 980, HD 2
H.B. No. 378, HD 1

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 937) recommending that H.B. No. 681, HD 1, pass Third Reading.

Representative B. Oshiro moved that notwithstanding the recommendations contained in Standing Committee Report No. 937, that H.B. No. 681, HD 1, be recommitted to the Committee on Finance, seconded by Representative Evans.

The motion was put to vote by the Chair and carried, and H.B. No. 681, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," was recommitted to the Committee on Finance, with Representatives Nishimoto and Takai being excused.

At this time, the Chair stated:

"Members, on page 37, we're going to take out of order, Standing Committee Report No. 946. House Bill 215, House Draft 2."

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 946) recommending that H.B. No. 215, HD 1, as amended in HD 2, pass Third Reading.

Representative Karamatsu moved that notwithstanding the recommendations contained in Standing Committee Report No. 946, that H.B. No. 215, HD 2, be recommitted to the Committee on Finance, seconded by Representative Ito.

Representative McKelvey rose to speak in support of the motion to recommit, stating:

"Thank you very much, Mr. Speaker. I speak in support of the recommittal. While well intentioned, this bill has many flaws and *pukas* and question marks on it. So I applaud the Chair and the Vice Chair for recommitting this bill and working on it, so that we can move forward with a very clean and powerful measure to address the issues in the measure. Thank you."

Representative Pine rose to speak in support of the motion to recommit, stating:

"I stand in strong support of the recommittal. The bill as written is not ready, and it would have allowed the pay to play system of the past to be re-instilled."

Representative Saiki rose in support of the motion to recommit 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 support of the motion to recommit H.B. 215, H.D. 2 ("H.D. 2") to the Committee on Judiciary ("JUD") because it is premature for this Body to vote on this legislation.

"The alternative to recommitting H.D. 2 to JUD was the prospect of facing a Floor Amendment that would have amended provisions regarding corporate contributions and nonresident contributions, as described in the cover sheet to Floor Amendment No. 4 (see below). Recommittal was deemed appropriate because it will afford JUD and this Body additional time to analyze the proposals in the Floor Amendment. The proposals aim to decrease the aggregate cap on corporate contributions from $50,000 to $25,000, and to close several loopholes.

"The first loophole would un-do any cap on corporate contributions because H.D. 2 limits a company's contributions made from its "treasury" under section 11-JJ(b)(1). It is unclear what "treasury" means. A narrow interpretation of "treasury" would result in companies making unregulated contributions (i.e., contributions that exceed the aggregate of $50,000) from "non-treasury" sources. The Floor Amendment would have made clear that contributions from "companies" as opposed to "treasuries" are subject to the cap.

"The second loophole would allow corporate PACs that are formed outside of Hawaii to make unlimited contributions to Hawaii campaigns. This is because H.D. 2 deleted the phrase "including a noncandidate committee organized under the laws of another state and whose participants are not residents of the state" from section 11-00(a). The Floor Amendment proposed that this phrase be reinserted into the statute.

"The third loophole would have restricted application of the 20% out-of-state contribution limit only to campaigns for public offices with two-year terms. The limitation would not have applied to those with four-year terms. This is due to the use of the term "two-year election period" in section 11-00(a). The Floor Amendment proposes that the term be revised to read "election period."

"Recommittal is appropriate because JUD will now have additional time to analyze these matters and incorporate new language into H.D. 2. Thank you."

Representative Saiki also submitted the following:

FLOOR AMENDMENT No. 4

HOUSE OF REPRESENTATIVES

AMENDMENT TO: H.B. No. 215, H.D. 2

OFFERED BY: Representative Lyla Berg

DATE: March 10, 2009

SECTION 1. H.B. No. 215, H.D. 2, RELATING TO CAMPAIGN FINANCING, is amended by amending section 11-JJ(b)(1) of section 2 to read as follows:

"(b)(1) No person shall make contributions to a noncandidate committee in an aggregate amount greater than $2,000 during a two-year election period; except that a company contributing to the company's established noncandidate committee shall be limited to an aggregate amount of not more than $25,000 in any two-year election period."

SECTION 2. H.B. No. 215, H.D. 2, RELATING TO CAMPAIGN FINANCING, is amended by amending section 11-OO of section 2 to read as follows:

"§11-OO Contributions limited from nonresident persons. (a) Contributions from all persons who are not residents of the state at the time the contributions are made, including a noncandidate committee organized under the laws of another state and whose participants are not residents of the state, shall not

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exceed twenty per cent of the total contributions received by a candidate or candidate committee for each election period.

(b) If the candidate or candidate's committee returns or refunds a contribution or contributions that exceed twenty per cent of the total contributions received during an election period within thirty days of the last day of the reporting period for the election period, the candidate and candidate committee shall not be in violation of this section.

(c) This section shall not be applicable to contributions from the candidate's immediate family."

CARRIED FAILED TO CARRY WITHDRAWN

CHIEF CLERK, HOUSE OF REPRESENTATIVES

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The motion was put to vote by the Chair and carried, and H.B. No. 215, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCING," was recommitted to the Committee on Finance, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 938) recommending that H.B. No. 963, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 963, HD 1, pass Third Reading, seconded by Representative Evans.

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 stand in support of HB 963, HD1: Relating to Works of Art Special Fund.

"Given our current economic situation, this measure provides an alternative source of funding for two very important cultural institutions in the State without committing any general funds. The Hawaii State Art Museum is very much like the Bishop Museum and Iolani Palace, yet all three concentrate on different time periods as reflected in their respective collections. I fully support using the Works of Art Special Fund to provide much needed assistance to these two noteworthy organizations.

"Thank you, Mr. Speaker."

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. The measure helps to ensure that our Hawaiian works of art will be properly cared for through additional funding that is long overdue. Recipients Bishop Museum and Iolani Palace representatives were present in the wee hours of the morning to provide testimony in person – a symbol of just how important this measure is and means for them. At a time when we are experiencing financial challenges, I am sure that we all recognize the importance of these two entities and how the palace and the museum cannot be replaced and must be preserved for the benefit of future generations."

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 963 - Relating to Works of Art Special Fund. The proposed bill allows expenditures from Works of Art Special Fund for acquisition of works of art for the Bishop Museum and Iolani Palace. By extending the works of art special fund to support the Palace and the Museum, the two institutions will have greater financial resources to support their important work, adding to the significant value of the culture of Hawaii. This will lead to an increase in the numbers of people who will have access to these worlds and the funds generated.

"The Historic Hawai'i Foundation has expressed the utmost support stating that. 'besides being a public benefit in its own right, the investment in these important historic and cultural resources will also serve a general economic development goal.' Studies made by the Travel Industry Association of American have reported that heritage and cultural tourists consistently stay in a tourist destination longer and spend more money than other types of travelers.

"By allowing expenditures for the Bishop Museum and Iolani Palace, this bill would lead to the enjoyment of these institutions by both visitors and *kama'aina.* By supporting these institutions, we will be contributing to the preservation and showcase of Hawai'i to visitors and locals alike. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 963, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKS OF ART SPECIAL FUND," passed Third Reading by a vote of 49 ayes, with Representatives Belatti and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 939) recommending that H.B. No. 819, HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 819, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Pine rose to speak in support of the measure, stating:

"Yes, I'd like to speak in support of SCR 939, Relating to Crime. This is the bill otherwise called 'Karen's Law.' And I want to speak the best that I can for the family that asked the Legislature to bring this here, today. This bill was brought forth because a woman in my district, Karen Ertell, was raped, and brutally murdered, and robbed, by a 15 year old. And so, what I'm going to read to you today is just to explain why this was brought here. This is testimony from Karen Ertell's boyfriend, and what happened to them in the Judicial System. Because the juvenile was under 18, special processes had to take place in the family court system to decide whether the juvenile was tried as an adult or not.

"Kevin says, 'I cannot describe to you the daily pain and anguish that Karen's family and I, and loved ones have endured since her murder. This anguish turned into weeks, then months, and now almost two years. Yet, there's still no real trial regarding the murder. In the family court, we endured eight delays and postponements, as the legal wheels turned

painfully slow, before the judge finally made a decision to waive jurisdiction and move the case to adult court.'

"This took nearly 18 months, just to decide that this person that raped, and murdered, and robbed Karen Ertell, would be tried as an adult or not. This not only put Karen's family through hell, but it cost an incredible amount of taxpayer dollars.

"Karen's daughter, Malanie McLellan wrote in her testimony:

I found my mother's body when I was 9 months pregnant with the grandson that she will never meet. She was brutally attacked, raped, beaten, robbed and finally strangled to death. The police described the attack as "very well planned, very well executed and very well covered up." These are not actions of a child but of a mature minded juvenile who will now face trial as an adult.

It took 15 long months before it was even determined whether her killer would be tried as a juvenile or as an adult for these crimes. These 15 months were long and horrible. Day after day wondering when and if justice would be served. I would not wish this on anyone. It felt like we had been victimized over and over again, only this time by the Judicial System. The waiver hearing system in place for juveniles works for petty crimes but is not efficient for heinous crimes like 1st and 2nd degree murder. It's an enormous waste of taxpayer money.

Some opponents to this bill argue that the juvenile may have some mental health issues in these cases but that's a moot point. Adults also have mental health issues in murder trials and those circumstances are taken into account regardless of whether it is a juvenile or adult case. The individual who committed the crime would still be allowed a fair trial, due justice, and a chance to prove their innocence or guilt, and will also have a chance to present their own unique circumstance to a judge or a jury.

We're not talking about children. We are talking about 15 to 17 year olds who know right from wrong. What will it take before Hawaii sends a message that premeditated murder will not be tolerated?

My mother's killer told his father and the police that part of the reason he kept up his criminal behavior, 10 felony arrests before this, is because he knew he could get away with it.

"Mr. Speaker, it took five separate family court hearings just to decide whether the juvenile was tried as an adult. That's five separate times that the family had to go into court, and again, see the alleged murderer of their mother, again tell their story how many times that they found their mother's dead body."

Representative Finnegan rose to yield her time, and the Chair "so ordered."

Representative Pine continued, stating:

"The bill you have before you is not necessarily the bill that the family wanted. But, I think that the Human Services Committee and the Judiciary Committee really thought long and hard about this.

"Just think about both the potential juvenile who is an alleged killer, and not convicted yet, but also, why this bill was brought forth. The family is suffering because of our laws in the Judicial System. So, what the Judiciary Chair did, was amend the bill to allow the juvenile to go instead to a Circuit Court. Because, what we discovered through all these different hearings from prosecutors was, because of the secrecy of the family court, all of the times that the family had to give evidence and tell their testimony, and the prosecutor's time, and the public defender's time, the police's time.

"All that was gathered, all the information, in the Family 'secret' Court, could not be used in this next trial that they're going through. So, they decided to transfer to the Circuit Court, so at least the judge can share information with another judge, and things would not be duplicated, thus allowing the family to spend less time on their suffering, and more time just recovering.

"They also added to the measure, Mr. Speaker, that if anything is found that's incorrect, or if the juvenile is found to have mental problems, it would allow them to go back to the juvenile court. So, there's multiple checks and balances in this bill, Mr. Speaker, and I urge the Members of the House, on behalf of the family, to consider other families who also may suffer from the same fate."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support, and I ask that the words of the Representative of Ewa Beach be entered as my own. Thank you. Mr. Speaker, Karen Ertell was a close friend of mine. Karen Ertell called me a week before she passed, and I would not be doing this bill or this Legislature any justice if I didn't express that Karen could have been anyone here in this Chamber, because she was quite a businesswoman, she was very smart, she was not naïve, and to own a coffee roasting company, boy, that's hard work. She was doing a lot of things, any she could really be anyone here, anyone you might meet on the street. And, I just need to say that because sometimes I think she's been portrayed as someone who was maybe at the wrong place, at the wrong time; even portrayed as a little naïve. She was not. She was strong, and she was a highly contributive member of our community.

"So, I'm hoping that this bill passes."

Representative Wakai rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. Here, we have a 15 year old boy, Vernon Bartley, who robbed, murdered and raped a woman. This is a vile young man. I'm all for rehabilitating our children who make bad decisions, but there are some kids who should never be given an opportunity to prey on society a second time.

"Despite the fact that the waiver law has sent dozens of juveniles to adult prison, there was a notorious case where the forgiving legal system allowed a child killer to grow up to be an adult predator. In 1990, John Sua was 15 years old. He shot and killed a 24 year old Navy man and wounded two others in a Waipahu bar. Due to his age, he was not eligible to be waived to adult court.

"On his 19th birthday, he was released from the Youth Correctional Facility. Within months of his release in 1994, John Sua put a blade in the neck of a Waipahu man. Today, that victim remains paralyzed from his neck down. Sua was convicted of attempted murder, and sentenced to a life term, with the possibility of parole.

"During my former days as tv reporter, I interviewed the victim at a nursing home. He was on a ventilator and will never leave that hospital again. He was angry that justice was never served during John Sua's days as a juvenile.

"And, for the safety of our community, we cannot let another Vernon Bartley or John Sua hurt our neighbors. Thank you, Mr. Speaker."

Representative Rhoads rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with reservations. Juveniles do commit horrible crimes, and my heart goes out to the family and to the victim, but it's not clear to me why we would only apply these to the most egregious crimes, when juveniles commit lots of other crimes as well, that can also be very hurtful to people.

"So, maybe there's some data to support doing it just for the most egregious crimes, but it seems to me like, if anything, we should be looking at a broader range, because even if a juvenile just beats somebody up, that can scar them for life, both physically and psychologically. So, it's just not clear to me where to draw the line on this, and that's why I have reservations about it. Mahalo."

Representative Wooley 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."

Representative M. Lee rose in support of the measure with reservations and asked that her written remarks, and the remarks of Representative Rhoads be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative M. Lee's written remarks are as follows:

"I rise in support with reservations on this measure, which would mandate that minors age 15-17 be tried as adults in cases of first and second degree murder. Although I am an advocate for the rights of victims, I am not certain that individuals at age 15 have the same capacity to deal with emotionally charged issues as adults. Some discretion must be left to the court in such cases. The length of time it takes to decide whether or not trial as an adult is appropriate. Clearly not every case is such.

"In addition, I agree with the statement of the Representative from Chinatown. Mahalo."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In strong support, and may I have the comments from the Representative from Iroquois Point/Ewa Beach entered into the record as if they were my own? And just some brief additional comments. I too was concerned about the idea that the juvenile will be remanded to an adult correction center, and be confined to lockup. Because of protective custody, I just hope as this bill moves to the Senate, that maybe they will look at adopting the California model, whereby the juvenile serves their time in the youth correctional system until they're 18, and then they are remanded into the adult correctional system. Thank you."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Mr. Speaker, I think some of the Founders of this nation said, 'justice delayed is justice denied,' and I think that's the whole process of why this the ethos of the bill, for the sake of the family, and for all of the others who have been postponed and postponed, as if the system doesn't care about what happened to them.

"It's important to protect the rights of everybody, but the fact is, that these young men are as virile, and as violent as any man, grown or otherwise is. And to think that their capacity, in fact, there was a matter of weeks ago, someone who was eight years old, who killed one in his family.

"So, the fact that this category is there, I think is very apt that we are looking at this bill, and at this particular time. 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. 819, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Third Reading by a vote of 42 ayes to 7 noes, with Representatives Berg, Hanohano, Luke, Morita, Nakashima, Saiki and Takumi voting no, and with Representatives Belatti and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 940) recommending that H.B. No. 690, HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 690, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations. Mr. Speaker, this measure requires insurers, mutual benefit societies, and health maintenance organizations that offer healthcare coverage to the regular employees of any group or association to offer the same coverage to part-time employees working at least 15 hours per week.

"Mr. Speaker, my concern is that, when you have legislation like this, and it's mandating to offer, and I understand that the part-time employees will be paying for the full cost of the insurance, according to this bill. But, my concern has to do with adverse selection issues, and should those who are the sickest choose to take this coverage, that it could make premiums higher for everyone else. Thank you."

Representative Herkes rose to speak in support of the measure, stating:

"In support. As far as the previous speaker's concerns, we're trying to deal with that, by making sure that there is a certain percentage of those people that take the plan. They have to have some length of service, and they can't opt in and out. 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. 690, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 49 ayes, with Representatives Belatti and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 947) recommending that H.B. No. 311, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 311, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations. The only thing that I have some concerns on, this is a bill relating to liquor, is that we should also have a sunset date, so that we don't provide an incentive for companies to not pay their taxes when the economy is good. 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. 311, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Third Reading by a vote of 49 ayes, with Representatives Belatti and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 948) recommending that H.B. No. 645, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 645, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Thielen 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 Thielen's written remarks are as follows:

"Mr. Speaker, I rise with reservations on HB 645 HD 2, relating to Kaena Point.

"The bill creates a two-year pilot program to license overnight fishing there.

"The problem that has arisen is how to tell the difference between the homelesss who fish and the fishers who camp. The solution has become a $120 license, along with the requirement that the licensed fishers report any illegal activity to the Department of Land and Natural Resources, including reporting on those homeless who camp overnight without fishing.

"This bill is just going to cause confusion.

"The campers who fish, the fishers who camp and those overnight on the beach illegally will be a tough group for the DLNR to sort out. This could dramatically increase the cost of patrolling this area over the next two years, while doing little to increase safety there.

"For these reasons, I have reservations about HB 645 HD 2, relating to Kaena Point."

Representative Magaoay rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support with brief comments. The reason we have this bill right now, it's a balance between the fishermen and saving our *aina* that we have in Kaena Point. I really appreciate the Vice Chair of Water, Land for offering a compromise on the bill, which basically permits them to fish.

"But, even with the compromise that she had for fishing, whether they had to have a permit, the fishermen are still not happy right now. So, basically, what's happening right now, DLNR has a task force, and hopefully this bill is a work in progress. Hopefully, there's some resolution that we can have, to basically look at the fishermen. Right now, the biggest problem is, we have the fishermen who say that they like to fish, but there is no place for them to fish. 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. 645, HD 2, entitled: "A BILL FOR AN ACT RELATING TO KAENA POINT," passed Third Reading by a vote of 49 ayes, with Representatives Belatti and Takai being excused.

At 5:24 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 963, HD 1
H.B. No. 819, HD 2
H.B. No. 690, HD 2
H.B. No. 311, HD 1
H.B. No. 645, HD 2

At 5:24 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 5:26 o'clock p.m., with Vice Speaker Magaoay presiding.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 951) recommending that H.B. No. 1692, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1692, HD 2, pass Third Reading, seconded by Representative Chong.

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:

"HB 1692 provides for a 5 year limit of tenancy in public housing.

"Mr. Speaker and colleagues, there are 14,000 people awaiting to get into public housing. Poverty can be passed on through many generations, unless the causes of poverty are addressed. By allowing families to prolong their stay in public housing generation after generation is condoning the cycle of poverty.

"HB 1692 provides the "stick" part of the process. By making a clear boundary that, unless the person is eligible for veteran, elderly, or disabled housing, able bodied individuals will be required to become motivated to overcome barriers and escape poverty.

"Without this provision of limitation of stay, public housing in itself will incentivize and encourage poverty.

"Able bodied people generation after generation will be afraid to move on to market homes because they got it made.

"Mr. Speaker, with these economic times, we need to service more people and provide for equal access and opportunity. Not because you got in first, you can stay there as long as you want.

"Mr. Speaker, we can no longer do business as usual – we need to move, just like the tenants in public housing."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1692, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 49 ayes, with Representatives Manahan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 953) recommending that H.B. No. 1439, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1439, HD 1, pass Third Reading, seconded by Representative Chong.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations on this particular measure. The purpose of this bill is to make various amendments, shaping the purpose and application of the Life Settlements Act, which established consumer protections in life settlement transactions. Or, otherwise called STOLIs, this is Stranger Originated Life Insurances.

"I just wanted to make a short comment, and I think through reading some of this, that it sounds like it weakens some of the consumer protections. 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 however, with reservations of H.B. 1439 – Relating to Insurance. I am concerned this bill might undermine the life insurance market, especially for senior citizens. Life insurers have increasingly found ways to make life insurance available and affordable to senior citizens, who want to secure the financial future of a child or other family member.

"The Department of Consumer Affairs is concerned with the following issues:

1. Section 2 of the bill makes clear that a life insurance producer does not need a separate license as a life settlement broker. This would make it harder for the Insurance Division to keep track of the life settlement marketplace because our database is based on licensing. Merely notifying us of the onset of activity does not give us a good basis for monitoring the continuation or cessation of that activity. If the intent is to regulate life settlement transitions, this charge makes it harder to do.

2. Section 6 of the bill removes the requirement for the consumers to receive disclosure of the broker's compensation. Although disclosure of broker's compensation does not happen in all lines of business, it is helpful in this context where the transaction dollar amounts very large. The disclosure of broker's compensation in the real estate brokerage transaction provides an analogy.

"Should this growing market be impaired due to high and inappropriate claims, the real victims of STOLI could well be those senior citizens who have legitimate needs for life insurance. Thank you."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1439, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 49 ayes, with Representatives Manahan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 954) recommending that H.B. No. 593, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.B. No. 593, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SHORELINE SETBACKS," passed Third Reading by a vote of 49 ayes, with Representatives Manahan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 955) recommending that H.B. No. 982, HD 2, as amended in HD 3, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 982, HD 3, pass Third Reading, seconded by Representative Chong.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations, and just short comments in regards to this bill. Thank you. My concern is just that DLIR is one of the areas in which they were just cut to the bone, and just wanting to preserve them from not having new work, even though I know this is an important issue. Thank you."

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure. Many family caregivers remain in the workforce, even while providing care to loved ones at home, where they are often the most experienced and valued employees. The ability to take short periods of leave during acute episodes where their presence is needed to provide assistance would enable them to stay in the workplace until retirement, assuring them of adequate retirement benefits. Many now must leave early, making their own retirement uncertain.

"This measure is the first step to building a system of wage replacement benefits for families who are balancing work and eldercare. Before paid family leave is established in Hawaii, data showing the need would be valuable in estimating cost and utilization. Collection of data must apply to both private and public sector employees in order to get a complete picture of what would be required to best help family caregivers.

"Current Family Medical Leave legislation is insufficient:

- Only 55% of all employees are covered and eligible under the Family medical Leave act to guaranteed unpaid family leave for certain medical situations.
- Over three-quarters of those who needed leave but did not take it said this was because they could not afford it.

"There is no provision to provide leave to caregivers.

"Paid Family Leave could save money—it is not a budget buster

- Paid family leave could reduce the amount of taxpayer money that goes to welfare, unemployment compensation, food stamps, and other public programs.
- Nine percent of FMLA leave-takers were forced to turn to public assistance to help cover the wages they lost as a result of taking family or medical leave. Of women leave-takers, this percentage was even higher: 12%
- Paid family leave helps employers retain valued employees. Ninety-four percent of leave-takers who were fully paid, (compared with 73.8 percent of those who were partially paid and 76.5 percent of those who were not paid at all) returned to their same employer after taking leave.
- Those who care for family members provide a tremendous economic asset to our state.

"The bill includes private employers and employees in the scope of the collection system. It also includes appropriations from the Disability Benefits Special Fund and changes the expending agency from the University of Hawaii to the Department of Labor and Industrial Relations.

"As our community ages, more people will become caregivers. We need to help them do what they do—and also make sure they are able to build assets for their own retirement. This bill would help us prepare for the future."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 982, HD 3, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed Third Reading by a vote of 49 ayes, with Representatives Manahan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 957) recommending that H.B. No. 1567, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.B. No. 1567, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SKILLED NURSING FACILITIES," passed Third Reading by a vote of 49 ayes, with Representatives Manahan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 959) recommending that H.B. No. 1098, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1098, HD 2, pass Third Reading, seconded by Representative Chong.

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. 1098, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," passed Third Reading by a vote of 49 ayes, with Representatives Manahan and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 960) recommending that H.B. No. 1289, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1289, HD 2, pass Third Reading, seconded by Representative Chong.

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Wooley 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. 1289, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Third Reading by a vote of 49 ayes, with Representatives Manahan and Takai being excused.

At 5:30 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1692, HD 2
H.B. No. 1439, HD 1
H.B. No. 593, HD 2
H.B. No. 982, HD 3
H.B. No. 1567, HD 2
H.B. No. 1098, HD 2
H.B. No. 1289, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 962) recommending that H.B. No. 1693, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1693, HD 1, pass Third Reading, seconded by Representative Evans.

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:

"The number one quality of life issue for Ewa residents is traffic congestion. This is a fast-growing region, so it is crucial that we ensure that the Ewa Development plan includes important features that will safeguard the infrastructure, open space and environmental and historic preservation of this region."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1693, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WEST OAHU," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Berg and Coffman voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 964) recommending that H.B. No. 1538, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1538, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, standing in strong support. Also to support my Vice Chair. 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. 1538, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTALLY-SENSITIVE PRODUCTS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 965) recommending that H.B. No. 1686, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1686, HD 2, pass Third Reading, seconded by Representative Evans.

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 HB1686, HD2: Relating to Charter Schools. This bill recognizes the difficulty that non-profits (501-C-3's) and Charter Schools are having in raising funds for facilities or operations.

"This bill also allows the Charter schools greater flexibility to seek additional means of funding besides State general funds. For these reasons, I support the bill."

Representative Bertram rose to speak in support of the measure with reservations, stating:

"With reservations and just a few comments. The Charter Schools, when they've been asked about their funding, and how to arrange for it in a better way have just said, 'Why don't we just follow the current law,' which has never happened. So, I'm not even sure exactly what this does, but I would prefer that we actually make the current law work."

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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1686, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 966) recommending that H.B. No. 1174, HD 2, as amended in HD 3, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1174, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Berg rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition, and I would be remiss if I didn't have a few moments to say something about this. Thank you. This is HB 1174, and as I've shared with you before, my concern is setting precedent for the lessor, to the lessee to determine the terms of its lease with the lessor, which is BLNR.

"The more I look into this, the more I am convinced that there is probably something else going on than what meets the eye. And, my basic concern at the moment is that the University has enjoyed $16 million annually, according to their report from the Board of Regents in 1994, for the benefits of using Mauna Kea. And, in 2001, they admitted to the Legislature that the work conducted on Mauna Kea earned at least $8 million a year, just from patent lease contracts with defense contractors, with a couple of companies. So, I'm wondering why we need to continue this discussion, because, for 30 years, the University has allowed foreign telescope owners to use State lands on Mauna Kea, for profit, without charging fair market rent required by our Hawaii Revised Statutes.

"In this current bill, at the moment, there is nothing that mentions the comprehensive management plan that was proposed in January of 2009. It seems that this is a very obvious way for the University to gain control of ceded lands. They want to set up a special management fund, that, although there is an amendment here that was made, gratefully, to allow public participation, or public knowledge in that process. The management fund, according to the Auditor, there's no linkage that exists

between the legislative appropriations that go into that fund, and the benefits that are sought.

"In addition, according to the Auditor's report, an estimated revenue and expenditure information regarding this fund is not known at this time. It gravely concerns me that we're willing to push this through, and who knows what the Senate is going to do, or where the Senate is putting this particular measure.

"I really urge my colleagues to be discerning, as this continues, because while on surface, it may seem like it's a good idea to have the University control and enforce and create all of the rules that enable Mauna Kea to be managed correctly, since the BLNR evidently is not doing it, there is more that goes unspoken. And, the ceded lands issue, as we've been talking about, limiting public access, to say nothing about the cultural values. I request the opportunity to insert more comments also. Thank you, Mr. Speaker."

Representative Berg's written remarks are as follows:

"Mr. Speaker, I rise to speak in opposition to HB 1174 HD 2.

"This bill would grant the University of Hawaii explicit authority to adopt rules regulating access to and use of Mauna Kea. Mauna Kea is ecologically significant and culturally sacred lands and with this bill, the Administration is seeking to transfer ceded lands protected by the public lands trust from the DLNR to the UH. It is the exact same type of land transfer deemed illegal by the Hawaii Supreme Court in January 2008 in OHA vs. HCDCH. Ceded lands are the lands improperly taken from the Hawaiian Kingdom during the overthrow in 1893 and transferred to the State of Hawaii at statehood on the condition that these lands were held in trust. In addition to violating the Hawaii Supreme Court's injunction against the transfer of ceded lands, this bill would also undermine the State's authority over public trust lands by handing over management authority to the leaseholder. Since when is it good business to allow a leaseholder to determine the conditions of the lease, let alone the use of the leased land?

"For 30 years, the University has allowed foreign telescope owners to use the State lands of Mauna Kea for profit without charging the fair market rent required by the Hawaii Revised Statues sec. 171-17 and 18. This means that not only has the University profited, but the foreign corporations that own and operate telescopes atop Mauna Kea have also profited from the use of our state lands at the expense of Hawaii taxpayers, while only paying $1.00 per year in lease rent to the State. Unfortunately, HB 1174 HD 2 doesn't require compliance with State law, payment of back-rent or provide any relief to the taxpayers. In fact, the University is proposing to establish a special fund that would allow the University to divert all of the revenue collected from the use of Mauna Kea lands away from the general fund altogether! Since when is it good public policy to allow one of our state entities to have carte-blanche, with no oversight, on the monies that are in deposited into a State special fund?

"Rather than allow the University to further burden the people of Hawaii, we should require a financial audit of all telescope activity currently conducted on the summit of Mauna Kea. Only in this way can the State accurately assess the value of the University's astronomy program and determine how best to balance the financial needs of the University, the fragile natural and cultural resources of the mountain, the obligation to the tax-payers of Hawaii, and the valid concerns of the Native Hawaiian community.

"I believe, Mr. Speaker, that passing this legislation will be detrimental to the citizens of Hawaii, will undermine the State's fiduciary responsibility to steward the ceded lands of Mauna Kea, and will set precedent regarding the relationships between leasee and lessor that will compromise Hawaii in the long-run.

"For these reasons and others, I rise in opposition of HB 1174 HD2 and ask that my colleagues consider the same."

Representative Chang rose to speak in support of the measure, stating:

"Thank you. In support. I believe we all agree that Mauna Kea, particularly the summit region, is a special place. One of the most culturally, spiritually, and archeologically significant places to Native Hawaiians. It is important to understand the land classification system and agencies responsible for managing the lands to protect the resources.

"Two of the major land designations falling within the jurisdiction of the DLNR are the Forest Reserves and Natural Area Reserve lands. A third classification, the Mauna Kea Science Reserve was created in 1968. Over 40 years ago, when it was removed from the Forest Reserve by the Board of Land and Natural Resources, the Land Board, and leased to the University for 65 years, to be used as a scientific complex.

"Since 1968, there have not been any administrative rules adopted to specifically cover uses within the Mauna Kea Science Reserve.

"The bill complies with the State Auditor's 1998 and 2005 reports calling for the University to develop and promulgate administrative rules to regulate and enforce activities, within the Mauna Kea lands, as it leases from the DLNR, and protects its unique cultural and natural resources.

"That highly critical report spurred the University to develop and adopt the 2000 Master Plan. This plan transferred management of the summit from the Manoa campus to its rightful place, the UH Hilo campus, and its Chancellor. That plan established a new management body, the Office of Mauna Kea Management, whose mandate used to protect and preserve the natural and cultural resources, and sanctity of Mauna Kea. This Board, in turn, is advised on cultural issues, by the Kahuku Mauna Council, made up of members of the community, selected for their knowledge of the mountains management issues, and sensitivity to Native Hawaiian culture, with community input.

"A lot of positive things have taken place since the 2000 Master Plan. The establishment of the ranger program, studies and surveys to establish baseline inventories of resources. In particular, the archeological sites and habitat, and life history of the *wekiu* bug. Most important, the establishment of a community based management agency on Hawaii Island.

"The Mauna Kea Ranger Corp. was established to monitor activities on the mountain and advise visitors regarding appropriate behavior. While these rangers have made a significant difference, this bill would give them the necessary enforcement authority, designed to protect the resources and visitors' health and safety.

"This bill holds the University accountable, and gives an opportunity to work together with the Office of Hawaiian Affairs, in a mutual capacity to protect the cultural resources.

"Today, the University is in the final stages of completing the Mauna Kea Comprehensive Management Plan, and this bill has nothing to do with that management plan that would serve as the guiding framework for protecting and preserving the cultural and natural resources.

Representative Nakashima rose to yield his time, and the Chair "so ordered."

Representative Chang continued, stating:

"The University will be seeking the Land Board's approval for the CMP, which will require the University to carry out a variety of oversight and management functions and responsibilities. Having rule making authority will enable the University to more efficiently carry out these CMP functions and responsibilities.

"This bill also provides a system to establish fees, fines, and other charges related strictly to public and commercial activities, and the direct use of moneys, collected for the management, and protection of Mauna Kea. Just as the CMP is designed to continually evolve and improve the University's ability to fund any measure or activities to implement such improvements, needs to be assured and preserved.

"Contrary to what some opponents of this measure have said, this legislation does not seek to transfer ceded lands out of the Public Land Trust. It will remain in the public trust, and subject to any future potential claims by Native Hawaiians, or a federally recognized Native Hawaiian sovereign entity.

"Some have also said this legislation allows the University to limit public access. On the contrary. This legislation, and the CMP on which it is based, proposes to preserve and protect valued cultural, historical and natural resources, including traditional and customary practices, as required under the Hawaii State Constitution.

"There is no provision in this bill, or the CMP, to charge fees to access Mauna Kea or to advocate future telescope development. Simply put, this bill would implement the State Auditor's recommendations and management practices, described in the CMP. This legislation will allow the community greater control to public review and input process of Chapter 901. This bill ensures the Hawaii Island community their rightful voice in establishing rules for protecting one of our island's most sacred and historical treasures."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I have a ruling on a potential conflict. At my law firm, I am one of the attorneys representing the plaintiffs that have sued UH and the Board of Land and Natural Resources over there," and the Chair ruled, "no conflict."

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Hanohano rose to speak in opposition to the measure, stating:

"Mahalo ka ha'i 'ōlelo.

"E kū iluna au i ke koho ana no kēia pila no ka hale maka'āinana 'umikūmākahi kanahikukūmāhā, 'A'ole.

"'O kēia pila e hā'awi Ke Kula Nui 'O Hawai'i ke kuleana no ka hana no ka lula kanawai e pili ana no Mauna Kea no ka po'e āpau.

"'A'ole pono kēia pila. 'O ke 'Oihana 'Āina Kūpono Kumu Waiwai 'oia hō'ike ke'ena pono i hana ka lula kanawai e pili ana no Mauna Kea. 'O kēia ke'ena 'a'ole lākou e hō'ike ko lākou ha'i mana'o no kēia pila. 'Ua hāmau lākou. No ke aha mai? No lākou no kēia hana lula kanawai no ka mea no lākou ka pau lehia e pili ka mālama 'āina.

"E ho'opaipai au iā kākou e koho 'a'ole no kēia pila.

"E kūlia kākou i ka nu'u. E ho'omana'o ko kākou ka mana'o i'o, ka mana'o lana a me ke aloha no ko kākou 'āina. Ke Akua pū me kākou i pono ke ea o ka 'āina.

"Mahalo nō e Poliahu, ke kahu 'o Mauna Kea. Mahalo."

Representative Souki rose and stated:

"Yes, Mr. Speaker. Is the former Representative going to be preparing that in English, so that we can understand her? Thank you."

Representative Tsuji rose to speak in support of the measure, stating:

"Mr. Speaker, I am in support of the supporting comments of the Chair of Higher Education, of the 2nd Representative District, in support of the measure. Thank you."

Representative Berg rose and stated:

"Yes, thank you Mr. Speaker. I believe that there was a request from one of the Representatives from Maui for a translation, and I would be glad to provide that translation. Thank you, Mr. Speaker. Speaking from the words of the Representative from Puna:

I rise in opposition for this House Bill 1174. This bill grants the University of Hawaii the authority to adopt rules from Mauna Kea, for all people. This bill is not right.

The Department of Land and Natural Resources is the proper agency to create the rules for Mauna Kea. This agency has not submitted any testimony for this bill. They have been silent. Why? This agency is the proper agency, for they are the experts of land management.

I encourage my colleagues to vote 'no.'

We will strive for the highest. We will remember our faith, hope, love for our land. May God be with us always. And that the life of the land will be perpetuated in righteousness. Thank you, Poliahu, the guardian of Mauna Kea.

"Thank you, Mr. Speaker."

Representative Ward rose and stated:

"Mr. Speaker, in the Finance Committee, there was testimony that said that this is the best place to put it, the best time, because without these rules, administrative procedures, more damage is going to be done to the summit, particularly above 11,000 feet. There would be no denial of access. It would basically be systematizing something that has been too random, and too untoward.

"So, some of the things that were stated, I find that, surprisingly, at least according to the testimony in the Finance Committee, inaccurate. 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. 1174, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 39 ayes to 11 noes, with Representatives Belatti, Berg, Brower, Carroll, Hanohano, C. Lee, Luke, McKelvey, Saiki, Shimabukuro and Thielen voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 968) recommending that H.B. No. 901, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 901, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Berg voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 969) recommending that H.B. No. 949, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 949, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Morita rose in opposition to 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 opposition to this measure. The primary purpose of these trust lands is not to advance leases for commercial purposes to non-beneficiary private interest parties to ensure their financial viability. We do not extend States leases beyond the 65 year period without a public auction, so why should such an exception be made for the Department of Hawaiian Home Lands where the State has an important fiduciary responsibility to native Hawaiians?

"Section 204 of the Hawaiian Homes Commission Act wherein the authority to lease lands to the "general public" is predicated by the statement, "The department is expressly authorized to negotiate, prior to negotiations with the general public, the disposition of Hawaiian home lands or any improvements thereon to native Hawaiian beneficiaries or organization or association owned or controlled by native Hawaiians." It should be pointed out that beneficiaries have advised me that the DHHL has yet to implement the correct priority of negotiating with beneficiaries and beneficiary organizations PRIOR to the general public. Such a priority will drive private interest parties to native Hawaiian beneficiaries and the organizations they control to partner with them, thereby building the capacity intended under section 204. This is procedure is very similar to successful development approaches and lessons learned by other Native peoples.

"Secondly, there has been no evidence or comprehensive financial analysis presented at all, that giving 99 year leases on trust lands advances the financial interests of the trust or its beneficiaries. Simply put, if a developer wants a 99 year lease, or to be positioned for zero risk, they should look for fee simple land, not lands that are a native Hawaiian trust, intended for specific homesteading purposes. If a developer cannot get a reasonable return with 65 years, one questions whether it is a viable venture at all. However, the issue of privatizing Hawaiian homes trust lands is not something to be considered lightly and is an aberration of the State's fiduciary responsibility to native Hawaiians."

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 support of Standing Committee Report No. 969, House Bill 949 House Draft 1, Relating to the Hawaiian Homes Commission Act. This bill would stimulate and support commercial development on Hawaiian home lands, that would in turn benefit neighboring residents and the economy, by authorizing the Department of Hawaiian Home Lands (DHHL) to lease Hawaiian home lands for terms of up to 99 years for commercial land developments.

"DHHL's ability to carry out its mission to provide homeownership opportunities to native Hawaiians is directly tied to DHHL's ability to generate income. Over the past 5 years, income generated by DHHL through commercial leases has supported DHHL's homesteading program. The current 65-year term has limited DHHL's ability to attract substantial investment in the proposed commercial lease properties. This bill increases the value of DHHL's property and provides an improved tool which DHHL can use to ultimately better serve its beneficiaries. For these reasons, Mr. Speaker, I stand in strong support. Thank you."

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. 949, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Hanohano, Morita and Saiki voting no, and with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 971) recommending that H.B. No. 993, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 993, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm in opposition, and I'd like to speak against this measure. We've had this constitutional amendment for 30 years now, and I think it's held us in good stead. It returns excess funds to the taxpayer, and I think we should remember that the taxpayer's money is essentially their money, and it's not really our money. I think they could use the excess funds, now more than ever, since the economy is not that healthy.

"We should not get rid of this amendment, just because the economy is bad now, and we want to be able to keep some of the money. We must remember that the Legislature determines how much is to be returned, and this year, because times are not so good, we are giving back probably only a dollar.

"But, we really should not 'throw out the baby with the bathwater.' I think that there will be good times again, when we can return the money to the taxpayers, rather than putting it into a fund for our use. So, please consider it really excess funds being owned by the taxpayers, and not necessarily by us. Thank you."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. The problem I see with the current system is that everything we do, the government spending just reinforces the natural business cycle. So, when the natural business cycle is going well, and we're collecting a lot of revenue, we spend a lot of revenue, and as a result, the boom is bigger. Then when we get to the end of the boom, which we inevitably do, because the laws of economics are like the laws of gravity, eventually there's a result from whatever you do or don't do, you crash into a recession, and then we start losing revenue, and we reinforce the recession by not spending as much.

"If we didn't spend as much at the top of the cycle, it would help to keep the bubble from blowing up any bigger than it should. And then on the way back down, when the recession goes down, we'd be able to spend money that we saved. And, in this instance, there's been a couple different versions of this bill already put out there, but if we had kept more money back, we could have probably seven or eight hundred million dollars more to spend right now, and we're $1.1 billion behind. Well, a $300 million gap is a lot easier to cover than a $1.1 billion gap. And the fact is, it would be good for the economy right now, if we had $800 million to spend.

"So, in our personal lives, it's a good idea to save some money for the hard times, when things are going well. At the government level I believe the same is true. Mahalo."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations. Mr. Speaker, I know this is not an economics debating club, but I think the Representative from Chinatown has to understand that the economy is run by those who consume. 70% of our economy is consumption. If this bill takes money out of those consuming, the 10% or 15% that runs from the government is not going to do it. In fact, I think we've got to get away from the notion that government spending is going to get us out of this crisis. It's going to stimulate spending, but that's the whole purpose of it, is to get money back into the hands of those who make the 70% of the economy. That is the whole liquidity argument of why we're spending a couple of trillion dollars at the federal level. Every country has got a stimulus package. It's to get people to loosen up on their money, and have their jobs to keep spending to keep economies going. That's the way economics work.

"But when government takes it, parks it, doesn't circulate it, and even when they do circulate it, with the stimulus packages that we're doing, they don't have enough to keep that 70% of the economy pumping along. And that's where this Body has to be very sensitive to do, is not to take money out of the hands of those 70% of the consumers, because the consumers are the saving grace of the economic downturn that we're in, Mr. Speaker. Thank you, very much."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, standing in strong support, and would like to make a few points on this bill. Number one, the bill proposes to change the

Constitution so that we can guarantee at least 1% of excess revenues will go back to taxpayers, as a tax refund, or a rebate.

"Number two, the bill would also make sure that any excess general fund balance, over 70% will be deposited into our Rainy Day Fund to make sure that we are prepared for economic downturns or other emergency needs, such as we are currently experiencing.

"And, number three, we also amended the bills to propose the idea of a cap of the amount that would go into the Rainy Day Fund. And, on that particular issue, Mr. Speaker, I suggest that we set a cap at an amount that would assure the protection of a State's credit rating.

"And, number four, for example a 5% cap, based on expenditure levels, would assure the Rainy Day fund should be at least $250 million. Thank you."

Representative Finnegan rose in support of the measure with reservations and asked that the remarks of Representative Ward be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Rhoads rose to respond, stating:

"Mr. Speaker, still in support. Just in rebuttal to the Representative from Hawaii Kai. I do think this is actually, in many respects, a good place to debate economic policy, because obviously, the economy has a huge impact on how people live.

"I would just say that, with regards to the stimulus package, yes, I understand State government, I don't even know if it's the biggest employer in the State, but it's one of the biggest. And, when one of the biggest employers in the State starts threatening to lay people off, or furlough them, that does have a negative impact on the economy. It's as if, when the hotel industry goes 'into the drink,' yes, that has a big impact.

"So, I would say, we're working with stimulus packages, one of the big criticisms of the federal stimulus package is that it's borrowed money. This bill would allow for it not to be borrowed money, which would make it an even better situation. 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 in support however, with reservations of H.B. 993 – I am concerned decisions regarding general funds should be considered for their impact on the general fund balance and not simply on the basis of projected revenue growth of one fiscal year.

"While proponents of this measure state the possibility that the capacity to generate revenue is strong, the State should save the surplus for use when revenue generation is week. Passage of this constitutional amendment will provide more flexibility to access needed funds to balance the budget. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, a brief retort. 85% of the people of Hawaii work for the private sector. The biggest employer is the private sector. Government, even at its peak would not be more than 20%. And, the problem with the federal stimulus, is not the amount of money, even though that would go back to the argument, it's not enough to kick it, to make it go strong. It's that the federal stimulus is not going to create wealth, it's filling *pukas* in State government, and other unpaid bills, which are not going to create jobs, other than temporary ones. Then, if we look at what the FDR Conservation Corps jobs were, they were to fill *pukas*. And, that's so the other part of the economy, the private sector, which hires the majority of the people in this country, can get on their feet, invest in some machinery, get their markets going, and get the economy going again.

"So, the private sector is really where the key is, instead of saying 'Well, it was the Second World War.' Well it was the Second World War that then pulled all the jobs out in the private sector. 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 H.B. No. 993, HD 2, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION, RELATING TO THE DISPOSITION OF PROJECTED EXCESS REVENUES," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Marumoto voting no, and with Representative Takai being excused.

H.B. No. 993, HD 2 passed Third Reading in the following form:

H.B. No. 993, HD 2

A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION, RELATING TO THE DISPOSITION OF PROJECTED EXCESS REVENUES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The purpose of this Act is to propose an amendment to the Hawaii Constitution to require the legislature to return a specific amount of revenue as a tax refund or tax credit to taxpayers and to deposit a specific amount into the emergency and budget reserve fund whenever general fund revenue estimates exceed seven percent growth for two consecutive years.

SECTION 2. Article VII of the Hawaii Constitution is amended by adding a new section to be appropriately designated and to read as follows:

"**Section .** In any regular session during which the council on revenues estimates, prior to adjournment sine die, that for the second consecutive year, general fund revenues in the current fiscal year will exceed the general fund revenues collected in the prior fiscal year by at least seven percent, the legislature shall set aside:

1. An amount equal to one percent of general fund revenues collected in the prior fiscal year as a tax refund or tax credit to the taxpayers of the State, as provided by law; and

2. Moneys exceeding seven percent of the amount by which revenues in the current fiscal year are estimated to exceed revenues in the prior fiscal year, for deposit into an emergency and budget reserve fund as may be provided by law; provided that no deposit shall be made if the balance in the emergency and budget reserve fund is equal to or greater than ___ percent of general fund expenditures for the prior fiscal year."

SECTION 3. The question to be printed on the ballot shall be as follows:

"Shall the legislature, during any regular session in which the general fund revenues are estimated, for the second consecutive year, to exceed by at least seven percent the general fund revenues collected in the prior fiscal year:

(1) Set aside one percent of the excess revenues as a tax refund or tax credit to taxpayers; and

(2) Deposit into an emergency and budget reserve fund the excess revenues above seven percent?"

SECTION 4. New constitutional material is underscored.

SECTION 5. This amendment shall take effect upon compliance with article XVII, section 3, of the Hawaii Constitution.

At 5:58 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1693, HD 1
H.B. No. 1538, HD 1
H.B. No. 1686, HD 2
H.B. No. 1174, HD 3
H.B. No. 901, HD 2
H.B. No. 949, HD 1
H.B. No. 993, HD 2

At this time, Representative Berg rose and stated:

"Mr. Speaker, I believe my 'no' vote for Stand. Com. 969 was not mentioned."

The Chair responded, stating:

"It's too late. The vote has been recorded already."

At 5:58 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 5:59 o'clock p.m.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 972) recommending that H.B. No. 952, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 952, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm in opposition to this particular measure. This is a card check bill. Here we are, once again debating the merits of card check, and no matter what changes we make to it, the problem remains the same. It robs workers of their essential right to a secret ballot. How can we continue to deny the importance of this right, for it is in the privacy of the voting booth where a person is free to express his or her will, without being subjected to intimidation or fear from reprisal. It's the best way for a person to register his or her opinion.

"In doing some research on this issue, I ran across an editorial against card check, by former Senator and former Democrat Presidential nominee, George McGovern. Throughout his career, Senator McGovern has been a passionate defender of unions. Yet, he has found the card check bill fundamentally wrong. In an editorial, he said of card check, 'I am sad to say it runs counter to ideas that were once at the core of the labor movement. Instead of providing a voice for the unheard, it risks silencing those who would speak.'

"It is not just Senator McGovern who finds this bill deeply flawed. The testimony against it represents a clear outcry against the measure. Testifiers from a wide range of industries clearly showed an objection to the very idea of the elimination of the private ballot.

"This objection goes on to our local media. Today, the *Advertiser* editorialized against card check, stating, 'Reforming the system to protect against abuses may be necessary, but taking away the secret ballot isn't the answer.'

"The nation objects to it as well. A national survey, taken on the federal card check bill found that three out of four voters oppose this. Even union households oppose this bill, with 74% opposing, to just 20% supporting. We should listen to their voices, and vote 'no' on this bill. Mahalo."

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 vote with reservations on HB952, HD1: Relating to Labor.

"The Employee Free Choice Act ("EFCA") as currently written has two primary provisions. The first changes the method by which employees decide whether or not they will be represented by a union; the second mandates binding arbitration over the terms of a first contract, if one is not reached a few short months after recognition of the union as the bargaining representative. These provisions are extreme and unnecessary. More important, they will adversely affect employees' rights, as well as result in economic harm to both employers and employees.

"In its revised HD1 form, the bill provides for a streamlined process of an exclusive representative, would only apply to businesses with 100 or more employees, would facilitate the collective bargaining process and provide for the settlement of disputes by an arbitration panel.

"While federal labor law may not be perfect in other respects, I believe its establishment of a supervised secret ballot election as the means by which employees indicate whether or not they wish to be represented by a union is a staple of our democratic society and of critical importance to employees. A secret ballot election allows employees to vote in a confidential, uncoerced, and supervised setting. Employees are able to vote their conscience, in private, without fear of any personalized repercussions from the union or the employer.

"Furthermore, it was my initial understanding that this bill would apply only to agricultural industries and in fact, all business with more than 100 employees will be covered by this bill, which adds to my reservations.

"Thank you, Mr. Speaker."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise as a minority, for a minority. That is, the card check, may I proceed? I am against the bill, clearly. I rise as a minority, speaking for the minority of the card check bill. The card check bill will have 50% plus one. If signed individually and collectively then counted, the company would become unionized. In this case, likely to be the agricultural workers, who are doing either macadamia nuts, or the seed, or the other hybrid seed-corn processing

"What happens to those 49% who didn't vote? One of the fundamental basis of unionization, was to keep recrimination of the employer out of the workplace. To protect employees. Now, everybody has their vote bared. Everybody can see how people voted.

"What happens to those of the minority? Is there something to protect them? In this case, the secret ballot protects them, because when it's unionized, everybody moves as a group. Everybody's equally responsible. Everybody is equally culpable of what they have done. And, Mr. Speaker, no one has doubted that unionization has had a great impact in Hawaii. It has much impact on this Floor. Unions are strong in Hawaii, in fact, probably one of the strongest in America is here.

"But the wave of agriculture, the wave of plantation agriculture is over, Mr. Speaker. To get these small guys, that are basically exporting seed-corn and otherwise, not that big of an industry. Why did we want to do this, and why do we want to do it now? That is the question. This is not a good bill for the policy, for the future of agriculture, which we're trying to stimulate, and make our prices affordable to the people of Hawaii, because they're so expensive when they're grown locally. This will even add to that cost, Mr. Speaker. Again, I think of the benefits. Thank you."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. First of all, this measure does get to the philosophical level pretty quickly. If you look at the U.S. Constitution of course, the Right of Association is constitutionally guaranteed. It's implied in the First Amendment rights for free speech. And also, the right to unionize is specifically mentioned in the Universal Declaration of Human Rights, in Article XXIII, everyone has the right to form and join trade unions.

"So, what we're really talking about is, how do we protect that right, and how do we regulate that right, which, of course, constitutional rights are not absolute, and we have to figure out how we're going to actually do them.

"But, it seems to me that the arguments against this mainly boil down to one essential argument, and that is that unions will browbeat people into joining unions, if any of it is open. And, I think that the empirical evidence, at this point, is just not with that side of the argument. The empirical evidence is that employers are the ones who are browbeating people to stay out of unions, because they don't want to have to share power with the workers. I think probably in the long run, it's bad economic policy because employers who do share power with their workers generally have a better idea of what's going on on the shop floor, get better feedback from their employees on what to do better or different to make a better product or provide a better service.

"But I also say that this bill, as amended, only applies to employers who have 100 or more employees. Those small companies that the Representative from Hawaii Kai mentioned are the likes of Monsanto or Syngenta, these multi-national companies that have a relatively small presence in Hawaii, but they have enormous bargaining power when it comes to dealing with our Hawaii residents.

"I don't think that that's a particularly strong argument. Mahalo."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. Thank you, Mr. Speaker. I rise in opposition to this card check bill. I find this measure particularly harmful to the agriculture industry, as its workers are vulnerable to misleading verbal or written explanation due to language barriers. A study undertaken by the National Agriculture Statistics found that the most prevalent language among our workers is 89% Ilocano. Of these, the workers comprehend English verbal instruction, but only 59% may comprehend written instruction. Among all agricultural workers, 87.9% can understand written instructions in their first language, while just 71.3% can understand written instructions in English.

"On the surface, some of these numbers may seem high, but they are still too low. Labor organizing drives rest upon the full understanding of workers participating in elections. These workers need to understand all the benefits and costs that come with unionization. I'm afraid that by eliminating the secret ballot, the workers may not understand the full implications of the card that they sign. This will undermine their ability to make well-thought out decisions based on what is best for them.

"An additional problem is that this bill could force companies to let government arbitrators make business decisions about their workforce. If there is one industry in Hawaii where this is not necessary, it's the agricultural industry. The Department of Agriculture reports that Hawaii's farm workers are already the highest paid in the entire country. This is despite the disadvantage that Hawaii already has in terms of cost and availability of land, water, transportation costs, and the affect of invasive species. This bill will lessen the opportunity for ag workers through adding an additional burden that will only set back Hawaii's efforts to become more self sufficient in food production, and in the long run, result in the lessening of opportunities for our agriculture workers.

"Mr. Speaker, this is the bicentennial of President Abraham Lincoln who stood for freedom. Freedom is the freedom to choose; not to have secret ballots. Thank you."

Representative M. Lee rose to speak in support of the measure, stating:

"I'd like to speak in support of the measure. Mr. Speaker, with the federal stimulus package underway, we need to focus on the rebuilding of our economy. Unions are one of the best tools for creating an economy that works for everyone. There's a disturbing trend in the country that has led to the erosion of healthcare coverage and pension security. Coupled with rising food costs and foreclosure anxiety, a stable workforce is a formidable goal, and working people are bearing the brunt of today's troubled economy.

"Across the country, union membership has decreased, partly due to an election process that vests the majority of power in the employer and often opens the door to intimidation and threat of job loss. The Employee Free Choice Act is a way to restore a fair and equitable process for employers and employees, rebuild the labor unions, and in turn, rebuild the middle class.

"The majority sign up process is not new. In fact, a number of major companies such as AT&T Wireless and Kaiser Permanente have long recognized it as a fair, less disruptive process to determine workers' will. It simply provides workers with another option to express their desire to self organize. The growing inequality we see between employer and employee is a backward trend that will take more than economic stimulus to address. This bill applies only to companies with 100 employees or more. If passed it will level the playing field by restoring employees' choice to form unions and bargain for fair wages and benefits. Thank you, Mr. Speaker."

Representative Takumi rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. With reservations. I'd just like to respond to a couple of comments made today on the Floor regarding agricultural workers and perhaps their inability to understand English, and whether or not they can fully grasp the concept of unionization. I think we just have to look back at our own history. For those of us who were around, I wasn't actually. But in 1946 there was a sugar strike where the ILWU organized 28,000 sugar workers in the State of Hawaii. And in the following year, in 1947, 20,000 pineapple workers were organized. The vast majority of these workers did not speak English as their first language, and in fact, it was a conscious policy of the sugar plantation owners and the pineapple plantation owners to import labor from many countries, specifically to divide and conquer that work force. Three generations of workers tried to organize and were constantly divided up. They were paid different wages according to their race, and so on. That resulted in the inability of the workforce to organize. It wasn't until the mid-1940s that finally the ILWU pulled it off. I would assert, Mr. Speaker, that that has led to the growth of the middle class with these ag workers. And it has led to a better life for tens of thousands of families in Hawaii and their descendants.

"Now when we talk about intimidation by the union, relative to the employer, I think we all realize that the 'big stick' that any employer has over any employee is their job. It's very difficult for any union to threaten to fire a worker when in fact that union has no ability to do that, as opposed to the employer. Indeed, in the study done by Cornell University researcher, Kate Bronfenbrenner, she concluded that 92% of private sector employers, when faced with workers who wanted to join a union, they hold these one-on-one meetings. And if any of you who have ever done union organizing, I remember years ago when I was a young lad, I was trying to organize the Halekulani Hotel when they reopened, that's precisely what happened. There were group meetings, one-on-one meetings, encouraging workers that they really don't need a union. Actually I had to point out that indeed the choice of whether or not to have a union should be done by the workers.

"Frankly, Mr. Speaker, all this bill does is to shift the choice between having a secret ballot election, or a card check. As was mentioned by the Representative from Mililani, many employers opt for the card check option which is allowed under the National Labor Relations Act. This bill would merely shift that choice from the employer, to the employee. It seems to me that if workers want to have a choice of having a secret ballot election or a card check, it should be their choice and their choice alone. Thank you, Mr. Speaker."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you. In support. It would be hypocritical of me to vote against this bill because with Interisland Resorts, we asked the ILWU for card check. We wanted to be organized by the ILWU because they gave us employment stability on the Neighbor Islands. Thank you."

Representative Takumi continued, stating:

"Mr. Speaker, in my haste, I forgot to mention why I am standing with reservations. The bill was amended in the Finance Committee to apply only to companies with more than 100 employees, and as we know, this bill would only apply to ag workers in that situation. Frankly, it would only apply to two or three companies in the State of Hawaii. Less than 2% of companies in Hawaii have more than 100 employees. 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 Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 952, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Third Reading by a vote of 37 ayes to 9 noes, with Representatives Chang, Ching, Finnegan, Har, Marumoto, Pine, Thielen, Tokioka and Ward voting no, and with Representatives Awana, Berg, McKelvey, Takai and Wooley being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 973) recommending that H.B. No. 981, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 981, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in support of the measure, stating:

"This is the ignition interlock bill. I'm in favor of this measure, and in passing it, I just wanted to salute Mothers Against Drunk Drivers, MADD, who has been working for this interlock device for at least 20 years, I'm certain. I can recall Attorney General Warren Price in the 1980s assisting MADD with their legislation. I give them credit for their persistence. They have been lobbying here for quite a while and they have been very effective. If there is less carnage on our roads, we must thank them for that. Thank you, very much."

Representative Har rose to speak in support of the measure, stating:

"In strong support, Mr. Speaker. Mr. Speaker, just very quickly, I want to thank the Chair of Transportation and the Chair of Judiciary. As Members of this Body know last year, in the 2008 Session, we did pass Act 171 which created the basic framework for the ignition interlock. Act 171 also created the Ignition Interlock Task Force of which the Speaker Emeritus and I were also a part of. We came together with many members and many stakeholders in the community, including Mothers Against Drunk Drivers, including the Attorney General's Office, including the Public Defender's Office, including the ADLRO. We had many stakeholders involved in the Task Force. This bill essentially codifies the recommendations of the Task Force.

"I want to thank the Members of this Body who have been very supportive because I truly believe that the ignition interlock is going to save lives in the State of Hawaii. I would also like to request permission to submit additional written comments into the Journal. Thank you."

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in strong support for Standing Committee Report No. 973, House Bill 981, House Draft 2, Relating to Highway Safety. As this body recalls, we passed Act 171 in the 2008 Legislative Session to implement the framework for the ignition interlock device to combat the problem of drunk driving in the State of Hawai`i. Act 171 further created the Ignition Interlock Implementation Task Force, which developed recommendations for the implementation of ignition interlock. This bill represents the recommendations of the taskforce. The Ignition Interlock Task Force was comprised of an inclusive group of stakeholders including, but not limited to the Department of Transportation, the Department of Health, the Department of the Attorney General, the Judiciary District Court, the police departments from each county, the Office of the Public Defender, the City & County of Honolulu Department of Motor Vehicles, the County of Maui Department of Motor Vehicles, the University of Hawai`i, Mothers Against Drunk Driving (MADD), the Office of the Prosecuting Attorney from each county, the Administrative Driver's License Revocation Office, and the Legislature.

"Notably, this measure will make mandatory installation of the ignition interlock for all drunk drivers, including first-time offenders. Other penalties will include revocation of a driver's license and privilege to operate a vehicle for at least a year, and will require installation of an ignition interlock device on any vehicle operated by the person, with the cost of installation, maintenance, and calibration paid for by the offender. In addition, there will be a requirement for community service work, prison time, and a fine. Repeat offenders would receive heightened penalties.

"What our State needs is a change of mentality towards drunk driving. Among other things, we must be individually responsible by drinking within limit and urge others to drink responsibly. We also need ignition interlock to change the mentality towards drinking and driving. This bill was introduced as a part of the majority package, and I thank all members for support of this measure, and urge your continued support of this bill. Thank you, Mr. Speaker."

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. I would like to speak in favor of this measure. First of all I would like to thank Representative Har for all the work she has done in working with this bill. She sat in long hearings during this interim period, and in long meetings with the Committee in trying to develop legislation, sharing ideas on how best to put the package together, and then ultimately writing this package. This bill should save a lot of lives, and still allow people to go to work and serve their family. Members, I ask you to please support this great 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. 981, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Third Reading by a vote of 46 ayes, with Representatives Awana, Berg, McKelvey, Takai and Wooley being excused.

At 6:22 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 952, HD 1
H.B. No. 981, HD 2

THIRD READING

H.B. No. 520, HD 1:

Representative B. Oshiro moved that H.B. No. 520, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Rhoads rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I just want to note my reservations. I'm in support of the basic idea of photographing historic buildings. I think where we went wrong, I guess it was last Session, was that we required

that these incredibly expensive photographs be taken. I think in the age of digital cameras we can fix the problem pretty easily by simply requiring that an acceptable photograph be taken, but it doesn't have to be of studio quality. Mahalo."

Representative Cabanilla rose to speak in opposition to the measure, stating:

"I stand in opposition to this measure, Mr. Speaker, which repeals the amendments in Act 228 wherein we were only required to take pictures of historical buildings before demolishing them. I supported this bill when it came up last year. I thought it was a very simple measure and we're totally repealing it now. We could have saved it through the amendments of the Historic Foundation of Hawaii which limits it to historical buildings.

"We could have worked on this bill Mr. Speaker, instead of totally repealing it. Hopefully when it crosses over to the Senate, we can have a measure to revive it rather than repealing it. Thank you."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. As one Member of this House put it, it's not good to make it such a black and white issue. The truth is, it's gray. We just need to, instead of completely repealing it, and I will not go so far as to say, it obviously needs some revision. The fact is that it's a good idea. To completely reverse it, I contend that it's not a good idea. The Historic Hawaii Foundation says in it's testimony that this bill goes well beyond the scope and would undermine the other powers and responsibilities related to State and county mandates to protect historic sites.

"With all due respect to the contractors who I appreciate, who I have worked with, and who I know, the fact is that this is something that can be fixed. We don't need to completely throw away something that is important. Hawaii is known to be not quite like other areas where there is a longer standing and appreciation for historic preservation, there are obvious protections. These things dovetail with tourism. What comes to mind are all the historic places. When you think about where you'd want to travel. The fact is overall, on the globe, the number one place that people want to travel to, over time, not just 2006, is Paris, France. Paris, France understands the value of historic preservation. You would not knock down the *Arc de Triomphe*. You would not knock these things down. What we're doing is just saying, to begin with, that historic preservation is important. It's not just important to our economy for tourism to have a charming place. But it's important to our children because then they can say, 'Wow, is that what it looked like? Is that what it was like?' Our good Chairman of Education mentioned about history and the plantation experience. Well that's what a lot of these homes happen to be. They're tools.

"Just one last thing that I'm going to say. I was one of the first people in a lot of my circles, to speak up for the environment in 1980. I remember what it was like to be an environmentalist in the 1980s. You were called a 'tree hugger.' You were called, 'not too with it.' You were not aware. Well it amuses me because I know how green we've become. That's where historic preservation is today. People understand that these places are like extinct species. Things that you can't replace. In some cases, the materials don't exist. The wood doesn't exist anymore. The know-how, the craft. We're in a different economy. You can't rebuild some of these things, but at least, what this says is, take a picture. And as the good Representative of Chinatown said, we're going to change that. We're not going to make it so difficult. We understand. Yes, there were mistakes, but we don't need to repeal the bill. Thank you."

Representative Carroll 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 support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support of this bill. Thank you. There were about 53,000 structures that fell under this bill, and the chaos that it has created for the construction industry has just been massive. There really isn't a bill that's higher on the list that they want to see passed this Session. The whole system clogged down. There were 53,000 houses. Anything that was happening to a house, no matter what, it would be referred by the City to the Historic Preservation Division, which many times was not even open because they aren't staffed with that many people there. Everything clogged down. So the best way to do it is the way that this bill does it. Repeal the law. Pull together the affected parties. Come back with something that makes sense to have photographs taken of only the structures that really would be eligible for listing on the State or national register, or that actually are on the State or national register. But this was so much overkill, and it did so much damage to our economy at a time when we can't afford to have that damage to be done. Thank you."

Representative Herkes rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with some reservations. I know that we have to make some amendments, but if we ever lose buildings like the Cooke home in Manoa, the Honolulu Academy of Arts, various buildings designed by Vladimir Ossipoff, we will have lost a significant part of our history. Sixty years ago, I did my senior theme on historic architecture in Hawaii. On a personal note, a number of buildings designed by my grandfather are historic sites. Thank you."

Representative Morita rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with reservations. I'm in support just because we need a vehicle to deal with this issue. The answer isn't repealing it; it's fixing it. There was a lot of good testimony that came in, and key stakeholders have been meeting and making suggested amendments. We just haven't put them in the bill."

Representative Pine rose to speak in support of the measure with reservations, stating:

"Yes, in support with reservations. I would like to use the words of the Representative from Kauai as my own. I just want to thank the Representative from Liliha for being so innovative and helping us to try to have a little bit more passion about this area. Thank you."

Representative Belatti rose in support of the measure with reservations and asked that the remarks of Representatives Rhoads and Morita be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative C. Lee 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 Bertram 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 H.B. No. 520, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDINGS," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Cabanilla, Ching and McKelvey voting no, and with Representative Takai being excused.

H.B. No. 361, HD 1:

Representative B. Oshiro moved that H.B. No. 361, HD 1, pass Third Reading, seconded by Representative Evans.

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:

"Lengthy delays of permit processing is making the development of affordable housing very difficult. This bill requires non-discretionary,

ministerial permits for affordable housing projects be processed within 45 days by the State or Counties or be deemed approved.

"Time is money. Delays contribute to higher cost of affordable housing."

The motion was put to vote by the Chair and carried, and H.B. No. 361, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 1186, HD 1:

Representative B. Oshiro moved that H.B. No. 1186, HD 1, pass Third Reading, seconded by Representative Evans.

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:

"While receiving cash-in-lieu from a developer for affordable hosing is helpful, it is of paramount importance for our communities to be mixed income integrated. We do not want the development of 'golden ghettos' with reciprocal 'project ghettos'. If developers are allowed to build the affordable portion of their development in a different area than the market portion, or merely contribute cash-in-lieu, it will affect our housing and hence, community and social structures."

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. 1186, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING DEVELOPMENT," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 382, HD 1:

Representative B. Oshiro moved that H.B. No. 382, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I will be voting no on this bill. It requires notification of pending class action against the State, and the notification will go to the Governor, the President of the Senate and Speaker of the House, prior to the filing of the lawsuit. It requires service of the lawsuit to the President and the Speaker, mandates the complaint remain under seal for at least 60 days after service upon the Attorney General.

"It is unclear to me what the Governor, Speaker and Senate President are expected to do once the class action notification is made. It's not logical for the Governor not to receive supporting and exculpatory materials when the Governor is served just like the presiding officers.

"This bill may violate the Separation of Powers Doctrine. If the intent is to have the Legislative Branch resolve the matter prior to filing the lawsuit, if this is meant to be kept confidential, reference to keeping everything under seal is not expansive enough. I think this is a very strange bill, and I'm not sure what it is supposed to accomplish. I would hope that the introducers could explain it to me. Thank you."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I will also be voting in opposition. I have some of the same questions. I'm just wondering. Our whole purpose for being here as a part of the Legislature is to take a look at a piece of legislation and say, 'What does this solve? Or what is the need for it?' This is another bill that does not have any testimony in support. It just has one piece of testimony in opposition, Mr. Speaker. I'm just perplexed as well."

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:

"Mr. Speaker, I rise in opposition to HB 382, HD 1. This bill would require class action plaintiffs to send written notification of their intentions to the Governor, Senate President, and Speaker of the House of Representatives prior to filing of their class action lawsuit. This bill would further require that all relevant supporting and exculpatory materials in the possession of the class representative or its counsel be submitted to the Senate President and the House Speaker. Although this bill is well-intentioned, it may impose some impractical burdens on class action plaintiffs who most likely have gone through the administrative agency process, alternative dispute resolution process, and legislative committee hearing process to have their problems resolved. It may also be impractical and overwhelming for State legislators to be recipients of supporting and exculpatory materials that may be voluminous in a class action lawsuit. For these reasons, I oppose HB 382, HD 1."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I'm rising in support. The intention of this measure is to avoid the situation when you wake up one morning and you pick up the morning paper and you find out the State of Hawaii is being sued by a group of attorneys on behalf of the rights of their clients who live in public housing. I'm making reference to Kuhio Park Terrace, Mr. Speaker. That's what the measure tries to address.

"The idea being that should we have known that the Hawaii Public Housing Authority was so deficient in the maintenance of Kuhio Park Terrace, and that they were not up to date on the fire alarm systems, or the federal or State laws regarding the rights of the disabled, the handicapped and the poverty community, we might have been able, through the legislative process, to inquire as to the responsibilities of the agency, and maybe perhaps appropriate the necessary funds so that the timely repairs of the elevators and the garbage disposal shafts and the security system could have been made to comply with federal and State law.

"As it turns out, Mr. Speaker, I believe that the parties have finally settled down and are looking to reach a settlement. At the end of the day, it will come back to this Branch to pay for that settlement on behalf of our taxpayers.

"I just thought this would be a vehicle to have this discussion by which we might be able to get in front of these lawsuits, should the Executive Branch and agencies not be able to fulfill their obligations under law, but be deficient and cause these lawsuits to occur. Thank you."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"I would like to ask for a ruling on a potential conflict. My law firm is one of those attorneys that was referenced who are suing the State over this, but I am not involved in that case. Thank you," and the Chair ruled, "no conflict."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. Okay, this is great. At least I know what this bill is about. Mr. Speaker, I still have concerns over this because this is for one particular incident. And then on top of that, I remember we were discussing the budget, and I remember discussing the elevators a few years back, and I'm just trying to recall this debate. So, what this means is that these agencies were in front of us, telling us about the deficiencies at these properties, and we addressed it the way we addressed it.

"Mr. Speaker, sometimes lawsuits are when people start to move, I guess. But I don't know that, still, having a bill for this particular instance, talking about deficiencies. I remember us discussing this very thing

having to do with public housing and needing to work on it, and needing to get these things done. Thank you."

Representative Pine rose to speak in support of the measure with reservations, stating:

"Yes, in support with reservations. I just wanted to add that the Minority Leader is correct. We did discuss this at the Legislature. In fact the Governor put in her budget many improvements, especially for elevators for the State housing, and the Legislature rejected that request. Thank you."

Representative Evans rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. I think it's a prudent thing for the legislative body to get this information requiring notification of pending class action against the State. I think the legislative body really needs to understand what's coming at them. And also needs to understand what the departments are doing and why the class action came into being. It's our job to review all the programs. Each Chair in this Body looks through their budgets, looks at their programs and divisions, and determines what their needs are. This is just good information. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 382, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE TORT LIABILITY," passed Third Reading by a vote of 45 ayes to 5 noes, with Representatives Belatti, Ching, Finnegan, Marumoto and Rhoads voting no, and with Representative Takai being excused.

At 6:40 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 520, HD 1
H.B. No. 361, HD 1
H.B. No. 1186, HD 1
H.B. No. 382, HD 1

H.B. No. 147, HD 1:

Representative B. Oshiro moved that H.B. No. 147, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to HB 147. Thank you. This bill seeks to change the minimum value of property or services stolen to constitute theft in the second degree from $300, to a blank amount. The original version of the bill increased the amount to $1,000. Mr. Speaker, this sends the wrong message to those who would steal from our small businesses. If we are looking to increase the threshold amount to charge second degree theft, we are basically giving people license to steal more before stiffer penalties accrue.

"Besides rewarding criminals, this hurts our small businesses. That is borne out by the various retailers that testified in opposition to this bill. I would like the names of those businesses incorporated into my remarks, if you please.

"The worst offenders under this law, the professional thieves, already know the law and how to work within its limitations. Many retailers fear this means more goods stolen. Mr. Speaker, we are trying to help our businesses, our employers, by stimulating the economy. We want to be pro-business because it's pro-economy, it's pro-Hawaii, it's pro-prosperity. This bill doesn't do that. This bill only encourages criminals and that's simply bad policy. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 147, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT IN THE SECOND DEGREE," passed Third Reading by a vote of 39 ayes to 11 noes, with Representatives Brower, Ching, Finnegan, Har, Manahan, Marumoto, McKelvey, Pine, Thielen, Tokioka and Ward voting no, and with Representative Takai being excused.

H.B. No. 1212, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1212, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 128, HD 1:

Representative B. Oshiro moved that H.B. No. 128, HD 1, pass Third Reading, seconded by Representative Evans.

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 of House Bill 128, House Draft 1, Relating to Elections. In the 2008 Primary Election, the last minute decisions by candidates to run for offices caused the disqualification of one candidate. The City & County of Honolulu Clerk ruled that the candidate did not formally withdraw from his State House race before filing for the City Council seat. This bill will make the process better for individuals intending to run for elected office by requiring the State Office of Elections to create and make available a standard withdrawal and declaration of candidacy form and make nomination papers available only until the Friday preceding the filing deadline. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 128, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 233, HD 1:

Representative B. Oshiro moved that H.B. No. 233, HD 1, pass Third Reading, seconded by Representative Evans.

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 quote testimony from The Legal Aid Society of Hawaii:

My name is Ryker Wada, representing the Legal Aid Society of Hawai'i ("LASH"). I am advocating for our clients who include the working poor, seniors, citizens with English as a second language, disabled and other low and moderate income families who are consumers. We are testifying in opposition to HB 233 as it would weaken protections for consumers in the State of Hawaii. I supervise a housing counseling program in the Consumer Unit at the Legal Aid Society of Hawaii. The Homeownership Counseling Project provides advice to individuals and families about homeownership issues. Specifically the project provides information on how to prepare yourself before purchasing a home and what to do if you are in danger of losing your home through foreclosure. In the past Fiscal Year we serviced more than 200 clients in our Project.

HB 233 seeks to amend Act 137, the Mortgage Foreclosure Rescue Fraud Prevention Act, to, among other things, exempt real estate brokers and sales persons from the definition of distressed property consultants. Act 137 was designed to protect consumers from foreclosure rescue scams and fraudulent distressed property consultants who offer "help" to homeowners who are in arrears or foreclosure. This "help" usually comes in the form of scam artists who take a fee for negotiating with a distressed homeowners mortgage company. Instead the homeowners get little or nothing for their fee and the scam artist has disappeared with the homeowner's money. A more insidious form of the foreclosure rescue scam involves the scammer taking title to the homeowner's property

with the homeowner staying in the property as a renter and attempting to buy it back over the next few years.

The terms of these deals usually make it impossible for homeowners to buy back their property, allowing the scammer to walk off with all or most of a home's equity. While LASH appreciates the challenges for real estate brokers and salespersons due to the enactment of Act 137, we do not believe a wholesale exemption of the industry is the appropriate avenue to make the process smoother while still protecting the rights of the consumer.

LASH anticipates a growing number of foreclosures in the coming years as the so-called exotic mortgage products mature and consumers are not able to keep up with their adjusted mortgage payments or find a suitable refinance. With the growing number of foreclosures, there will only be an increase in the number of foreclosure rescue scams and wronged consumers in the State of Hawaii. The Legal Aid Society of Hawaii opposes HB 233 and its efforts to exempt real estate brokers and salespersons from Act 137. We do not believe this is the appropriate means to protect the consumers in the State of Hawaii.

Conclusion:
We appreciate these committees' recognition of the need to protect consumers in the State of Hawaii. HB 233 attempts to weaken protections for consumers. We oppose HB 233 but are more than willing to work with the industry to find the most suitable way to ease the challenges of Act 137 while protecting the interests of the consumers in the State of Hawaii. Thank you for the opportunity to testify."

The motion was put to vote by the Chair and carried, and H.B. No. 233, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 654, HD 1:

Representative B. Oshiro moved that H.B. No. 654, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Har rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I ask for a ruling on a potential conflict? At my law firm, I represent contractors. 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 Thielen rose to disclose a potential conflict of interest, stating:

"I have a potential conflict. I have contractors in my family," and the Chair ruled, "no conflict."

Representative Thielen then 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. 654, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Marumoto voting no, and with Representative Takai being excused.

At 6:46 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 147, HD 1
H.B. No. 1212, HD 1
H.B. No. 128, HD 1
H.B. No. 233, HD 1
H.B. No. 654, HD 1

H.B. No. 1141, HD 1:

Representative B. Oshiro moved that H.B. No. 1141, HD 1, pass Third Reading, seconded by Representative Evans.

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 H.B. No. 1141, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THRILL CRAFT OPERATION," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Berg, C. Lee and Thielen voting no, and with Representative Takai being excused.

H.B. No. 1144, HD 1:

Representative B. Oshiro moved that H.B. No. 1144, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak in support of H.B. 1144, H.D. 1 which will encourage greater participation in endangered species restoration by private landowners. By statutorily authorizing the development and use of programmatic safe harbor agreements (SHAs) and programmatic habitat conservation plans (HCPs) and allowing tools, such as certificates of inclusion, needed to implement them, restoration can be encouraged on a landscape ecosystem wide basis rather than an isolated landowner basis. Working with multiple landowners to preserve multiple species that share or interact in a common habitat in a region and which experience common threats holds great promise.

"Presently, in order to participate in the State endangered species programs, private landowners cannot take a programmatic approach and would separately need to develop their own duplicative agreements with identical terms and conditions.

"Providing standardized programs encourages many landowners to get involved because it gives them a finished product to evaluate and agree to and enter. Setting a standard within the safeguards and guidelines of the State law and the overview of the endangered species recovery committee removes the uncertainty about final product and outcomes. It also enables the development of management actions that encompass a landscape scale and offer benefits that may otherwise not be possible with a single landowner agreement.

"The end result is that using a cooperative process for SHAs and HCPs will reduce the private landowner's time and cost to participate in these programs, and at the same time encourage more participation and recovery effort for endangered species.

"For these reasons, I am voting in favor of the bill."

The motion was put to vote by the Chair and carried, and H.B. No. 1144, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OF THREATENED AND ENDANGERED SPECIES," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Wooley voting no, and with Representative Takai being excused.

H.B. No. 1008, HD 1:

Representative B. Oshiro moved that H.B. No. 1008, HD 1, pass Third Reading, seconded by Representative Evans.

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:

"Mr. Speaker, I rise in opposition to HB 1008 HD 1, Relating to Land Use.

"This bill purports to protect and promote the proper use of Hawaii's best agricultural lands, but in truth, it is an end run around the Land Use Commission and the Important Agricultural Land designation.

"It attempts to define "gentleman's estates," but in reality, it encourages fake farms.

"It does this by exempting certain projects from the LUC, by allowing "family subdivisions" in place of "farm dwellings" by allowing the sale, subdivision, leasing, consolidation of agricultural land and by using the Condominium Property Regime to double housing density.

"This is not a bill to preserve and promote the proper use of ag land, but an attempt to allow non-agricultural related development on some of our best agricultural lands.

"For these reasons, I am opposed to HB 1008 HD 1, Relating to Land Use."

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:

"I do not agree with the amendment to this bill which grandfathered in existing "gentlemen's estates." I read from the Committee Report:

Your Committees also find that the requirements in this bill may create confusion as to the treatment of uses that may be non-conforming uses under the provisions of this bill.

Accordingly, your Committees have amended this bill by clarifying that uses and activities that were lawful as of the effective date of this Act shall be grandfathered and treated as legal nonconforming uses.

"Furthermore, I found the Hawaii's Thousand Friends' testimony compelling, and I quote:

HB 1008 introduces several development oriented provisions 1) the county controlled I5-acre exemption from the LUC process, 2) "family subdivision" which is an end run around the definition of "farm dwelling," 3) ability to sell, subdivide, lease, consolidate or re-subdivide agricultural land and transfer land titles under county regulations, and 4) the use of HRS 514 Condominium Property Regime which will double housing density.

In reality HB 1008 is not a bill to "preserve and promote the proper use" of agricultural land but an attempt to allow non-agricultural related development on Hawaii's agricultural land and must be held in committee.

"Quotation from testimony of the Ka'u Farm Bureau:

First:
The language in HB 1008 provides that an applicant for a building permit must first "demonstrate a substantial and established agribusiness activity" before being granted a building permit for his farm dwelling. Should a small farmer be fortunate enough to secure a manageable parcel of farmland, where is he expected to live? He will likely first what to build his house and move his family in so they can all work to establish the farm. I can envision a family in Hilo that wants to start a coffee farm in Ka'u. Is he expected to commute from Hilo to Ka'u every day for more than three years while his coffee trees are established? Add his fuel and vehicle maintenance costs to land and preparation, fertilizer, and plant material? This is hardly an efficient and sustainable model.

Second:
The language in this measure provides that the applicant demonstrate "... sufficiency in quantity, storage, and distribution of irrigation water for each proposed 101..." Some of the best coffee in the State is grown in Ka'u without a single drop of irrigation water. Who will make the determination at the County Building Department? Will they have a resident Ka'u coffee expert that is intimately familiar with site specifics?

The Ka'u Farm Bureau has members that are successful farmers that could not qualify for a building permit or subdivision under HB 1008 because they do not know, or cannot define "cost of production, potential income, and market outlook..." Are they to be denied their land use rights?

Additionally, the language of HB1008 states that a "form of organization of lot owners" must be identified by the applicant. Consider a case in which one farmer wants to grow coffee, another papaya. Should they form a co-op? If the State truly wants to promote diversified agriculture on small family farms, it needs to be sensitive to the realities and needs of the small farmer. Additional land use restrictions and permitting hurdles that deter the creation of small family-manageable tracts will continue to promote large corporate-style agribusiness, which has proven time and again to be an unsustainable model given Hawaii's remoteness and resultant high cost of production.

It's hard enough to create new farms and farmers given the current economic climate, marketing challenges, high cost of production and challenges posed by vog. Please don't make it harder for young and new farmers to compete.

Thank you for this opportunity to testify.
Chris Manfredi
President

"Quotation from testimony of The Sierra Club:

In addition to making the farm dwelling requirements in HB 1008 applicable to all agricultural lands, we respectfully ask the committees to amend HB 1008 to include an additional farmland protection. Specifically, we should amend Haw. Rev. Stat. § 46-4 to make clear that the counties cannot allow developments that are violate Hawaii's Land Use Law:

Anything to the contrary notwithstanding. no county. by ordinance or *private agreement, may permit any use in the agricultural district,* as *described in section 205-2, other than* a *permissible use pursuant to section 205-4.5."*

These amendments would help achieve the original intent of Hawaii's Land Use Law. This would help protect Hawaii's agricultural lands and decrease real estate speculation on farmlands."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and H.B. No. 1008, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Third Reading by a vote of 46 ayes to 4 noes, with Representatives Berg, Morita, Saiki and Thielen voting no, and with Representative Takai being excused.

H.B. No. 1035, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1035, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPEALS," passed Third Reading by a vote of 45 ayes to 5 noes, with Representatives Berg, Keith-Agaran, Luke, Morita and Saiki voting no, and with Representative Takai being excused.

H.B. No. 640, HD 1:

Representative B. Oshiro moved that H.B. No. 640, HD 1, pass Third Reading, seconded by Representative Evans.

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 H.B. No. 640, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Thielen voting no, and with Representative Takai being excused.

At 6:51 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1141, HD 1
H.B. No. 1144, HD 1
H.B. No. 1008, HD 1
H.B. No. 1035, HD 1
H.B. No. 640, HD 1

H.B. No. 1226, HD 1:

Representative B. Oshiro moved that H.B. No. 1226, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Tsuji rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. In summation, this bill addresses two things. To ensure agricultural viability, we must be at the forefront of research and development to remain competitive in the global marketplace. And at the same time, it is absolutely essential that we preserve and perpetuate our island cultural values. HB 1226 addresses both of these needs. Thank you."

Representative Keith-Agaran rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak in opposition to HB 1226, HD 1. This bill effectively prohibits the communities most affected by the risks from testing of genetically modified plant organisms (GMOs) from asking local officials to impose precautions tailor-made for a particular county or locale. This measure prevents State administrative regulatory actions and county regulatory actions from banning or otherwise regulating activities related to GMOs.

"Hawaii County's elected officials have already acted based on the concerns of their residents to adopt customized regulation of GMOs on their island through Hawaii County Ordinance No. 08-154. This bill pre-empts any regulation that a county other than Hawaii County may introduce to regulate GMOs, but also limits Hawaii County from any amendments of its regulations after January 1, 2009.

"The Standing Committee Report of the Agriculture Committee acknowledges that this measure has implications for homerule. At the heart of homerule has always been the value of giving voice to a local community's vision for the use of its land, and especially for how agriculture is both maintained and encouraged. It's simply unnatural that this bill would strip not only the counties, but also the State of the ability to determine the kind and shape of safe agriculture we desire and want.

"I urge my colleagues to vote against the bill."

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:

"Mr. Speaker, I rise to speak in opposition to House Bill 1226 HD1, which prohibits State administrative regulatory actions from banning or otherwise regulating activities related to genetically modified plant organism, with certain exceptions.

"I must admit that I feel uneasy about supporting a GMO bill that appears to be offered as a trade-off to ensure the passage of other legislation – such as HB 1663, which I support – that prohibits genetically modified Hawaiian taro. I feel even more uncomfortable in being told that HB 1226, unless amended, will actually nullify the protections provided in HB 1663 against contamination from non-Hawaiian GMO taro.

"The report from our Agriculture Committee does acknowledge certain exceptions – such as Ordinance No. 08-154 of Hawaii County, which prohibits genetically engineered taro or coffee in that County. The bill also provides another exception regarding State statutes, claiming that it is "not superior" any law that prohibits GMO Hawaiian taro. I should also take some consolation in the language of the Committee Report that says: "It is your Committee's intent to have that measure (HB 1663) and this measure passed and enacted together as a complementary package."

"Unfortunately, this bill will remain more "contradictory" than "complementary" until it is amended to include the same prohibition against open-field planting and importing of non-Hawaiian GMO taro that exists in HB 1663. At such point in time, I will be able to reconsider my opposition and offer my support to an amended version of this bill – a version that does not give away more than it gains in the way of protection for our native Hawaiian taro."

Representative Bertram 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 H.B. No. 1226, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED PLANT ORGANISMS," passed Third Reading by a vote of 36 ayes to 14 noes, with Representatives Belatti, Berg, Carroll, Hanohano, Keith-Agaran, C. Lee, Luke, McKelvey, Morita, Saiki, Shimabukuro, Takumi, Thielen and Wooley voting no, and with Representative Takai being excused.

H.B. No. 1048, HD 1:

Representative B. Oshiro moved that H.B. No. 1048, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. A no vote for me, Mr. Speaker and I wanted to just highlight the section that concerns me. On page 5, it's saying that the Land Use Commission shall allow low density residential lots and residential subdivisions on agricultural lands existing before January 1st, 2009. The Land Use Commission shall put those into the rural districts. I think that's a mistake. Thank you."

Representative Belatti rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I also rise in opposition with just a short comment. Like the speaker before me, this bill concerns me because it threatens to strip the Land Use Commission of its authority and its discretion by automatically sweeping into the rural district existing agricultural settlements, plantation camps and subdivisions, many of which might be sited on important agricultural lands. This bill jumps the gun in

eliminating these lands from consideration in identification of important ag lands in this State. A process that was set into motion last year is still on-going and is of paramount statewide importance. Thank you, Mr. Speaker."

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:

"I am compelled by the testimony of Hawaii's Thousand Friends in opposition to this bill. I quote from their testimony:

Hawaii's Thousand Friends, a statewide land and water use organization, opposes HB 1048 that amends chapters 46 and 205 to give the counties greater authority and flexibility to define uses and regulate land use in the State Rural District consistent with broad State policies and standards.

HB 1048 goes beyond giving the counties greater authority in the rural district. The bill shifts decision-making power to the counties over lands in the agricultural district, even IAL, through passage of county ordinances for permitted uses, density, and lot sizes.

In addition, HB 1048 eliminates the LUC thus curtailing public participation through the contested case process. Removing LUC oversight of the Rural District would make it virtually impossible for Oahu residents to participate in contested case hearings because the Oahu Planning Commission is advisory and there is no appeals process to the decision-making elected City Council.

The Hawai'i County Planning Commission has made it virtually impossible for citizens to participate in contested case hearings by charging large fees from anyone making such a request. The Commission rarely recognizes that anyone has standing to participate in such a hearing and strict time deadlines make it very difficult to request a contested case.

County land use decision-makers do not consider impacts on issues of statewide concern such as public schools, libraries, state highways and the counties do not have the biological or cultural expertise to protect important natural and cultural resources that are abundant within the rural district.

The LUC must comply with PASH and analyze the effect of a reclassification on Native Hawaiian customary and traditional rights. Under county jurisdiction of rural lands the State loses the ability to impose conditions and comply with PASH because the newly allowable intensive uses will be allowed *as a right* and can be implemented without State review.

HB 1048 is a major overhaul of Hawaii's land use planning system with implications and consequences not known or even thought of and should be held in committee."

Representative Har rose to speak in support of the measure, stating:

"In support, Mr. Speaker. Mr. Speaker, the Rural Lands Advisory Group was established by the Legislature via Act 205 in the 2005 Session. The Rural Lands Advisory Group recommended that State law specify the basic policies governing land use in the rural districts, and that the counties by ordinance determine the permitted uses and land uses consistent with State policies.

"Moreover, they recommended that minimum lot sizes should not be specified in State law. They further recommended that once a county has adopted policies and ordinances for managing land use in the rural districts in accordance with its general plan, the county petition the Land Use Commission to reclassify the land on a regional basis following a quasi-legislative process.

"And finally, the Rural Lands Advisory Group recommended that the counties be authorized to manage land use in the rural districts with the same degree of discretion as they have in managing uses in the urban district. The criteria for the lands in the rural lands district in HB 1048 are based on the recommendations by the Rural Lands Advisory Group. For these reasons Mr. Speaker, I stand in support of the measure. Thank you."

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 H.B. No. 1048, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Third Reading by a vote of 42 ayes to 8 noes, with Representatives Belatti, Berg, Carroll, Hanohano, C. Lee, Morita, Saiki and Thielen voting no, and with Representative Takai being excused.

H.B. No. 948, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 948, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 1730, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1730, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 1607:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1607, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

At 6:58 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1226, HD 1
H.B. No. 1048, HD 1
H.B. No. 948, HD 1
H.B. No. 1730, HD 1
H.B. No. 1607

H.B. No. 1729:

Representative B. Oshiro moved that H.B. No. 1729, pass Third Reading, seconded by Representative Evans.

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."

The motion was put to vote by the Chair and carried, and H.B. No. 1729, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Marumoto voting no, and with Representative Takai being excused.

At 6:59 o'clock p.m. Representative Pine requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 7:00 o'clock p.m.

H.B. No. 1260, HD 1:

Representative B. Oshiro moved that H.B. No. 1260, HD 1, pass Third Reading, seconded by Representative Evans.

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. 1260, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 39, HD 2:

Representative B. Oshiro moved that H.B. No. 39, HD 2, pass Third Reading, seconded by Representative Evans.

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 H.B. No. 39, HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE REVENUES," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Finnegan, Marumoto and Thielen voting no, and with Representative Takai being excused.

H.B. No. 861, HD 1:

Representative B. Oshiro moved that H.B. No. 861, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Pine rose to speak in opposition to the measure, stating:

"On Stand. Com. 736, I'm in opposition. This measure basically exempts the Office of Elections from the Procurement Code. Many people were very concerned and dissatisfied with how this last election was run. So, exempting them from the Procurement Code, we feel, is problematic. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 861, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Third Reading by a vote of 36 ayes to 14 noes, with Representatives Belatti, Berg, Ching, Coffman, Finnegan, Hanohano, C. Lee, Marumoto, Morita, Pine, Saiki, Takumi, Thielen and Ward voting no, and with Representative Takai being excused.

H.B. No. 1046, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1046, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF REAL PROPERTY BY THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

At 7:04 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1729
H.B. No. 1260, HD 1
H.B. No. 39, HD 2
H.B. No. 861, HD 1
H.B. No. 1046, HD 1

At 7:04 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 7:04 o'clock p.m., with the Speaker presiding.

At this time, the Chair addressed the Body, stating:

"Members, at this time it is 8:00 p.m., and we have 5 more pages to go. Excuse me, the clock has been fixed so it is 7:05 p.m. and the Senate has completed their session at about 3:35 this afternoon. They are more efficient, but I believe we are much more transparent and much more democratic in our debate."

H.B. No. 1642, HD 1:

Representative B. Oshiro moved that H.B. No. 1642, HD 1, pass Third Reading, seconded by Representative Evans.

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 Hawaii Primary Care Association, Community Clinic of Maui, AlohaCare, and a concerned individual testified in support of this bill.

"Testimony provided by Waianae Coast Comprehensive Health Center on a related bill, HB 1525 HD 1: Relating to Medicaid, sheds some light on why a bill like this is necessary:

Submitted By: Richard Bettini, Chief Executive Officer
Contact: wcchc@wcchc.com. . .

We believe the recent QUEST Expanded Access Bid Process produced poor value for both tax payer and citizen. Changes must be made to assure that insurance companies with poor performance records in other States do not receive contracts to provide healthcare to Hawaii's most vulnerable.

We believe the QUEST Expanded Access bid process needs to be investigated to determine why a health plan under federal investigation for fraud, with questionable financial stability and without a proven network of medical providers in Hawaii, receives a bid for hundreds of millions of dollars.

Unless stronger regulation related to disclosure is firmly in place, a limitation on for-profits doing business in Medicaid in Hawaii may be appropriate.

"Mahalo."

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. 1642, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PURCHASES OF HEALTH AND HUMAN SERVICES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 1728, HD 1:

Representative B. Oshiro moved that H.B. No. 1728, HD 1, pass Third Reading, seconded by Representative Evans.

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 rise in opposition to H.B. 1728 – Relating to fees. I am concerned this bill will remove flexibility for DCCA, UH and the Judiciary to adjust fees using the expedited process. Lawrence Reifurth, Director of Consumer Affairs, says 'The Department is opposed to removal of its flexibility to adjust fees in an expedited manner, notwithstanding that bill provides the increased flexibility to other agencies.' 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 H.B. No. 1728, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES," passed Third Reading by a vote of 43 ayes to 7 noes, with Representatives Bertram, Ching, Finnegan, Marumoto, Pine, Thielen and Ward voting no, and with Representative Takai being excused.

H.B. No. 1741, HD 1:

Representative B. Oshiro moved that H.B. No. 1741, HD 1, pass Third Reading, seconded by Representative Evans.

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:

"Mr. Speaker, I rise to speak in strong opposition to HB 1741 HD1, which suspends temporarily the distribution of a portion of the Conveyance Tax to the Land Conservation Fund, and reduces portions transmitted to the Natural Area Reserve Fund and Rental Housing Trust Fund. I realize that the Legislature and the Executive branch must work together in these difficult times to cut expenses, increase revenue, and balance the budget. However, the negative social and environmental costs of cutting off funds to land conservation and affordable housing programs far outweigh whatever budgetary advantage is achieved by this ill-considered measure.

"If we look at the public testimony offered to our Finance Committee, we can see that it is not just the usual advocates – the environmentalists, community activists and nonprofit agencies – who spoke out against this bill. The Department of Land and Natural Resources was especially strong in laying out its policy, legal and technical concerns over redirecting conveyance tax revenue.

"Allow me to summarize the testimony, which begins by noting the loss of $3.5 million in revenue that would result from this bill. It speaks of losing highly skilled staff which would take years to replace. Threatened and endangered species would most likely become extinct. Federally funded projects that depend on Conveyance Tax revenue for the required State match would be lost. And this is just one department that would suffer negative impact. Equally harmed would be State housing agencies that have depended on a percentage of the Conveyance Tax to leverage federal monies for developing affordable housing. This is a time when we should be increasing our support for low-cost housing rather than diminishing it.

"My own district has seen the positive benefits, both environmental and economic, of our State Land Conservation Fund's Legacy Land Program, which enabled Ma'o Farms to acquire land to expand its highly acclaimed agricultural and educational work on our Wai'anea Coast. More than just keeping land from harmful development, the Legacy Land grant has provided jobs for our residents and training for young aspiring farmers. I urge my colleagues to vote against HB 1741, which clearly sacrifices long-term benefits for questionable short-term advantages."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her and the Chair "so ordered."

Representative Keith-Agaran 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 Keith-Agaran's written remarks are as follows:

"Mr. Speaker. I rise to speak with reservations on HB 1741, HD 1 which temporarily suspends the distribution of a portion of the Conveyance Tax to the Land Conservation Fund and reduces the portions to the Rental Housing Trust Fund and Natural Area Reserve Fund.

"While I see these as options to balance the budget, the percentage of the Conveyance Tax revenues dedicated to these very important funds will severely affect the development of rental housing for lower income households, severely affect our islands' natural resources, conservation programs and the protection of rare, unique cultural, natural, agricultural and recreational resources and management of these important lands. I hope that other measures moving through the Legislature will indeed address maintaining these important programs with other funding sources.

"It is for these reasons, I vote with reservations."

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 Wooley 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 Wooley's written remarks are as follows:

"This bill is part of a package of bills that have been moved forward by the House of Representatives to provide adequate options and flexibility for Senate members, House members, and the Governor during this legislative Session as we address the State's serious budgetary difficulties. Although I do not like many of the bills in this package, I have supported them to ensure that we do not limit our fiscal options and shoot ourselves in the foot. This bill, however, is penny wise and pound foolish, as it diverts dwindling funds (the conveyance tax will already fall between 50-60 percent as a result of the economic downturn) and small amounts of money into the general fund at the expense of critical programs that protect our economy, our health, and our safety.

"Without this funding, resources for affordable rental housing, private-public partnerships that protect our watersheds (i.e., our drinking water), and youth programs will disappear. In addition, programs that prevent invasive species from entering the State or becoming established and efforts to protect land for agricultural, conservation and cultural use will end at a critical time. In tough times, we need to be extra vigilant to make sure we don't jeopardize our future options, particularly when we can make a big difference at cut rate prices. Testimony against this bill also identified a significant number of critical jobs that will be eliminated if this bill becomes law. All that said, I am voting to support this bill -- with reservations -- because it is part of a package of bills we need to provide ourselves with fiscal options as we work to balance the budget."

Representative McKelvey 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 Cabanilla rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm standing in support. This bill will temporarily change the distribution of the Conveyance Tax revenues between July 1st, 2009 and June 30th, 2015 as follows:

For the Land Conservation Fund - from 10 percent to 0 percent;
For the Rental Housing Trust Fund - from 30 percent to 15 percent;
For the Natural Area Reserve Fund - from 25 percent to 10 percent; and
For the general fund - from 35 percent to 75 percent.

"What this means Mr. Speaker is that, for the Land Conservation Fund, they will lose $3 million per year. The Rental Housing Trust Fund will lose $5 million per year. The Natural Area Reserve Fund will lose $4 million per year. But for the general fund, we will gain $12 million per year. Thank you."

Representative Chong rose to speak in support of the measure, stating:

"I rise in support. Just for a little clarification, there are two other bills which will actually, or may, go to help these programs where we are taking money from that we would not otherwise be able to use so that there is no major adverse impact to these programs. Thank you."

Representative Carroll rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

At 7:10 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 7:13 o'clock p.m.

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 H.B. No. 1741, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," passed Third Reading by a vote of 40 ayes to 10 noes, with Representatives Aquino, Berg, Brower, Hanohano, C. Lee, Marumoto, Morita, Saiki, Shimabukuro and Thielen voting no, and with Representative Takai being excused.

H.B. No. 1744, HD 1:

Representative B. Oshiro moved that H.B. No. 1744, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. Mr. Speaker, I know it's late. I know we want to go home. We've only been here for ten hours, but it's a déjà vu for me because in Finance, we start at 10:00 in the morning and we finished at 5:00 in the morning. That's 19 hours. And in the wee hours of the night, kind of like the ways some of you are feeling right now, this bill suddenly came upon us. And I couldn't believe it. I can't believe it's gone this far, Mr. Speaker, because there's no heart in it.

"This is the TAT tax that the counties have which represents $100 million, or 25 percent of their budgets. To take that out is to basically say to all our friends and family on the Neighbor Islands, that your property taxes have gone up, your lifestyle has been shifted.

"Mr. Speaker, I know that this is an important issue for balancing the budget. Of course it must be kept alive. But let's take out the extreme claw that it has which has reached out to our Neighbor Islands. Why not have a *manini* percentage? Not the 'whole nine yards,' Mr. Speaker.

"So people are tired. My apologies. But this thing came upon the Finance Committee in the same conditions that we're experiencing right now. Thank you, Mr. Speaker."

Representative Herkes rose to speak in support of the measure with reservations, stating:

"In support with reservations. I don't have any problem with using this to help balance the budget. My reservation is that I don't think any of the TAT should have gone to the counties in the first place. The TAT is for marketing, period."

Representative C. Lee rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition with written comments. And I just want to note that the Finance hearing was actually 20 hours. Thank you."

Representative C. Lee's written remarks are as follows:

"Despite our ailing economy, raiding the counties' appropriations out of the Transient Accommodations Tax will help balance our State budget at the expense of deeper budget deficits for the counties. While the addition of tens of millions of dollars to State coffers would bring us a small step closer to a balanced budget, it would be a devastating loss for the counties, for whom tens of millions of dollars is a significant portion of their budget.

"Everyone is going to have to bear the burden of these difficult years, both the State, each county, businesses and families. We are all in it together and we will all have to do our part. The State must act responsibly and overcome its own deficit without unilaterally passing the burden on to the counties."

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 rise in opposition to H.B. 1744 - Relating to Transient Accommodation Tax. I am concerned this bill might hurt the counties and, in turn they might have to raise property taxes to make up for lost revenue. As the Hawaii Council of Mayors states in their testimony, "The counties provide the critical security, transportation, water and sewer infrastructure." It is important to continue sharing revenue with the counties so they are able to provide the necessary services. Thank you."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. I'm in favor, but have strong reservations. I will watch the progress of this as it moves to the Senate and into Conference. Thank you, very much."

Representative Keith-Agaran 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 Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak with reservations in support of HB 1744, HD 1. This bill will suspend the Transient Accommodations Tax (TAT) that the counties rely on to provide services to resident and visitors alike for a period of six years.

"Revenue from the TAT is a vital source of funding for all counties in the State. The TAT revenue assists the counties with funding critical services, facilities, programs and government operations, including beach parks, police, firefighters, drinking water, and wastewater treatment. Because I fully understand the dire budget challenges facing the State, I am voting today to move this measure forward, but I see it as a vehicle to use as the discussion continues on how we address the expected budget shortfalls. I am very concerned that cutting off substantial funding to any of the Neighbor Island county governments will not be the best course of action to take to balance our State budget. Our Neighbor Island counties have great challenges and only property taxes and fees to balance their own budgets. Withholding this important revenue source from the counties may further worsen the economic conditions that we all as a community are currently experiencing.

"While I support the bill today, I hope that this discussion will evolve into a way to collaborate with the counties rather than taking away benefits from them. Thank you."

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Yes. I have strong reservations, Mr. Speaker. Strong reservations."

Representative Chong rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. I stand in support. I know this is a controversial bill, but it is a part of the package to address the $1.8 billion,

three-year shortfall. I ask the Members to support this to keep the discussion going.

"A lot of people are talking about the counties, and that this is their tax. I ask my colleagues to keep in mind one related item, so to speak. As we move forward with the deficit, one of the big issues that has come up is HHSC, as an example. In most counties throughout the country, hospitals are funded through real property taxes by the county. It's not funded by the state. So perhaps this gives us an avenue for further discussion to address, not just State problems, but each island's problems. Thank you."

Representative Awana rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in strong support and ask that the comments made by the Representative from Kaneohe/Kailua be entered into the Journal as if they were my own. Thank you," and the Chair "so ordered." (By reference only.)

Representative M. Lee rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in strong support. As we said earlier in the Session, there are going to be many difficult decisions that we will have to make, and this is one of them. We have many hard decisions coming up in the next few weeks.

"I think one of the things that the Representative from Kaneohe/Kailua just mentioned is the issue of HHSC. But there are other issues like the health safety net. We have got to be strong, and we have got to realize that this needs to go ahead. I ask that I be able to submit some additional comments. Thank you."

Representative M. Lee's written remarks are as follows:

"I rise in support. Mr. Speaker, this measure is necessary to help the State deal with the present fiscal crisis and to reduce expected revenue shortfalls.

"This has been a most difficult year, and all indications are that the revenue projections for the coming year will be inadequate to meet our needs.

"We have said publicly that all options are on the table, and this and other proposals we are hearing today are part of a plan which may assist us to retain core programs, save our healthcare safety net and avoid significant job loss.

"In our present fiscal situation, our primary responsibility is to the State of Hawaii and the services it provides to our statewide constituency.

"This is a difficult decision, but a proposal we must advance in order to keep our options open."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. This bill suspends for six years, from July 1st, 2009 to June 30th, 2015, the distribution of the Transient Accommodations Tax revenues to the counties.

"This will generate $97.9 million to the State coffers in fiscal year 2010; $102.3 million to the State coffers in 2011; $107.1 million to the State in 2012; $112 million to the State in 2013; $117 million to the State in fiscal year 2014; and $122.7 million to the State in 2015. Thank you."

Representative Marumoto rose to speak in support of the measure, stating:

"In favor, Mr. Speaker. The Chair of the Consumer Protection Committee spoke his piece like a true hotel man. I think he and I are two old war horses that remember. You may recall that when we instituted the TAT, the hotel room tax, we told tourism leaders, when they asked us to, 'Please not use it for anything else but tourism. We want to build a Convention Center.' And I think some of us said, 'Don't worry. We're going to use it all for tourism. Trust us.' Thank you."

Representative Rhoads rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, in support with reservations. I had my doubts about the wisdom of this particular bill because it basically just charges our same constituents in a different way. But I think because of the severity of the fiscal situation, I think at this point, if we're going to get up and oppose money-raising bills, we're going to have to substitute something. My suggestion is to either increase the rates or lower the income level for HB 1747 which would increase income taxes. Mahalo."

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 with reservations, stating:

"Mr. Speaker, I have strong reservations."

The motion was put to vote by the Chair and carried, and H.B. No. 1744, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," passed Third Reading by a vote of 33 ayes to 17 noes, with Representatives Belatti, Berg, Bertram, Brower, Carroll, Ching, Coffman, Hanohano, Har, C. Lee, Luke, McKelvey, Morita, Nakashima, Sagum, Saiki and Ward voting no, and with Representative Takai being excused.

H.B. No. 1748, HD 1:

Representative B. Oshiro moved that H.B. No. 1748, HD 1, pass Third Reading, seconded by Representative Evans.

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. The purpose of this bill is to temporarily increase the insurance premium tax rates on insurers of life insurance contracts from 2.75 percent, to 4.265 percent; and for ocean-marine insurance contracts from 0.8775 percent, to 4.265 percent.

"According to the Department of Taxation and the Department of Commerce and Consumer Affairs, this bill, if approved, will raise about $5 million per year in additional revenues. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. This is one in a series of bills that mention the T word. And in fact pushes the T word to the ultimate on a number of tax increases. There are some of us in the Finance Committee who don't believe the TAT tax and some of these tax increases are at the point where we are going to say, 'We are going to increase your taxes, business.' Because let's be frank, anytime a business tax is increased, the businesses pass it on to the consumer. The consumers are our constituents. The consumers are the people of Hawaii. So when we think that we're just going to get it out of business, it's like saying that we are going to bleed it out of the people of Hawaii. Again, back to the principles of an economic recovery, circulation of the 72 percent who are the consumers, they need to keep their money and they need to spend it. We don't need to take it away from them.

"So Mr. Speaker, this stuff can blow up in our face. I know we have to balance the budget, by law. But there are ways of not going to the extremes until we really see. Until Thursday, when the Council on Revenues meets again, we probably don't know how dire the situation is. We shouldn't be mentioning the 'tax' word. The income tax increase; a GET tax increase. Until we really even know it should be part of the thing that we're going to be discussing. So all of these things are on the backs of the people of Hawaii, and particularly on the Neighbor Islands. Thank you."

Representative M. Lee rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in support. Again, we said we would put everything on the table and we need to do this. Thursday will be too late to pass this bill if we should need it. Thank you."

Representative Chong rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Just to address some of the comments made by the Representative from Hawaii Kai. First of all, if you look at the Insurance Premium Tax statute, not all insurance companies are treated the same. In fact, the bulk of the property and casualty line pays 4.265 percent, while the rest do not pay as high. This does generate revenue, but also this is a tax equity issue.

"And secondly, to follow up with the Representative from Mililani, on Thursday the news will probably get worse. The US mainland has not bottomed in their economy and therefore, since we lag, neither has ours. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 1748, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE PREMIUM TAXES," passed Third Reading by a vote of 46 ayes to 4 noes, with Representatives Ching, Finnegan, Pine and Ward voting no, and with Representative Takai being excused.

H.B. No. 1829, HD 1:

Representative B. Oshiro moved that H.B. No. 1829, HD 1, pass Third Reading, seconded by Representative Evans.

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. 1829, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC STIMULUS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

At 7:27 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1642, HD 1
H.B. No. 1728, HD 1
H.B. No. 1741, HD 1
H.B. No. 1744, HD 1
H.B. No. 1748, HD 1
H.B. No. 1829, HD 1

H.B. No. 611, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 611, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Finnegan and Ward voting no, and with Representative Takai being excused.

H.B. No. 1544, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1544, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX EXEMPTIONS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 1598, HD 1:

Representative B. Oshiro moved that H.B. No. 1598, HD 1, pass Third Reading, seconded by Representative Evans.

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:

"Mr. Speaker, I rise in strong opposition to HB 1598. My opposition to this bill is based on the same constitutional concerns and concerns about unintended consequences that I have for HB 1604."

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 H.B. No. 1598, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 39 ayes to 11 noes, with Representatives Belatti, Berg, Ching, Finnegan, Hanohano, C. Lee, Marumoto, Morita, Pine, Saiki and Thielen voting no, and with Representative Takai being excused.

H.B. No. 1605, HD 1:

Representative B. Oshiro moved that H.B. No. 1605, HD 1, pass Third Reading, seconded by Representative Evans.

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:

"Mr. Speaker, I rise in opposition to HB 1605. The purpose of this bill is well-intentioned in that it encourages an independent study of Hawaii's tax code. However, the creation and funding of the Hawaii Tax Review Initiative as proposed is duplicative of the constitutionally mandated Tax Review Commission that is scheduled to convene on July 1, 2010. In light of current economic conditions, a better approach might be to convene the 2010 Tax Review Commission earlier and afford this Commission the proper funding and time to present the Legislature with a thorough report as contemplated by HB 1605."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

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 H.B. 1605, H.D. 1.

"This legislation proposes to create a commission to review Hawaii tax policy. The legislation also proposes to equally split the cost of the initiative between the State and private donors. It is questionable whether private entities should be able to co-share the cost of a commission that is charged with reviewing tax policy. This could open the door to private interests that are inclined to manipulate our tax structure and laws through such a process.

"This possibility is particularly applicable here because the private individual who has testified in support of this measure at Committee hearings and who has offered to raise private funds for this Commission has a track record of using the legislative process to advance his personal and financial interests. Just today, this individual has advocated for House Bill Numbers 1593, 1604, and 1598 to be approved by this Body on Third Reading. These bills propose to alter existing commercial lease rent contracts in favor of lessees. The individual also caused this Body to call for a study to review commercial real property leases by the Legislative Reference Bureau in 2003.

"The private individual is a commercial lessee, and it is apparent that objectivity may be lost if he is permitted to co-fund the tax review analysis.

"Accordingly, I oppose this legislation. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 1605, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 42 ayes to 8 noes, with Representatives Belatti, Berg, Finnegan, Hanohano, Luke, Morita, Pine and Saiki voting no, and with Representative Takai being excused.

H.B. No. 1735, HD 1:

Representative B. Oshiro moved that H.B. No. 1735, HD 1, pass Third Reading, seconded by Representative Evans.

Representative M. Oshiro rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising in support. This bill simply advances the payment of the general excise tax by 20 days. It provides a one-time boost to the general fund of about $40 million. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 1735, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Third Reading by a vote of 49 ayes to 1 no, with Representative McKelvey voting no, and with Representative Takai being excused.

At 7:32 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 611, HD 1
H.B. No. 1544, HD 1
H.B. No. 1598, HD 1
H.B. No. 1605, HD 1
H.B. No. 1735, HD 1

H.B. No. 1739, HD 1:

Representative B. Oshiro moved that H.B. No. 1739, HD 1, pass Third Reading, seconded by Representative Evans.

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of this measure. This bill would prohibit the recipient of federal grants from qualifying for State tax credits. Right now we are currently working with the Department of Taxation to re-price the estimates based upon federal grants and other monies as an amendment to this draft. The prior estimation of revenue gain by the Department of Taxation was about $20 million. 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 H.B. No. 1739, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 588, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 588, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 1043, HD 1:

Representative B. Oshiro moved that H.B. No. 1043, HD 1, pass Third Reading, seconded by Representative Evans.

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:

"The purpose of Section 1 of this Act is to address State low-income housing credits. It reduces the period over which credits may be claimed from ten years to five years. The Legislature finds that the reduction should make the credits more valuable to investors.

"Part II of this Act addresses the election of a federal grant in lieu of a portion of the State tax credit allocation for 2009, as authorized by the American Recovery and Reinvestment Act of 2009, just passed by Congress.

"Mr. Speaker, as the federal government is stepping up to the plate to give incentives for the development of affordable housing, I hope that the State of Hawaii will follow suit."

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 H.B. No. 1043, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING TAX CREDITS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 1153, HD 2:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1153, HD 2, 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 50 ayes, with Representative Takai being excused.

H.B. No. 1504, HD 1:

Representative B. Oshiro moved that H.B. No. 1504, HD 1, pass Third Reading, seconded by Representative Evans.

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 H.B. No. 1504, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Ching, Finnegan and Marumoto voting no, and with Representative Takai being excused.

H.B. No. 1583, HD 1:

Representative B. Oshiro moved that H.B. No. 1583, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ward 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 H.B. No. 1583, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

At 7:35 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1739, HD 1
H.B. No. 588, HD 1

H.B. No. 1043, HD 1
H.B. No. 1153, HD 2
H.B. No. 1504, HD 1
H.B. No. 1583, HD 1

H.B. No. 1731, HD 1:

Representative B. Oshiro moved that H.B. No. 1731, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Rhoads rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, in support with reservations. I originally submitted my no vote because I'm concerned that transferring money away from smoking prevention is in the long run, much more expensive than the money that we would save here. But considering the financial situation, I would like to change my vote to aye with reservations, and see how things turn out. Mahalo."

Representative Sagum rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative C. Lee 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 C. Lee's written remarks are as follows:

"I have grave reservations about taking funding from longstanding effective programs that protect our youth and prevent underage smoking. We are in a difficult economic time, but shifting these funds to overcome a budget deficit is dangerous in a time when smoking rates for our children are likely to rise. With our budget deficit likely to grow in the coming months, I am voting on this measure to move it forward so we have options on the table to help reach budget solvency."

Representative Thielen rose to speak in support of the measure with reservations, stating:

"With strong reservations, please."

Representative Nishimoto rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record 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 Chong rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. This bill again, is a part of the overall financial package to balance our $1.8 billion deficit. While I do agree with the Representative from Chinatown, there are a lot of things, as we progress, and should the Council on Revenues projections get worse on Thursday, that we will be making tough decisions to make sure we can provide services in the present by sacrificing a little in the future.

"I do understand that this is one of those bills that helps us provide the safety net today, especially for healthcare and human services. Thank you."

Representative Coffman rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Luke rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative M. Lee rose to speak in support of the measure, stating:

"In support. I would just like to say that this is a particularly hard vote for me to take because I've always been a strong advocate against smoking. But I know that this is something that is really necessary for us to do. We've got to do it, and we'll see what happens on Thursday. Thank you."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this bill, H.B. No. 1731, HD 1. Just a couple of points. This bill does reallocate for two years, the money the State currently gets from the master settlement agreement. These have not been easy decisions, as expressed by the votes with reservations. I too share the sentiments of the Members.

"Currently, the master settlement agreement distribution is as follows:

The Emergency Budget Reserve Fund, the 'Rainy Day' Fund currently receives 24.5 percent of the funds. However, the Tobacco Prevention and Control Trust Fund currently receives 12.5 percent. The University of Hawaii John A. Burns School of Medicine receives 28 percent. And the Department of Health receives 35 percent.

"That's 24.5 percent, 12.5 percent, 28 percent and 35 percent.

"The new master settlement distribution would be as follows:

The Emergency Budget Reserve Fund, the 'Rainy Day' Fund would receive 24.5 percent, so no change there. However, the Tobacco Prevention and Control Trust Fund would now receive 2 percent. The Medical School would receive 23.5 percent. And the Department of Health, 25 percent. The general fund would receive 25 percent, or $12.5 million per year.

"When we looked at the apportionment as proposed in this HD 1, we strove to preserve the services to the children as much as possible. And although the Tobacco Trust Fund will see a large reduction in this measure, they have assured me that there is a healthy corpus, even if you consider the market loss of the Trust Fund this year. The current Trust Fund balance is about $37 million, Mr. Speaker.

"We've also maintained the debt service payment for the John A. Burns School of Medicine. But we did take a little bit back from the operations of the Med School. I don't believe this will hurt them in the short run.

"And finally, we did defer the growth that the Governor had assumed in her Financial Plan, that's H.B. No. 1732. We did not move on that bill, and I don't intend to move on that bill. HB 1732 promoted by the Governor and assumed in her Financial Plan would tap the Medical School, and also possibly harm the Cancer Research Center's special fund. Thank you, Mr. Speaker."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I would like to ask for a ruling on a possible conflict of interest for HB 1731. At my law firm, I represent the Coalition for a Tobacco Free Hawaii. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and H.B. No. 1731, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Aquino, Berg and Brower voting no, and with Representative Takai being excused.

H.B. No. 1749, HD 1:

Representative B. Oshiro moved that H.B. No. 1749, HD 1, pass Third Reading, seconded by Representative Evans.

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, again, I am rising in support for H.B. No. 1749. The purpose of this bill is to impose for a six-year period of time, July 1st, 2009 to June 30th, 2015, the Insurance Premium Tax on Mutual Benefit Societies, Fraternal Benefit Societies, and Health Maintenance Organizations. The bill also establishes a medical workforce promotion, health workforce education, or indigent healthcare program tax credit that may be claimed against the tax.

"In this House Draft 1, your Committee on Finance did amend and exclude fraternal benefit societies from this taxes application. According to a memo from Budget and Finance Director Georgina Kawamura, the bill is estimated to generate about $25 million per year."

The motion was put to vote by the Chair and carried, and H.B. No. 1749, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE PREMIUM TAX," passed Third Reading by a vote of 44 ayes to 6 noes, with Representatives Ching, Finnegan, Marumoto, Pine, Thielen and Ward voting no, and with Representative Takai being excused.

H.B. No. 1184, HD 2:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1184, HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 1584, HD 1:

Representative B. Oshiro moved that H.B. No. 1584, HD 1, pass Third Reading, seconded by Representative Evans.

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. 1584, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RATE OF INTEREST APPLICABLE TO OVERPAYMENTS OF TAX," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 1600, HD 1:

Representative B. Oshiro moved that H.B. No. 1600, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Choy rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Choy's written remarks are as follows:

"It should be emphasized that reimbursements should be for payroll related items only, i.e. payroll, payroll taxes and employee benefits. No amounts for administrative services or other cost should be transferred from one entity to another.

"Additionally, the Director of Taxation orally testified that the current enforcement of a common paymaster is based on IRC 267(b) as stated in this bill."

The motion was put to vote by the Chair and carried, and H.B. No. 1600, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

At 7:43 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1731, HD 1
H.B. No. 1749, HD 1
H.B. No. 1184, HD 2
H.B. No. 1584, HD 1
H.B. No. 1600, HD 1

At 7:44 o'clock p.m. Representative Pine requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 7:52 o'clock p.m.

H.B. No. 1747, HD 1:

Representative B. Oshiro moved that H.B. No. 1747, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose in support of the measure with reservations and asked that 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 however, with reservations of H.B. 1747 – Relating to Taxation. This bill creates an extremely broad tax bracket at the rate of 8.25% for those earning between $96,000 and $750,000 and I am concerned that those on the low end of this proposed tax bracket, who are the middle class of Hawaii, will feel this tax increase harder than most.

"Raising taxes during economic hardship is never a good idea. This takes money out of the hands of those who would otherwise be spending money and stimulating the economy. People making over $750,000 are being taxed nearly double their current rate, and those are the people with the capital needed to create jobs and keep the economy going. I think this bill could potentially send the message that Hawaii might not the best place to invest or do business. Thank you."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of House Bill 1747, House Draft 1. This bill increases the income tax on individuals earning more than $125,000, head of households earning more than $187,000, and joint taxpayers earning more than $250,000. Again, $125,000 for individuals, $187,000 for head of households, and joint taxpayers earning more than $250,000.

"This bill also increases the standard deductions and personal exemptions by 10%. Just a few citations here, Mr. Speaker. According to the Tax Foundation, Hawaii's income per capita is about $46,500. According to the U.S. Census Bureau, the median household income for Hawaii is $62,543. And, according to the U.S. Census Bureau, the median family income for Hawaii is $71,784. Mr. Speaker, this bill will not raise taxes on any of these groups.

"This bill balances the needs of our communities by asking those with the means to pay more, to pay a little bit more. Let me explain. This bill asks individuals making more than $275,000 to pay less than 1% more in income taxes. So, if you're fortunate enough in this community to earn more than $275,000 a year, we're asking you to pay less than 1% more in income taxes.

"This bill also asks a couple who earn more than $550,000 per year, for those couples in our community who earn $550,000 per year, to pay less than 1% more in income taxes. The income tax bracket changes will generate about $62 million per year. The standard deduction and personal exemptions increases will provide a tax cut of $11.3 million to those of the lower income levels.

"Finally, the Institute on Taxation and Economic Policy Study, showed how regressive our tax system is. One way to fix this is to create these high income tax brackets. Thank you, Mr. Speaker."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. In support with just slight reservations. My concern is only that, just reading a news report here, that this would also include small businesses whose income flows through to a personal tax return. So, I hope that when they look at deductions on the Senate side, they can keep in mind that small businesses do utilize this bracket. Thank you."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I will be voting for this measure with reservations. It's difficult for me to vote for a tax increase, but considering the situation, I will do so, but I'm hoping that the brackets don't slip downwards at all. It's always preferable to derive revenue from the income tax, rather than from the general excise tax, because the income tax is progressive, and the GET is very regressive. So, I am reluctantly supporting this measure."

Representative Pine rose in support of the measure with reservations and asked that the remarks of Representatives McKelvey and Marumoto be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative M. Lee rose in support of the measure and asked that the remarks of Representative M Oshiro be entered into 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. 1747, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Finnegan voting no, and with Representative Takai being excused.

At 7:57 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 1747, HD 1

END OF CALENDAR

At 7:58 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 7:59 o'clock p.m.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 882) recommending that H.B. No. 139, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 139, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Har rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I rise in strong opposition to Stand. Com. Rep. No. 882, House Bill 139, House Draft 2. Mr. Speaker, once again, we are dealing with yet another bill for the establishment of toll roads. While proponents of this measure believe that if we pass this bill, the DOT will enter into an agreement with a private company to build additional roads in Hawaii, at no cost to tax payers. I submit there are many costs which have not been addressed, and for which I base my opposition upon. Mr. Speaker, I base my opposition upon six reasons.

"First, Hawaii is in no jeopardy of losing federal funding for our highways, should we not pass this bill. As this Body knows, in 2005, the Safe, Accountable, Flexible, Efficient Transportation Equity Act, also known as SAFETEA-LU, provides funding for state's highways, highway safety, and public transportation, and is the federal funding source from which Hawaii receives its 80-20 match for repair and maintenance, as well as construction of new projects.

"While SAFETEA-LU is up for reauthorization this summer, the Hawaii State Department of Transportation made clear to the Finance Committee, in its testimony on February the 27th, 2009, that this bill would not, in any way, enhance or jeopardize the 80-20 match we receive from the federal government, assuming SAFETEA-LU is reauthorized. If somehow we did not pass such a measure, and in doing so, we would be endangering the availability of federal funds for our road projects, I would certainly understand the reason for this bill. However, failure to pass this bill will not endanger or jeopardize our federal funds, and therefore this bill is unnecessary.

"A second reason for my opposition to this bill is that this bill would allow for the privatization of roads. Mr. Speaker, there is an inherent danger to privatizing roads, because roads are for public use. Any driver knows how events that take place on one road affect another connecting or alternative route. Thus, toll prices, maintenance and safety standards, and congestion on a toll road have a substantial impact on the number of cars using alternative routes, including local roads and mass transit.

"Decisions about how to operate and manage these roadways, have the effect of creating traffic policy for the State. What may seem beneficial from a narrow profit perspective, does not necessarily benefit transportation networks generally. As a result, public control of key toll roads is necessary to ensure coherent statewide transportation planning and policymaking.

"Road privatization in other states shows that when private operators profit, their motives produce very different management decisions than government would. For example, allowing a private entity to set a toll, enables the private operator to largely dictate traffic management. While concession agreements lay out schedules for toll increases that can sound reasonable, they often times compound over time to very high rates. For example, Chicago's 99-year toll agreement lays out a schedule of permissible rate hikes. If these same rate increases had applied to New York's Holland Tunnel since its inception, that road really could presently charge a one way toll of more than $180. As a practical matter, a toll operator would be unlikely to charge such a high price, because drivers would instead take alternate routes.

"But again, the point is that private toll decisions equate to a private entity having broad control over our traffic management. Transportation policy should be made according to what is in the best interest of the public. Not dictated by what kind of extra payments may have to be made to a private operator.

"A third reason I am opposed to this bill, Mr. Speaker, is because it specifically targets residents living in newly developed areas, such as West Oahu and West Maui. This bill exacerbates inequity, in that it restricts the ability of the DOT to enter into agreements with private entities to build, operate, own, or finance transportation facilities, including toll highways, to newly constructed facilities only. In other words, roads already built in the State cannot be tolled.

"As new roads are built, predominately in newly developed areas, such as West Oahu and Maui, this bill is directed at only those who live in these newly developed areas. If this measure allowed for existing roads to be tolled, I suspect many members of this body would then be in opposition, because this bill could then potentially impact their constituencies. But, if this bill allowed all roads to be tolled, then I submit this bill would be more equitable. Because, if one person paid a toll, then all persons would pay a toll."

Representative Saiki rose to yield his time, and the Chair "so ordered."

Representative Har continued, stating:

"Thank you, Representative. Interestingly, in a previous bill, the Chair of Transportation reminded us not to be provincial, because we represent the State. My concern is that this measure, and the language in this bill, basically takes out the ability to toll everybody in this State, and therefore, I have no choice but to be provincial.

"A fourth reason I am opposed to this bill, is because not only does it target mainly residents of West Oahu and West Maui, but when tied to another bill before this Body, House Bill 1167, it creates a system of double payment for West Oahu and West Maui residents.

"A fifth reason I am opposed to this bill, is because it is dangerously similar to that of a regressive tax. A regressive tax is a tax that takes a larger percentage from the income of low income people, than the income of high income people. While the bill does not create a regressive tax, *per se*, what this bill does do is raise the issue of geographic equity. Mr. Speaker, geographic equity refers to issues surrounding how one part of the state is treated, compared to another. In the case of toll roads to be paid on by the residents of the Leeward side, I submit that geographic equity is an issue here.

"Proponents of this bill believe toll roads will work in Hawaii, because they have been successful on the Mainland. Again, Mr. Speaker, Hawaii is not like the Mainland, in that, on the Mainland, those with higher incomes typically live outside of the urban core, known as suburbia. Hawaii is exactly the opposite. Those with higher incomes generally live in the urban core, while those in lower income brackets live in Central and West Oahu, because the homes are more affordable.

"Moreover, there is no question when comparing the socio-economic demographics of those from East Honolulu or the Windward Side, from Leeward Oahu. As such, to expect residents of the Leeward side to bear the burden of a toll is essentially akin to a regressive tax, because lower income residents would now be required to pay an additional fee if they wanted to find a faster way to get into town.

"The sixth and final reason I am opposed to this bill, is because Hawaii simply does not have the population base, or even the projected population growth to support such toll roads. In his testimony before the Finance Committee last Session, Director of Transportation, Brennon Morioka testified that 21 other states have enacted legislation to enable public-private partnerships to finance highway capacity improvements. When asked if one of the key factors to the success of these public-private partnerships was population and ridership, Mr. Morioka answered in the affirmative.

"While the proponents of this measure believe that this bill will create a mechanism, by which a private entity will come to Hawaii, finance and build new roads, and then collect its investment through tolls, our State DOT Director has already been clear on this point. Our DOT has been in discussions with private financiers on the Mainland, about the possibility of toll roads in the State of Hawaii, and the private financiers have all unequivocally stated that they will not come to Hawaii to build a toll road, because we simply do not have the population base for them to charge. In other words, the private investors would never make up their investment on the backend, due to our limited population.

"This year, on February 27th, 2009, before the House Finance Committee, the Deputy Director of Highways was explicitly asked whether anything had changed in these discussions with the DOT and the private financiers …"

Representative Ito rose to yield his time, and the Chair "so ordered."

Representative Har continued, stating:

"Thank you, Representative. The Deputy of Highways was explicitly asked whether anything had changed in the discussions between the DOT and private financiers, indicating that private investors would now come to Hawaii to build toll roads. The Deputy Director of Highways again confirmed DOT's talk with private financiers, and that the private investors would not come to Hawaii to build toll roads because these private financiers would never be able to recoup the money via tolls they invested in building a toll road.

"While many hail public-private partnerships and the implementation of toll roads as a solution to building more roadways, there are additional dangers that exist. More prevalent now are the non-competition agreements that many private entities are imposing on states. Strapped for adequate road building funds, the California Legislature passed a law, enabling the California Transportation Department to entertain proposals for up to four privately funded highway projects. The SR91 HOT Lane was the first project to be funded privately. The State awarded a private entity a contract to build a roadway down an SR91 median, for the purpose of adding additional lanes. The private entity, however, required the State of California to assent to the private company's requirement for a non-competition agreement, so that public highways near SR91 would not be maintained or improved until the year 2030. In other words, the State of California was to allow the state highways to crumble for decades, forcing the public onto the private toll road.

"The State of California eventually agreed that it could not leave the roads to deteriorate, and endanger drivers' lives, so it began fixing the nearby roads. The private entity sued the State of California for breach of contract, and the public learned the true costs of the private road. The public was furious, and turned against the project and the government that agreed to do it.

"Most recently, the General Accountability Office, the non-partisan Congressional investigative agency found that an increasing number of toll ways include non-competition clauses in their contract, under which the public sector agrees not to build any new road or improve any of the existing roads that may result in additional capacity, or the predetermined distance of a newly constructed road for a certain period of time. Where these agreements did not exist, there were understandings that the state would not build a competing road.

"The SR91 experience has forced privatization proponents to find creative ways to achieve the same end. One way is to require the state to compensate the private owners for any revenues lost when improvements are made to nearby roads. California State Route 125 includes a provision that allows the State to build a competing, but only if the State reimburses the private company for revenues lost to the new road. Calculating these lost revenues is, again, an enterprise filled with uncertainty and opportunities for overreaching. This bill, Mr. Speaker, provides no safeguards against these dangers, which is yet another reason I am opposed.

"Finally, Mr. Speaker, I rise in opposition because I am not sure whether building more lanes on our freeways is the answer to our traffic woes. I am skeptical after witnessing the widening of the Waimalu viaduct in Pearl City. The State spent $70 million to widen the H-1 Freeway, Ewa bound, to six lanes in Pearl City, alleviate congestion in Central Oahu. But, now that it is all said and done, the additional lanes have not really significantly improved the quality of traffic in Central Oahu.

"As such, I submit that we must continue to support alternative methods of transportation, such as fixed rail. The point is, in order to alleviate traffic, we must get people out of their cars, which is precisely why I support alternative methods of transportation, such as rail. Creating additional roads will only encourage people to remain in their cars. For these reasons, Mr. Speaker, I rise in strong opposition to House Bill 139, House Draft 2. Should this measure move forward, I ask my colleagues to consider the equitable arguments I have raised, and propose that if one person on this island is required to pay a toll, then all people living in Hawaii should have to pay a toll, since we all represent the State, and all laws should be applied fairly and evenhandedly. Thank you, Mr. Speaker."

Representative McKelvey rose in opposition to the measure and asked that the remarks of Representative Har be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Evans rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. Mr. Speaker, I will give three reasons why I think we should support the bill, but I first would like to start by telling a story. I lived in Kuala Lumpur for five years, and during that time, the traffic was horrendous. And, it reminds me of the traffic that we have today in Honolulu. We would go out on the freeway, we'd get caught in traffic, we'd try to go four miles and it'd take us an hour and a half. It was almost unbearable.

"I remember that the country, I thought, got very innovative. What they did was they entered into these agreements to build some toll roads. But they didn't just build toll roads indiscriminately. They actually thought it through. Where were the main traffic patterns? How many people were on the roads? They needed relief immediately. They couldn't wait. They found that entering these partnerships would jump start it, and solve the problem.

"So, what they did, and what I saw, is that they gave people alternatives. And so, what would happen is, the regular roads were the same, and people could stay on them. People could be caught in traffic and sit in their cars. We're talking stop, go, stop, go, stop, go, for an hour and a half to get from point B to point A. Four or five miles. Or, they could pay some money, and jump on a toll road and get there quickly.

"And what I saw is, people actually did make those choices. And sometimes, you get in traffic situations and you need alternatives. I think what we're talking about, is giving DOT the potential of a tool, in areas where it's significantly jammed up.

"So, let's talk about the three reasons. The three reasons I believe is, yes, it's correct. Hawaii is very different. We're an island state. But when you're on an island state, you have a lot of restrictions on land. I'm fortunate. I've travelled. I've seen Hong Kong. I have seen Singapore. I've seen island states. You start putting a lot of cars there. Now mind you in Hawaii, we are limited. One of the things we could do, is tell people they can't have more than two cars per household. Or, we could auction off rights to cars and say that families can only get one car. If we're not willing to limit the cars that we have on an island, then we have to build roads. It's unfortunate, but I believe it's true. So yes, that's one reason. We're an island state, and we don't limit the amount of cars that people can buy and purchase.

"Number two. Those of you who saw the newspaper not too long ago, saw that Hawaii was rated the worst traffic in the whole United States. The whole United States of America, and we get that reputation. That shows we haven't solved the problem. So, what are we doing to resolve the problem?

"And third, I'm always shocked when I talked to people in my district, and I say to them, I think we're paying up to $5 million per mile for a road. Unbelievable. And we know what kind of situation we are in, in terms of our budget. So, this is not a bad idea to give DOT a tool to think about.

"In regards to any concerns about concessionaires, I know in Malaysia, when they gave these private sector people the ability to build a toll, they built into the project the fact that maybe 40 years later, it actually reverted back to the State, with ownership. But, they were required, when they owned that toll road, to maintain it. Those roads were spotless, they were clean, no potholes, maintained. But not those other roads. The alternative roads were a mess, with potholes. The state didn't keep up those roads. And so again, people had a choice, either you're being on those roads, public roads that were potholed, and had traffic for an hour and half to go four miles. Or they got on a toll and paid, and they were clean and spotless, and they were amazing. They even had good lighting.

"So, Mr. Speaker, those were the three reasons I think it's worth giving DOT the tool. I also want to comment that I have family in Chicago, so I go there every year. I've always ridden on a toll way. It's called the Indiana Tollway. I've always done it, every year. It's 40 cents. This last year it went up to $1.10, but why? Brilliant technology. It used to be that on toll roads, you would just drive up, stop, throw your money in a basket and go through the toll road. Not anymore. Technology, electronics are amazing. They put a little thing on your windshield. They put money in a debit account …"

Representative Magaoay rose to yield his time, and the Chair "so ordered."

Representative Evans continued, stating:

"So anyway, you would just drive as fast as if you were driving on the freeway. You can go 55, or 65. In Illinois, it's a little higher than here. So, 65 miles per hour. You drive right through. It has a camera, and bang. It deducts it from your account. So, traffic goes really fast, no slowdown. It's a fabulous system. And, I think that seeing it in Chicago, it's really helped alleviate the traffic jams there. So, Mr. Speaker, I support this bill. Thank you."

Representative Bertram rose to speak in support of the measure, stating:

"Yes, I rise in support. This is kind of strange, for somebody who's always talking about walking and biking, but there are several reasons.

"Number one is that, as much as I've voted with reservations on various bills to take away taxes, we are facing a very, very dire situation right now with our budget. We need to look at any answers that we can look at in maintaining our infrastructure, even in building new roads, which don't always have to be in new developments. You can put new roads in old developments too. So, there's no restriction in that sense.

"Number two is that, as much as ridership's increasing on transit, all across the nation, more people are walking and biking, more is going towards that. The fact of the matter is, the current land use patterns we have now are going to basically dictate that we are going to still be basically dependent on the car for probably another generation. I mean, it's going to take that long, even as we move to rail, even as we get more walking and biking, we're going to have to deal with the cars, and we're going to have to deal with it in much more creative ways than we've been left with so far.

"But, number three, basically is just that, we have to have a balanced transportation system. And, if we don't find different ways that we can finance this, we can't rely just on the federal government. That time is gone. We can't just rely on government for these things. If this is one tool that we can use to get public-private partnerships, we could. I did go to the NCSL conference. There was a whole thing on toll roads, and the stories were just mixed. There were some that were very successful. There were others that weren't as successful. But I think if we have a good oversight of how these are done, and we've learned from other places, we can do a good job. Thank you."

Representative Souki rose to speak in support of the measure, stating:

"Mr. Speaker, I'm speaking for the bill. I know that we're all tired. We've heard the pros and the cons from two great orators from both sides, and I think we've heard enough. So, Mr. Speaker, I'd like to call for the question."

At this time, Representative Souki called for the previous question.

The Chair then addressed the Members, stating:

"The question has been called at this point. Thank you. Before calling the question, the Chair will allow members to insert written comments at this point, for or against."

Representative Cabanilla rose to speak in support of the measure, stating:

"In strong support, Mr. Speaker. And, I would like to thank my colleagues for passing this legislation that would benefit everyone in Hawaii, and I would like to insert my two-page comment into the Journal. Thank you."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I support HB 139. The intent of this bill is to provide language in the HRS that will allow private developers to build roads at their own expense and then have a mechanism to recoup their investment. Any possible negative impacts of this program will be addressed in the pre-implementation stage of the build. This bill is intended to provide enabling legislation.

"Because of our diminished State budget, we aren't in the position to fund transportation projects, yet also because of the recession, the need for efficient transportation is even more vital, in order to keep our economy going. Public-private partnerships is a creative solution to this dilemma.

"Partnering with the private sector would help the State improve our transportation systems. By transferring a portion of the risk, planning, study, development, financing, and acquisition to a private entity, the State can meet its essential transportation needs.

"Toll roads are a new concept in our State, although it is used by 20 other states in the nation as a way to build themselves out of congestion. Traffic congestion remains the number one quality of life issue in the entire State. This condition is only worsening as there are no planned new freeways or highways up to the year 2030. And, in the meantime, more homes are being built every day. In Leeward and Central Oahu, there are 24,000 homes scheduled to be built as we speak. We have embraced the "no build" concept when it comes to our freeways and highways.

"We passed HB 70 last Session knowing that our government can no longer afford to build highways and freeways without raising taxes. As a legislator, I do not want to be the advocate of raising taxes.

"This bill, HB 139, was crafted to merely provide enabling legislation. I believe that this Body and the State should provide options just like the City and County of Honolulu. There are measures before you to raise the cost of vehicle registration, vehicle tax, and additional tax of gasoline. I do not dispute the former two, however, increasing gasoline taxes will definitely tax those from the outlaying areas, such as Ewa Beach who have to fill up their tank more often. So, Mr. Speaker, Members, we do not have an exit plan to paying for highways or freeways. If you ride the train, the bus, drive, you cannot escape the tax. So, paying a toll is not to say that you are paying more.

"Tolling for the creation of new roads is a very simple concept. A private company builds the road now and we get to use it right away. The mortgage is paid through the collection of tolls. If we wait for government to build the road, we will be waiting for decades. With the toll concept, once the contractor has been paid off through toll collection, the road can then become a free road. The public roads will still be there for those who do not want to pay. Even they will still benefit from it, because the free road will be less congested. The savings on fuel, and the amount of time spent behind the wheel are very attractive to consumers.

"I believe that toll roads are a crucial component of the overall plan of improving transportation for a fiscally constrained state such as ours. I ask that my colleagues support this bill."

Representative Ching rose in opposition to the measure and asked that her written remarks, and the remarks of Representative Har be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition to H.B. 139 - Relating to Transportation. I am concerned this bill might be detrimental to the long-term public interest because it relinquishes public control over transportation policy while failing to deliver the value comparable to the tolls that the public will be forced to pay for the duration of the agreement. 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 strong support. This measure provides for options to address the infrastructure shortages; in particular, lack of roads – a statewide issue. I believe that we should keep our options open by passing this measure.

"There are toll roads in many major cities throughout the United States. The Federal Highway Administration documented toll roads even in Puerto Rico – 22 tolls in an island territory. Public-private partnerships have become an option as it leverages state funds with private funds to help the general public. The reality faced before us is that the economic environment can no longer provide for State tax dollars and or State matching funds to adequately keep up with the number of roads needed in accordance to the rate of growth that we are experiencing.

"In addition, before major roadway projects are undertaken, community meetings and input is accepted in the affected communities. If this measure does not pass, my fear is that those who need congestion alleviation will not be allowed options and be forced to wait hours to get to and from work. The Oahu Metropolitan 2030 Plan reflects an 80 minute commute for those in the rural areas such as the Waianae Coast and the North Shore.

"Let's keep an open mind on this measure, keep our options open and keep this measure moving. Thank you, Mr. Speaker."

Representative M. 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 M. Lee's written remarks are as follows:

"Mr. Speaker, I stand with reservations on this bill, which would allow the State to enter into agreements with private entities to build, operate own, or finance newly constructed transportation facilities, including toll highways.

"Before we take this route, we must thoroughly examine what such a change in public policy would mean for our State. There is a growing trend in the United States for privately financed roads. Many see privately operated toll roads as a panacea for our traffic problems, as they have the potential to increase the capacity of our roadways without raising taxes. Others encourage the construction of toll roads as an alternative for a transit system.

"Chicago and Indiana entered into private concession agreements for public roads, which extend as long as 99 years. America has been more resistant to free-market infrastructure construction than the rest of the world, but as bridges and roads deteriorate, private investment groups see great opportunities to reap profits over the long term.

"Add to that, the Federal Highway trust fund is billions of dollars in debt, and many feel an increase in the federal fuel tax is long overdue. Hawaii is a donee rather than a donor state, which means it gets more from the highway fund than it puts in. Predictions are that raising the federal fuel tax by 3 cents a gallon would raise millions in revenue, while costing the average driver about $7.06 a year. Even this would not be enough.

"According to the U.S. Transportation Department, the cost of fixing the highways and bridges of the United States exceeds $495 billion. If railroads and ports are included, the cost exceeds $1.6 trillion. Although Chicago and Indiana have forged ahead, opposition prevails in states like Pennsylvania, New Jersey and Texas.

"Modern transit solutions take cars off the road, reduce traffic, shorten commuter time, improve the public health, provide reliability and increase the quality of life—all leading to economic well-being. Toll road solutions and road privatization are policies that will put more cars on the road and in the long run might provide enormous profits for investors who expect rising tolls to justify their investment, putting even more of a burden on taxpayers.

"U.S. PIRG, a federation of state public interest research groups, an independent, citizen-funded group, is working to encourage public support

for new public transportation projects and improved service, while making sure that privatization and toll road deals are in the public interest.

"A report from U.S. PIRG cites the effect of multi-million dollar deals in Chicago and Indiana, which have encouraged Wall Street investors and high-priced consulting firms to promote such deals to state and local government. In anticipation of huge profits, private road operators are promising miracles for our congested roads and highways.

"Some would argue that this path is necessary because neither the state nor the counties have sufficient funds to build more highways. U.S. PIRG cautions that through such deals, the public loses control of transportation policy, and there is no guarantee that toll roads will deliver their promised value. The report cites such problems as an inability to prevent toll traffic from being diverted to local communities and difficulty changing traffic patterns on toll roads without paying additional compensation to road operators. The U.S. PIRG report also notes the difficult of ensuring fair contracts when they stretch over multiple generations and changing community needs.

"As public officials, we have a responsibility to protect the public interest. Before we enter into any agreements allowing the Governor or the Department of Transportation to enter into private agreements, we must thoroughly investigate this change in public policy. Selling our roads to put more cars in service would not be the responsible choice."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, in support. With half of my family living in Kuala Lumpur, I am in support."

Representative Ito rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I have some grave, grave reservations. Thank you."

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 a no vote 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 139, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 39 ayes to 11 noes, with Representatives Aquino, Berg, Ching, Coffman, Har, C. Lee, Manahan, McKelvey, Rhoads, Tokioka and Yamane voting no, and with Representative Takai being excused.

At 8:22 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 139, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 900) recommending that H.B. No. 1187, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1187, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Cabanilla rose to speak in support of the measure, stating:

"Mr. Speaker, can I please be recognized? I haven't spoken tonight, and I would like to give the closing remark on this matter.

"House Bill 1187 is the Return to Home program. The purpose of the Return to Home program is to assist homeless people from other states, voluntarily returning to home. This is not meant to solve the entire homeless problem, but it is a compassionate bill to repatriate and return our homeless population to their home for those who have encountered the harsh reality of homelessness in Hawaii. This is meant for the out-of-state homeless that already have family, friends, or other support services in the place where they are requesting transfer.

"Social services costs for the homeless is $35,000 to $45,000 a year per person. 40% of the homeless population are from the Mainland, and a good number of them want to go home, and have families to go home to, but rather cannot afford the airfare to go home.

"Mr. Speaker, if this bill should die today, I want it to be remembered as the Family Reunification Bill. A compassionate bill that remembered those unfortunate human beings, and cannot afford to pay their way home.

"The proponents of this bill are already doing this. It is just because of strained budgetary needs and diminishing grants-in-aid, they may not be able to continue doing this humanitarian act.

"Mr. Speaker, this bill is heavily supported by so many individuals, organizations, and businesses. Practically no one came to the hearing to oppose this bill, but rather, we received so much accolades in the merit of the bill.

"There is concern of being misused, and the bill will encourage more homeless people to come to Hawaii. It costs money to come to Hawaii, and a one-way ticket costs just as much as a round trip ticket. Homeless people from elsewhere cannot afford to come here, unless someone sponsors them, and other states have done so. This is only a two-year pilot project. If we do not start it now, we will never know what we need to fix, to address these concerns.

"Yesterday, I called the Waikiki Health Center, because during Caucus, they were concernd about this program being misused. They gave me two examples, Mr. Speaker. The Honolulu Police phoned the Waikiki Health Center, and told them of a homeless heroin addict who wanted to go home to the Mainland. The Waikiki Health Center contacted his family, who said they would be happy to receive him, but didn't have the funds to pay for his ticket. He was a perfect candidate for the program.

"On the other hand, a couple came in, requesting tickets to go to Florida to be with her dying mother. They were turned down. The homeless advocates truly will screen to make sure that this program is used exclusively for actual homeless people.

"So, Mr. Speaker, I'm here to say that we will be remembered for this bill that we're passing tonight. This is a family reunification bill, a repatriation bill, and very compassionate act from this Chamber. I thank you for your support."

Representative Rhoads rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition. As the Representative of the Chinatown area, I have taken a number of stances that people considered not to be very humane, but if you live there long enough, I think you'll understand why I have. But, I oppose this bill, mainly because I worry that once jurisdictions on the Mainland realize what we're doing, they're going to turn around and say, 'Well, if they're sending us their homeless, we'll do the same thing to them.' The problem with that scenario is that if California, just one state in the Union sent us 5% of their homeless, we'd be totally inundated, whereas we could send every single one of our homeless people in the whole State, and they probably wouldn't even notice the difference. So, I am very reluctant to get in a dumping-our-homeless-on-you situation. And, that's the main reason I don't support the bill. Mahalo."

Representative Yamane rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Standing in opposition, brief comments. Mr. Speaker, I wasn't planning to speak, but I need to make several comments.

"I guess for several of us, we have different definitions of what 'compassionate' is. 'Compassionate' to me is not looking at a client, or an individual, based on a $35,000 to $40,000 price tag for services, versus a $300 to $500 ticket back to the mainland. 'Compassionate' or 'passion,' or whatever you want to call it, is the issue of understanding the person you're dealing with, and looking at options, and working with them. Sending people who are homeless, because they claim or may claim to have family on the Mainland is not an adequately, or appropriate way of treating our homeless.

"These people deserve dignity. They deserve our time. They deserve our respect to work with them.

"I heard the issue about family reunification. Mr. Speaker, family, and addressing the issue is, we have to look at what this State is called. We look around, Mr. Speaker, and we help our neighbors. We help those in need. We give our time. We call the State of Hawaii the 'Aloha State,' so, why don't we change our name? The Aloha State, that if you're homeless will send you away. Thank you, Mr. Speaker."

Representative McKelvey rose in opposition to the measure and asked that the remarks of Representative Rhoads and Yamane be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Har rose to speak in opposition to the measure, stating:

"In opposition with brief comments, Mr. Speaker. I stand in opposition for two reasons. First of all, this bill purports to use general fund moneys. As we know, we are looking at a $1.8 billion shortfall. This is not a priority at this time.

"Secondly, and quite frankly, Mr. Speaker, this is just bad policy. This is not something that should be put in a bill, and this is not good policy for the people of Hawaii. Thank you, Mr. Speaker."

Representative Choy rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Wooley 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."

Representative Aquino 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. 1187, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," passed Third Reading by a vote of 38 ayes to 12 noes, with Representatives Belatti, Berg, Har, Manahan, Marumoto, McKelvey, Pine, Rhoads, Saiki, Thielen, Tokioka and Yamane voting no, and with Representative Takai being excused.

At 8:32 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 1187, HD 1

SUPPLEMENTAL CALENDAR # 1

STANDING COMMITTEE REPORTS

Representative Carroll, for the Committee on Hawaiian Affairs presented two reports:

(Stand. Com. Rep. No. 974) recommending that H.R. No. 61, be adopted; and

(Stand. Com. Rep. No. 975) recommending that H.C.R. No. 75, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 61 and H.C.R. No 75, be adopted, seconded by Representative Evans.

Representative Carroll rose in support of both measures, stating:

"Mr. Speaker, I am in strong support."

Representative Sagum rose in support of both measures 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 both HR61and HCR 75: Requesting the United States Postal Service to Issue a Stamp honoring Prince Jonah Kuhio Kalanianaole.

"Prince Jonah Kuhio Kalanianaole was born in the Koloa district of Kauai on March 26, 1871. At the time of his death on January 7, 1922 he held various positions from Prince to Hawaii's delegate to Congress from 1903 to 1921. Among the outstanding achievements during his twenty years in Congress were:

1) The retention of the Kalaupapa Leper Settlement;

2) The creation of county governments with elected officials;

3) The development of Pearl Harbor and army installations on Oahu;

4) Funding for improvements of harbors at Honolulu, Hilo, Kahului and Nawiliwili;

5) The enactment of the Hawaiian Homestead Act;

6) The creation of the Kilauea volcano areas as Hawaii National Park; and

7) The Rehabilitation Act, better known as the Hawaiian Home Commission Act.

"Prince Kuhio was the last Hawaiian who by right of blood and designation could have claimed the crown of Hawaii.

"It would honor the memory of a great *ali'i* of Hawaii to have the United States Postal Service to issue a stamp honoring Prince Jonah Kuhio Kalanianaole. Thank you, Mr. Speaker."

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.R. 61 and H.C.R 75 - Requesting the United States Postal Service to Issue a Stamp Honoring Prince Jonah Kuhio Kalanianaole. I believe Prince Jonah Kuhio Kalanianaole deserves the merit of these Resolutions. If you look at this man's body of work you will see a man who served Hawaii without hesitation. Prince Jonah Kuhio Kalanianaole had many accomplishments throughout his life such as creating the Hawaiian Home Lands and being elected to Congress and serving on the Military Affairs Committee.

"In 1902 Prince Jonah Kuhio Kalanianaole founded the Republican Party in Hawaii and in doing so brought the principles and ideals of freedom and equality to the Hawaiian people. I cannot think of a better person to have carried the torch of Abraham Lincoln to Hawaii than Prince Jonah Kuhio Kalanianaole. Thank you."

Representative McKelvey rose in support of both measures, stating:

"Mr. Speaker, I am in strong support."

Representative Awana rose in support of both measures, stating:

"Mr. Speaker, I am in strong support."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 61, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES POSTAL SERVICE TO ISSUE A STAMP HONORING PRINCE JONAH KUHIO KALANIANAOLE," was adopted, with Representative Takai being excused; and

H.C.R. No. 75, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES POSTAL SERVICE TO ISSUE A STAMP HONORING PRINCE JONAH KUHIO KALANIANAOLE," was adopted, with Representative Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 976) recommending that S.B. No. 1677, SD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1677, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed Second Reading and was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, with Representative Takai being excused

ANNOUNCEMENTS

Representative McKelvey: "Thank you very much, Mr. Speaker. Mr. Speaker, on Saturday, Hawaii lost one of its own brave servicemen who was defending our freedom in Iraq. First Lieutenant Daniel Hyde, of Modesto, California, who was a graduate of West Point, was killed Saturday in Samar, Iraq, when a RPG, or rocket propelled grenade, slammed into his HMMWV, killing him.

"His sister eloquently described that basically he wouldn't sit by and let others do the job. He would do the job for them. He showed true leadership all the time, and especially in the most tragic moment of his life. He was a platoon leader in the 25th Infantry Division, 2nd Battalion, the 35th Infantry Regiment, and it was his first deployment since he graduated from West Point in 2007.

"First Lieutenant Daniel Hyde was 24 years old and was stationed at Schofield Barracks. I'd like to ask, Mr. Speaker, if we could observe a moment of silence for Lieutenant Daniel Hyde when appropriate. Thank you."

Representative Marumoto: "Mr. Speaker, it's my understanding from reading the newspaper, that former Representative Ted Mina passed away, and he served in the Legislature many decades ago. I wonder whether we could also have a moment of silence at the same time for him."

Representative M. Lee: "Yes, I'd just like to announce that the Finance Committee will be holding a hearing tomorrow at 11 a.m. in Room 308 to hear the State budget, OHA and Judiciary budgets. Thank you."

At this time, the House of Representatives stood for a moment of silence in honor of the late Lt. Daniel Hyde and former Representative Ted Mina.

ADJOURNMENT

At 8:37 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Thursday, March 12, 2009. (Representative Takai was excused.)

HOUSE COMMUNICATION

"March 10, 2009

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 House Bill, a copy of which is attached hereto:

H.B. No. 993, H.D. 2, entitled:

"PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION, RELATING TO THE DISPOSITION OF PROJECTED EXCESS REVENUES."

Said measure passed Third Reading in the House of Representatives on this date.

Respectfully,
/s/
PATRICIA MAU-SHIMIZU
Chief Clerk

Enclosure

CC: Carol Taniguchi, Clerk of the Senate
Kevin Cronin, Chief Election Officer"

TWENTY-SEVENTH DAY

Thursday, March 12, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:07 o'clock p.m., with Vice Speaker Magaoay 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 Takai, Wakai and Wooley, who were excused.

On motion by Representative Evans, seconded by Representative Pine and carried, reading of the Journal was dispensed with and the Journals of the Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-First, Twenty-Second and Twenty-Third Days were approved. (Representatives Takai, Wakai and Wooley were excused.)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 81 through 410) were received and announced by the Clerk:

Sen. Com. No. 81, transmitting S.B. No. 6, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 82, transmitting S.B. No. 15, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWER OF ARREST," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 83, transmitting S.B. No. 19, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 84, transmitting S.B. No. 21, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 85, transmitting S.B. No. 32, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUEL," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 86, transmitting S.B. No. 37, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTRA-COUNTY FERRY SERVICE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 87, transmitting S.B. No. 38, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAX ON TOBACCO PRODUCTS OTHER THAN CIGARETTES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 88, transmitting S.B. No. 39, entitled: "A BILL FOR AN ACT RELATING TO REPORTS ON THE HAWAII CANCER RESEARCH SPECIAL FUND," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 89, transmitting S.B. No. 43, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN WORKFORCE ASSESSMENT," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 90, transmitting S.B. No. 44, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 91, transmitting S.B. No. 50, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY PRODUCERS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 92, transmitting S.B. No. 51, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 93, transmitting S.B. No. 56, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT OF THE SMOKING PROHIBITION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 94, transmitting S.B. No. 58, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 95, transmitting S.B. No. 63, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 96, transmitting S.B. No. 65, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 97, transmitting S.B. No. 76, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 98, transmitting S.B. No. 86, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MAKUA," which passed Third Reading in the Senate on March 10, 2009.4

Sen. Com. No. 99, transmitting S.B. No. 91, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 100, transmitting S.B. No. 93, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 101, transmitting S.B. No. 101, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS BY COUNTIES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 102, transmitting S.B. No. 105, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTIVE PROCEEDINGS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 103, transmitting S.B. No. 109, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR JUVENILES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 104, transmitting S.B. No. 111, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 105, transmitting S.B. No. 114, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL CARE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 106, transmitting S.B. No. 133, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UTILITIES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 107, transmitting S.B. No. 145, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 108, transmitting S.B. No. 160, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL MEALS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 109, transmitting S.B. No. 161, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 110, transmitting S.B. No. 163, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 111, transmitting S.B. No. 164, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL GRANTS SEARCH, DEVELOPMENT, AND APPLICATION REVOLVING FUND," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 112, transmitting S.B. No. 165, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL CAFETERIA WORKERS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 113, transmitting S.B. No. 166, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 114, transmitting S.B. No. 169, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH CORPS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 115, transmitting S.B. No. 178, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 116, transmitting S.B. No. 186, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CARE SERVICES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 117, transmitting S.B. No. 194, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 118, transmitting S.B. No. 199, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 119, transmitting S.B. No. 201, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII COUNTY ECONOMIC OPPORTUNITY COUNCIL," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 120, transmitting S.B. No. 203, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 121, transmitting S.B. No. 207, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 122, transmitting S.B. No. 210, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 123, transmitting S.B. No. 212, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 124, transmitting S.B. No. 213, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 125, transmitting S.B. No. 231, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 126, transmitting S.B. No. 241, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 127, transmitting S.B. No. 242, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 128, transmitting S.B. No. 243, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 129, transmitting S.B. No. 256, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TELEWORK," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 130, transmitting S.B. No. 260, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GAMBLING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 131, transmitting S.B. No. 266, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GLOBAL WARMING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 132, transmitting S.B. No. 271, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOURISM EMERGENCY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 133, transmitting S.B. No. 287, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 134, transmitting S.B. No. 288, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 135, transmitting S.B. No. 292, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 136, transmitting S.B. No. 294, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE DEPARTMENTS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 137, transmitting S.B. No. 295, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 138, transmitting S.B. No. 298, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 139, transmitting S.B. No. 300, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 140, transmitting S.B. No. 301, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGISTERED AGENTS ACT," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 141, transmitting S.B. No. 350, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF FORCE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 142, transmitting S.B. No. 358, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 143, transmitting S.B. No. 360, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXTRACURRICULAR ACTIVITIES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 144, transmitting S.B. No. 378, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 145, transmitting S.B. No. 382, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 146, transmitting S.B. No. 387, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 147, transmitting S.B. No. 389, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 148, transmitting S.B. No. 390, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 149, transmitting S.B. No. 391, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON OAHU," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 150, transmitting S.B. No. 392, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING, LLC PROJECTS ON OAHU," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 151, transmitting S.B. No. 393, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST ONE PLANET PACIFIC ENERGY, LLC, A PROCESSING ENTERPRISE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 152, transmitting S.B. No. 404, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 153, transmitting S.B. No. 411, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KAENA POINT STATE PARK," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 154, transmitting S.B. No. 415, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 155, transmitting S.B. No. 417, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 156, transmitting S.B. No. 420, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHIC MEDICINE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 157, transmitting S.B. No. 423, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 158, transmitting S.B. No. 427, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 159, transmitting S.B. No. 428, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 160, transmitting S.B. No. 430, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 161, transmitting S.B. No. 436, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LIFE SCIENCES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 162, transmitting S.B. No. 440, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 163, transmitting S.B. No. 442, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSIT ORIENTED DEVELOPMENT," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 164, transmitting S.B. No. 449, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PATIENT PRESCRIPTION INFORMATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 165, transmitting S.B. No. 455, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 166, transmitting S.B. No. 464, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 167, transmitting S.B. No. 466, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO POLLUTION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 168, transmitting S.B. No. 470, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 169, transmitting S.B. No. 474, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 6, OF THE HAWAII CONSTITUTION, TO CLARIFY THE GUBERNATORIAL APPOINTMENT PROCESS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 170, transmitting S.B. No. 478, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 171, transmitting S.B. No. 485, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST CARBON DIVERSION INC.," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 172, transmitting S.B. No. 486, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 173, transmitting S.B. No. 496, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 174, transmitting S.B. No. 504, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 175, transmitting S.B. No. 506, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 176, transmitting S.B. No. 512, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 177, transmitting S.B. No. 516, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ORDERS FOR LIFE SUSTAINING TREATMENT," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 178, transmitting S.B. No. 520, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 179, transmitting S.B. No. 521, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 180, transmitting S.B. No. 522, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 181, transmitting S.B. No. 523, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 182, transmitting S.B. No. 528, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 183, transmitting S.B. No. 532, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITING CIVIL LIABILITY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 184, transmitting S.B. No. 536, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STARLIGHT RESERVE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 185, transmitting S.B. No. 537, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 186, transmitting S.B. No. 539, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 187, transmitting S.B. No. 540, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 188, transmitting S.B. No. 546, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 189, transmitting S.B. No. 549, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EXPRESS WARRANTY ENFORCEMENT," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 190, transmitting S.B. No. 552, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY-EFFICIENT VEHICLES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 191, transmitting S.B. No. 553, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY-EFFICIENT LIGHTING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 192, transmitting S.B. No. 555, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 193, transmitting S.B. No. 559, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 194, transmitting S.B. No. 560, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 195, transmitting S.B. No. 564, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 196, transmitting S.B. No. 568, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PRESCRIPTIONS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 197, transmitting S.B. No. 571, entitled: "A BILL FOR AN ACT RELATING TO A VETERANS' MEMORIAL," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 198, transmitting S.B. No. 572, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 199, transmitting S.B. No. 574, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 200, transmitting S.B. No. 579, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 201, transmitting S.B. No. 580, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 202, transmitting S.B. No. 585, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 203, transmitting S.B. No. 588, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONGOVERNMENT HEALTH PLAN PAYMENTS TO CRITICAL ACCESS HOSPITALS AND FEDERALLY QUALIFIED HEALTH CENTERS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 204, transmitting S.B. No. 591, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 205, transmitting S.B. No. 595, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 206, transmitting S.B. No. 602, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ARTS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 207, transmitting S.B. No. 603, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 208, transmitting S.B. No. 604, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY CONTRACEPTIVES FOR SEXUAL ASSAULT SURVIVORS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 209, transmitting S.B. No. 605, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 210, transmitting S.B. No. 606, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 211, transmitting S.B. No. 619, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VOTING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 212, transmitting S.B. No. 623, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 213, transmitting S.B. No. 633, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 214, transmitting S.B. No. 635, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 215, transmitting S.B. No. 636, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 216, transmitting S.B. No. 638, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 217, transmitting S.B. No. 642, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 218, transmitting S.B. No. 643, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 219, transmitting S.B. No. 646, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTABILITY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 220, transmitting S.B. No. 659, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 221, transmitting S.B. No. 661, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE FUNERAL INDUSTRY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 222, transmitting S.B. No. 667, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WHISTLEBLOWERS' PROTECTION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 223, transmitting S.B. No. 687, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 224, transmitting S.B. No. 690, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTERGOVERNMENTAL MOVEMENTS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 225, transmitting S.B. No. 696, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COQUI FROGS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 226, transmitting S.B. No. 701, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LANDFILLS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 227, transmitting S.B. No. 705, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC PROCUREMENT CODE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 228, transmitting S.B. No. 709, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 229, transmitting S.B. No. 713, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EMERGENCY ENVIRONMENTAL WORKFORCE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 230, transmitting S.B. No. 733, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 231, transmitting S.B. No. 746, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 232, transmitting S.B. No. 747, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 233, transmitting S.B. No. 754, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 234, transmitting S.B. No. 763, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 235, transmitting S.B. No. 764, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 236, transmitting S.B. No. 771, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPRAISALS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 237, transmitting S.B. No. 773, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 238, transmitting S.B. No. 774, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 239, transmitting S.B. No. 794, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 240, transmitting S.B. No. 807, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 241, transmitting S.B. No. 809, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 242, transmitting S.B. No. 818, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 243, transmitting S.B. No. 821, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELDER CARE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 244, transmitting S.B. No. 830, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT SHARED SERVICES TECHNOLOGY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 245, transmitting S.B. No. 844, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISCLOSURE OF VITAL STATISTICS RECORDS TO LAW ENFORCEMENT OFFICERS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 246, transmitting S.B. No. 846, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POST CONVICTION PROCEEDINGS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 247, transmitting S.B. No. 862, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 248, transmitting S.B. No. 863, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 249, transmitting S.B. No. 868, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 250, transmitting S.B. No. 876, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 251, transmitting S.B. No. 877, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ONE CALL CENTER," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 252, transmitting S.B. No. 881, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 253, transmitting S.B. No. 884, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 254, transmitting S.B. No. 886, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 255, transmitting S.B. No. 887, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 256, transmitting S.B. No. 891, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 257, transmitting S.B. No. 892, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 258, transmitting S.B. No. 898, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 259, transmitting S.B. No. 905, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF COMMUNITY SERVICES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 260, transmitting S.B. No. 910, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF HOMELESS PROGRAMS WITHIN THE DEPARTMENT OF HUMAN SERVICES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 261, transmitting S.B. No. 912, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PERMANENCY HEARINGS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 262, transmitting S.B. No. 914, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 263, transmitting S.B. No. 917, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THIRD PARTY LIABILITY FOR MEDICAID," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 264, transmitting S.B. No. 921, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FINANCIAL ASSISTANCE FOR INDEPENDENT LIVING SERVICES AND CENTERS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 265, transmitting S.B. No. 931, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 266, transmitting S.B. No. 932, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INFECTIOUS DISEASE TESTING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 267, transmitting S.B. No. 933, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY LICENSURE OF DENTISTS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 268, transmitting S.B. No. 940, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 269, transmitting S.B. No. 942, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 270, transmitting S.B. No. 947, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT CONTRIBUTION RATES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 271, transmitting S.B. No. 967, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 272, transmitting S.B. No. 968, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESCAPE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 273, transmitting S.B. No. 969, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RESTRICTED ACCESS TO CORRECTIONAL FACILITIES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 274, transmitting S.B. No. 970, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS' ACCOUNTS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 275, transmitting S.B. No. 971, 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 March 10, 2009.

Sen. Com. No. 276, transmitting S.B. No. 972, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 277, transmitting S.B. No. 979, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 278, transmitting S.B. No. 995, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 279, transmitting S.B. No. 1005, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 280, transmitting S.B. No. 1008, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY STANDARDS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 281, transmitting S.B. No. 1040, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SMOKING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 282, transmitting S.B. No. 1045, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 283, transmitting S.B. No. 1046, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PROFESSIONAL EDUCATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 284, transmitting S.B. No. 1053, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL REVIEW," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 285, transmitting S.B. No. 1054, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 286, transmitting S.B. No. 1056, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 287, transmitting S.B. No. 1057, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DETENTION AND RETENTION PONDS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 288, transmitting S.B. No. 1058, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 289, transmitting S.B. No. 1059, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 290, transmitting S.B. No. 1060, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 291, transmitting S.B. No. 1065, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 292, transmitting S.B. No. 1066, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 293, transmitting S.B. No. 1069, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 294, transmitting S.B. No. 1073, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 295, transmitting S.B. No. 1077, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 296, transmitting S.B. No. 1083, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BURIAL SITES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 297, transmitting S.B. No. 1085, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CEDED LANDS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 298, transmitting S.B. No. 1086, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PET ANIMALS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 299, transmitting S.B. No. 1088, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 300, transmitting S.B. No. 1094, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 301, transmitting S.B. No. 1096, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE AND DEVELOPMENT," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 302, transmitting S.B. No. 1103, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EFFECTIVE LEGISLATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 303, transmitting S.B. No. 1105, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE HEARINGS AND PROCEDURES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 304, transmitting S.B. No. 1106, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 305, transmitting S.B. No. 1107, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 306, transmitting S.B. No. 1111, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 307, transmitting S.B. No. 1113, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOGRAPHIC LIMITATIONS ON TIME SHARES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 308, transmitting S.B. No. 1118, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 309, transmitting S.B. No. 1122, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 310, transmitting S.B. No. 1125, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 311, transmitting S.B. No. 1126, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO JOB-SHARING FOR PUBLIC EMPLOYEES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 312, transmitting S.B. No. 1128, entitled: "A BILL FOR AN ACT RELATING TO METAL," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 313, transmitting S.B. No. 1129, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 314, transmitting S.B. No. 1130, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 315, transmitting S.B. No. 1137, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 316, transmitting S.B. No. 1140, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 317, transmitting S.B. No. 1141, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 318, transmitting S.B. No. 1143, 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 10, 2009.

Sen. Com. No. 319, transmitting S.B. No. 1147, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE DISASTER RELIEF," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 320, transmitting S.B. No. 1148, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPREHENSIVE OFFENDER REENTRY SYSTEM," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 321, transmitting S.B. No. 1152, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 322, transmitting S.B. No. 1160, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 323, transmitting S.B. No. 1164, 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 10, 2009.

Sen. Com. No. 324, transmitting S.B. No. 1165, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 325, transmitting S.B. No. 1167, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 326, transmitting S.B. No. 1173, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 327, transmitting S.B. No. 1178, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 328, transmitting S.B. No. 1179, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 329, transmitting S.B. No. 1181, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LABOR," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 330, transmitting S.B. No. 1183, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRACTICES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 331, transmitting S.B. No. 1184, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL RIGHTS COMMISSION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 332, transmitting S.B. No. 1192, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 333, transmitting S.B. No. 1194, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 334, transmitting S.B. No. 1195, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ECONOMY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 335, transmitting S.B. No. 1197, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ECONOMY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 336, transmitting S.B. No. 1199, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 337, transmitting S.B. No. 1202, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION ENERGY INITIATIVES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 338, transmitting S.B. No. 1203, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 339, transmitting S.B. No. 1205, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 340, transmitting S.B. No. 1206, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 341, transmitting S.B. No. 1218, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATORS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 342, transmitting S.B. No. 1221, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 343, transmitting S.B. No. 1222, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HUMANE TREATMENT OF PET ANIMALS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 344, transmitting S.B. No. 1223, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MADE PRODUCTS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 345, transmitting S.B. No. 1224, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 346, transmitting S.B. No. 1226, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE TOURISM SPECIAL FUND," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 347, transmitting S.B. No. 1227, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 348, transmitting S.B. No. 1228, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE SMALL BOAT HARBORS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 349, transmitting S.B. No. 1230, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 350, transmitting S.B. No. 1241, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 351, transmitting S.B. No. 1247, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ECONOMY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 352, transmitting S.B. No. 1248, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 353, transmitting S.B. No. 1249, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 354, transmitting S.B. No. 1250, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 355, transmitting S.B. No. 1258, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 356, transmitting S.B. No. 1259, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 357, transmitting S.B. No. 1260, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION FEES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 358, transmitting S.B. No. 1263, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 359, transmitting S.B. No. 1265, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABELING OF MEAT AND FISH PRODUCTS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 360, transmitting S.B. No. 1268, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 361, transmitting S.B. No. 1271, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 362, transmitting S.B. No. 1272, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 363, transmitting S.B. No. 1276, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 364, transmitting S.B. No. 1277, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 365, transmitting S.B. No. 1278, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 366, transmitting S.B. No. 1299, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED FLIGHT SIMULATOR TRAINING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 367, transmitting S.B. No. 1300, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUNIOR RESERVE OFFICERS' TRAINING CORPS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 368, transmitting S.B. No. 1308, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 369, transmitting S.B. No. 1310, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTHCARE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 370, transmitting S.B. No. 1311, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 371, transmitting S.B. No. 1313, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY DEVELOPMENT," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 372, transmitting S.B. No. 1315, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION AND RESOURCES ENFORCEMENT PROGRAM," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 373, transmitting S.B. No. 1316, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 374, transmitting S.B. No. 1318, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND ECONOMIC DEVELOPMENT," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 375, transmitting S.B. No. 1327, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RATE OF INTEREST

APPLICABLE TO OVERPAYMENTS OF TAX," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 376, transmitting S.B. No. 1329, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 377, transmitting S.B. No. 1332, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTHCARE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 378, transmitting S.B. No. 1334, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN MUSIC AND DANCE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 379, transmitting S.B. No. 1338, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSEHOLD ENERGY DEMAND," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 380, transmitting S.B. No. 1343, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FEES AND OTHER ASSESSMENTS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 381, transmitting S.B. No. 1344, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 382, transmitting S.B. No. 1345, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 383, transmitting S.B. No. 1349, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 384, transmitting S.B. No. 1350, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 385, transmitting S.B. No. 1352, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUREAU OF CONVEYANCES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 386, transmitting S.B. No. 1381, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 387, transmitting S.B. No. 1449, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 388, transmitting S.B. No. 1461, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 389, transmitting S.B. No. 1568, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 390, transmitting S.B. No. 1610, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ORDERS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 391, transmitting S.B. No. 1611, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 392, transmitting S.B. No. 1614, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PASSENGER FACILITY CHARGE SPECIAL FUND," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 393, transmitting S.B. No. 1621, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 394, transmitting S.B. No. 1624, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO ALLOW THE LEGISLATURE TO EITHER FUND THE TAX CREDIT UNDER ARTICLE VII, SECTION 6 OF THE CONSTITUTION, OR DEPOSIT THE SAME AMOUNT INTO THE EMERGENCY AND BUDGET RESERVE FUND," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 395, transmitting S.B. No. 1633, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST EPOD, INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY ON THE ISLAND OF OAHU," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 396, transmitting S.B. No. 1645, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BUILDING CODE," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 397, transmitting S.B. No. 1661, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 398, transmitting S.B. No. 1664, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 399, transmitting S.B. No. 1665, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 400, transmitting S.B. No. 1666, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY ASSISTANCE TO NEEDY FAMILIES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 401, transmitting S.B. No. 1668, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 402, transmitting S.B. No. 1669, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 403, transmitting S.B. No. 1671, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOSSIL FUELS," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 404, transmitting S.B. No. 1672, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC STRUCTURES," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 405, transmitting S.B. No. 1673, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 406, transmitting S.B. No. 1674, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 407, transmitting S.B. No. 1675, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 408, transmitting S.B. No. 1676, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 409, transmitting S.B. No. 1679, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," which passed Third Reading in the Senate on March 10, 2009.

Sen. Com. No. 410, transmitting S.B. No. 1680, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," which passed Third Reading in the Senate on March 10, 2009.

On motion by Representative Evans seconded by Representative Pine and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representatives Takai, Wakai and Wooley were excused.)

S.B. No. 6, SD 2
S.B. No. 15, SD 1
S.B. No. 19, SD 1
S.B. No. 21, SD 1
S.B. No. 32, SD 1
S.B. No. 37, SD 2
S.B. No. 38, SD 2
S.B. No. 39
S.B. No. 43, SD 2
S.B. No. 44, SD 2
S.B. No. 50, SD 1
S.B. No. 51, SD 1
S.B. No. 56, SD 1
S.B. No. 58, SD 2
S.B. No. 63, SD 2
S.B. No. 65, SD 1
S.B. No. 76, SD 1
S.B. No. 86, SD 2
S.B. No. 91, SD 2
S.B. No. 93, SD 1
S.B. No. 101, SD 1
S.B. No. 105, SD 1
S.B. No. 109, SD 2
S.B. No. 111
S.B. No. 114, SD 1
S.B. No. 133, SD 2
S.B. No. 145, SD 2
S.B. No. 160, SD 2
S.B. No. 161
S.B. No. 163
S.B. No. 164
S.B. No. 165, SD 2
S.B. No. 166, SD 1
S.B. No. 169, SD 2
S.B. No. 178, SD 1
S.B. No. 186, SD 1
S.B. No. 194, SD 2
S.B. No. 199, SD 1
S.B. No. 201, SD 2
S.B. No. 203, SD 2
S.B. No. 207, SD 1
S.B. No. 210, SD 2
S.B. No. 212, SD 2
S.B. No. 213, SD 1
S.B. No. 231, SD 1
S.B. No. 241, SD 2
S.B. No. 242, SD 2
S.B. No. 243
S.B. No. 256, SD 2
S.B. No. 260, SD 1
S.B. No. 266, SD 2
S.B. No. 271, SD 2
S.B. No. 287, SD 2
S.B. No. 288, SD 1
S.B. No. 292, SD 1
S.B. No. 294, SD 2
S.B. No. 295, SD 1
S.B. No. 298, SD 1
S.B. No. 300, SD 2
S.B. No. 301, SD 2
S.B. No. 350, SD 1
S.B. No. 358, SD 1
S.B. No. 360, SD 1
S.B. No. 378, SD 1
S.B. No. 382, SD 1
S.B. No. 387, SD 1
S.B. No. 389, SD 1
S.B. No. 390, SD 2
S.B. No. 391, SD 1
S.B. No. 392, SD 1
S.B. No. 393, SD 2
S.B. No. 404, SD 1
S.B. No. 411, SD 1
S.B. No. 415, SD 2
S.B. No. 417, SD 1
S.B. No. 420, SD 2
S.B. No. 423, SD 1
S.B. No. 427
S.B. No. 428, SD 1
S.B. No. 430, SD 1
S.B. No. 436, SD 2
S.B. No. 440, SD 2
S.B. No. 442, SD 2
S.B. No. 449, SD 2
S.B. No. 455, SD 1
S.B. No. 464, SD 2
S.B. No. 466, SD 2
S.B. No. 470
S.B. No. 474, SD 1
S.B. No. 478, SD 2
S.B. No. 485, SD 2
S.B. No. 486, SD 2
S.B. No. 496, SD 2
S.B. No. 504, SD 2
S.B. No. 506, SD 1
S.B. No. 512, SD 2
S.B. No. 516, SD 1
S.B. No. 520, SD 1
S.B. No. 521, SD 2
S.B. No. 522, SD 2
S.B. No. 523, SD 2
S.B. No. 528, SD 1
S.B. No. 532, SD 1
S.B. No. 536, SD 1
S.B. No. 537, SD 2
S.B. No. 539, SD 1
S.B. No. 540, SD 2
S.B. No. 546, SD 1
S.B. No. 549, SD 1
S.B. No. 552, SD 1
S.B. No. 553, SD 2
S.B. No. 555, SD 2
S.B. No. 559, SD 2
S.B. No. 560, SD 2
S.B. No. 564, SD 2
S.B. No. 568, SD 2
S.B. No. 571
S.B. No. 572, SD 2
S.B. No. 574, SD 1
S.B. No. 579, SD 2
S.B. No. 580, SD 2
S.B. No. 585, SD 2
S.B. No. 588, SD 1
S.B. No. 591, SD 1
S.B. No. 595, SD 1
S.B. No. 602, SD 2
S.B. No. 603, SD 1

S.B. No. 604, SD 2
S.B. No. 605, SD 1
S.B. No. 606, SD 2
S.B. No. 619, SD 2
S.B. No. 623, SD 1
S.B. No. 633, SD 1
S.B. No. 635, SD 1
S.B. No. 636, SD 1
S.B. No. 638, SD 2
S.B. No. 642, SD 2
S.B. No. 643, SD 2
S.B. No. 646, SD 1
S.B. No. 659
S.B. No. 661, SD 2
S.B. No. 667, SD 2
S.B. No. 687, SD 2
S.B. No. 690, SD 2
S.B. No. 696, SD 1
S.B. No. 701, SD 2
S.B. No. 705, SD 1
S.B. No. 709, SD 2
S.B. No. 713, SD 2
S.B. No. 733, SD 2
S.B. No. 746, SD 1
S.B. No. 747, SD 2
S.B. No. 754, SD 1
S.B. No. 763, SD 1
S.B. No. 764, SD 2
S.B. No. 771, SD 1
S.B. No. 773, SD 2
S.B. No. 774, SD 2
S.B. No. 794, SD 1
S.B. No. 807, SD 1
S.B. No. 809, SD 2
S.B. No. 818, SD 2
S.B. No. 821, SD 2
S.B. No. 830, SD 2
S.B. No. 844, SD 1
S.B. No. 846, SD 1
S.B. No. 862, SD 2
S.B. No. 863, SD 2
S.B. No. 868, SD 2
S.B. No. 876, SD 2
S.B. No. 877, SD 2
S.B. No. 881, SD 1
S.B. No. 884, SD 2
S.B. No. 886, SD 1
S.B. No. 887, SD 1
S.B. No. 891, SD 1
S.B. No. 892, SD 1
S.B. No. 898, SD 2
S.B. No. 905, SD 2
S.B. No. 910, SD 1
S.B. No. 912, SD 2
S.B. No. 914, SD 2
S.B. No. 917, SD 2
S.B. No. 921, SD 2
S.B. No. 931, SD 1
S.B. No. 932, SD 2
S.B. No. 933, SD 2
S.B. No. 940, SD 1
S.B. No. 942, SD 1
S.B. No. 947, SD 1
S.B. No. 967, SD 2
S.B. No. 968, SD 1
S.B. No. 969, SD 2
S.B. No. 970, SD 1
S.B. No. 971, SD 2
S.B. No. 972, SD 2
S.B. No. 979, SD 2
S.B. No. 995, SD 2
S.B. No. 1005, SD 2
S.B. No. 1008, SD 1
S.B. No. 1040, SD 2
S.B. No. 1045, SD 2
S.B. No. 1046, SD 1
S.B. No. 1053, SD 2
S.B. No. 1054, SD 2
S.B. No. 1056, SD 2
S.B. No. 1057, SD 2
S.B. No. 1058, SD 2
S.B. No. 1059, SD 2
S.B. No. 1060, SD 1
S.B. No. 1065, SD 2
S.B. No. 1066, SD 2
S.B. No. 1069, SD 1
S.B. No. 1073, SD 1
S.B. No. 1077, SD 1
S.B. No. 1083, SD 1
S.B. No. 1085, SD 2
S.B. No. 1086, SD 1
S.B. No. 1088, SD 2
S.B. No. 1094, SD 2
S.B. No. 1096, SD 2
S.B. No. 1103, SD 1
S.B. No. 1105, SD 2
S.B. No. 1106, SD 2
S.B. No. 1107, SD 2
S.B. No. 1111, SD 1
S.B. No. 1113, SD 1
S.B. No. 1118, SD 2
S.B. No. 1122, SD 2
S.B. No. 1125, SD 2
S.B. No. 1126, SD 2
S.B. No. 1128
S.B. No. 1129, SD 1
S.B. No. 1130, SD 2
S.B. No. 1137, SD 2
S.B. No. 1140, SD 2
S.B. No. 1141, SD 2
S.B. No. 1143, SD 1
S.B. No. 1147, SD 1
S.B. No. 1148, SD 2
S.B. No. 1152
S.B. No. 1160, SD 2
S.B. No. 1164, SD 2
S.B. No. 1165, SD 1
S.B. No. 1167, SD 2
S.B. No. 1173, SD 2
S.B. No. 1178, SD 2
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S.B. No. 1181, SD 2
S.B. No. 1183, SD 2
S.B. No. 1184, SD 1
S.B. No. 1192, SD 1
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S.B. No. 1197, SD 1
S.B. No. 1199, SD 1
S.B. No. 1202, SD 2
S.B. No. 1203, SD 2
S.B. No. 1205, SD 2
S.B. No. 1206, SD 1
S.B. No. 1218, SD 2
S.B. No. 1221, SD 1
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S.B. No. 1223, SD 1
S.B. No. 1224, SD 1
S.B. No. 1226, SD 2
S.B. No. 1227, SD 2
S.B. No. 1228, SD 2
S.B. No. 1230, SD 2
S.B. No. 1241, SD 2
S.B. No. 1247, SD 2
S.B. No. 1248, SD 1
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S.B. No. 1250, SD 1
S.B. No. 1258, SD 2
S.B. No. 1259, SD 2
S.B. No. 1260, SD 1
S.B. No. 1263, SD 2
S.B. No. 1265, SD 1
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S.B. No. 1299, SD 1
S.B. No. 1300, SD 1
S.B. No. 1308, SD 1
S.B. No. 1310, SD 2
S.B. No. 1311, SD 1
S.B. No. 1313, SD 2
S.B. No. 1315, SD 2
S.B. No. 1316, SD 2
S.B. No. 1318, SD 1
S.B. No. 1327, SD 1
S.B. No. 1329, SD 2
S.B. No. 1332, SD 2
S.B. No. 1334, SD 2
S.B. No. 1338, SD 2
S.B. No. 1343, SD 2
S.B. No. 1344
S.B. No. 1345, SD 1
S.B. No. 1349, SD 1
S.B. No. 1350, SD 2
S.B. No. 1352, SD 2
S.B. No. 1381, SD 2
S.B. No. 1449, SD 2
S.B. No. 1461, SD 2
S.B. No. 1568, SD 2
S.B. No. 1610, SD 2
S.B. No. 1611, SD 2
S.B. No. 1614, SD 2
S.B. No. 1621, SD 2
S.B. No. 1624, SD 1
S.B. No. 1633, SD 2
S.B. No. 1645, SD 1
S.B. No. 1661, SD 1
S.B. No. 1664, SD 2
S.B. No. 1665, SD 2
S.B. No. 1666, SD 2
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S.B. No. 1671, SD 1
S.B. No. 1672, SD 1
S.B. No. 1673, SD 2
S.B. No. 1674, SD 2
S.B. No. 1675, SD 2
S.B. No. 1676, SD 2
S.B. No. 1679, SD 2
S.B. No. 1680, SD 2

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Berg recognized the many student Leader for a Day essay contest winners who were here to shadow various House Members:

Erika Bareng, Waipahu HS - Representative Aquino;
Sharmaine Sibayan, Campbell HS - Representative Awana;
Kerri Fujii, Kalani HS - Representative Berg;
Glelynn Casil, Lahainaluna HS - Representative Bertram;
Zach Mandryk, Kalani HS - Representative Brower;
Sheryl-Ann Miguel, Waipahu HS - Representative Cabanilla;
Amanda Murphy, Lahainaluna HS - Representative Carroll;
Kai Kuhaulua-Kana'e, Ke Kula 'O Nawahiokalani'opu'u - Representative Chang;
Alayna Cantillo, Aiea Intermediate - Representative Ching;
Ivy Yem, Manoa Elementary - Representative Choy;
Kristi Sakaguchi, Kailua Intermediate - Representative Evans;
Samantha Neudorf, Moanalua HS - Representative Finnegan;
Kopa Naeole, Ke Kula 'O Nawahiokalani'opu'u - Representative Hanohano;
Darion Rotolo, Ilima Intermediate - Representative Har;
Danten Inouye, Waipahu HS - Representative Karamatsu;
Kenneth Theoret, Kailua Intermediate - Representative C. Lee;
Laurianne Manera, Waialua Int. & HS - Representative M. Lee;
Tyler Smith, Waialua Int. & HS - Representative Magaoay;
Jaleek Barnette, Aiea Intermediate - Representative Manahan;
Ryan Yaumachi, Kalani HS - Representative Marumoto;
Patrick Gallagher, Moanalua HS - Representative Mizuno;
Kimberly Oride, Kauai HS - Representative Morita;
Alicia Collette, Kailua Intermediate - Representative Nakashima;
Michael Sickels, Kalani HS - Representative Pine;
Lyzet Millan, Campbell HS - Representative B. Oshiro;
Daniel Sagadraca, Kauai HS - Representative Sagum;
Kenalu Cabral, Olamana School - Representative Shimabukuro;
Sydney Forsyth, Kailua Intermediate - Representative Thielen;
Allegra Bundschuh, Kauai HS - Representative Tokioka;
Daniel Roseguo, Ke Kula 'O Nawahiokalani'opu'u - Representative Tsuji;
Jullian Torres, Campbell HS - Representative Yamane;
Michelle Ige, Kalani HS - Representative Ward; and
Shawn Wilhoite, Kailua Intermediate - Representative Wooley.

Representative Ching introduced her Office Manager Ms. Jackie Walden, who was accompanying her Leader for a Day shadow, Alayna Cantillo.

Representative Sagum introduced his Office Manager, Ms. Melanie Kuroiwa-Steiner.

Representative Ward introduced his Office Manager, Ms. Lori Wingard, who was accompanying his Leader for a Day shadow, Michelle Ige.

Representative Choy introduced his office staff, Ms. Carole Hagihara, Ms. Pam Seeney and Ms. Kristi Fukumoto.

Representative Thielen her legislative analyst, Ms. Lauren Goodmiller.

Representative M. Lee introduced a volunteer in her office, Ms. Ramona Ferreyra from Hawaii Pacific University. She as accompanied by her Leader for a Day shadow Laurianne Manera, and a member of her staff, Mr. Shawn Leavey.

Representative Awana introduced her Office Manager, Ms. Elenoa Fuka.

Representative Tsuji introduced his Leader for a Day shadow, Mr. Daniel Roseguo.

Representative Brower introduced his Leader for a Day shadow, Mr. Zach Mandryk.

Representative Pine introduced her Leader for a Day shadow, Mr. Michael Sickels.

Representative Carroll introduced her Office Manager, Ms. Janice Salcedo, who was accompanying her Leader for a Day shadow, Ms. Amanda Murphy.

Representative Thielen recognized her Leader for a Day shadow, Sydney Forsyth.

Representative Mizuno introduced his Leader for a Day shadow, Mr. Patrick Gallagher.

Representative Karamatsu introduced his Leader for a Day shadow, Mr. Danten Inouye.

Representative Cabanilla introduced her Leader for a Day shadow, Ms. Sheryl-Ann Miguel.

Representative Har introduced her leader for Day shadow, Mr. Darion Rotolo.

Representative C. Lee introduced Aunty Nicky and Uncle Joe Hines, friends from Waimanalo.

Representative Chang introduced students from Pahoa High School who were here filming with the Hawaii Academy of Arts and Science.

Representative Finnegan introduced Ms. Laara Allbrett, Director of Halau Lokahi, and students and teachers from the school.

Representative Finnegan also introduced Mr. David Earles and Mr. Andy Pells; and her legislative aide, Mr. Richard Fale, who was accompanying her Leader for a Day shadow, Samantha Neudorf.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

S.B. Nos.	**Referred to:**
6, SD2	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance
15, SD1	Committee on Judiciary
19, SD1	Committee on Judiciary
21, SD1	Committee on Finance
32, SD1	Committee on Energy & Environmental Protection, then to the Committee on Finance
37, SD2	Committee on Transportation, then to the Committee on Finance
38, SD2	Committee on Health, then to the Committee on Finance
39	Committee on Higher Education, then to the Committee on Finance
43, SD2	Committee on Health, then jointly to the Committee on Higher Education and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
44, SD2	Committee on Health, then to the Committee on Finance
50, SD1	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Transportation
51, SD1	Committee on Health, then to the Committee on Consumer Protection & Commerce
56, SD1	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
58, SD2	Committee on Transportation, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
63, SD2	Committee on Labor & Public Employment, then to the Committee on Finance
65, SD1	Committee on Judiciary
76, SD1	Committee on Finance
86, SD2	Jointly to the Committee on Hawaiian Affairs and the Committee on Water, Land, & Ocean Resources, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
91, SD2	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
93, SD1	Committee on Judiciary
101, SD1	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary
105, SD1	Committee on Judiciary
109, SD2	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
111	Committee on Judiciary, then to the Committee on Finance
114, SD1	Committee on Health, then to the Committee on Consumer Protection & Commerce
133, SD2	Committee on Human Services, then to the Committee on Consumer Protection & Commerce
145, SD2	Committee on Education, then to the Committee on Finance
160, SD2	Committee on Education, then to the Committee on Finance
161	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance
163	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance
164	Committee on Education, then to the Committee on Finance
165, SD2	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance
166, SD1	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
169, SD2	Jointly to the Committee on Health and the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance
178, SD1	Committee on Education, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

186, SD1 Committee on Human Services, then to the Committee on Finance

194, SD2 Committee on Finance

199, SD1 Committee on Finance

201, SD2 Committee on Human Services, then to the Committee on Finance

203, SD2 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

207, SD1 Committee on Public Safety, then to the Committee on Finance

210, SD2 Committee on Public Safety, then to the Committee on Finance

212, SD2 Committee on Public Safety, then to the Committee on Judiciary, then to the Committee on Finance

213, SD1 Committee on Public Safety, then to the Committee on Finance

231, SD1 Committee on Public Safety, then to the Committee on Judiciary, then to the Committee on Finance

241, SD2 Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

242, SD2 Committee on Energy & Environmental Protection, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

243 Committee on Energy & Environmental Protection, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

256, SD2 Jointly to the Committee on Transportation and the Committee on Labor & Public Employment, then to the Committee on Finance

260, SD1 Committee on Judiciary

266, SD2 Committee on Energy & Environmental Protection, then to the Committee on Finance

271, SD2 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

287, SD2 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

288, SD1 Committee on Education, then to the Committee on Health

292, SD1 Committee on Finance

294, SD2 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Legislative Management

295, SD1 Committee on Transportation, then to the Committee on Judiciary

298, SD1 Committee on Consumer Protection & Commerce

300, SD2 Committee on Economic Revitalization, Business, & Military Affairs, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

301, SD2 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

350, SD1 Committee on Judiciary

358, SD1 Committee on Public Safety, then to the Committee on Judiciary

360, SD1 Committee on Education, then to the Committee on Finance

378, SD1 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

382, SD1 Committee on Tourism, Culture, & International Affairs, then to the Committee on Water, Land, & Ocean Resources

387, SD1 Committee on Finance

389, SD1 Committee on Education, then to the Committee on Legislative Management, then to the Committee on Finance

390, SD2 Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing, then to the Committee on Consumer Protection & Commerce

391, SD1 Committee on Energy & Environmental Protection, then to the Committee on Finance

392, SD1 Committee on Energy & Environmental Protection, then to the Committee on Finance

393, SD2 Committee on Energy & Environmental Protection, then to the Committee on Finance

404, SD1 Committee on Finance

411, SD1 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

415, SD2 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance

417, SD1 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance

420, SD2 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

423, SD1 Committee on Health, then to the Committee on Finance

427 Committee on Health, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

428, SD1 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance

430, SD1 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

436, SD2 Committee on Health, then to the Committee on Finance

440, SD2 Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Transportation

442, SD2 Committee on Transportation, then jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

449, SD2 Committee on Health, then to the Committee on Consumer Protection & Commerce

455, SD1 Jointly to the Committee on Housing and the Committee on Health, then to the Committee on Judiciary

464, SD2 Committee on Energy & Environmental Protection, then to the Committee on Finance

466, SD2 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

470 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

474, SD1 Committee on Judiciary

478, SD2 Committee on Public Safety, then to the Committee on Finance

485, SD2 Committee on Energy & Environmental Protection, then to the Committee on Finance

486, SD2 Committee on Energy & Environmental Protection, then to the Committee on Finance

496, SD2 Committee on Education, then to the Committee on Finance

504, SD2 Committee on Energy & Environmental Protection, then to the Committee on Higher Education, then to the Committee on Finance

506, SD1 Jointly to the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Agriculture, then to the Committee on Finance

512, SD2 Jointly to the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Finance

516, SD1 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

520, SD1 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

521, SD2 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

522, SD2 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

523, SD2 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

528, SD1 Committee on Health, then to the Committee on Finance

532, SD1 Committee on Judiciary

536, SD1 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

537, SD2 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

539, SD1 Committee on Public Safety, then to the Committee on Finance

540, SD2 Committee on Public Safety, then to the Committee on Finance

546, SD1 Committee on Public Safety, then to the Committee on Finance

549, SD1 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

552, SD1 Jointly to the Committee on Energy & Environmental Protection and the Committee on Transportation, then to the Committee on Finance

553, SD2 Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

555, SD2 Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

559, SD2 Committee on Energy & Environmental Protection, then to the Committee on Finance

560, SD2 Committee on Public Safety, then to the Committee on Hawaiian Affairs, then to the Committee on Finance

564, SD2 Committee on Public Safety, then to the Committee on Finance

568, SD2 Committee on Health, then to the Committee on Finance

571 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

572, SD2 Committee on Human Services, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

574, SD1 Committee on Consumer Protection & Commerce

579, SD2 Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, then to the Committee on Finance

580, SD2 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

585, SD2 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

588, SD1 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

591, SD1 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

595, SD1 Committee on Consumer Protection & Commerce

602, SD2 Committee on Tourism, Culture, & International Affairs, then to the Committee on Hawaiian Affairs, then to the Committee on Finance

603, SD1 Committee on Consumer Protection & Commerce

604, SD2 Committee on Health, then to the Committee on Judiciary

605, SD1 Committee on Energy & Environmental Protection, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

606, SD2 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

619, SD2 Committee on Public Safety, then to the Committee on Judiciary, then to the Committee on Finance

623, SD1 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance

633, SD1 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Hawaiian Affairs

635, SD1 Committee on Water, Land, & Ocean Resources, then to the Committee on Hawaiian Affairs, then to the Committee on Finance

636, SD1 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

638, SD2 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

642, SD2 Committee on Labor & Public Employment, then to the Committee on Finance

643, SD2 Committee on Water, Land, & Ocean Resources, then to the Committee on Hawaiian Affairs, then to the Committee on Finance

646, SD1 Committee on Finance

659 Committee on Finance

661, SD2 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

667, SD2 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

673 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Water, Land, & Ocean Resources

687, SD2 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

690, SD2 Committee on Labor & Public Employment, then to the Committee on Finance

696, SD1 Jointly to the Committee on Agriculture and the Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

701, SD2 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Tourism, Culture, & International Affairs, then to the Committee on Judiciary

705, SD1 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

709, SD2 Committee on Hawaiian Affairs, then to the Committee on Agriculture

713, SD2 Committee on Energy & Environmental Protection, then to the Committee on Higher Education, then to the Committee on Finance

733, SD2 Committee on Education, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

746, SD1 Committee on Education, then to the Committee on Finance

747, SD2 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

754, SD1 Committee on Housing, then to the Committee on Legislative Management

763, SD1 Committee on Judiciary

764, SD2 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary

771, SD1 Committee on Consumer Protection & Commerce

773, SD2 Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

774, SD2 Committee on Human Services, then to the Committee on Education, then to the Committee on Finance

794, SD1 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

807, SD1 Committee on Energy & Environmental Protection, then to the Committee on Education, then to the Committee on Finance

809, SD2 Committee on Human Services, then to the Committee on Finance

818, SD2 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

821, SD2 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

830, SD2 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

844, SD1 Committee on Health, then to the Committee on Judiciary

846, SD1 Committee on Judiciary

862, SD2 Committee on Housing, then to the Committee on Finance

863, SD2 Committee on Housing, then to the Committee on Finance

868, SD2 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

876, SD2 Committee on Labor & Public Employment, then to the Committee on Finance

877, SD2 Committee on Consumer Protection & Commerce, then to the Committee on Finance

881, SD1 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

884, SD2 Committee on Finance

886, SD1 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

887, SD1 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

891, SD1 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

892, SD1 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

898, SD2 Committee on Public Safety, then to the Committee on Judiciary

905, SD2 Committee on Labor & Public Employment, then to the Committee on Human Services, then to the Committee on Finance

910, SD1 Committee on Housing, then to the Committee on Judiciary, then to the Committee on Finance

912, SD2 Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

914, SD2 Committee on Human Services, then to the Committee on Finance

917, SD2 Jointly to the Committee on Health and the Committee on Human Services, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

921, SD2 Committee on Human Services, then to the Committee on Finance

931, SD1 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

932, SD2 Committee on Health, then to the Committee on Judiciary

933, SD2 Committee on Health, then to the Committee on Consumer Protection & Commerce

940, SD1 Committee on Health, then to the Committee on Consumer Protection & Commerce

942, SD1 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

947, SD1 Committee on Labor & Public Employment, then to the Committee on Finance

967, SD2 Committee on Public Safety, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

968, SD1 Committee on Judiciary

969, SD2 Committee on Public Safety, then to the Committee on Judiciary

970, SD1 Committee on Public Safety, then to the Committee on Finance

971, SD2 Committee on Finance

972, SD2 Committee on Finance

979, SD2 Committee on Transportation, then to the Committee on Judiciary

995, SD2 Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, then to the Committee on Finance

1005, SD2 Jointly to the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Tourism, Culture, & International Affairs, then to the Committee on Judiciary

1008, SD1 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1040, SD2 Committee on Health, then jointly to the Committee on Tourism, Culture, & International Affairs and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1045, SD2 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1046, SD1 Committee on Higher Education, then to the Committee on Health, then to the Committee on Finance

1053, SD2 Committee on Energy & Environmental Protection, then to the Committee on Finance

1054, SD2 Committee on Transportation, then to the Committee on Judiciary

1056, SD2 Committee on Transportation, then to the Committee on Judiciary

1057, SD2 Committee on Health, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1058, SD2 Jointly to the Committee on Judiciary and the Committee on Public Safety, then to the Committee on Finance

1059, SD2 Jointly to the Committee on Public Safety and the Committee on Transportation, then to the Committee on Judiciary

1060, SD1 Committee on Public Safety, then to the Committee on Finance

1065, SD2 Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Consumer Protection & Commerce

1066, SD2 Committee on Energy & Environmental Protection, then to the Committee on Economic Revitalization, Business, & Military Affairs

1069, SD1 Committee on Water, Land, & Ocean Resources

1073, SD1 Committee on Health, then to the Committee on Public Safety

1077, SD1 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1083, SD1 Committee on Water, Land, & Ocean Resources, then to the Committee on Hawaiian Affairs, then to the Committee on Finance

1085, SD2 Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, then to the Committee on Finance

1086, SD1 Committee on Judiciary

1088, SD2 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1094, SD2 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

1096, SD2 Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Finance

1103, SD1 Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance

1105, SD2 Committee on Legislative Management, then to the Committee on Finance

1106, SD2 Committee on Finance

1107, SD2 Committee on Consumer Protection & Commerce, then to the Committee on Finance

1111, SD1 Committee on Finance

1113, SD1 Committee on Tourism, Culture, & International Affairs, then to the Committee on Water, Land, & Ocean Resources

1118, SD2 Committee on Housing, then to the Committee on Finance

1122, SD2 Committee on Labor & Public Employment, then to the Committee on Finance

1125, SD2 Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1126, SD2 Committee on Labor & Public Employment, then to the Committee on Finance

1128 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1129, SD1 Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1130, SD2 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1137, SD2 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

1140, SD2 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1141, SD2 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1143, SD1 Committee on Water, Land, & Ocean Resources, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1147, SD1 Committee on Public Safety, then to the Committee on Judiciary, then to the Committee on Finance

1148, SD2 Committee on Public Safety, then to the Committee on Legislative Management, then to the Committee on Finance

1152 Committee on Agriculture, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1160, SD2 Committee on Housing, then to the Committee on Finance

1164, SD2 Committee on Education, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1165, SD1 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

1167, SD2 Jointly to the Committee on Tourism, Culture, & International Affairs and the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1173, SD2 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1178, SD2 Committee on Health, then to the Committee on Finance

1179, SD2 Committee on Agriculture, then to the Committee on Education, then to the Committee on Finance

1181, SD2 Committee on Labor & Public Employment, then to the Committee on Finance

1183, SD2 Committee on Labor & Public Employment, then to the Committee on Judiciary

1184, SD1 Committee on Judiciary

1192, SD1 Committee on Judiciary, then to the Committee on Finance

1194, SD1 Committee on Judiciary

1195, SD1 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Water, Land, & Ocean Resources

1197, SD1 Committee on Finance

1199, SD1 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1202, SD2 Committee on Energy & Environmental Protection, then jointly to the Committee on Transportation and the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1203, SD2 Committee on Labor & Public Employment, then to the Committee on Human Services, then to the Committee on Finance

1205, SD2 Committee on Health, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1206, SD1 Committee on Finance

1218, SD2 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1221, SD1 Committee on Housing, then to the Committee on Judiciary

1222, SD1 Committee on Judiciary

1223, SD1 Committee on Agriculture, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1224, SD1 Committee on Transportation, then to the Committee on Finance

1226, SD2 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

1227, SD2 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

1228, SD2 Committee on Water, Land, & Ocean Resources

1230, SD2 Committee on Consumer Protection & Commerce, then to the Committee on Finance

1241, SD2 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1247, SD2 Committee on Finance

1248, SD1 Jointly to the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Agriculture, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

1249, SD2 Committee on Education, then to the Committee on Housing, then to the Committee on Finance

1250, SD1 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

1258, SD2 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1259, SD2 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1260, SD1 Committee on Energy & Environmental Protection, then to the Committee on Finance

1263, SD2 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1265, SD1 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1268, SD2 Jointly to the Committee on Hawaiian Affairs and the Committee on Housing, then to the Committee on Finance

1271, SD1 Committee on Labor & Public Employment, then to the Committee on Finance

1272, SD1 Jointly to the Committee on Tourism, Culture, & International Affairs and the Committee on Agriculture, then to the Committee on Finance

1276, SD2 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1277, SD2 Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1278, SD2 Committee on Education, then to the Committee on Finance

1299, SD1 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1300, SD1 Committee on Education, then to the Committee on Finance

1308, SD1 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

1310, SD2 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

1311, SD1 Committee on Higher Education, then to the Committee on Water, Land, & Ocean Resources

1313, SD2 Committee on Water, Land, & Ocean Resources, then to the Committee on Transportation, then to the Committee on Finance

1315, SD2 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Public Safety, then to the Committee on Finance

1316, SD2 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Transportation, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

1318, SD1 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1327, SD1 Committee on Finance

1329, SD2 Committee on Education, then to the Committee on Finance

1332, SD2 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1334, SD2 Committee on Tourism, Culture, & International Affairs, then to the Committee on Hawaiian Affairs, then to the Committee on Finance

1338, SD2 Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing, then to the Committee on Finance

1343, SD2 Committee on Finance

1344 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance

1345, SD1 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Finance

1349, SD1 Jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce

1350, SD2 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing

1352, SD2 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

1381, SD2 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1449, SD2 Committee on Finance

1461, SD2 Committee on Finance

1568, SD2 Committee on Labor & Public Employment, then to the Committee on Human Services, then to the Committee on Finance

1610, SD2 Committee on Health, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce

1611, SD2 Committee on Transportation, then to the Committee on Finance

1614, SD2 Committee on Transportation, then to the Committee on Finance

1621, SD2 Committee on Labor & Public Employment, then to the Committee on Finance

1624, SD1 Committee on Finance

1633, SD2 Committee on Energy & Environmental Protection, then to the Committee on Finance

1645, SD1 Committee on Water, Land, & Ocean Resources, then to the Committee on Consumer Protection & Commerce

1661, SD1 Committee on Judiciary

1664, SD2 Committee on Labor & Public Employment, then to the Committee on Finance

1665, SD2 Jointly to the Committee on Higher Education and the Committee on Labor & Public Employment, then to the Committee on Finance

1666, SD2 Committee on Human Services, then to the Committee on Finance

1668, SD2 Committee on Human Services, then to the Committee on Finance

1669, SD2 Committee on Education, then to the Committee on Finance

1671, SD1 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1672, SD1 Committee on Water, Land, & Ocean Resources

1673, SD2 Committee on Health, then to the Committee on Finance

1674, SD2 Committee on Higher Education, then to the Committee on Finance

1675, SD2 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

1676, SD2 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1679, SD2 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

1680, SD2 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering a certain House bill for Third Reading by consent calendar. (Representatives Takai, Wakai and Wooley were excused.)

UNFINISHED BUSINESS

H.B. No. 1175, HD 3:

Representative B. Oshiro moved that H.B. No. 1175, HD 3, pass Third Reading, seconded by Representative Evans.

Representative M. Oshiro rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support of House Bill 1175, House Draft 3. Mr. Speaker, just a couple of points. This was a short form bill, introduced on behalf and at the request of Governor Linda Lingle. The bill, as proposed would raise the cigarette tax from 10 cents per cigarette, to 14 cents per cigarette. This is a tobacco tax increase.

"The bill as amended would raise the cigarette tax from 10 cents per cigarette, to 20 cents per cigarette. As originally proposed from the Governor's Office, the bill would generate for fiscal year 2010, $42 million in additional tax revenue. In fiscal year 2011, $25.1 million in additional tax revenue. In fiscal year 2012, $14.4 million in additional tax revenue.

"When we calculated the increase from 10 cents to 20 cents, for fiscal year 2010, it would generate an additional $80 million in tax revenue. Supportive testimony came in from two department heads, from Budget and Finance, and I think it's worth reading, and I quote, 'We support moving this bill forward to foster continued discussions during these difficult times, and considering the grave fiscal conditions we are facing, all options must be kept open. While it is recognized that this bill may be unpopular, we will need to make difficult decisions to address our budget shortfall and ensure the fiscal health of our State.' This is submitted by Director Georgina Kawamura, on March 2nd.

"We also did receive favorable testimony from the Department of Taxation. This measure is effective July 1, 2020. Thank you, Mr. Speaker."

Representative Thielen rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm also rising to speak in support of this measure. Mr. Speaker, I'm in strong support, both on the health side, and then for our children. I think that when we raise the price of cigarettes, we lessen the number of people that are going to be addicted to cigarettes. Thank you."

Representative Pine rose to speak in support of the measure, stating:

"Yes, in support, Mr. Speaker. I would just like to thank the Finance Chair for reminding us that this is a tax increase on just cigarettes, because I definitely could not support any tax increases that would affect everyone, like increasing taxes on healthcare, and increasing the general excise tax, which would definitely hurt Hawaii's population. Thank you."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative M. Lee rose to speak in support of the measure, stating:

"Mr. Speaker, I'd just like to stand in support of this measure. Actually, I think we should be happy to support it, because it's a really important public health issue, and it's been shown, time after time that raising the tax on cigarettes decreases the amount of smoking. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 1175, HD 3, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 48 ayes, with Representatives Takai, Wakai and Wooley being excused.

At 12:31 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 1175, HD 3

At 12:31 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 12:38 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 977) recommending that S.B. No. 823, SD 1, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 823, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Luke, Takai, Wakai and Wooley being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 978) recommending that S.B. No. 695, SD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 695, SD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Pine rose to speak in support of the measure with reservations, stating:

"I rise with support, but with some reservations. This relates to workers' compensation. And my only reservation is from being on the Finance Committee, the Department of Labor estimated that to start this new program, it would cost almost half a million dollars, and then almost another half a million dollars in salary every year thereafter. So, I don't think it's time to start new programs right now."

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representative Pine be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Thielen rose in support of the measure with reservations and asked that the remarks of Representative Pine be entered into 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, I'll be voting 'no' on this bill on Second Reading. It will provide continuous medical care to an employee. And, even if a doctor has already determined that further medical care is unnecessary, it will call for a hearing to take place in the Department of Labor. I think it really should be a doctor's determination whether a worker could go back to work or not.

"If the medical care is unnecessary, then it will needlessly raise the cost of workers' compensation insurance. So, that is the reason I am voting 'no.'"

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations. Now is the time that we want to maintain as many jobs as possible. Yesterday, or the day before, we just got a new report that it's 6.1 percent unemployment. Some of our Neighbor Island colleagues have 7, 8 percent, even higher than that.

"Anything that creates more straws on the camel, i.e. the unemployment camel, that causes businesses to release employees is not good policy. This is not the time for this, as my colleague said, it expands government. Now is the time to keep our people employed. And anything, any gesture that we send, or any bill that we pass that jeopardizes the employees of the

State of Hawaii, is not good policy. And that's why I have serious reservations. Thank you."

Representative Evans rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in support. Since I've been at the Legislature, so many times I've heard the terminology 'children first.' I really believe this bill is about 'worker first.' And I really encourage us to move this along for discussion, because if a worker has been hurt, and they're in pain and suffering, maybe a doctor believes they should go back to work. But the way we've set it up, is we've got our department, they have the ability to go in front of the hearing, and get a ruling. It gives an opportunity due justice to the worker to talk about their pain and suffering. I think it's a legitimate process, and I encourage us to vote it along. Thank you."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. The countervailing argument is that workers who are injured and who have legitimate claims, and don't get continuous medical services are the ones who are most likely to cost the system more in the long run. If you have gaps in your medical coverage, that can be a very severe problem, depending on what your ailments are. So, I think this is an important step forward.

"In regards to the economic argument, it will help the economy, because it will keep doctors employed and medical providers, so I think that cuts both ways. Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 695, SD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan and Marumoto voting no, and with Representatives Luke, Takai, Wakai and Wooley being excused.

Representatives McKelvey and Hanohano, for the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Public Safety presented a report (Stand. Com. Rep. No. 979), recommending that H.R. No. 14, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 14, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE ADJUTANT GENERAL TO IDENTIFY THE LOCATION OF EVERY PUBLIC SAFE ROOM IN THE COUNTY OF HAWAII PROVIDING SUITABLE SHELTER FROM VOG AND DEVELOP PLANS TO ESTABLISH SUCH SAFE ROOMS IN ADDITIONAL AREAS THAT NEED THEM," was referred to the Committee on Finance with Representatives Luke, Takai, Wakai and Wooley being excused.

Representatives McKelvey and Hanohano, for the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Public Safety presented a report (Stand. Com. Rep. No. 980), recommending that H.C.R. No. 10, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 10, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ADJUTANT GENERAL TO IDENTIFY THE LOCATION OF EVERY PUBLIC SAFE ROOM IN THE COUNTY OF HAWAII PROVIDING SUITABLE SHELTER FROM VOG AND DEVELOP PLANS TO ESTABLISH SUCH SAFE ROOMS IN ADDITIONAL AREAS THAT NEED THEM," was referred to the Committee on Finance with Representatives Luke, Takai, Wakai and Wooley being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented two reports:

(Stand. Com. Rep. No. 981) recommending that H.R. No. 26, be adopted; and

(Stand. Com. Rep. No. 982) recommending that H.C.R. No. 24, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 26 and H.C.R. No. 24, be adopted, seconded by Representative Evans.

Representative Marumoto rose to speak in support of the measures, stating:

"Mr. Speaker, I rise in favor of these Resolutions in Stand. Com. Nos. 981 and 982. Although most of us, as legislators are familiar with the heroic exploits of the 442nd Regimental Combat Team, the 100th Battalion and other military units, many young people in Hawaii have not heard about their story. On the mainland, even fewer know the story of these brave *nissei*. So, a postage stamp would convey their history throughout the entire country to all Americans, young and old. Thank you."

Representative Ching rose to speak in support of the measures, stating:

"Yes, thank you very much. I rise in support of both of these measures. Mr. Speaker, I echo the words of the Representative from Kaimuki, but as a former educator, I cannot tell you the deep impact that when people see what their great grandfathers or grandfathers have done, how this inspires them to be the best that they can be.

"The Go For Broke members, my district has had, traditionally, many people who are, many of them, unfortunately, have now passed, but still some that are members of the 442nd, and that Go For Broke courageous attitude of seize the day. All because they wanted to show that they too were Americans. This is so inspirational. The film, *Go For Broke*, if there are those of you who have not seen the black and white film, I recommend it wholeheartedly, and I've always been a supporter of the Go For Broke.

"So, thank you very much for introducing this, the Representative of Kalihi."

Representative Karamatsu rose to speak in support of the measures, stating:

"In support. My uncle was in the 526th Artillery, attached to the 442nd Regimental Combat Team, and I also have friends, both in the 442nd and the 100th Battalion. So, I would like to also insert written comments in support of both Resolutions. Thank you very much."

Representative Karamatsu's written remarks are as follows:

"I rise in support of House Resolution 26 and House Concurrent Resolution 24, which urges the United States Postal Service to issue postal stamps honoring the World War II Japanese-American Nisei soldiers, other distinguished military units in United States history, and Americans who fought against discrimination based on race or national origin.

"I look up to the Nisei generation and how they faced discrimination. Many proved their loyalty by serving in the United States military. My uncle, Roy Okubo, served in the 522nd Artillery that was attached to the 442nd Regimental Combat Team. My political mentor, former State Senator Nadao “Najo” Yoshinaga, also served in the 442nd Regimental Combat Team. I have friends in the 100th Infantry Battalion, 442nd Regimental Combat Team, and the Military Intelligence Service. Words cannot describe my gratitude for the ultimate sacrifice they have done for future generations such as mine.

"In addition, I am inspired by the many individuals who were instrumental in enhancing race relations in the United States and who worked towards ending discrimination based on race or national origin. They too, played a key role in making our country a better place. This generation is considered by many, including me, as one of the greatest generations in the history of the United States. I am forever grateful for all they have done. It is because of them, I am inspired to continue my work

to provide equality for all and bring peace to every individual in the world."

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 12:47 o'clock p.m.

Representative McKelvey rose to speak in support of the measures, stating:

"Thank you, Mr. Speaker. In support. Thank you very much. May I have the words of the Representative of Kaimuki entered in the record as if they were my own? And I just want to add a few brief comments, that this also applies to other units, and one such unit is the Tuskegee Airmen. I was very honored to meet one of the surviving members of the Tuskegee airmen at the Hilton Hawaiian Village the other day, and managed to share a few minutes with him. Their sacrifice can't be understated. So, again, in strong support. Thank you."

The motion was out to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 26, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES POSTAL SERVICE TO ISSUE POSTAL STAMPS HONORING THE WORLD WAR II JAPANESE-AMERICAN NISEI SOLDIERS, OTHER DISTINGUISHED MILITARY UNITS IN UNITED STATES HISTORY, AND AMERICAN'S WHO FOUGHT AGAINST DISCRIMINATION BASED ON RACE OR NATIONAL ORIGIN," was adopted, with Representatives Luke, Takai, Wakai and Wooley being excused; and

H.C.R. No. 24, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES POSTAL SERVICE TO ISSUE POSTAL STAMPS HONORING THE WORLD WAR II JAPANESE-AMERICAN NISEI SOLDIERS, OTHER DISTINGUISHED MILITARY UNITS IN UNITED STATES HISTORY, AND AMERICAN'S WHO FOUGHT AGAINST DISCRIMINATION BASED ON RACE OR NATIONAL ORIGIN," was adopted, with Representatives Luke, Takai, Wakai and Wooley being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented two reports:

(Stand. Com. Rep. No. 983) recommending that H.R. No. 21, as amended in HD 1, be adopted; and

(Stand. Com. Rep. No. 984) recommending that H.C.R. No. 19, as amended in HD 1, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 21, HD 1, and H.C.R. No. 19, HD 1, be adopted, seconded by Representative Evans.

At this time, Representative McKelvey moved to amend H.R. No. 21, HD 1, to include the words "each member of Hawaii's Congressional delegation" after the clause "the Secretary of Defense," in the "be it further resolved" clause so that it is consistent with H.C.R. No. 19, HD 1, seconded by Representative Choy.

Floor Amendment No. 5:

"SECTION 1. House Resolution No. 21, House Draft 1, is amended by amending line 3 on page 2 to read:

"WHEREAS, upon hearing of Sgt. Peralta's bravery, in late 2004, U.S. Representative Bob Fliner wrote a letter to then Marine Corp Commandant Gen. Michael Hagee recommending Sgt. Rafael Peralta for the Medal of Honor, the nation's highest military award for valor in action against an enemy force that can be bestowed upon an individual serving the U.S. armed forces; and"

SECTION 2. House Resolution No. 21, House Draft 1, is amended by amending lines 10 and 11 on page 2 to read:

"WHEREAS, Defense Secretary Robert Gates convened a five-member board, which on September 18, 2008, concluded that Sgt. Rafael Peralta's actions did not warrant the Medal of Honor, citing that the evidence did not meet the exacting "no doubt" standard necessary to support the awarding of the nation's highest military award; and"

SECTION 3. House Resolution No. 21, House Draft 1, is amended by amending lines 23 and 25 on page 2 to read:

"BE IT RESOLVED that the House of Representatives of the Twenty-fifth Legislature of the State of Hawaii, Regular Session 2009, that the Legislature strongly urges the Secretary of Defense and the President of the United States to reconsider their decisions and award Sgt. Rafael Peralta the Medal of Honor for his bravery in sacrificing his life for his fellow soldiers; and"

SECTION 4. House Resolution No. 21, House Draft 1, is amended by amending lines 30 on page 2 to read:

"BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the President of the United States, the Secretary of Defense, each member of Hawaii's Congressional delegation, the mother of Sgt. Rafael Peralta, and the President of the Senate and Speaker of the House of the United States Congress.""

The motion was put to vote by the Chair and carried, and Floor Amendment No. 5, amending H.R. No. 21, HD 1, was adopted with Representatives Luke, Takai, Wakai and Wooley being excused.

(Main Motion)

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 21, HD 2, entitled: "HOUSE RESOLUTION STRONGLY URGING THE SECRETARY OF DEFENSE AND THE PRESIDENT OF THE UNITED STATES TO AWARD SGT. RAFAEL PERALTA THE MEDAL OF HONOR," was adopted, with Representatives Luke, Takai, Wakai and Wooley being excused; and

H.C.R. No. 19, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE SECRETARY OF DEFENSE AND THE PRESIDENT OF THE UNITED STATES TO AWARD SGT. RAFAEL PERALTA THE MEDAL OF HONOR," was adopted, with Representatives Luke, Takai, Wakai and Wooley being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 88 through 92) and concurrent resolutions (H.C.R. Nos. 109 through 114) were referred to Printing and further action was deferred:

H.R. No. 88, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR COLONOSCOPY COLORECTAL CANCER SCREENING," was offered by Representative Yamane.

H.R. No. 89, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ASSESS MARIJUANA TO DETERMINE WHETHER IT MAY BE RECLASSIFIED IN THE SCHEDULE OF CONTROLLED SUBSTANCES," was jointly offered by Representatives Bertram, Thielen, McKelvey and Mizuno.

H.R. No. 90, entitled: "HOUSE RESOLUTION REQUESTING CONGRESS TO ENACT NECESSARY LEGISLATION TO ALLOW QUALIFIED PATIENTS TO TRANSPORT MEDICAL MARIJUANA AND PARAPHERNALIA FOR PERSONAL USE WHEN TRAVELING INTERSTATE," was jointly offered by Representatives Bertram, McKelvey and Mizuno.

H.R. No. 91, 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 KAMUELA VACUUM COOLING PLANT," was offered by Representative Evans.

H.R. No. 92, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR AND THE CHAIRPERSON OF THE BOARD OF LAND AND NATURAL RESOURCES TO STRIVE TO EXPEND THE STATE OF HAWAII'S FULL ALLOTMENT OF FEDERAL AID IN WILDLIFE RESTORATION FUNDS," was offered by Representative Evans.

H.C.R. No. 109, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR COLONOSCOPY COLORECTAL CANCER SCREENING," was offered by Representative Yamane.

H.C.R. No. 110, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ASSESS MARIJUANA TO DETERMINE WHETHER IT MAY BE RECLASSIFIED IN THE SCHEDULE OF CONTROLLED SUBSTANCES," was jointly offered by Representatives Bertram, Hanohano, Thielen, Aquino, C. Lee, McKelvey and Mizuno.

H.C.R. No. 111, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO ENACT NECESSARY LEGISLATION TO ALLOW QUALIFIED PATIENTS TO TRANSPORT MEDICAL MARIJUANA AND PARAPHERNALIA FOR PERSONAL USE WHEN TRAVELING INTERSTATE," was jointly offered by Representatives Bertram, Hanohano, Thielen, Aquino, C. Lee, McKelvey and Mizuno.

H.C.R. No. 112, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING STATE AND LOCAL LAW ENFORCEMENT OFFICERS TO ABIDE BY STATE LAWS RELATING TO THE MEDICAL USE OF MARIJUANA," was jointly offered by Representatives Bertram, Hanohano, Karamatsu and McKelvey.

H.C.R. No. 113, 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 KAMUELA VACUUM COOLING PLANT," was offered by Representative Evans.

H.C.R. No. 114, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR AND THE CHAIRPERSON OF THE BOARD OF LAND AND NATURAL RESOURCES TO STRIVE TO EXPEND THE STATE OF HAWAII'S FULL ALLOTMENT OF FEDERAL AID IN WILDLIFE RESTORATION FUNDS," was offered by Representative Evans.

ADJOURNMENT

At 12:51 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, March 13, 2009. (Representatives Luke, Takai, Wakai and Wooley were excused.)

TWENTY-EIGHTH DAY

Friday, March 13, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:04 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Isaac W. Choy, after which the Roll was called showing all Members present with the exception of Representatives Chang, McKelvey, M. Oshiro, Takai, Thielen, Ward and Wooley, 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 MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 259 through 272) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 259, dated February 27, 2009, transmitting the Report on Hawaii-Grown Coffee Labeling and Inspection, and Economic Impact of Potential Changes to Minimum Content Requirements as required by Senate Concurrent Resolution 102, 2007 Legislature.

Gov. Msg. No. 260, dated March 2, 2009, transmitting the Lead by Example FY 2007-2008 State of Hawaii Agencies' Energy Initiatives pursuant to ACT 96, Session Laws of Hawaii 2006 Part III and Act 160, Section 168.5, Session Laws of Hawaii 2006.

Gov. Msg. No. 261, dated March 4, 2009, transmitting the Governor's reports pursuant to provisions of Act 213, SLH 2007, the General Appropriations Act of 2007.

Gov. Msg. No. 262, dated March 12, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, pursuant to Act 52, Section 4, Session Laws of Hawaii, 2008, Relating to a Report to the Legislature on the Expenditure of All Funds for the Comprehensive Breast and Cervical Cancer Control Program.

Gov. Msg. No. 263, dated March 12, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, pursuant to H.B. 500, Part III, Section 49, Session Laws of Hawaii, 2007, Requiring the Department of Health to Support the Expansion and Integration of the Security Enhancements at Hawaii State Hospital and that the Program Prepare a Detailed Report of All Its Expenditures.

Gov. Msg. No. 264, dated March 12, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, 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. 265, dated March 12, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, pursuant to Section 321-176, Hawaii Revised Statutes, Biennial Review of Progress Made in 2007-2008 on the Child and Adolescent Mental Health Division's Four-year Strategic Plan.

Gov. Msg. No. 266, dated March 12, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, 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. 267, dated March 12, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, 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. 268, dated March 12, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, pursuant to Act 213, Section 48, Session Laws of Hawaii, 207, As Amended by Act 158, Section 48, Session Laws of Hawaii, 2008, Requiring the Department of Health to Submit a Report on the Adult Mental Health Division's Purchase of Service Contracts.

Gov. Msg. No. 269, dated March 12, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, 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.

Gov. Msg. No. 270, dated March 12, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, 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. 271, dated March 12, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, pursuant to Act 100, Section 334, Session Laws of Hawaii, 2008, Requiring the Department of Health to Submit An Annual Report on Forensic Patient Data, Specific to the Hawaii State Hospital.

Gov. Msg. No. 272, dated March 12, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, 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.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 411 through 413) was received and announced by the Clerk:

Sen. Com. No. 411, transmitting S.B. No. 698, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE RENTAL MOTOR VEHICLE AND TOUR VEHICLE SURCHARGE TAX," which passed Third Reading in the Senate on March 12, 2009.

Sen. Com. No. 412, transmitting S.B. No. 1346, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 12, 2009.

Sen. Com. No. 413, transmitting S.B. No. 1678, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 12, 2009.

On motion by Representative Evans seconded by Representative Pine and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representatives Chang, McKelvey, M. Oshiro, Takai, Thielen, Ward and Wooley were excused.)

S.B. No. 698, SD 3
S.B. No. 1346, SD 2
S.B. No. 1678, SD 3

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Manahan introduced 8th grade students from Kalakaua Middle School, who were accompanied by Mr. Peter Tovey, Vice Principal; and teachers, Mr. Blaine Kashiwaeda, Ms. Caitlin Ross, Ms. Cindy Watanabe, Ms. Anna Harstad, Ms. Karin Rombang, Mr. Joseph Passantino, Ms. Sheri Livingston and Ms. Debbie Ziemke.

Representative Ito also welcomed students from Kalakaua Middle School, his alma mater.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R. Nos.	Referred to:
88	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
89	Jointly to the Committee on Public Safety and the Committee on Health
90	Committee on Public Safety, then to the Committee on Judiciary
91	Committee on Agriculture, then to the Committee on Finance
92	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
93	Committee on Energy & Environmental Protection
94	Committee on Education, then to the Committee on Finance
95	Committee on Consumer Protection & Commerce
96	Jointly to the Committee on Transportation and the Committee on Labor & Public Employment
97	Committee on Health, then jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization, Business, & Military Affairs
98	Committee on Health, then to the Committee on Judiciary

H.C.R. Nos.	Referred to:
109	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
110	Jointly to the Committee on Public Safety and the Committee on Health
111	Committee on Public Safety, then to the Committee on Judiciary
112	Jointly to the Committee on Public Safety and the Committee on Health, then to the Committee on Judiciary
113	Committee on Agriculture, then to the Committee on Finance
114	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
115	Committee on Energy & Environmental Protection
116	Committee on Water, Land, & Ocean Resources
117	Committee on Education, then to the Committee on Finance
118	Committee on Consumer Protection & Commerce
119	Jointly to the Committee on Transportation and the Committee on Labor & Public Employment
120	Committee on Health, then jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization, Business, & Military Affairs
121	Committee on Health, then to the Committee on Judiciary

S.B. Nos.	Referred to:
698, SD3	Committee on Transportation, then to the Committee on Finance
1346, SD2	Committee on Finance
1678, SD3	Committee on Finance

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 99) was announced by the Clerk and the following action taken:

H.R. No. 99, entitled: "HOUSE RESOLUTION RECOGNIZING AND HONORING VALISA SAUNDERS, MN, APRN, BC, GNP, THE AMERICAN GERIATRICS SOCIETY "CLINICIAN OF THE YEAR"," was jointly offered by Representatives M. Lee, Hanohano, Karamatsu, Thielen, Yamane and Herkes.

Representative M. Lee moved that H.R. No. 99 be adopted, seconded by Representative Yamane.

Representative M. Lee introduced Ms. Valisa Saunders who was seated on the Floor of the House and commended her for being named Clinician of the Year by the American Geriatrics Society.

Accompanying Ms. Saunders on the floor of the House were:

Mr. Ward Saunders, her husband;
Dr. Kavita Sharma, Clinical Assistant Professor of Geriatric Medicine and Director of Geriatrics at Kaiser Permanente; and
Ms. Barbara Matthews, Director of the University of Hawaii Center for Nursing.

Representative M. Lee also introduced friends and supporters seated in the gallery:

Ms. Lenora Lorenzo, Hawaii State Representative-American Academy of Nurse Practitioners;
Mr. Wailua Brandman, President of the Hawaii Association of Professional Nurses;
Ms. Cynthia Stuhlmiller, APRN; UH Professor of Social Work; MedQuest Div. Health Consultant;
Mr. Joseph Giovannoni, APRN;
Ms. Amy Stone Murai, APRN;
Ms. Kathleen Yokouichi, Executive Officer of the Board of Nursing;

Ms. Sandra Steele, a graduate student in the University of Hawaii nursing program;
Mr. Frank Richardson and Ms. Phyllis Dendle, Kaiser Permanente Hawaii;
Ms. Barbara German, RN MPH, Certified Occupational Health Nurse; and
Ms. Suzann Filleul, Regional Nurse Executive for Kaiser.

Representative Yamane further congratulated Ms. Saunders and recognized the contributions of the APRNs in providing geriatric care.

Representative Cabanilla then commended Ms. Saunders for being a role model to nurses and caregivers.

The motion was put to vote by the Chair and carried, and H.R. No. 99 was adopted with Representatives Berg, Chang, Ito, Luke, McKelvey, M. Oshiro, Saiki, Takai, Thielen and Wooley being excused.

The following resolution (H.R. No. 100) was announced by the Clerk and the following action taken:

H.R. No. 100, entitled: "HOUSE RESOLUTION HONORING JUNIOR ACHIEVEMENT OF HAWAII, INC. AND THE 2009 HAWAII BUSINESS HALL OF FAME INDUCTEES," was jointly offered by Representatives Marumoto, Belatti, Chang, Ching, Chong, Evans, Karamatsu, Magaoay, Manahan, Mizuno, B. Oshiro, Say, Shimabukuro, Souki, Tsuji, Aquino, Cabanilla, Ito, M. Lee, Nakashima, M. Oshiro, Pine, Sagum, Takumi and Wooley.

Representative Marumoto moved that H.R. No. 100 be adopted, seconded by Representative Evans.

Representative Marumoto recognized the Junior Achievement of Hawaii, Inc. and their work in inspiring and educating young people on business and free enterprise.

Representative Evans then introduced the Junior Achievement of Hawaii 2009 Business Hall of Fame Inductees who were seated on the Floor of the House:

Mr. Monty Richards of family-owned Kahua Ranch on the Big Island, businessman, innovator and community leader;

Ms. Susanna F. Cheung, founder of Opportunities for the Retarded, Inc., and Helemano Plantation; and

Mr. Dean Okimoto, owner of Nalo Farms, and current President of the Hawaii Farm Bureau Federation.

Representative Marumoto then introduced and recognized friends and family seated in the gallery:

With Mr. Richards was his daughter, Ms. Pam Ketchum; and sons Mr. Tim Richards and Mr. John Richards who were not in attendance.

With Ms. Cheung were her husband, Mr. Ho-Ming Cheung; sisters Ms. Nancy Tsang and Ms. Vivian Kwei; sister-in-law, Ms. Peggy Fok; and Ms. Ann Higa, Chief Operations Officer and other clients and staff of Helemano Plantation.

The motion was put to vote by the Chair and carried, and H.R. No. 100 was adopted with Representatives Berg, Chang, Luke, Manahan, McKelvey, M. Oshiro, Saiki, Takai, Thielen and Wooley being excused.

At 12:33 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:41 o'clock p.m., with Vice Speaker Magaoay presiding.

STANDING COMMITTEE REPORTS

At this time, the Chair stated:

"Members, we are on page 2 of the Order of the Day, Reports of Standing Committees. Members, please note the 48-hour notice for Standing Committee Report Nos. 985 and 986."

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 985) recommending that H.B. No. 900, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 985 on H.B. No. 900, 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. 900, 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. 986) recommending that H.B. No. 300, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 986 on H.B. No. 300, 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. 300, 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. 987) recommending that H.B. No. 200, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 200, 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 Berg, Chang, Finnegan, M. Lee, Luke, Manahan, McKelvey, Saiki, Souki, Takai, Thielen, Tokioka and Wooley being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 988) recommending that S.B. No. 62, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 62, SD 1, 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 Berg, Chang, Finnegan, M. Lee, Luke, Manahan, McKelvey, Saiki, Souki, Takai, Thielen, Tokioka and Wooley being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 93 through 98) and concurrent resolutions (H.C.R. Nos. 115 through 121) were referred to Printing and further action was deferred:

H.R. No. 93, entitled: "HOUSE RESOLUTION REQUESTING THAT MOTOR VEHICLE OWNERS DISABLE AUDIBLE MOTOR VEHICLE ALARM SYSTEMS," was offered by Representative Rhoads.

H.R. No. 94, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII STATE PUBLIC LIBRARY SYSTEM TO PROVIDE ALTERNATIVE LIBRARY SERVICES FOR THE RESIDENTS OF WAIKOLOA AND DETERMINE THE FEASIBILITY OF ESTABLISHING A NEW PUBLIC LIBRARY IN WAIKOLOA," was offered by Representative Evans.

H.R. No. 95, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ADOPT LEGISLATION ESTABLISHING A FEDERAL USURY RATE," was jointly offered by Representatives Aquino, M. Lee, Manahan, McKelvey, Yamane, Herkes and Rhoads.

H.R. No. 96, entitled: "HOUSE RESOLUTION URGING THE MANAGEMENT OF HAWAIIAN AIRLINES AND THE AIR LINE PILOTS ASSOCIATION TO SWIFTLY NEGOTIATE A FAIR AND REASONABLE NEW LABOR CONTRACT," was offered by Representative Takumi.

H.R. No. 97, entitled: "HOUSE RESOLUTION URGING THE MEMBERS OF THE LEGISLATURE AND THE HAWAII BUSINESS COMMUNITY TO SUPPORT THE ESTABLISHMENT OF PAID FAMILY LEAVE IN HAWAII," was jointly offered by Representatives M. Lee, Karamatsu, Mizuno, Morita, B. Oshiro, Rhoads and Shimabukuro.

H.R. No. 98, entitled: "HOUSE RESOLUTION URGING ALL HOSPITAL EMERGENCY ROOMS IN THE STATE TO PROVIDE EMERGENCY CONTRACEPTION ON DEMAND TO VICTIMS OF SEXUAL ASSAULT OR RAPE," was jointly offered by Representatives M. Lee, Karamatsu, Marumoto, Morita, Nishimoto, B. Oshiro, Sagum, Shimabukuro and Thielen.

H.C.R. No. 115, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT MOTOR VEHICLE OWNERS DISABLE AUDIBLE MOTOR VEHICLE ALARM SYSTEMS," was offered by Representative Rhoads.

H.C.R. No. 116, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTY OF KAUA'I TO RESTORE PRINCE KUHIO PARK TO ITS FORMER CONFIGURATION," was jointly offered by Representatives Sagum, Carroll, Chang, Morita and Tokioka.

H.C.R. No. 117, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE PUBLIC LIBRARY SYSTEM TO PROVIDE ALTERNATIVE LIBRARY SERVICES FOR THE RESIDENTS OF WAIKOLOA AND DETERMINE THE FEASIBILITY OF ESTABLISHING A NEW PUBLIC LIBRARY IN WAIKOLOA," was offered by Representative Evans.

H.C.R. No. 118, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ADOPT LEGISLATION ESTABLISHING A FEDERAL USURY RATE," was jointly offered by Representatives Aquino, M. Lee, Manahan, McKelvey, Yamane, Herkes and Rhoads.

H.C.R. No. 119, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE MANAGEMENT OF HAWAIIAN AIRLINES AND THE AIR LINE PILOTS ASSOCIATION TO SWIFTLY NEGOTIATE A FAIR AND REASONABLE NEW LABOR CONTRACT," was offered by Representative Takumi.

H.C.R. No. 120, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE MEMBERS OF THE LEGISLATURE AND THE HAWAII BUSINESS COMMUNITY TO SUPPORT THE ESTABLISHMENT OF PAID FAMILY LEAVE IN HAWAII," was jointly offered by Representatives M. Lee, Karamatsu, Mizuno, Morita, B. Oshiro, Rhoads and Shimabukuro.

H.C.R. No. 121, entitled: "HOUSE CONCURRENT RESOLUTION URGING ALL HOSPITAL EMERGENCY ROOMS IN THE STATE TO PROVIDE EMERGENCY CONTRACEPTION ON DEMAND TO VICTIMS OF SEXUAL ASSAULT OR RAPE," was jointly offered by Representatives M. Lee, Karamatsu, Marumoto, Morita, Nishimoto, B. Oshiro, Sagum, Shimabukuro and Thielen.

ADJOURNMENT

At 12:43 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, March 16, 2009. (Representatives Berg, Chang, Finnegan, Luke, Manahan, McKelvey, Saiki, Souki, Takai, Thielen, Tokioka and Wooley were excused.)

TWENTY-NINTH DAY

Monday, March 16, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Brad Kaiwi Lum of the Family Equality Coalition Hawaii, after which the Roll was called showing all Members present with the exception of Representatives Carroll, M. Oshiro and Takai, 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 COMMUNICATION

The following communication from the Senate (Sen. Com. No. 414) was received and announced by the Clerk:

Sen. Com. No. 414, transmitting S.C.R. No. 43, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT TO APPLY FOR ACCREDITATION WITH THE COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, INC.," which was adopted by the Senate on March 13, 2009.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.C.R. Nos.	Re-referred to:
94	Committee on Human Services, then to the Committee on Legislative Management
108	Committee on Water, Land, & Ocean Resources, then to the Committee on Transportation

S.B. Nos.	Re-referred to:
19, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
50, SD1	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Finance
169, SD2	Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance
390, SD2	Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
420, SD2	Committee on Health, then to the Committee on Consumer Protection & Commerce
474, SD1	Committee on Judiciary, then to the Committee on Finance
605, SD1	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
754, SD1	Committee on Housing, then to the Committee on Legislative Management, then to the Committee on Finance
807, SD1	Committee on Education, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance
892, SD1	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1069, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1103, SD1	Committee on Judiciary, then to the Committee on Finance

INTRODUCTION OF RESOLUTION (FLOOR PRESENTATION)

The following resolution (H.R. No. 106) was announced by the Clerk and the following action taken:

H.R. No. 106, entitled: "HOUSE RESOLUTION RECOGNIZING THE HAWAII FOOD BANK, RICHARD GRIMM, PRESIDENT OF THE HAWAII FOOD BANK, FOODLAND, SAFEWAY, TIMES SUPERMARKET, AND CHAD BUCK FOR THEIR EXEMPLARY SERVICE TO THE PEOPLE OF HAWAII," was jointly offered by Representatives Mizuno, Brower, Cabanilla, Hanohano, Shimabukuro and Bertram.

Representative Mizuno moved that H.R. No. 106 be adopted, seconded by Representative Brower.

Representative Mizuno commended the Hawaii Foodbank and introduced the following honorees representing the Hawaii Foodbank seated on the Floor of the House:

Mr. Richard Grimm, President of the Hawaii Foodbank; and
Mr. Mike Kajiwara, Director of Product Donations.

Representative Mizuno also introduced and recognized Mr. Chad Buck, owner of the Hawaii Food Alliance, the largest individual donor to the Hawaii Foodbank.

Representative Brower then recognized major corporate donors to the Hawaii Foodbank:

Foodland, represented by Mr. Ed Treschuk;
Times Supermarket, represented by Mr. Bob Stout; and
Safeway, represented by Mr. George Glukfeld.

The motion was put to vote by the Chair and carried, and H.R. No. 106 was adopted with Representatives Carroll, Ito, M. Oshiro and Takai 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. with Vice Speaker Magaoay presiding.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering certain House bills for Third Reading by consent calendar. (Representatives Cabanilla, Carroll and Takai were excused.)

UNFINISHED BUSINESS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 985) recommending that H.B. No. 900, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative M. Lee and carried, the report of the Committee was adopted and H.B. No. 900, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Carroll and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 986) recommending that H.B. No. 300, as amended in HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative M. Lee and carried, the report of the Committee was adopted and H.B. No. 300, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Carroll and Takai being excused.

At 12:35 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 900, HD 2
H.B. No. 300, HD 1

STANDING COMMITTEE REPORTS

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 989) recommending that S.B. No. 697, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 697, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Carroll and Takai being excused.

At 12:35 o'clock p.m. Representative M. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:38 o'clock p.m.

THIRD READING

H.B. No. 200, HD 1:

Representative M. Oshiro moved that H.B. No. 200, HD 1, pass Third Reading, seconded by Representative M. Lee.

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of HB 200, HD 1. As is tradition in the Chamber, I will be speaking in support of this draft, but at the outset I ask for your indulgence and despite the somber and serious tone of my remarks, I promise that I will leave you with some 'Good News.'

"But, before I proceed, I need to recognize some very important people whose hard work and inquisitive natures continue to serve us very well. These are the Finance Committee Permanent and Session staff who are in the gallery. So if you will indulge me, I would like to read off their names and titles.

Tracy Kubota – Administrative Assistant;
Jo Hamasaki – Zookeeper, Iron Chef Finance, Research and Budget Assistant;
Carmen Rodrigues – Legislative Aide;
Taryn Lum – Legislative Aide;
Lei Learmont – Legislative Aide;
Sallie Hamada – Legislative Aide;

Nandana Kalupahana – Committee Clerk
Michael Ng – Budget Chief;
Eric Nouchi – Budget Supervisor;
Puna Chai – CIP Specialist;
David Hawkins – Budget Analyst;
Tijay Syn-Rodrigues – Budget Analyst;
Jonathan Conner – Budget Analyst;
Susan Fernandez – Budget Analyst;
Alexandra Coelho – Budget Analyst;
Michael Bomhoff – Budget Analyst;
Leslie Goo – Budget Analyst;

Randall Hiyoto – Research Chief;
Stacey Tagala – Research Supervisor;
Erik Abe – Researcher;
Nicole Saul – Researcher; and
Jennifer Taylor – Researcher.

"And I believe that this may be Eric Nouchi's last time with us. He'll be moving on to bigger and brighter things I believe, with the Department of Education after this Session.

"I really want to thank all of you for helping us, and I ask the Members for a round of applause for the budget staff please.

"Mr. Speaker, I would also like to thank the members of the Finance Committee, and the respective Committee Chairs for all their input, suggestions and responses to requests from the Finance Committee budget analysts. Starting in December, the development of this budget has been guided by the invaluable input of the Committee Chairs and the Members of the Finance Committee.

"We have our veterans; those who are not freshmen: Representatives Awana, Brower, Har, Nishimoto, Pine, Sagum, Tokioka, Ward, and Yamashita.

"And of course, our fabulous freshmen: Representatives Aquino, Choy, Coffman, Keith-Agaran, Chris Lee, and Wooley.

"And last, but certainly not least, my own Vice Chair Marilyn Lee, who from time to time conducted the hearings, drove the agenda, and ruled with 'an iron fist, but velvet touch.' When members lost their way, she was quick to draw them into line and keep the process moving. She is my co-pilot, first mate, and exemplifies the adage that 'behind every good man is a very great woman.'

"To all of you, thank you for spending so much time and effort in constructing this difficult budget. You have certainly earned your seat on this important Committee. Think about it. We started meeting in late November with our initial overview of the financial plan, the 2008 Supplemental Budget, and you learned about the Council on Revenues and its significance. We worked on holidays, weekends, and held the longest Committee hearing in recent memory. You have demonstrated to your constituents and your colleagues that you take your Finance Committee assignments and responsibilities seriously.

"Please know that I appreciate that some of you had to cross over the aisle. That some of you had to distance yourself for awhile from your special interest friends. The briefings have been long, hearings extensive, and decision making complex and controversial. Your stamina and kind

demeanor is one for the record books. As your Chair, I appreciate your sacrifice and statesmanship.

"You all have my heartfelt appreciation. Indeed, I am standing to speak today only because you have stood by me before today. I know this is not an easy budget, but I'm reminded of something our new President said at his inauguration:

> What the cynics fail to understand is that the ground has shifted beneath them – that the stale political arguments that have consumed us for so long no longer apply. The question we ask today is not whether our government is too big or too small, but whether it works – whether it helps families find jobs at a decent wage, care they can afford, a retirement that is dignified. Where the answer is yes, we intend to move forward. Where the answer is no, programs will end. Those of us who manage the public's dollars will be held to account – to spend wisely, reform bad habits, and do our business in the light of day – because only then can we restore the vital trust between a people and their government.

"Mr. Speaker, this budget cuts $235 million for fiscal year 2010, and $170 million for fiscal year 2011, over and above the budget submitted by the Governor back in December.

Representative Rhoads rose to yield his time, and the Chair "so ordered."

Representative M. Oshiro continued, stating:

"Thank you, Representative. Thus, these cuts to the budget are in addition to the Governor's proposed cuts of $208 million in fiscal year 2010, and $185 million in fiscal year 2011, of which we have adopted in part.

"Mr. Speaker, although I appreciate the Governor finally submitting an official financial plan to the Legislature on Tuesday, March 4, 2009, I was expecting a revised plan deserving of the courtesy we displayed. We gave the Governor almost 60 days from the Council on Revenue's January 9th projection of a minus three percent growth rate. The Governor's March 4, 2009 revised financial plan seemingly hinges upon 9 action items: 7 House Bills and 2 Budget items. What's of concern is a lack of detail for us to critically consider them. In a nutshell, much is speculation and blind assumption. The Committee Report before you details these concerns, so I won't repeat them here.

"Mr. Speaker, I am also disturbed by the Governor's sudden change of heart and her unilateral decision to end open discussions with the Legislature on fixing the budget shortfall. Equally so, her unilateral proclamation that there will not be any layoffs or raising of taxes. If I might, forget that the fact that I don't believe in 'pulling rabbits out of a hat,' or 'wishing upon an evening star,' or believing that I will find a 'pot of gold at the end of the rainbow.' Mr. Speaker, I honestly thought we had pledged to work together, that it would not be business as usual, that she would even 'walk across the aisle.' Mr. Speaker, it is as if the Governor that I was fast becoming friends with, who I referred to in my office as my 'BFF,' 'Best Friends Forever,' had returned from the cold and distant Nation's Capitol with a different mindset, a different political agenda, and somewhat wrapped up in national GOP politics.

"Honestly, what happened? What happened to all things being on the table? Wasn't the Governor the one to admit that even the Hawaii Hurricane Relief Fund was up for consideration? That although she despised gambling, it too needed to be considered. And even the fact that she moved off her prior position of using or raiding non-general funds. The Governor even proposed the initiative, and asked me to submit the bill for her, to raise taxes for transportation needs and highway improvements. She also asked me to float a bill to raise sin taxes on cigarettes. I thought it was premature at best, not having seen the details of our budget reductions, to pass judgment and summarily discard all options. It appears suspicious, especially before the Council on Revenues issued its revised projections last week.

"Mr. Speaker, it brings me no pleasure to make these recommendations, and we may not be able to avoid laying off employees of State government. I have wrestled with this for many weeks and it has bothered me deeply. But we can make sure that those who may be affected, have the essential support services and options to help them.

"So let me make this public promise: that it is my intention to consider all reasonable options that may allow us to reconsider, yes reconsider, the decisions we make in this draft today. Indeed, I would rather be in gross error and find my assumptions ridiculed and mocked, than have anyone lose their job. I would rather be adjudged and found disloyal, than have it be said that I put political expediency over people or policy and indulged fantasy over facts."

Representative Brower rose to yield his time, and the Chair "so ordered."

Representative M. Oshiro continued, stating:

"Thank you, Representative. Likewise Mr. Speaker, it brings your Finance Committee no joy to make these recommendations. But in times such as these, it can bring opportunity. Opportunity to re-examine functions of government and simply ask some key questions: Does this make sense? Why are we doing it this way? Should government be doing this? Or should this be left to the non-profit or private sector?

"We took a different tack this year, Mr. Speaker. Early on, the Chair of the Ways and Means Committee and Vice Chair, along with Vice Chair Lee, met with the directors in private meetings. We did so privately so we could be frank and candid with each other in what we were facing. It was a useful meeting because there, we discussed some of the issues and problems they had with the legislative process. Even Georgina Kawamura, the Budget and Finance Director, acknowledged the value of having that meeting and encouraged, even cautioned all department heads to play close attention to the requests coming in from the Committees on Ways and Means, and Finance. It is my belief that she understood and appreciated the shift in the approach to the budget by this Legislature.

"Mr. Speaker, your Committee understands that what we asked the departments to do was difficult. Change usually is. Habits are hard to break. But that's the burden of leadership we all carry and must rise to. And while I realize that we are ultimately the policy-making body, our policies need to be tempered by practicality of work place norms and customs. This requires the cooperation and consultation of those who administer the programs and serve the public: the managers, the supervisors, the department directors, and especially the line agents. Top to bottom. Bottom to top.

"Mr. Speaker, for the most part, the directors were responsive and appreciative of our requests. May I highlight just one individual in particular, and that is the Director of Land and Natural Resources, Laura Thielen, who personally agonized over her task and responsibility to prioritize the functions of the department she leads. The decisions she made were not easy, nor free of criticism, but she made them. She even stayed with your Committee until 5:00 a.m., in the morning, to be available and participate in the hearing process.

"A few directors were not so diligent, responsive or available. It serves no purpose to dwell on that at this time, but the public record and the members of the Finance Committee know who I am talking about. They know who was available and ready to serve, when we had to make those difficult choices

"Mr. Speaker, paradigm shifts are rarely easy or stress free. One example: We posed the fundamental question to the Department of Business, Economic Development and Tourism and the Department of Commerce and Consumer Affairs – What's the difference between a department dedicated to business and a department dedicated to commerce? Aren't they one and the same?

"Those in the system will claim that the goal of the Department of Business, Economic Development and Tourism is to ensure support for commerce in the State. And those in the system at the Department of Commerce and Consumer Affairs will say it serves a business regulatory role. Does this have to be mutually exclusive? I don't think so. If

businesses are being charged a fee to be regulated and registered, shouldn't they be supported as well?

"The Department of Business, Economic Development and Tourism also seems to be the repository of stray entities or functions; the place for half a dozen 'foster children' who might otherwise have no home. In other words, they are administratively attached. The Statewide Land Use Management, the Natural Energy Laboratory of Hawaii Authority, the High Technology Development Corporation, the Hawaii Strategic Development Corporation, the Hawaii Tourism Authority, the Foreign Trade Zone.

"This draft proposes the following: transferring Statewide Land Use Management to the Department of the Land and Natural Resources; NELHA to the University of Hawaii …"

Representative Mizuno rose to yield his time, and the Chair "so ordered."

Representative M. Oshiro continued, stating:

"Thank you. The Foreign Trade Zone to the Department of Transportation; and the High Tech Development Corporation to the Department of Commerce and Consumer Affairs.

"Mr. Speaker, locally and nationally, one issue seems to be gathering momentum. One issue seems to be the key to our economic and political future as a nation: energy. Perhaps it's time to elevate this to a fully fledged department of its own. Perhaps it's time for the State to have a Department of Energy <u>and</u> High Technology.

"In order to secure a future of energy independence, renewable technology and the research and science that go with it need to be nurtured and supported. Perhaps it's time to revisit the goals and functions embodied in NELHA, the High Tech Development Corporation, and the Hawaii Strategic Development Corporation. Perhaps these currently independent entities with their individual governance structures need to be working more closely to share in developments and progress.

"Although the answers to these questions may not come, and the issues may not be settled before we conclude the 2009 Session, we set the discussion in play for further consideration. This is more than a fiscal decision, but one that involves a multitude of disciplines and crosses over and between many relevant divisions and agencies.

"In closing, let me reflect upon some observations. During this process, especially in the last couple of weeks, there have been those seeking to pit public employees against the public they serve, taxpayers against taxpayers, public verses private, or to pit the House against the Senate. For those deploying these unfruitful tactics seeking to conquer and divide this community, forestall honest and open dialogue, and resort to worn out *clichés* and partisan rhetoric, I plead to you, stop. Enough is enough.

"It is time for our community to put away these childish ways. This is the time for us to come together, to put aside our petty political differences and our personal political agendas, and join together with our better selves to help carry the load. We who love Hawaii and call her home are in the midst of a global economic crisis not unlike, but probably more severe than the terrorist acts of September 11, 2001. As then, so as today, we must come together.

"The financial crisis we face is real. I will not sugar coat it, nor dumb down the reality of what we face. To do so would be political malpractice. I am not saying that the 'end of the world' is at hand, nor the 'sky is falling.' But, anyone who suggests that we weather this storm as we have done in the past, or that the status quo holds the cure, needs to be shaken from their sleep and brought back to life. This is not the time for slogans like, 'We can have it all,' or 'Don't worry, be happy.'

"Mr. Speaker, I am once again reminded of the words of our native son; a son of Hawaii who is now the new President of the United States:

Our challenges may be new. The instruments with which we meet them may be new. But those values upon which our success depends — hard work and honesty, courage and fair play, tolerance and curiosity, loyalty and patriotism — these things are old. These things are true. They have been the quiet force of progress throughout our history. What is demanded then is a return to these truths.

What is required of us now is a new era of responsibility — a recognition, on the part of every American, that we have duties to ourselves, our nation, and the world, duties that we do not grudgingly accept but rather seize gladly, firm in the knowledge that there is nothing so satisfying to the spirit, so defining of our character, than giving our all to a difficult task.

This is the price and the promise of citizenship.

"Mr. Speaker, your Committee on Finance has accepted its responsibility to craft a budget constrained by the fiscal realities thrust upon us. We have not taken the easy route, but embarked upon a new path for others to follow. The journey thus far has not been easy, but we have carried each other and we have left no one behind. We have worked hard, honestly, courageously – and with unbowed loyalty to our constituents, our communities and to the people of Hawaii whom we serve. We have given our all, without complaint or strife, and manifested our collective will to this most difficult task, and we have memorialized the same in the attached Committee Report.

"Mr. Speaker, last week we had to make numerous difficult and unpopular decisions. Our work is not done. We will face equally challenging options and decisions in the coming days, weeks and months. But we will succeed. We shall overcome. And this too shall pass. And, that is the Good News that I promised you, and leave with you this day. Thank you, Mr. Speaker."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. Thank you. Before I give the three reasons why I am in opposition, I want to thank the Chair of Finance for the 'Good News.' The sweet coating that you gave here was probably less so than in your remarks. Although I am pleased to have yielded to you. It was very conscientious of you, very gracious remarks, but very grave remarks. It has been a pleasure serving with you, and thank you for the extraordinary effort that was taken to balance this budget.

"Also Mr. Speaker, I want to thank some of the best and brightest minds in this office – the staff. I'm not sure which one of you is the 'Zookeeper,' but you have done a good job of keeping us together and I know some of the names I was called might fit into that analogy.

"Having said that Mr. Speaker, I want to paint my remarks in a larger context. The backdrop of my concerns are as follows. First, this budget doesn't fit within the national economy and the efforts that are going forward to keep the United States and the world, if you will, from further decay. The world, the nation, and our State is suffering its worst credit crisis since the 1930s, and this budget will not help that situation. Let me give you a quote from Federal Reserve Chairman, Ben Bernanke. He said, 'The United States has avoided the risk of plunging into a depression.' This is really good news. We can strike the word 'meltdown' from our vocabulary in this Body. It's taking away the fear factor of a financial free fall.

"But secondly he said, 'There's no lack of money in the world. Just a lack of confidence.' Very profound words that hark back to what FDR told us, 'the lack of confidence, not of money and its supply.' I'm afraid that this budget is not a confidence builder, and that's what this Body needs to be, a confidence builder.

"Bernanke went on to say that, people and institutions with money, private investors that is, sitting now on the sidelines rather than being in the game, he said they were the key to the turnaround. Private money is fearful and holding on to their money. Key players have called time out. Mr. Speaker, that's the kind of confidence we need to get. For those who

are calling time out, those who do have the funds to invest, they need to get back on the field.

"And finally, Bernanke was asked, 'What would be a clear sign that we've come out of this?' He said private investors putting their capital into our banking system. That is buying stocks in the banks. When that happens, we will be totally out of the woods, giving confidence to businesses and investors so they will do that. Mr. Speaker, I submit that this budget does not push that confidence to the businesses. It does not push that confidence to the investors. And let me outline the three reasons why that is the case.

"Firstly, this budget raises taxes. That's strike one against anybody taking money out of their pocket to invest. Over 30 percent of the budget gap is based on new taxes in this budget, and it balances the State budget on the backs of the people of Hawaii. I should add that it's a double burden for those on the Neighbor Islands because they have the TAT tax, the $100 million that's going to be transferred from them to Oahu. So it's a double burden for them.

"We are often told that one of the cardinal rules of hard economic times is not to burden consumers so that liquidity in the economy can be maintained. Interestingly, President Obama is contemplating a middle-class tax cut. Not tax increase, as we are proposing here. Burdening the people of Hawaii with new taxes is not the policy to follow …"

Representative B. Oshiro rose to a point of order, stating:

"Point of order. This bill is not about a tax increase. It's about the budget. We passed the tax increases last week. Thank you."

Representative Ward continued, stating:

"The budget is the budget, Mr. Speaker. The same way you'd say that the State economy is not really talked about in terms of the national economy. The national economy is the same as the State economy. I'll try to keep the nexus very clear.

"The tax increases that this budget is premised upon balancing, and particularly one tax that we should not even mention …"

Representative M. Oshiro rose to a point of order, stating:

"Mr. Speaker, point of order. Again, I think it was raised earlier by the Majority Leader, but this is not a bill dealing with taxation. This is the State Budget bill."

Representative Finnegan rose to a point of order, stating:

"Mr. Speaker, point of order. I believe in order to speak about the budget, you have to talk about revenues, as well as expenditures. That's how we look at balancing the budget. I think it's very within the purpose of the Representative speaking currently to speak about tax increases."

The Chair responded, stating:

"Representative Ward, could you …"

Representative Ward continued, stating:

"Mr. Speaker, I won't say anything else about taxes. I'll just show a visual aide, if that's sufficient. I won't say anything else about taxes."

The Chair responded, stating:

"Representative Ward, could you please proceed and confine your remarks to the contents of the House bill that we have before us."

Representative Ward continued, stating:

"Mr. Speaker, my point is that this Body needs to be mindful that consumer spending, keeping money in the pockets of the consumer is how our economy is going to recover.

"Seventy percent of our economy is spending; 15 percent is investment; 15 percent is government spending. But right now, between President Obama and Governor Lingle, 85 percent of the job, if you will, the drudgery of getting this economy kick-started, is in government's court. The point and the key to our recovery is getting that other part of the economy moving. That's why this budget is detrimental to that.

"If the budget is going to be balanced by raising taxes, it's equivalent to a man who is drowning and throwing water on him. That's what this budget will do for some."

Representative Marumoto rose to yield her time, and the Chair "so ordered."

Representative Ward continued, stating:

"Thank you, Representative. That was number one: tax increases. Number two, the reason why I can't vote for this budget is because it's putting people out of work. This is strike two against our economic recovery. These layoffs that are in the budget are premature and unnecessary. 374 people from the Department of Health and the Department of Human Services will be on the street within a matter of months. This is the body that usually cares very deeply for the weakest among us. Yet 70 percent of the warm body cuts are for the Department of Health. And those cuts in the Department of Human Services are for eligibility officers, those who actually sign up people to get benefits so we can take care of the weakest and most vulnerable.

"Some will say that these are redundant programs, but I submit that you ask those who are going to be on the streets on July 1 if they agree with you. The problem is that we are only half way through the budget process and I believe we have prematurely cut out the livelihood of about 400 people without consideration of other options of which Mr. Speaker, I would submit, we have millions of dollars still on the table. We have plenty of different options before we go to warm bodies.

"Governor Lingle has said, and I reiterate, 'I remain committed to balancing the budget without raising taxes or laying off employees. Either of these actions would further weaken our economy.' Mr. Speaker, we must think of the big picture. We must balance the budget, but we have to think about what's beyond next year and the year after. What's going on in the nation. What's going on in the world. Weakening the economy with taxes and layoffs is not the answer.

"Mr. Speaker, my exact sentiment is, I just quoted from the Governor; until we find that we absolutely cannot balance the budget, then and only then do we consider raising taxes or laying off people. The wise Chair of Finance, he may be correct, but not now. Wait until you see everything analytically and diagnostically, with precision, systemization and orderliness, and then we arrive at those things. But not now, prematurely.

"And now to my final and third reason for opposing this budget. I oppose this budget because of inaccurate and unfair statements that it makes which will jeopardize, possibly, federal funding for some of our very important renewable energy programs. This is strike three against economic recovery.

"For example, why does this budget decimate 90 percent of the programs of DBEDT? Why so many of it's programs are transferred out of the Department? Why does this budget cut the salary of the Director of Human Services, Lillian Koller, who by her own initiative and entrepreneurship literally brought in hundreds of millions of dollars, $175 million of federal funds which heretofore were not in the budget. Why is her salary cut out? Why is her position cut out? Is there anything vindictive implied by that? What's really going on here?

"But perhaps the unkindest cut of all, or perhaps the lack of professionalism present in this budget is in the statement of the Committee Report, suggesting that the Hawaii Clean Energy Initiative, which is one of the best in the nation, is either a failure or has no measures of success for a strategic plan. This statement is not only untrue, but could jeopardize federal funds and millions of dollars in grants-in-aid that the Department is

seeking. If Washington or the Congress get a hold of this, and they say that there is no confidence in the Hawaii Clean Energy Initiative, why did we go there last year, the Department of Energy, and point out that Hawaii is one of the best models? Hawaii has one of the best potentials for being a national, if not international model. This budget will jeopardize those funds.

"Let us all remember that it is this same clean energy program that the US Department of Energy chose last year as the one most likely to succeed in the nation.

"Therefore in summary Mr. Speaker, this budget raises taxes, cuts warm bodies, contains inaccurate analysis of the Executive programs, and to me this constitutes three strikes and the impairment of Hawaii's economic recovery. For the foregoing reasons, I'm voting no on this budget. Thank you, very much."

Representative Pine rose to speak in opposition to the measure, stating:

"Mr. Speaker, may I be permitted to possibly look around the room occasionally to thank certain people? Mr. Speaker, I rise in opposition to H.B. No. 200. It is a quiet assumption that when you vote against a bill in this Chamber, that you are not supporting the Chair of that particular Committee who made the final decision. Mr. Speaker, I am voting against the budget for no such reason. In fact Mr. Speaker, I am voting against this budget because I wholeheartedly support the Chair and the Finance members, the staff, and you Mr. Speaker.

"This weekend, I just couldn't sleep. And that often happens when my gut feels that something is terribly wrong. I was reminded of one of my favorite quotes. 'A leader takes people where they want to go. A great leader takes people where they don't necessarily want to go, but where they ought to be.'

"I am voting against this budget because we failed to follow you, Mr. Speaker, to where we needed to go to solve this crisis, and today I will stand with you. Mr. Speaker, we killed all your labor-related ideas that could have been included in the budget, and would have prevented us from raising taxes and firing good people. Even ideas that asked the employees to sacrifice as little as $14 per month, but would have saved the State $30 million was killed in Committee, leaving the Finance Chair and staff very little wiggle room to close the budget gap.

"If employees and legislators donated one day a month toward working without pay, the State could save almost $100 million, Mr. Speaker. This is also off the table today. Mr. Speaker, I believe that it was not the intention of Members to reject your solutions entirely. Decisions were made in the Labor Committee based on not being given the whole picture of the crisis that we are in. To quote my friend from across the aisle, maybe the lack of information had all of our heads in the sand about the realities we are faced with.

"Sitting on the Finance Committee, the crisis became very real. Mr. Speaker, Chair Oshiro, my fellow members of the Finance Committee, and to the Finance staff, I have been deeply honored to serve with you. You are some of the hardest working people I have ever met, and I know that you did everything in your power to find a balanced budget based on what you were given. Thank you, for all that you have done.

"With the Council on Revenues last week projecting another huge shortfall, our new total that we must find is almost a billion dollars. This is a staggering shortfall of projected revenues for such a small state. This is the largest budget shortfall in Hawaii's history. Today the budget before us is now obsolete, and so we must be bold and bring back solutions that were previously off the table.

"Mr. Speaker, we have almost 100,000 residents in the State of Hawaii who have been blessed by the taxpayers to either have pay raises almost every year, superior benefit packages, or a steady retirement income. These generous benefits make up over 60 percent of the budget you see here before you today. This is one of the highest ratios in the nation. State employees are in a unique position to help save Hawaii from our economic crisis. Just a little sharing of resources by State workers can go a long way to ease the overwhelming burden that Hawaii families are feeling and will feel when this Legislature concludes in May.

"Mr. Speaker, I believe union members too, did not know the full extent of the crisis that we were in when they came to the Capitol to fight against any bill that touched their benefits. I also believe that these very same members would rather give a little than to see their friends lose their jobs and taxes increase on the people of Hawaii."

Representative Ching rose to yield her time, and the Chair "so ordered."

Representative Pine continued, stating:

"Mr. Speaker, we must be bold. We must revive some of the labor ideas to the Floor that were killed in Labor Committee to help share the burden. Yes, this may be leading us to where we may not want to go, but it is exactly where we need to be to prevent a total shut down of State government and tax increases that will cripple our economy for many years to come. Political will and union support could help revive these ideas. Just passing the buck to the Governor to negotiate with the unions ensures that only she has to make the difficult choices.

"Now Mr. Speaker, I love football. And being that I am Catholic and part Irish, I just love Notre Dame. Their famous football coach, Lou Holtz said something that we can all live by today. To solve big problems you have to be willing to do unpopular things. That is what the Finance Committee did. We were asked by Leadership to put everything on the table. Tax increases were proposed. Government spending was cut. Over 300 of our friends in State government will no longer have jobs. The Finance Committee even cut worthy programs. We cut the Disability and Communication Access Board which my good friend and my first campaign manager is a member of. That was the hardest cut of all for me. He is a disabled veteran from Vietnam, just a few votes shy of being awarded the Medal of Honor for his heroism. I'm sure many of you have seen him riding around in his electric wheelchair, so happy to be a voice for so many of the disabled.

"The Finance staff, with a heavy heart, recommended the cut because it duplicated other programs already in existence. And with a heavy heart, I too voted for this cut. And to my friend Mark who is out there, I hope one day you will forgive me for the tough decision that I had to make. I am very sorry.

"We all need to share in these tough decisions, even if it means that we have to go to our biggest supporters who got us here, and tell them, 'My friend, this year I cannot help you. Instead I need you to just this once, just give a little to help all the people of Hawaii.'

"Yes Mr. Speaker, this is an extraordinary time that requires brave leadership. And maybe we're all here today for this very moment in time, to show the people of Hawaii that we are willing to do whatever it takes to help them. And we are even willing to sacrifice our own political careers to do what is right.

"On page nine of our Finance Committee Report, it says, 'During times of financial crisis, the burden of sacrifice must be shared by all.' In this spirit then Mr. Speaker, let's really do this. And let's really do this beginning today."

The Chair then announced:

"Members, on this measure we've had a long discussion. We had two Members from the Minority and one from the Majority. I will be asking for one more speaker, Representative Marilyn Lee. If you want to insert comments into the Journal, you may stand up to insert your comments whether you are for or against the bill."

At 1:22 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 1:26 o'clock p.m.

The Chair then addressed the Body, stating:

"Members, before we start, what we will do is Representative Marilyn Lee will be the last person from the Majority to speak. We will have one more speaker from the Minority, Representative Finnegan …"

Representative Souki rose to a point of order, stating:

"Mr. Speaker, point of order. I also wish to speak, and I'm sure there are others who wish to speak."

At 1:26 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.

The Chair then addressed the Body, stating:

"Prior to the recess, I mentioned that Representative Marilyn Lee would be the last from the Majority, and Representative Finnegan for the Minority. There was a request from another member to speak. I will ask the Members who want to speak, to speak."

Representative M. Lee rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of the measure, and I promise not to speak too long. Mr. Speaker, I rise in support of the measure. Recently the National Conference of State Legislatures reported fiscal year 2009 stands out as the year to remember, though one not likely to be looked on fondly by state legislatures. Lawmakers were aware of the slowing economy when drafting their fiscal year 2009 budget, but none could have foreseen the magnitude that has stricken state finances.

"In February, NCSL forecasted the largest fiscal year 2010 double digit gaps would be in Nevada, Arizona, New York, California, Louisiana, Washington and Hawaii. The most recent projections from the Council on Revenues confirm the fear that weaker tax collections and other receipts have made the fiscal situation in Hawaii even more tenuous. It is unfortunate that the Governor has chosen to include over $200 million in unrealistic revenue assumptions in her financial plan.

"The budget you see before you is the result of weeks of briefings, hearings, meetings, study and consultation by the Chair, the members of the Finance Committee and the Finance staff. Sincere efforts were also made to conduct open discussion with the Administration. Much credit should be given to all the participants in the process. The Finance staff who you see in the gallery, working 24-7, always with a smile on their face. The Chair who has put his heart and soul into the process and works harder than anybody. And the members who never complained about giving up weekends, staying until the wee hours of the morning, or waiting patiently for the decision making to come.

"Some may see the budget as 'draconian.' In essence it is a reflection of the uncertainty of the times and a reminder that each and every one of us will have to help our State recover and move forward. This means taxpayers, businesses and public employees will all have to be a part of the solution.

"The *Honolulu Star-Bulletin* opined in a recent editorial, cooperative effort is needed to spread the budget pain evenly. In contrast, the *Advertiser* has reminded us yesterday that ultimately the budgeting challenge is not to spread around the fiscal pain in an even layer, but to insulate as much as possible, those areas in health, education and social services that are most in demand, core, and most vulnerable during this economic distress. Mr. Speaker, these decisions are not easy, and the Committee has agonized over how to stretch the revenues which have become increasingly limited.

"Economist Jared Diamond has written about how nations respond to economic crises in his book, Collapse. Diamond is cautiously optimistic about the ability of the US economy to rebound, but lays out fundamentals that need to be addressed: attitudes towards foreign governments; environmental issues; and last, but most importantly, resistance to basic change.

"He further states that when decision makers themselves are affected, they will be motivated to make good choices. Mr. Speaker, each and every one of us here today will be affected by the decisions we make this year. The bill before us is not perfect, but is a strong beginning grounded in reality. I urge the Members' support. Thank you."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. First of all, I would like to recognize the people of the House Minority Staff in our research office, because not only do they cover the budget for us, but they also cover all of the other Committees as we have had some cut backs within our own office. I'd like to mention their names because without them, we wouldn't be able to do what we do. Boyd Akase, our Director; Nadine Nishioka, Candace Kelsey, James Delavan, Michele Van Hessen, Claire Draper, Kelsey Wells, Brett Huelsman, and Nancy Cook Lauer. They have really done a great job of trying to help us through this very difficult time.

"I'd also like to echo the words of many who have been saying that our Chair of Finance has done an excellent job. I know that you can see it in his eyes; he's tired, but he's still working very hard for the people of Hawaii. He is almost at times, unfairly shouldering the burden for a lot of us in regards to this decision making process.

"One comment that I would make however, is in regards to the personal, political agendas. You see Mr. Speaker, we come from two different Parties, and we have two different ways of looking at things. I don't think that this is political politics or personal agendas. What this is, is a contrast in beliefs, and at times I think it is appropriate for us to talk about the contrast in beliefs. Far too often we talk about how this is a political personal agenda, but what it is, it's a difference in opinion.

"Mr. Speaker, I hear from the people outside of this Capitol everyday. My mother-in-law, who was let go last year, still has not been able to find a job in the private sector. She was a private sector employee. My sister who was an Aloha Airlines employee continues to not have a job. These people on the outside are saying, on top of these types of cutbacks and layoffs, that you are going to look at increasing our costs through higher taxes. That's what we're saying here, Mr. Speaker. And if we are going to look at all options and try to share the burden, that we need to look at government spending, and that means sharing the burden so we can try to prevent layoffs, or avoid other layoffs.

"In hard economic times, Mr. Speaker, we need people to have jobs. How do we avoid layoffs? We avoid layoffs by having State government employees share in that burden so that the person next to them doesn't have to go without a job. And that's what we're asking for us to take a look at.

"What are some of the other problems with layoffs, Mr. Speaker? It's the terms, 'bumping' and 'red circling.' 'Bumping' says that if you're at a higher paid level, that you can bump somebody lower, at a lower paid level. What does that mean? They keep their job and the other person doesn't keep their job. They also bring with them their higher salary. So what does that mean? They bring with them their higher salary, therefore, the job that they may be getting paid for is not necessarily the most effective use of our tax dollars. So you might be having somebody who's making $70,000, they take their ability to bump someone off who's making $40,000. You're still paying someone $70,000 for a $40,000 position. You can do that from department to department, so it might mean a disruption in services. Governor Cayetano, our former Governor said that when this happened, when there was an impasse, that that is what took place. And the savings that we talked about, that we are balancing the budget with, was never realized. It never materialized.

"So what I'm saying here is logically, this is not the way to do it. In a time, if you want to talk about being courageous, let's talk about being courageous. Courageous would be taking programs that don't work, and in a time when the economy is good, then you do those deep cuts so they can find a job in the private sector when the economy is good. That's courageous.

"Mr. Speaker, I just want to talk about one other thing, and that's my passion for public school education. There's a statement here about Charter Schools. It talks about how, in all of the budget, the Charter Schools submitted an increase in spending. The increase in spending that they submitted had to do with …"

Representative Thielen rose to yield her time, and the Chair "so ordered."

Representative Finnegan continued, stating:

"Thank you, Representative. What took place is over the years, we've said it before. When it comes to Charter Schools, public Charter Schools, the funding mechanism, the fact that they don't have money for facilities and they're using that per pupil amount that they receive for their kids, they're using that amount for facilities and other things. There's also a report that has just come in and I'm not exactly sure what it says, but it talks about the possibility of Charter Schools not receiving an equitable share of federal funding as well.

"So they are already not at a level playing field. And, for the 2008-2009 school year, the Charter Schools already took an 8.8 reduction, I believe, before anybody else started taking reductions. On top of that, for 2009-2010, they'll be taking a 17 percent across the board cut. So that is why I disagree with this statement made in here. The way we fund Charters is different, and by making this statement, it makes me understand that maybe the people that see these numbers don't understand how Charter Schools get funded.

"So Mr. Speaker, for all of those reasons, I stand in opposition. Thank you, very much."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes Mr. Speaker and Members of the House, I wish to speak for the measure with one or two reservations. First of all, I want to compliment the Chairman, the Committee and the staff for doing a wonderful job in balancing the budget. It's no easy task. Mr. Chair and Vice Chair, your dedication has shown. But even as dedicated as the Chair and Vice Chair are, I question one item. I hope Mr. Chair, that as this moves along, you will look at it. This is the stripping of the Department of Business, Economic Development and Tourism. It's a reorganization of sorts, and maybe long overdue. But the manner in which it was done boarders on cavalier. Something like this, as great of a change that it is, I believe it requires a statutory change. I believe it requires a hearing so that people can voice their opinions, and not be settled in one Committee. As powerful as the Finance Committee is, I don't think it should be the determinant as to whether an agency can continue in its way, or if a change is necessary.

"I have served in that Committee, Mr. Chairman and Members, so I know the responsibilities, the heavy responsibilities and duties of the Committee. I have shared the long hours also. I know what that is. I know you get tired and you need to make tough choices. But Mr. Chairman and Members, as you go along, re-look at that with the Committee. It might be a constitutional problem. I don't know. It certainly is a statutory problem.

"As far as the staffing is concerned, an argument has been brought up. I know there are cuts that need to be made. But whether the timing is right, it may not be. Again, I ask of you, as you move along, and you revisit those cuts on labor again. Cuts will have to be made, but the question is, how. And what is the best way? Are furloughs the best way? Should we cut on a straight line? Or on the particular positions? All these things need to be looked at, and I'm sure they will be in the end if you need to balance the budget.

"I'm not opposed to tax increases. I've never been. If it's necessary so we can continue to provide for the people of Hawaii a quality of life that they have had in the past, then we must continue give them that. It's our duty. We should not be afraid and not shirk from that. Mr. Chairman, you have never been afraid of that and I congratulate you for that. But I wish you would take to heart some of the points that I have made. And hopefully, as you work with the Senate, we can resolve this. Thank you Mr. Chairman, and Members."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'd like to rise and speak with reservations. I note that this budget cuts out several warm bodies. But because of our bumping provisions, cuts I believe are an unworkable method to save money. I believe that furloughs are easier to take than drastic layoffs. I rise simply to suggest that we consider furloughs, but also provide assurances to our government employees that a furlough not be considered a break in service. I think we might need some legislation to protect against this. Thank you."

Representative Yamane rose to speak in support of the measure, stating:

"I'm standing in support. I don't have any planned rhetoric. I wasn't planning to speak, however, I feel compelled to speak with the comments that were made since 298 of the positions talked about on this Floor come from the Department of Health. That means 298 field positions out of 374 projected in this budget involve people under the purview of the Department of Health.

"I stand in strong support and I commend the Chair. I have had many sleepless nights on this matter, Mr. Speaker. It bothers me deeply. All I can say is Mr. Speaker, I respect the Chair for taking my recommendations for these employees being laid off. He looked at the members and he looked at the positions. If you go through this, Mr. Speaker, 568 positions are administrative, 250 are managers, 94 are accountants, and 55 are planners. These are people with families and we don't take this very lightly.

"However Mr. Speaker, what upsets me most is, as Chair, I've been waiting here. I haven't seen a plan. I haven't seen anything from the Administration on how to deal with this certain crisis. As Chair, I remain open and looking for an option to prevent these layoffs. We talked about furloughs on this Floor, but I haven't seen it. Where is it, Mr. Speaker? Where is the leadership and the plan to prevent these cuts from happening? As Chair I've been waiting patiently. I've asked this Administration. I've asked the budget people to please sit with us, privately or openly, to address these concerns. So if people on the Floor of this House want to talk about people losing their jobs and affecting their families, then you know what? There's some people out there who need to wake up and come down and start working as a team. Thank you."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. I just wanted to make two quick points. One is, when we heard all the so-called, 'take back' bills in the Labor Committee where we considered reducing benefits for government employees, the Republican on the Committee voted with the Majority on every single vote. I think, obviously, from that Member's perspective, the arguments that were made were as convincing to that person as they were to the Majority Democrats.

"Secondly, for people to say that government workers aren't going to take any pain in this recession is just ridiculous. They're still on the hook. Just because we decided not to go back on the deal with them, that you would have lower wages and better benefits in the long run, that doesn't mean that people aren't going to be laid off. Whatever the Governor is saying right now, I think she's being extremely unrealistic if she really believes that there aren't going to be any layoffs. Mahalo."

Representative Takumi rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In support with just a short comment. I actually wrote something out. I rarely do this. You know, whenever the budget comes up for Third Reading, I've always said the same thing and I'll say it again today. The budget is not just an accumulation of numbers and figures. It really represents a moral

document because it reflects who we are and where we want to go in terms of our values and priorities. What do I mean by this?

"Back in December, the Governor announced that she would float out $1.86 billion in bonds to fund the 1521 projects that we have already on the books. That kind of makes sense because governments do this all the time. The current Administration is no different; you fund infrastructure. There's a new term that I learned in the federal budget. It's called, 'shovel-ready.' But I think when we talk about shovel-ready projects, we also have to discern if these projects are shovel worthy. Let me give you one example.

"One of the projects in that 1521 is refurbishing the State Seal that hangs on both sides of the State Capitol. Now one would say that this is a project that can be done relatively quickly. It's shovel-ready, if you will. And I think the answer to that is, yes. But is it shovel worthy? I wonder.

"Furthermore Mr. Speaker, we need to strike the right balance between investing in infrastructure and investing in people. I will continue to assert that we need to do more in our investment particularly when it comes to education with preschool, K-12, and higher education. I'm really hopeful that by the time the Session ends, the budget we have truly reflects who we are as a collective body, what our values are, and what our priorities are. Of course, hard choices need to be made, but lets ensure that in our zeal to stimulate the economy in the short term, that we don't forget that we need to think in the long term as well. Ultimately that means investing in our best resources, and of course, that is our people.

"I have further comments I would like to submit to the Journal. Thank you, Mr. Speaker."

Representative Takumi's written remarks are as follows:

"We need to be mindful that the measure before us is a work in progress and may very well be different when we end session in May.

"That said, we need to keep in mind a few sobering facts when we look at the budget of the Department of Education.

"The Governor's budget as submitted in December to the Legislature reduced the DOE's budget by $40 million or 15 percent of discretionary funds including one percent of non discretionary funds each fiscal year.

"Her budget included a reduction of 239.5 positions within the DOE and of these, 149 of these positions are currently filled including 73 teachers in the Office of Curriculum, Instruction and Student Support and in the Office of Human Resources.

"While any reduction in positions does not automatically mean that warm bodies will be affected, it is inaccurate as the Governor has stated that there will be no layoffs. Indeed, both her budget and the budget bill before us eliminates 671 positions including 374 filled positions.

"Furthermore, due to reduced mental health and other social service funding, the private sector such as Kahi Mohala and Easter Seals have laid off employees that were funded with state dollars.

"The DOE/BOE $40 million reduction in the Governor's budget was designed to preserve funds for classroom instruction, with no proposed reductions in the funds allocated to schools through the Weighted Student Formula. Most reductions were taken in administration and support services.

"However, not every program or support service to teachers was spared. The HD1 before us today reduces the DOE budget approximately another $30 million each fiscal year. This includes the reduction of another 6.5 positions and programs such as Hawaiian Studies and bonuses for teachers with national board certification. While there is hope that the federal stabilization funds may mitigate these reductions we know that further cuts to the DOE will be necessary with the recent Council on Revenue Projections.

"As we continue to craft a budget, let's be strategic. Even if some initiatives are counter-cyclical or have upfront costs, we will save at the back end. For example, it makes sense to focus on energy efficiency and pre-school education despite the funds that need to be spent now."

Representative Morita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure and have just some brief comments. Thank you.

"I do have some concerns about the misperception of the Legislature's lack of support for the Hawaii Clean Energy Initiative. I agree with the editorial in this morning's *Honolulu Advertiser* that DBEDT's energy efforts must be scrutinized to ensure that the division is spending its allocated resources wisely. I agree that it is the Legislature's responsibility to hold the Administration accountable.

"I can agree that we want an understandable strategic plan of action from the Administration with measurable achievements for the Energy Division as we expect from other departments. But this should not be interpreted as a lack of support from the Legislature. I'd like to remind the Members that the bedrock for the Hawaii Clean Energy Initiative is due to many legislative actions that we have taken over the past decade in setting up policies like net metering, renewable portfolio standards, pay as you save, the solar water heating mandate, to make us the ideal location for the deployment of renewable energy and energy efficiency.

"So, as we move forward, I want to emphasize that we should not lose sight of what we are trying to accomplish, and I hope the final budget and the Committee Report will embrace a more defined picture of the Hawaii Clean Energy Initiative and any implementation actions by the Administration. Thank you."

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 H.B. 200, H.D. 1.

"In light of the economic downturn both statewide and nationwide, your Committee has remained mindful of the need to stimulate our local economy through Capital Improvement Projects (CIP) while maintaining an affordable level of debt service so as to not detrimentally affect future funding for not only CIP, but programs and services as well.

"In addition to this, your Committee has also taken into account and considered the following criteria: projects that are most "shovel ready", projects with the most potential for vast and diverse job creation, projects that address Health, Safety and Compliance needs, department requests that went unfunded in the original Executive submission, and projects with potential for funding through the American Recovery and Reinvestment Act.

"This year, the Administration requested a total of $955,155,000 in G.O. and general G.O. Reimbursable bond-funded projects. In the proposed House Draft 1, the G.O. and general G.O. Reimbursable your Committee requested is $881,279,000 over the biennium. The total G.O. and G.O. Reimbursable bond appropriation has been reduced from that which was submitted by the Administration by $73,876,000 allowing a debt service savings.

"Despite challenging economic times, your Committee has remained dedicated to the needs of our education system. Your Committee has appropriated a total of $287,076,000 to the Department of Education for various school projects and even increased from the Executive Budget their Repair and Maintenance appropriation by $20,000,000 in FY2011.

"For the University of Hawaii, your Committee has appropriated $568,487,000 in all means of financing for various projects, including $10,000,000 increase from the Executive Budget for Repair and Maintenance in FY2011. Also, included is $28,132,000 in Revenue Bonds

and $12,660,000 in GO Bonds for a long overdue Information Technology Center.

"In addition to education, your Committee has also attempted to address the needs for affordable housing. The CIP budget includes funding for affordable rental units for our elderly community. It also includes funding to improve the condition of our affordable and public housing facilities by addressing its repair and maintenance backlog and provide additional affordable housing options for low income persons. Your Committee has also included funding to address the health care needs and facilities statewide.

"Your Committee crafted a comprehensive CIP budget that will not only help spur our economy, but will be in a position to supplement and enhance the effectiveness of ARRA funding."

Representative Bertram rose to speak in support of the measure, stating:

"In support with just a brief comment. I appreciate all the comments from the other Members about what they saw in the budget that they didn't like, or did like. But the one thing that I see in this budget is that we're actually making some good choices as far as what programs need to be eliminated, including the State Health Planning and Development Agency. This is the right direction to be moving in. We need to be removing barriers to private investment to allow for greater participation by private interest with the public in developing our healthcare.

"We also took out the pay for the HHSC and moved that into the Department of Health. So this is a good step and we need to keep moving in this direction in reducing the barriers to private investment in looking for ways to encourage the State to be partners with the private investment."

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I just want to rise in support with some reservations. I want to echo some of the comments and reservations by Speaker Emeritus, and request to submit written comments. Thank you."

Representative Belatti's written remarks are as follows:

"Mr. Speaker, I rise with reservations on HB 200, HD 1. The State currently faces an economic downturn, the enormity of which is only now becoming clearer. The Council on Revenues continues to revise its dire projections; meanwhile, federal stimulus money recently became available. Consequently, any plan for dealing with our State's economic crisis rests on rapidly shifting sands.

"In light of these circumstances, I acknowledge how difficult it is to balance the State's budget. Nevertheless, I feel compelled to comment on the procedural shortcomings behind the drafting of HB 200, HD1. There has been plenty of finger pointing between the Legislative and Executive Branches and very little communication. Even within this legislative body, meaningful communication and vetting has not occurred.

"Plans for cuts and defunding of entire programs within the Health and Human Services Departments were not openly shared with the Health and Human Services Committees, and no informational briefings or public hearings on these proposed budgetary fixes were held within those Committees. The substantive Committees should have had the opportunity to vet the policy implications of these proposals and develop the legislation that will be needed to comport with HB 200, HD 1's recommendations.

"For example, while funding for the State Health Planning and Development Agency (SHPDA) has been deleted, it is purported that the certificate of need process overseen by SHPDA will still occur, but just not under the auspices of SHPDA. Where is the statutory vehicle that changes this responsibility from SHPDA to, presumedly, the Department of Health or is there an implicit policy choice being made that the Certificate of Need process is no longer the policy of the State? The type of methodical consideration of changes to statutes and drafting of laws could and should have occurred with the substantive Committees to support the proposals in HB 200, HD 1.

"Other programs had their funding deleted because they were considered duplicative of other State programs. For example, it has been suggested that HB 200, HD 1 eliminates the Disability and Communication Access Board (DCAB) for this reason. However, without the benefit of a public hearing, my understanding is that the DCAB is the only State agency that coordinates compliance with the federal Americans with Disabilities Act and similar State laws. In short, whether the DCAB is duplicative or not is not fully understood and HB 200, HD 1's proposal could have been better vetted with a hearing in the appropriate substantive Committee.

"For these reasons, I respectfully vote with reservations for this bill. Thank you, Mr. Speaker."

Representative Ching rose in opposition to the measure and asked that her written remarks, and the remarks of Representative Pine be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition to H.B. 200 - Relating to the State Budget. The budget, as written does not reflect prudence; giving the appearance of partisan politics at a time when we can least afford it. The idea of balancing the budget with divisive partisan tactics, expressed by some of the statements contained in the committee report, does not address the people's needs and concerns.

"First, the budget is balanced too heavily on the increase of taxes and user fees, which I feel will only further damage the economy. Second, it appears this budget will bulldoze over certain departments. We cannot merely take a chainsaw to certain initiatives without research and regard to the consequences and repercussions of which have not been examined adequately.

"According to this budget, there is no longer a need for the Director of Human Services. The Department of Human Services, especially at this time is vital to the well being of our citizens. It is irresponsible to cut Director Lillian Koller's job. I am curious as to how a department can be run without a director? Director Koller is one of the most gifted people in or government, having been named "Governing Official of the Year" by Governing magazine. She is the first public official from Hawaii to win the award. Director Koller was also the first Director to put to use the millions of dollars in TANF that had previously set idle each year, and allocated that money for community-based programs that prevent and reduce poverty.

"I am also concerned with the impact of transferring and dividing DBEDT at a time when we must look beyond our shores to encourage economic growth. There has been no testimony or chance given to DBEDT to discuss the impact of moving their departments. The two things we must protect and nurture in a bad economy are the safety- net that DBEDT provides and expertise to stimulate business that DBEDT provides. By passing this budget, and the actions it proposes we would cut our support networks and cut off opportunity.

"The people of Hawaii are counting on this Body to make sagacious decisions. Let's unite and put aside our differences for the people of Hawaii. Now is the time to come together for the greater good of Hawaii. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 200, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Third Reading by a vote of 44 ayes to 4 noes, with Representatives Ching, Finnegan, Pine and Ward voting no, and with Representatives Carroll, Herkes and Takai being excused.

At 1:53 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 200, HD 1

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 101 through 105) and concurrent resolutions (H.C.R. Nos. 122 through 128) were referred to Printing and further action was deferred:

H.R. No. 101, entitled: "HOUSE RESOLUTION ACKNOWLEDGING THE UNIVERSITY OF HAWAII AT MANOA COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES HISTORIC COSTUME COLLECTION AS A STATE TREASURE OF NATIONAL IMPORTANCE AND ENCOURAGING THE ESTABLISHMENT OF A MUSEUM FOR ITS PRESERVATION," was offered by Representative Choy.

H.R. No. 102, entitled: "HOUSE RESOLUTION URGING NONPROFIT ORGANIZATIONS AND COMMUNITY GROUPS TO ESTABLISH SAFETY PROCEDURES FOR ROADSIDE SOLICITATION OF FUNDS AND DONATED GOODS," was jointly offered by Representatives M. Lee, Awana, Brower, Mizuno, Morita, Nakashima, Wakai, Yamane, Hanohano, Herkes, Rhoads, Sagum, Souki, Takumi, Tokioka and Tsuji.

H.R. No. 103, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII'S PUBLIC POLICY CENTER TO MEET WITH, AND ADOPT THE RECOMMENDATIONS OF THE KANAKA MAOLI COMMITTEE WITH RESPECT TO THE CENTER'S REVIEW OF THE 2050 SUSTAINABILITY PLAN," was jointly offered by Representatives Carroll, Awana, Brower, McKelvey, Shimabukuro, Belatti, Coffman, Hanohano, Har, Ito, M. Lee, Manahan, Morita, Nakashima, Nishimoto, B. Oshiro, Sagum, Takumi, Tokioka and Yamane.

H.R. No. 104, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO WORK WITH THE HAWAIʻINUIĀKEA SCHOOL OF HAWAIIAN KNOWLEDGE OF THE UNIVERSITY OF HAWAII TO DEVELOP A KUPUNA HONORARY DEGREE PROGRAM," was jointly offered by Representatives Carroll, Hanohano, Har, Manahan, McKelvey, Tokioka, Wakai, Yamane, Coffman, Morita, Nakashima and Sagum.

H.R. No. 105, entitled: "HOUSE RESOLUTION REQUESTING THE CHIEF ELECTION OFFICER TO CARRY OUT VARIOUS TASKS TO ENSURE THAT VOTING BALLOTS ARE SECURED AND COUNTED ACCURATELY," was jointly offered by Representatives Carroll, Hanohano, Har, McKelvey, Shimabukuro, Wakai, Coffman, Manahan, Morita, Nakashima, Sagum, Tokioka and Yamane.

H.C.R. No. 122, entitled: "HOUSE CONCURRENT RESOLUTION ACKNOWLEDGING THE UNIVERSITY OF HAWAII AT MANOA COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES HISTORIC COSTUME COLLECTION AS A STATE TREASURE OF NATIONAL IMPORTANCE AND ENCOURAGING THE ESTABLISHMENT OF A MUSEUM FOR ITS PRESERVATION," was offered by Representative Choy.

H.C.R. No. 123, entitled: "HOUSE CONCURRENT RESOLUTION URGING NONPROFIT ORGANIZATIONS AND COMMUNITY GROUPS TO ESTABLISH SAFETY PROCEDURES FOR ROADSIDE SOLICITATION OF FUNDS AND DONATED GOODS," was jointly offered by Representatives M. Lee, Awana, Brower, Mizuno, Morita, Nakashima, Wakai, Yamane, Hanohano, Herkes, Rhoads, Sagum, Souki, Takumi, Tokioka and Tsuji.

H.C.R. No. 124, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO DETERMINE THE PROPER INTERPRETATION AND APPLICATION OF THE TERM "INCIDENTAL AND SUPPLEMENTAL" WITH REGARD TO THE CONTRACTING BUSINESS," was offered by Representative Rhoads.

H.C.R. No. 125, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII'S PUBLIC POLICY CENTER TO MEET WITH, AND ADOPT THE RECOMMENDATIONS OF THE KANAKA MAOLI COMMITTEE WITH RESPECT TO THE CENTER'S REVIEW OF THE 2050 SUSTAINABILITY PLAN," was jointly offered by Representatives Carroll, Awana, Brower, McKelvey, Shimabukuro, Belatti, Coffman, Hanohano, Har, Ito, M. Lee, Manahan, Morita, Nakashima, Nishimoto, B. Oshiro, Sagum, Takumi, Tokioka and Yamane.

H.C.R. No. 126, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO WORK WITH THE HAWAIʻINUIĀKEA SCHOOL OF HAWAIIAN KNOWLEDGE OF THE UNIVERSITY OF HAWAII TO DEVELOP A KUPUNA HONORARY DEGREE PROGRAM," was jointly offered by Representatives Carroll, Hanohano, Har, Manahan, McKelvey, Tokioka, Wakai, Yamane, Coffman, Morita, Nakashima and Sagum.

H.C.R. No. 127, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CHIEF ELECTION OFFICER TO CARRY OUT VARIOUS TASKS TO ENSURE THAT VOTING BALLOTS ARE SECURED AND COUNTED ACCURATELY," was jointly offered by Representatives Carroll, Coffman, Hanohano, Har, Manahan, McKelvey, Shimabukuro, Wakai, Yamane, Morita, Nakashima, Sagum and Tokioka.

H.C.R. No. 128, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING REVIEW OF EXISTING REPORTS AND STUDIES RELATED TO ASPARTAME AND RECISSION OF APPROVAL OF ASPARTAME FOR UNITED STATES MARKETS," was jointly offered by Representatives Carroll, McKelvey, Shimabukuro, Awana, Belatti, Brower, Chang, Ching, Coffman, Evans, Hanohano, Har, Ito, Magaoay, Manahan, Morita, Nakashima, Nishimoto, Sagum, Takumi, Wakai and Yamane.

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, in the next few hours, a major West Coast city's newspaper will run its last newspaper. Tomorrow is the last edition of the Seattle Post. It's the beginning of a new era. It will only be on the Internet. Just so we are up to speed on what's happening, and hopefully, something like this will not happen locally."

Representative C. Lee: "Thank you, Mr. Speaker. Yesterday was a very special day, not just because some of us got to sleep in, but it was the birthday of an esteemed colleague of ours who turns '21.' Representative Lyla Berg. And if we may all give her a round of applause. Thank you, Mr. Speaker."

Representative McKelvey: "Thank you very much, Mr. Speaker. I also have some wonderful news to share with my colleagues. On Friday, I took to heart the 'Good News' candy bar. I know there's been a lot of bad news today. There is some good news, even when newspapers are shutting down and businesses are closing. The West Maui Hospital project was given its final approval for the Certificate of Need process, which means the $45 million facility, which will create jobs and be a growth in healthcare is finally on track. I'm just proud to announce that."

ADJOURNMENT

At 1:55 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, March 17, 2009. (Representatives Carroll, Herkes, Takai, Thielen and Yamane were excused.)

THIRTIETH DAY

Tuesday, March 17, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Alan Urasaki, after which the Roll was called showing all Members present with the exception of Representatives Carroll, Ito, Takai and Wakai, 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 MESSAGE

The following message from the Governor (Gov. Msg. No. 273) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 273, dated March 16, 2009, transmitting the Department of Taxation's Annual Report 2007-2008 as required by section 231-3(8) Hawaii Revised Statutes (HRS).

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 415 through 419) were received and announced by the Clerk:

Sen. Com. No. 415, transmitting S.C.R. No. 5, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF VARIOUS UNRESOLVED ISSUES RELATING TO AGING," which was adopted by the Senate on March 16, 2009.

Sen. Com. No. 416, transmitting S.C.R. No. 7, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE GOVERNOR TO CREATE A HOME FOR LIFE TASK FORCE TO REDUCE BARRIERS TO AGING IN PLACE AND TO FACILITATE MULTIGENERATIONAL LIVING," which was adopted by the Senate on March 16, 2009.

Sen. Com. No. 417, transmitting S.C.R. No. 14, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING PARTICIPATION IN THE WHITE RIBBON CAMPAIGN TO END VIOLENCE AGAINST WOMEN," which was adopted by the Senate on March 16, 2009.

Sen. Com. No. 418, transmitting S.C.R. No. 15, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION DESIGNATING THE FIRST WEEK IN FEBRUARY 2010 AS HAWAII TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK," which was adopted by the Senate on March 16, 2009.

Sen. Com. No. 419, transmitting S.C.R. No. 19, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING FAITH-BASED ORGANIZATIONS TO NETWORK AND COOPERATE TO SUPPORT FOSTER FAMILIES IN HAWAII," which was adopted by the Senate on March 16, 2009.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Herkes introduced Ms. Luisa F. Castro from Mountain View, participant in the Ag Leadership Program.

Representative Tsuji introduced Mr. Thong Teng Neo, production manager of Asia Pacific Flowers in Hilo, current president of Orchid Growers of Hawaii and participant in the Ag Leadership Program.

Representative Sagum introduced, Mr. Mike Shimatsu, Roast Master at the Kauai Coffee Company, and participant in the Ag Leadership Program.

Representative Yamashita introduced Mr. Mark Lopes from Upcountry Maui, a participant in the Ag Leadership Program.

Representative Mizuno introduced adult students from the McKinley Community School for Adults, and teachers, his aunty, Ms. Delfa Dumaran, and Ms. Ahn Starr.

Representative Wakai introduced Mr. Ron Weidenbach, President of the Hawaii Aquaculture Association, and participant in the Ag Leadership Program.

Speaker Say introduced, Ms. Marissa Harman, Land Asset Manager for Kamehameha Schools on the Big Island, and participant in the Ag Leadership Program.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R. Nos.	Referred to:
101	Committee on Tourism, Culture, & International Affairs, then to the Committee on Higher Education
102	Committee on Human Services, then to the Committee on Transportation
103	Committee on Hawaiian Affairs, then to the Committee on Higher Education
104	Committee on Hawaiian Affairs, then to the Committee on Higher Education
105	Committee on Judiciary, then to the Committee on Finance

H.C.R. Nos.	Referred to:
122	Committee on Tourism, Culture, & International Affairs, then to the Committee on Higher Education
123	Committee on Human Services, then to the Committee on Transportation
124	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Consumer Protection & Commerce
125	Committee on Hawaiian Affairs, then to the Committee on Higher Education
126	Committee on Hawaiian Affairs, then to the Committee on Higher Education
127	Committee on Judiciary, then to the Committee on Finance
128	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Finance

S.C.R. No.	Referred to:
43	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 990), recommending that H.R. No. 84, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 84, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT A STOCK ASSESSMENT OF CERTAIN MARINE LIFE TO DETERMINE A BASELINE FOR FUTURE MANAGEMENT MEASURES," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 991), recommending that H.C.R. No. 104, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 104, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT A STOCK ASSESSMENT OF CERTAIN MARINE LIFE TO DETERMINE A BASELINE FOR FUTURE MANAGEMENT MEASURES," was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Hanohano and Tsuji, for the Committee on Public Safety and the Committee on Agriculture presented two reports:

(Stand. Com. Rep. No. 992), recommending that H.R. No. 11, as amended in HD 1, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 993), recommending that H.C.R. No. 7, as amended in HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 11, HD 1, and H.C.R. No. 7, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Herkes rose to speak in support of the measures, stating:

"Mr. Speaker, in strong support. It's appropriate that on Ag Sustainability Day that we are voting on two Resolutions that are asking the US Department of Agriculture and the County of Hawaii to try to provide some financial assistance in a variety of forms to all of those agricultural crops that have been devastated by the affects of VOG.

"I keep hearing that maybe VOG is going away. Well as of this morning, the emissions from Halema'uma'u are a thousand tons per day. One thousand tons per day. We don't expect this to end anytime soon, but we really need to give some help to these farmers who have lost millions of dollars. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committees were adopted and H.R. No. 11, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE U.S. DEPARTMENT OF AGRICULTURE AND THE COUNTY OF HAWAII TO PROVIDE FINANCIAL SUPPORT TO AGRICULTURAL OPERATIONS THAT HAVE INCURRED SIGNIFICANT LOSSES DUE TO THE EFFECTS OF VOG," was referred to the Committee on Finance, with Representative Takai being excused; and

H.C.R. No. 7, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE U.S. DEPARTMENT OF AGRICULTURE AND THE COUNTY OF HAWAII TO PROVIDE FINANCIAL SUPPORT TO AGRICULTURAL OPERATIONS THAT HAVE INCURRED SIGNIFICANT LOSSES DUE TO THE EFFECTS OF VOG," was referred to the Committee on Finance, with Representative Takai being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 107 through 117) and concurrent resolutions (H.C.R. Nos. 129 through 146) were referred to Printing and further action was deferred:

H.R. No. 107, entitled: "HOUSE RESOLUTION URGING MEDICAL AND PROFESSIONAL ORGANIZATIONS THAT PROVIDE REPRODUCTIVE AND FERTILITY TREATMENTS TO DEVELOP ETHICAL STANDARDS AND PROFESSIONAL GUIDELINES FOR EMBRYO IMPLANTATION," was jointly offered by Representatives M. Lee, Ito, Morita, Shimabukuro, Thielen and Saiki.

H.R. No. 108, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF VETERANS' SERVICES TO DIRECT ITS POLICY ADVISORY BOARD ON VETERANS' SERVICES TO FORMULATE VETERAN ELIGIBILITY CRITERIA OF STATEWIDE APPLICABILITY," was offered by Representative McKelvey.

H.R. No. 109, entitled: "HOUSE RESOLUTION RECOGNIZING OCTOBER AS WOMEN'S HEALTH MONTH," was jointly offered by Representatives Mizuno, Brower, Hanohano, M. Lee, Yamane and Bertram.

H.R. No. 110, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE MINIMUM SOUND LEVEL NECESSARY TO ENSURE THAT BLIND PEDESTRIANS CAN HEAR HYBRID AND OTHER "SILENT" VEHICLES IN ALL PHASES OF THEIR OPERATION," was offered by Representative Hanohano.

H.R. No. 111, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REMOVE THE KA`OHE HOMESTEADS FROM THE GEOTHERMAL RESOURCES SUBZONE DESIGNATION," was offered by Representative Hanohano.

H.R. No. 112, entitled: "HOUSE RESOLUTION REQUESTING THAT PAPA OLA LOKAHI WORK WITH EXPERTS IN THE CULTURAL PRACTICE OF TRADITIONAL HAWAIIAN TATTOOING TO DETERMINE QUALIFICATIONS FOR KAHUNA KA KAKAU," was jointly offered by Representatives Awana, Cabanilla, M. Lee, McKelvey, Shimabukuro, Aquino, Belatti, Berg, Chang, Chong, Choy, Coffman, Hanohano, Keith-Agaran, C. Lee, Luke, Magaoay, Nakashima, Nishimoto, B. Oshiro, Saiki, Souki, Takumi, Tokioka and Wooley.

H.R. No. 113, entitled: "HOUSE RESOLUTION URGING THE JUDICIARY, DEPARTMENT OF PUBLIC SAFETY, AND THE COUNTY POLICE DEPARTMENTS TO WORK IN A COORDINATED EFFORT TO DETERMINE A COMPREHENSIVE PLAN TO PERMANENTLY ALLEVIATE THE PROBLEM OF A BACKLOG IN UNSERVED ARREST WARRANTS THAT GOES BEYOND ONLY FISCAL AND BUDGETARY DISCUSSIONS OR SOLUTIONS," was jointly offered by Representatives Awana, Cabanilla, Hanohano, B. Oshiro, Shimabukuro, Aquino, Belatti, Berg, Chang, Chong, Choy, Coffman, Keith-Agaran, C. Lee, M. Lee, Luke, Magaoay, McKelvey, Nakashima, Nishimoto, Saiki, Souki, Takumi, Tokioka, Ward, Wooley and Yamashita.

H.R. No. 114, entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION DETERRING THE TRANSPORTATION OF HOMELESS PERSONS TO HAWAII," was jointly offered by Representatives Awana, Cabanilla, Chong, Hanohano, McKelvey, Shimabukuro, Tokioka, Ward, Aquino, Belatti, Berg, Bertram, Choy, Coffman, Keith-Agaran, Nishimoto, Saiki, Souki and Wooley.

H.R. No. 115, entitled: "HOUSE RESOLUTION ENCOURAGING THE BASE REALIGNMENT AND CLOSURE COMMISSION AND THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO CONTINUE THEIR DISCUSSIONS AND MAKE GOOD FAITH EFFORTS TO CONSUMMATE CONVEYANCE OF PARCELS OF LAND IN THE KALAELOA COMMUNITY DEVELOPMENT DISTRICT," was offered by Representative Har.

H.R. No. 116, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY AND COUNTY OF HONOLULU TO AGREE TO A FINAL DETERMINATION REGARDING THE OWNERSHIP AND JURISDICTION OF AN UNIMPROVED SECTION OF KAIMAKANI STREET," was offered by Representative B. Oshiro.

H.R. No. 117, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO EXAMINE THE FEASIBILITY OF RESTRICTING THE SALE OF TATTOOING EQUIPMENT TO MINORS," was offered by Representative B. Oshiro.

H.C.R. No. 129, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF GEOLOGIST LICENSURE," was jointly offered by Representatives Berg, Brower, Hanohano, Mizuno, Aquino, Coffman, Herkes, Morita, Nakashima, Souki, Takumi, Tokioka and Tsuji.

H.C.R. No. 130, entitled: "HOUSE CONCURRENT RESOLUTION URGING MEDICAL AND PROFESSIONAL ORGANIZATIONS THAT PROVIDE REPRODUCTIVE AND FERTILITY TREATMENTS TO DEVELOP ETHICAL STANDARDS AND PROFESSIONAL GUIDELINES FOR EMBRYO IMPLANTATION," was jointly offered by Representatives M. Lee, Ito, Morita, Shimabukuro, Thielen and Saiki.

H.C.R. No. 131, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF VETERANS' SERVICES TO DIRECT ITS POLICY ADVISORY BOARD ON VETERANS' SERVICES TO FORMULATE VETERAN ELIGIBILITY CRITERIA OF STATEWIDE APPLICABILITY," was offered by Representative McKelvey.

H.C.R. No. 132, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS SEAWARD OF TAX MAP KEY: (2) 4-3-2: 27, AT KAANAPALI, MAUI, FOR CONCRETE PIER BLOCK REMNANTS PURPOSES," was offered by Representative McKelvey.

H.C.R. No. 133, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE STATE BOXING COMMISSION OF HAWAII," was offered by Representative Herkes.

H.C.R. No. 134, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING OCTOBER AS WOMEN'S HEALTH MONTH," was jointly offered by Representatives Mizuno, Brower, Hanohano, M. Lee, Yamane and Bertram.

H.C.R. No. 135, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY SUPPORTING THE CONCEPT OF ESTABLISHING A SYSTEM OF JUVENILE INTAKE AND ASSESSMENT CENTERS, AS EMBODIED BY THE PROPOSED PILOT BIG ISLAND JUVENILE INTAKE AND ASSESSMENT CENTER, THROUGHOUT THE STATE," was offered by Representative Mizuno.

H.C.R. No. 136, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE AVAILABILITY OF AMERICAN SIGN LANGUAGE INTERPRETERS," was jointly offered by Representatives Mizuno and Brower.

H.C.R. No. 137, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE MINIMUM SOUND LEVEL NECESSARY TO ENSURE THAT BLIND PEDESTRIANS CAN HEAR HYBRID AND OTHER "SILENT" VEHICLES IN ALL PHASES OF THEIR OPERATION," was offered by Representative Hanohano.

H.C.R. No. 138, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REMOVE THE KA`OHE HOMESTEADS FROM THE GEOTHERMAL RESOURCES SUBZONE DESIGNATION," was offered by Representative Hanohano.

H.C.R. No. 139, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON INMATE REENTRY PROGRAMS THAT HAVE BEEN OR ARE PLANNED TO BE IMPLEMENTED BY THE DEPARTMENT OF PUBLIC SAFETY IN ACCORDANCE WITH THE COMMUNITY SAFETY ACT OF 2007," was offered by Representative Hanohano.

H.C.R. No. 140, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE COSTS AND BENEFITS OF BUILDING AN INTAKE CORRECTIONAL FACILITY IN THE DISTRICT OF NORTH OR SOUTH KONA ON THE ISLAND OF HAWAII," was offered by Representative Hanohano.

H.C.R. No. 141, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE ISSUE OF ESTABLISHING A STATE FACILITY TO GROW AND DISTRIBUTE MARIJUANA FOR MEDICAL USE IN HAWAII," was offered by Representative Hanohano.

H.C.R. No. 142, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT PAPA OLA LOKAHI WORK WITH EXPERTS IN THE CULTURAL PRACTICE OF TRADITIONAL HAWAIIAN TATTOOING TO DETERMINE QUALIFICATIONS FOR KAHUNA KA KAKAU," was jointly offered by Representatives Awana, Cabanilla, M. Lee, McKelvey, Shimabukuro, Aquino, Belatti, Berg, Chang, Chong, Choy, Coffman, Hanohano, Keith-Agaran, C. Lee, Luke, Magaoay, Nakashima, Nishimoto, B. Oshiro, Saiki, Souki, Takumi, Tokioka, Ward and Wooley.

H.C.R. No. 143, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE JUDICIARY, DEPARTMENT OF PUBLIC SAFETY, AND THE COUNTY POLICE DEPARTMENTS TO WORK IN A COORDINATED EFFORT TO DETERMINE A COMPREHENSIVE PLAN TO PERMANENTLY ALLEVIATE THE PROBLEM OF A BACKLOG IN UNSERVED ARREST WARRANTS THAT GOES BEYOND ONLY FISCAL AND BUDGETARY DISCUSSIONS OR SOLUTIONS," was jointly offered by Representatives Awana, Cabanilla, Hanohano, B. Oshiro, Shimabukuro, Aquino, Belatti, Berg, Chang, Choy, Coffman, Keith-Agaran, C. Lee, M. Lee, Luke, Magaoay, McKelvey, Nakashima, Nishimoto, Saiki, Souki, Takumi, Tokioka, Ward, Wooley and Yamashita.

H.C.R. No. 144, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION DETERRING THE TRANSPORTATION OF HOMELESS PERSONS TO HAWAII," was jointly offered by Representatives Awana, Berg, Cabanilla, Chong, Hanohano, McKelvey, Shimabukuro, Tokioka, Ward, Aquino, Belatti, Bertram, Choy, Coffman, Keith-Agaran, Nishimoto, Saiki, Souki and Wooley.

H.C.R. No. 145, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE BASE REALIGNMENT AND CLOSURE COMMISSION AND THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO CONTINUE THEIR DISCUSSIONS AND MAKE GOOD FAITH EFFORTS TO CONSUMMATE CONVEYANCE OF PARCELS OF LAND IN THE KALAELOA COMMUNITY DEVELOPMENT DISTRICT," was offered by Representative Har.

H.C.R. No. 146, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY AND COUNTY OF HONOLULU TO AGREE TO A FINAL DETERMINATION REGARDING THE OWNERSHIP AND JURISDICTION OF AN UNIMPROVED SECTION OF KAIMAKANI STREET," was offered by Representative B. Oshiro.

ANNOUNCEMENTS

Representative McKelvey: "Thank you very much, Mr. Speaker. I've been designated by your unofficial Irish Caucus to wish everybody a Happy St. Patrick's Day, on behalf of all the Members who are Irish and Scottish. As you know, many of your Members Mr. Speaker are actually Celtic 'poi dogs,' for lack of a better term. Being Irish and Scottish and English, and while our people have had some differences, today is the day where we all come together and put those differences aside. We come together as Irish, Scotsmen and Englishmen, and celebrate the fact that we're not French. Thank you, very much."

Representative Brower: "Thank you, Mr. Speaker. Just a reminder for all Members that our adult students will be at a lunch today that everyone is invited to in Room 423. Mr. Speaker, if you and your shadow would like to participate, please feel free to stop by with the other legislators."

Representative Souki: "Yes Mr. Speaker, and a Happy St. Patrick's Day to you and to all. It is with some disappointment that I've heard from the Representative from Lahaina talking about the Celts' relationship between the Scottish and the Irish. He should know that the Celts were one of the first to invade Iberia, which is Portugal now. They were there for about two or three hundred years, so I'd like to say "Happy *Erin go Brau*."

Representative Ching: "Mr. Speaker, I would add to this, as the former English as a Second Language, multicultural person. As you know, I had the privilege of going to Ireland and they have an expression there. Apparently the proper thing to say, the phrase that Irishmen will know that you have been acquainted with their culture. "May your gee never run dry."

"I was told this on their ferry. The Irish have so much in common as an island culture with Hawaii. What a gee is, is the equivalent of the *auwai*. So what it means is, may your stream, may your water always run and flow abundantly. So may your gee never run dry."

Speaker Say: "The Chair has an announcement for all of you. Tomorrow morning at 11:45, we would like to have the Members of the House on the Floor for the Joint Session we are having in commemoration of the 50th anniversary of Statehood. So we'll have a Joint Session at 12:00 noon, but Members, please be in your seats by 11:45 so we can start on time.

"Then at 2:00 in the afternoon, we will begin our regular daily session for the Members of the House of Representatives."

ADJOURNMENT

At 12:19 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, March 18, 2009. (Representative Takai was excused.)

THIRTY-FIRST DAY

Wednesday, March 18, 2009

JOINT SESSION

The House of Representatives and the Senate of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened in Joint Session at 12:03 o'clock p.m., with Speaker Calvin K.Y. Say presiding, following a flyover by two F-15 fighter planes from the Hawaii Air National Guard.

Speaker Say called upon Mr. Danny Kaleikini to open the special Joint Session with the singing of the National Anthem and *Hawaii Pono'i*, after which Reverend Curt Kekuna of the Kawaiaha'o Church delivered the invocation.

House Speaker Say addressed the Members and audience, stating:

"Thank you Mr. Kaleikini, and Reverend Kekuna.

"To all in the Chamber here today and to those offshore viewing these proceedings via the Internet. . . *Aloha 'auinalā*.

"It is a privilege for me to be here today to preside over these proceedings with Senate President, Colleen Hanabusa. As I look around this Chamber, I recognize a number of familiar faces from Hawaii's rich past . . . visionary people, pioneers in our early Statehood days and years. It is moving to be here in the presence of so much history in one room. It is nearly overwhelming, and I am humbled to be able to recognize and acknowledge such greatness today.

"On this day 50 years ago, President Dwight D. Eisenhower signed the Hawaii Admissions Act into law. This stroke of the pen set into motion a plebiscite, which took place on June 27, 1959, whereby Hawaii voters overwhelmingly ratified the congressional vote for statehood.

"The pen used by President Eisenhower has been placed on the Floor here along with other statehood artifacts from the State Archives.

"The road to statehood was not easy. There were those who opposed Hawaii's admission to the union. Some opposition was political. Some opposition was based on economics. And some opposition had harsh racial overtones. However, the people we honor today persevered and overcame those obstacles.

"In order to fully appreciate what was done for us 50 years ago, one must ask, "What does it mean to be a state?" Sure, it means being a star on the flag, and yes, it means being number 11 on an alphabetical list of 50.

"But more important, it means we in Hawaii have a system of justice that is equal and fair. We have the right to face our accusers, and to be deemed "innocent until proven guilty."

"It means we are protected from foreign threats, by a military composed of the most dedicated volunteers in the world, who stand ready to fight . . . not for a dictator, a king or even a president, but for a principal and belief . . . for a constitution . . . for a Nation.

"Being a state also means we have opportunity. We are a part of a Nation where you are your own person, no matter who your parents are, or where they came from. History shows us time and time again, that even if you are born in the poorest part of town, you can achieve.

"We, the people of Hawaii, citizens of the United States of America, are truly blessed.

"Today is a tribute not only to those who worked to gain Hawaii's statehood, it is also a tribute to all who have worked to develop our unique way of doing things and our identity as "the Aloha State."

"We have much to be proud of:

"Since 1959, Hawaii has produced the first U.S. Senators of Chinese, Japanese and Hawaiian ancestries. And we have been lead by governors of Japanese, Hawaiian and Filipino ancestry.

"We have produced a Miss Universe; giants of trade, finance and industry; world renowned scientists, scholars, musicians, astronauts, philosophers, artists, athletes and culinary experts; an Army Chief of Staff; and yes, a President of the United States.

"Even more important to the fabric of Hawaii as "the Aloha State," are the men and women, who may never be on television or on the radio or mentioned in the newspaper. It's the people, who work hard every day to make a living, and who don't give up when faced with life's difficulties. It's the people, who care and provide for their children, so each succeeding generation has a better quality of life. It's the people who keep Hawaii moving forward, growing positively and striving.

"Put simply, it's our people who make Hawaii a great state."

The Speaker then introduced the following special guests:

Governor Linda Lingle, co-host of the event;

Lt. Governor James Aiona and Mrs. Vivian Aiona;

Mr. Barry Fukunaga, the Governor's Chief of Staff and Members of the Executive Cabinet;

Chief Justice Ronald T.Y. Moon of the Hawaii State Supreme Court and members of the Court:
Associate Justice Paula A. Nakayama,
Associate Justice Simeon R. Acoba, Jr., and
Associate Justice James E. Duffy, Jr.;

Chief Judge Mark E. Recktenwald of the Hawaii Intermediate Court of Appeals and members of the Court:
Judge Daniel R. Foley,
Judge Alexa D.M. Fujise,
Judge Katherine G. Leonard,
Judge Craig H. Nakamura, and
Judge Corrine K.A. Watanabe;

General Vern Miyagi, US Pacific Command;

Major General Stephen D. Tom, Deputy Commanding General, Mobilization and Reserve Affairs, U.S. Army Pacific;

Brigadier General Jan-Marc Jouas, Director of Operations, Plans, Requirements & Programs, U.S. Pacific Air Forces;

Captain Lee Hankins, Commodore Submarine Squadron ONE, U.S. Navy – USS Hawaii;

Honolulu Mayor Mufi Hannemann;
Honolulu Council Chair Todd Apo;

Big Island Mayor Billy Kenoi; and

Mr. Kippen deAlba Chu and Mr. Lenny Klompus, Chair and Vice Chair of the 50th Anniversary Statehood Commission, and Members of the State Commemorative Commission.

Senate President Hanabusa then introduced the former Governors and their family members as follows:

"Hawai'i owes a tremendous debt to the men and their families who dedicated themselves to leading our young state through its first four decades. Joining us today are the former governors of the State of Hawai'i and their representatives.

"Representing the State of Hawaii's first governor, William Quinn, are his wife, Mrs. William Quinn and their son, Gregory Quinn. Governor Quinn was appointed as the Territorial Governor by President Eisenhower and then became the State of Hawaii's first elected governor, serving in that capacity from 1959 - 1962.

"Representing Governor John Burns: his son, the Honorable James Burns, along with Ms. Emme Tomingbang, and his daughter, Dr. Sheenagh Burns. Largely credited with building and maintaining Hawaii's Democratic Party through the Territorial years and early statehood, Governor Burns was the State's first elected Democratic governor and served from 1962 - 1974.

"The Honorable George Ariyoshi and Mrs. Jean Ariyoshi. As the State's first governor of Japanese American descent, Governor Ariyoshi served from 1974-1986 and is a visionary who, as governor, understood the need for planned development and managing our precious natural resources. This understanding led to the Hawai'i State Plan, which embodies the State's current and future priorities and laid the groundwork for the Legislature's focus on sustainability.

"The Honorable John Waihee and Mrs. Lynne Waihee. Serving as governor from 1986 - 1994, Governor Waihee, the State's first governor of Hawaiian ancestry, brought a heightened awareness of the plight of the Native Hawaiians. His compassion and personal understanding of Hawaiian issues has led to the enhanced funding for the Hawaiian Home Lands Trust and other important programs.

"And the Honorable Benjamin Cayetano and Mrs. Vicky Cayetano. Raised in modest surroundings, Governor Cayetano's no-nonsense and straight-talking style of governing served the State well during a period in which Hawai'i was facing tough economic times. The State's first governor of Filipino descent, Governor Cayetano served from 1994 - 2002.

"Governors, family members, thank you very much for joining us today."

Speaker Say then assumed the rostrum, stating:

"I would now like to call upon certain House Members to introduce some very, very special guests: pioneering members of the Class of 1959 of the House of Representatives who are here to join us today in the House Chambers."

The Speaker called upon Representative Belatti who introduced former Representative Thomas P. Gill as follows:

"I am privileged to stand before you today to recognize a man whose life is intertwined with the life of our state from its very inception—a son of Makiki whose penchant for sticking to his convictions with unflinching dedication has brought him to great heights as a leader of our state and our nation. That man is Thomas Ponce Gill.

"Following the career path of an individual like Mr. Gill is quite the roller-coaster ride, because he is one of those rare public figures who pursued his political ideals without exception, leading to his fair share of considerable triumph and tribulation. Mr. Gill made a name for himself early on for his ability to argue intelligently and for his mastery of the timely phrase or sharp quip, whose sting I believe has been felt by some leaders in this room.

"This sharp wit, coupled with a strength of character and the courage of his convictions, propelled Mr. Gill to positions in Hawaii's Territorial government, then into the position of House Majority Floor Leader of Hawaii's First State Legislature, and next to Hawaii's last at-large seat in the United States House of Representatives.

"During his single term in Congress, Mr. Gill was appointed as the Floor Manager for the famed Civil Rights Bill. It was his task to move this bill through the House, as well as to write the opening section of Title VI. The Act passed in 1964 due in no small part to the efforts of Congressman Gill, marking one of the greatest milestones toward equal rights in our nation's history.

"Not one to shy away from unpopular ideas or from a political fight, Mr. Gill continued in his quest for equality, his dedication to protecting Hawaii's natural environment, and his commitment to civil rights for all through victory and defeat, losing a bid for the US Senate, winning the Lieutenant Governorship, and then narrowly losing to Governor Burns in the 1970 democratic primary. Through the highs and the lows, Mr. Gill never compromised his integrity, and with the help of his lovely wife, Lois, who is with us today, he has instilled his deep sense of civic responsibility and leadership in his children, several of whom, including Eric Gill who is here with us today, have become prominent public figures themselves.

"And so it is with great respect and admiration that I now present to you a man who has been an integral part of Hawaii's political landscape since our birth as a State; a man whose steadfast commitment to the advancement of human rights alone would justify his attendance here today, but whose impact on Hawaii and our nation has been so broad that it is fitting to introduce him not by the many titles he has borne over the past five decades, but by a few simple accolades; ladies and gentlemen, it is my great pleasure to introduce a beloved husband and father, a staunch advocate of social and economic justice, a true citizen of Hawaii, Mr. Thomas Ponce Gill."

Speaker Say then called upon Representative Nakashima who introduced former Representative Stanley I. Hara as follows:

"Good afternoon Governor and Lt. Governor, Madame President, Mister Speaker, legislative colleagues and members of the audience.

"Stanley I. Hara was one of numerous authors who helped to draft, edit, write and publish the first chapter of the story of the State of Hawaii.

"Mr. Hara, who represented my district on the Big Island, was elected to the Territorial House in 1954. As a freshman to the Legislature, Mr. Hara, a Big Island Democrat, helped to transform the educational system by passing legislation that made education available to all, including the disadvantaged. Before lawmakers restructured the educational system, the Territory of Hawaii only required free education up to the eighth grade level and high school students had to rent their books and pay other school fees.

"During the 1959 Special Sessions, and the 1960 Budget Session and Special Session, which essentially shaped the future of Hawaii, Mr. Hara served as Chairman of the Finance Committee. Concerns that year included reviewing the areas of economic development on the Neighbor Islands, transition and reorganization issues, and budget threats to the health, safety and welfare of Hawaii citizens. It was necessary for lawmakers that year to draft legislation which addressed fiscal problems related to the transition from territory to state.

"Mr. Hara played an integral role in shaping the State of Hawaii through urgent legislation and worked across party lines to create the foundation upon which Hawaii's government and laws now lie.

"In 1968, Mr. Hara became a delegate to the Constitutional Convention, and then on January 14, 1969, he was appointed by Governor John A. Burns to fill the unexpired term of Senator Nelson K. Doi.

"As Chair of the Senate Education Committee in 1971, Mr. Hara played an instrumental role in turning the 2-year University of Hawaii at Hilo into the 4-year University of Hawaii at Hilo that it is today. The University of Hawaii at Hilo recently honored Mr. Hara with the 2008 Distinguished Service Award.

"Please join me in recognizing Mr. Stanley I. Hara, his wife, Diane Hara, and their son, Judge Glenn Hara."

Speaker Say then called upon Representative Nishimoto who introduced former Representatives Walter Heen and George Koga as follows:

"I'm honored to introduce two members of that historic class. The first is Mr. Walter Heen, a native son of Hawaii, active political player and dedicated public servant for almost 50 years.

"Mr. Heen was born in 1928 and raised on the island of Oahu. A motivated and ambitious student, Mr. Heen obtained his bachelor's degree in Economics from the University of Hawaii in 1953 and later a law degree from Georgetown University in 1955.

"Shortly after graduating law school, Mr. Heen was elected to the Territorial House of Representatives in 1959, where he served in the Hawaii Legislature as a Representative until 1964. Mr. Heen began his political career during one of the most exciting and historic times in Hawaii's history, and as a member of the Committees on Government Efficiency, Judiciary, Public Employment and Housing, he not only witnessed, but also assisted in the restructuring and reorganizing of our young state's government.

"After serving in the House of Representatives, Mr. Heen continued his service to our State as a Senator from 1966 thru 1968, and then on the Honolulu City Council from 1969 thru 1972.

"Following his retirement from the Legislature, Mr. Heen began a distinguished judicial career as U.S. Attorney, from 1978 to 1980, and as U.S. District Court Judge, in 1981. He was then appointed to the State Intermediate Court of Appeals in 1982, where he served until 1994.

"In 1998 and 2000, he added to his accomplishments by being elected Chairman of the Hawaii Democratic Party. Finally, in 2006 he was elected to the Board of Trustees of the Office of Hawaiian Affairs.

"Mr. Heen is a man who dedicated almost 50 years of his life to public service in the Administrative, Legislative and Judicial Branches of the county, State and federal government. Please join me in giving a warm welcome and mahalo to Mr. Walter Heen and his lovely wife, Norma Heen.

"Next Mr. Speaker, on behalf of myself and you, I would like to introduce Mr. George 'Scotty' Koga, who along with other members of the Territorial House, crowded the halls of Iolani palace in 1959 to be one of the first citizens of Hawaii to hear the exciting news that the U.S. House of Representatives voted to pass the Hawaii Admission Act.

"Mr. Koga as a member of the House of Representatives from 1959 thru 1964, served in several notable positions including Chairman of the Committee on Government Efficiency and the Vice Chair of the Tourism Committee. During this time he was also a member of the Committees on Harbors & Airports, Transportation, Economic Development and Finance. After leaving the Legislature, he continued his political service as a member of the City Council of Honolulu from 1971 thru 1978.

"Please join me in recognizing and honoring Representative George "Scotty" Koga and his wife, Ruth Koga."

Speaker Say then called upon Representative Choy for his introduction as follows:

"Mr. Speaker, to introduce our special guest, I would like to defer to a voice that hasn't been heard in this chamber for quite awhile. Mr. Speaker, may I defer to the Senior Senator from Manoa, Senator Brian Taniguchi."

Senator Taniguchi then introduced former Representative Katsugo Miho as follows:

"I would like to introduce, on behalf of Representative Choy, Katsugo Miho. Mr. Miho was a member of the famed 442nd Regimental Combat unit. He served as State judge. He was also the judge that presided over my first case as an attorney. I won't go into the details of that, but suffice it to say that it was an uncontested divorce, and I didn't get my way. But it turned out very well.

"He also served in the 1959 Legislature, and with him today are his wife Laura, and daughter, Mariko."

Speaker Say then called upon Representative Marumoto who introduced former Representative Fred Rohlfing as follows:

"I would like to introduce to you today Fred Rohlfing, who was first elected to the Legislature from the 17th District which ran from Kaimuki to Makapuu Point. To cover his accomplishments would take longer than the time allotted. But don't worry, Fred has been working on his memoirs - and soon hopes to be in print, just like Ex-Governor Ben! The book's tentative title is In Hawaii's Service—the Life and Times of Fred Rohlfing.

"Fred was born in territorial days so he's at least 50 years old. He was raised in Manoa and graduated from Punahou, Yale, and George Washington Law School. Then he came home to run for office and served 11 years in the House, and 9 years in the Senate.

"Some of you here may remember that Fred surprised his colleagues when he was the only Republican to vote for the Maryland Land Law – it was a major Democratic Party plank, and Fred was a Republican. He gave the only speech on that measure. With the help of the late Senator David McClung, Fred's 'Lessees Bill of Rights' that regulated residential leases was incorporated in the groundbreaking Land Reform Act of 1967.

"Always a visionary, Fred was out in front with new issues such as the environment, mass transit for East O'ahu and affordable housing.

"Fred also managed a legal practice and he represented Registered Nurses for collective bargaining. So when the nurses went on strike, Fred was on the line with them.

"He also served in the US Naval Reserve Intelligence program for 36 years. He was also appointed by Presidents Ford and Reagan to the South Pacific Commission, so he's familiar with many of the Pacific Islands and their leaders.

"In 1978 Governor Coleman appointed him Attorney General in American Samoa. In 1972 and 1976 Fred ran for the 1st Congressional District – first against Spark Matsunaga and then against millionaire TV mogul, Cec Heftel. He lost that latter one even though he had the active support of all the major unions.

"Fred and his wife, Patty, retired to Maui in '84. There he was pressed into service as Corporation Counsel by Mayor Hannibal Tavares. After that Fred spent 4 years as a federal Magistrate Judge, and has continued to serve on various State and county commissions ever since.

"Fred is the ultimate public servant, having worked in the federal, State and county levels; in the Executive, Legislative, Judicial Branches, and the military.

"Patty also served in the Legislature working for Fred, and I was there too, and for former legislator, Buddy Soares. Fred's eldest son, Fritz, is a lawyer in town and his other son, Karl, is a Brewer on Maui. Fred and Patty combined have six talented grandchildren.

"But to find out more, please read his book. Please recognize Fred Rohlfing and Patty Rohlfing."

President Hanabusa then assumed the rostrum, stating:

"It is my pleasure to call upon certain Senators to introduce distinguished guests: Members of the 1959 Hawaii State Senate who were able to join us today."

President Hanabusa then called upon Senator Chun Oakland who introduced former Senator and Governor George Ariyoshi as follows:

"Colleagues and guests, I have the honor and distinct privilege to introduce one of Hawaii's foremost pioneers and leaders, the Honorable George Ariyoshi.

"Governor Ariyoshi may be best remembered as one of Hawaii's outstanding Governors and the first Asian-American Governor in our nation.

"George Ariyoshi began his more than 30 years of service to our State as a member of the Legislature. As Hawaii approached Statehood in 1959, he was serving in the State Senate. He dedicated 11 years to addressing the concerns of his Senate district, as well as issues confronting our growing territory and State.

"Even in those early days, Senator George Ariyoshi stood for causes that laid the foundation of our State's future strength. Responsible economic policies, stability for our working men and women and their families, land reform and planned development, and effective business and international relations.

"It is my honor and distinct pleasure to present to you a man of few words, great humility, a man of great vision and action, and a well-respected leader. Governor and Senator George Ariyoshi and our beloved first lady, Jean Ariyoshi."

President Hanabusa called upon Senator Tsutsui who introduced former Senator Nadao Yoshinaga as follows:

"Today I have the great honor to be able to introduce to you today Senator Nadao Yoshinaga who also is widely known as 'Najo.' Senator Yoshinaga was elected into the House of Representatives of the Territory of Hawaii in 1954. In 1959, he was elected into the Senate of the State of Hawaii where he served until he retired in 1974. Senator Yoshinaga was the Chairman of the very influential Senate Labor Committee and the Committee on Ways & Means.

"During his career, he was responsible for landmark legislation such as the Pre-Paid Health Act, the Art in Public Places Act that established the State Foundation on Culture and the Arts, and the creation of the Hawaii State Commission on the Status of Women, among many others.

"At this time, I would like to yield the floor to my colleague, Representative Jon Riki Karamatsu to continue with our introduction."

Representative Karamatsu continued with the introduction, stating:

"Senator Nadao Yoshinaga, or as we like to call him, Senator Najo Yoshinaga, has been a mentor to so many leaders in Hawaii, including many of us here today. He has been my friend, advisor and confidante ever since I met him when I was working for Senator Carol Fukunaga in 2002. It is a dream come true for me to have a mentor who was a member of the 1954 Democratic Revolution and 442nd regimental combat team. I am very appreciative of the knowledge he has shared with me and many others.

"Senator Yoshinaga graduated from Maui High School and the University of Hawaii at Manoa, where he attained his Bachelor of Arts degree. He volunteered for the United States Army and served in the 442nd Regimental Combat Team.

"After the war, Senator Yoshinaga decided to apply his GI benefits to study law at DePaul University, where he attained his Juris Doctorate degree. He returned to work for the law firm of Bouslog and Symonds in Honolulu, then Maui, which was known for its defense of the ILWU, or otherwise known as the International Longshore and Warehouse Union.

"Senator Yoshinaga's pro-active and progressive vision, strength of conviction, organizational and strategic brilliance, helped to shape and inspire legislative, business, and community leaders long after his formal retirement. He continues to encourage, advise and inspire legislators and legislative staff during his many visits to the Hawaii State Capitol. Even today he is making an impact on Hawaii through his many protégés.

"I would like to leave you with a statement Senator Yoshinaga likes to say: "Make Hawaii the Best Place in the World."

"Senator Najo Yoshinaga, thank you for all you have done to make Hawaii the Best Place in the World. Senator Najo Yoshinaga and his daughter, Susan Ward."

President Hanabusa then called upon Mr. Danny Kaleikini to introduce the '50 Voices of Hawaii,' stating:

"Thank you. The Commission is sponsoring a media program entitled, 50 Voices of Hawaii, which showcases a broad spectrum of people from our community. I now call upon Mr. Danny Kaleikini, one of the memorable voices to introduce other participants of the 50 Voices of Hawaii program with us today."

Mr. Danny Kaleikini introduced the 50 Voices of Hawaii as follows:

"*Aloha kakou āpau. Aloha*. Aloha, the breath of life and love that we share with another. *Aloha kekahi i kekahi*. The love for one another. But most important, *Aloha ke akua*. God is love.

"It is my honor to introduce the distinguished citizens who have been featured on the Commission's 50 Voices of Statehood. And they've been airing statewide on Hawaii television, radio stations, since August of last year, so that the young people and all the residents of Hawaii would hear unique perspectives on Statehood.

"As a voice in the series myself, I can tell you that it has been very interesting to watch and listen to all the participants, to see how their memories compare with your own.

"And one of our 50 Voices is no longer with us, but she lives on with her spirit, intellect and passion. Her name, Ah Quon McElrath. She was a key figure in Hawaii's early labor movement, and a tireless advocate for social justice and political change over the past 7 decades. We're going to miss her, and I ask you to join me in a very brief moment of silence to honor Mrs. McElrath's commitment to Hawaii and its people."

At this time, the members of the Legislature, guests and audience observed a moment of silence in honor of the late Mrs. Ah Quon McElrath.

Mr. Danny Kaleikini continued as follows:

"Thank you. I would like to ask the 50 Voices who are here with us today to please stand when I introduce you so that you can be acknowledged, and I want to ask all of you, the *'ohana*, to please hold your applause until the very end.

"Ms. Dodie Bacon Brown. This young *wahine*, she was only 6 at the time Hawaii became a State, and she soon entered our collective memory as the young *wahine* featured in a well-known 1959 photograph, holding a newspaper announcing "Statehood!" in big, bold letters. Ms. Dodie Bacon Brown.

"Retired Judge Jim Burns. Not only a judge, but a great golfer. The former Chief Judge for the Hawaii Intermediate Court of Appeals, he is also the son of John Burns, and John served as the delegate for the territory of Hawaii to the US House of Representatives and later became Hawaii's second governor. Judge Jim Kimo Burns.

"And now we have the former State Land Board Chairman, Bill Paty, who is a lifetime resident of Hawaii, World War II veteran, and retired business leader in the sugar industry. And also, a very unique guy, and one good *kanaka maoli*.

"David Parker. Kawika. David is a Hawaiian history teacher at Kamehameha Schools, and a graduate of Kamehameha Schools for Boys.

"Maui Mayor Elmer Carvalho. *Maui no ka oi*. Whose distinguished service to Hawaii included election to the Territorial House of Representatives, and later to the State House of Representatives. Mayor Elmer Carvalho from the Island of Maui.

"His duties in Washington D.C. prevent him from being here, as our new secretary of Veterans Affairs, Kauai native, General Eric K. Shinseki. He was a very invaluable addition to the 50 Voices segments. Of course we also know General Shinseki as the first Asian American to become a four star general, and to lead one of the four US Military services, General Eric K. Shinseki.

"Dr. Fujio "Fudge" Matsuda. A member of the famed 442 Regimental Combat Team, Dr. Matsuda later served as Director of the State Department of Transportation under Governor John Burns, before being named the president of University of Hawaii.

"Chester Kahapea, who two days before his 13th birthday was captured in the photograph of him selling Statehood! Edition newspapers, a photo that was seen around the world, around the nation. Chester Kahapea. *Mahalo kākou*.

"Dr. Larry Price. We know him as Coach, the man who always said it like it was during his quarter century on the morning airwaves and as a journalist. Dr. Larry Price.

"AARP Hawaii President, Stuart Ho. The prominent Hawaii business leader and former politician who has served in the State House of Representatives, Stuart Ho.

"Francis Kahou Lum. *E kanaka maoli*. Whose career with the State included 40 years as the trusted and highly respected Chief Protocol Officer under 5 Hawaii Governors. He now serves as Hawaiian Homes Commissioner.

"Pat Saiki. One of my favorite ladies. Oh boy, I tell you, this lady is so *akamai*. The former school teacher from the Big Island, from Hilo, and who went on to represent our State in the United States Congress. Thank you, Pat.

"Mrs. Nancy Quinn had an interesting first-hand glimpse of Hawaii's road to statehood as the wife of Governor William Quinn, who was Hawaii's last territorial Governor, and the State's first elected Governor. Mrs. Quinn, you look lovely. God bless, and thank you.

"Lucy Ramirez. A very successful business *wahine* who came to Hawaii from China 20 years ago to pursue the American dream. She runs her own company, and we're very proud of Lucy.

"Milton Motooka. A partner in the firm Motooka Yamamoto and Revere, who has been practicing law in Hawaii for more than 30 years. His father served as a member of the famed 442 Regimental Combat Team during WWII. Milton, *aloha mae*.

"Sam Cooke. That's a good Hawaiian name. A trustee of the Cooke Foundation in 1979, and the great grandson of Amos Cooke, the founder of Castle and Cooke. He is also founding chairman of the Nature Conservancy of Hawaii, and founder of the Manoa Heritage Center. He is one good Hawaiian. Sam, *aloha no*.

"Danny Young. Kaniela is a member of the 50th Anniversary Statehood Commission and a prominent leader in Hawaii's Chinese community. Danny is Vice Chair of the Emeritus Trustees of United Chinese Society of Hawaii, President of Buck Toy Club, which promotes charity, cooperation and friendship. Kaniela, thank you and *mahalo*.

"The third Governor of the State of Hawaii, former Governor George Ariyoshi, who in 1974 became the first American of Asian descent to be elected Governor of State, and who would continue to serve our State's chief executive until 1986.

"Walter Dods. Prominent local banker, business man, but most important, a graduate of St. Louis High School. I had to say that. Walter, I just want to say thank you for all the *aloha* that you share with the people of Hawaii.

"The fifth Governor of Hawaii, former Governor Ben Cayetano, who served as our nation's first Filipino American Lieutenant Governor from 1986 till 1994, and became the first American of Filipino descent to be elected as Governor in 1994. Governor, I want to thank you for putting me in your book, and when I do get in any kind of *pilikia*, I call 911.

"Dr. Kekuni Blaisdell. President of Medicine, UH Manoa, and the cofounder of E Ola Mau, an organization for Hawaiian health professionals. He is also the founding chair of Department of Medicine at the UH Burns School of Medicine.

"Our next 50 Voices participant was former Hawaii County Mayor Harry Kim, who served as mayor until 2008, and is well known for his 24 years of service as Director of the Hawaii County Civil Defense.

"The series was very fortunate to hear perspectives on statehood from US Senator Daniel Akaka, my Minister of Music at Kawaiha'o Church, and a proud longstanding member of our Congressional Delegation.

"US Senator Daniel Inouye, joining his colleague in providing the series with memories and all that we have to be grateful for. A member of the famed 442 Regimental Combat Team. Inouye was elected to the US House of Representatives as the new State's first Congressman when Hawaii became a state in 1959. He was elected to the Senate in 1962, and is now serving his 7th consecutive term in the Senate.

"It gives me great honor to introduce Hawaii's 4th Governor, Governor John Keoni Waihee, who served in our State's highest office from 1986 to 1994, and who was the first American of Native Hawaiian descent to be elected Governor from any state of the United States. Governor, *aloha mae*.

"To round out the 50 Voices of statehood, the 50th Anniversary of Statehood Commission will be interviewing 24 additional leaders in Hawaii's community for the past 50 years. And this group will also include 4 students who represent our next 50 years. So now, everybody, one big a*loha*, clap for all the participants. *Aloha mae*. I'm very honored to be here today. Governor, *mahalo*.

"I would like to leave you with this, everybody stand. May I just share this with all of you, because we are all family, one *'ohana*:

'O kou aloha nō
Aia i ka lani
A 'o kou 'oia 'i'o
He hemolele ho'i
'Āmene.

"*Aloha ke akua*, God is love. *Mahalo akua*. We thank you for all these blessings, we thank you for this beautiful day. All this we ask in your name. Amen."

At this time, Mr. Danny Couch entertained the audience in the first musical interlude.

The President then called upon Governor Lingle who delivered her remarks as follows:

"Senate President Hanabusa, Speaker Say, Chief Justice Moon, Lt. Governor and Mrs. Aiona, current legislators, Mrs. Nancy Quinn and and son Gregory, Judge Jim Burns, Emme Tomimbang and Dr. Sheenagh Burns, Governor Ariyoshi and Jean, Governor Waihee and Lynn, Governor Cayetano and Vicky, Members of Hawai'i's First State Legislature in 1959, especially I want to address you and tell you what an honor it is to be in the same room with you today, to the “50 Voices of

Statehood" representatives, to the 50th Anniversary of Statehood Commissioners for the great job that you are all doing, and the people of Hawai'i, good afternoon and aloha.

"I'm so honored to be joined by former governors, legislators and other special guests to recognize this historic day on which President Dwight David Eisenhower signed the Hawai'i Admission Act.

"President Eisenhower was an ardent supporter of Hawai'i's statehood. He would later say, "Years of effort have finally extended the boundaries of our beloved land far out into the Pacific to encircle the islands of Hawai'i."

"With the stroke of a pen, President Eisenhower changed the landscape of our nation.

"As our nation's 50th state, Hawai'i is the youngest member of the Union. Our relatively young age is reflected today in the presence of Hawai'i's only six governors or their representatives since statehood. And what a privilege it was for me to be able to stand with our former governors and their families to have my picture taken. It really was a great privilege.

"Mahalo Mrs. Quinn, members of the Burns family and former governors, for joining the people of Hawai'i in commemorating this special day.

"The memories of Hawai'i statehood remain vivid for all of Hawai'i's people. And the history remains fresh, fresher still after today, in all of our minds.

"This is underscored by the unique "50 Voices of Statehood" audio and video anthology created by the 50th Anniversary of Statehood Commission. Each segment is filled with distinctive memories and personal perspectives on 1959 and Hawai'i's road to statehood. I want to thank each of the "50 Voices" who are with us today, as well as those who will be part of the series in the months ahead.

"I want to take a moment to mention Mrs. Ah Quon McElrath who was one of the 50 Voices of Statehood, and also a dedicated and vocal member of our Statehood Commission. Although no longer with us, she remains in our hearts and in our minds. Her leadership and her commitment to Hawai'i and its people will never be forgotten.

"It is also important to recognize the individuals who labored over the period of decades to make statehood possible. These include Joseph Farrington – a territorial senator and delegate to the United States Congress; Samuel Wilder King – a territorial governor and delegate to the United States Congress; Governor William Quinn and Governor John Burns.

"Statehood was achieved through the dedication and perseverance of these great leaders, along with the people of Hawai'i – who in 1959 voted 17 to one in support of statehood. They voted for basic rights and privileges of American citizenship. They voted to have a voice in Washington. And, as Governor Ariyoshi said so well in his 50 Voices of Statehood piece, they voted for "control over our own destiny."

"In honoring the 50th anniversary of statehood, we are recognizing theses leaders as well as the working men and women who were passionate in their conviction about what Hawai'i's future should look like. What all residents shared then, and what we all share today, is a deep love of Hawai'i. And this was true even for those who opposed statehood.

"Hawai'i is truly a place like no other!

"Hawai'i was and is in many ways a simple place. But at the same time, a place with complex issues and in many ways defined by our contradictions. We are isolated geographically, yet we serve as a vital bridge between the mainland United States and Asia-Pacific region. As a state we are young, yet we are also home to an ancient and proud host culture. We are the most diverse state in the Union, yet a place where racial and ethnic lines are often blurred or deemed irrelevant. Hawai'i is a place of breathtaking natural beauty, but also a world-class center of innovation and scientific discovery. There are moments when living here is like living in the paradise we see depicted on travel posters and in the movies. But, the Pacific Ocean's great expanse does not shield us from the challenges of everyday life. It also doesn't drown out the differing opinions that exist in our community. And I am for grateful that.

"Our differences are our strength and they create the vibrant tapestry of our culture. Statehood brought self-determination and federal dollars to our shores. It conferred benefits of the most powerful and prosperous nation on Earth. And, most importantly, it allowed our citizens to enjoy the rights enshrined in the United States Constitution. Because of this, we can speak our minds freely. We can have vigorous debate, which is the lifeblood of our democratic system and has served our nation well for more than 200 years. We may not always agree, but we all have a voice, and are free to express our views.

"Hawai'i's road to statehood began decades before 1959. It was a journey beset by many false starts and failed attempts, as it faced a very hesitant United States Congress. But the people of Hawai'i remained determined, hopeful and focused on their task at hand. They refused to give up and ultimately they convinced Congress of the many ways in which Hawai'i was a worthy and beneficial addition to the United States.

"It is well known that Hawai'i's strategic importance was key to victory in the Pacific during World War II. But the more resounding story coming out of the war was the bravery and the sacrifice exemplified by our Nisei soldiers in the 442nd Regimental Combat Team, the 100th Battalion and the Military Intelligence Service. These soldiers showed that being loyal to the American cause was in no way defined by ethnicity. It was determined instead, by a belief in the principles of freedom and democracy.

"Hawai'i provided a model of tolerance ahead of its time. The diversity of Hawai'i's people was touched on often in statehood testimonies before members of the United States Congress, including in 1935, when Territorial Senator Joseph Farrington said these words:

> "To anyone who has lived in Hawai'i, and has grown up with the boys and girls of other races, it is difficult to understand the suspicions in which they are held by some people… You come to judge people according to their character and not their race after you have lived with them for a long time."

"Since becoming a state, Hawai'i has contributed to the nation in more unexpected ways. The forms of human expression unique to our islands, such as surfing, hula, our food, words, phrases and our music, have traveled well beyond our shores and ignited the world's imagination. Who could have imagined 50 years ago the degree to which Hawaiian culture would resonate with people of other states and countries.

"We have also put our stamp on science. Today, we are the site of ground-breaking discoveries in a variety of fields, including marine research, genetics research and astronomy. More recently, we have embarked on an ambitious plan to achieve a clean energy future, creating a model for other states and nations.

"When the United States House sent the bill to President Eisenhower granting Hawai'i statehood, the effect 5,000 miles away was immediate. As our local newspapers reported on that day – and so many of our residents still vividly remember – civil defense horns wailed, church bells pealed, ships' whistles tooted, and motorists leaned on their horns. That evening, there was dancing across the islands that would become America's newest state and fireworks illuminated the sky over the Pacific. If many people were joyful, it was because they had worked so hard to achieve this historic milestone. They had looked forward to seeing this day for decades. It was a day that marked new opportunities – socially, economically and politically. A headline in one of our local newspapers proclaimed on that day, above pictures of diverse Hawai'i residents, "First Class Citizens Now." This headline reaffirmed that on that special day, that while we were a place like no other… and a people like no other… we were all now citizens.

"Now, on the 50th anniversary of statehood, Hawai'i, the nation and the world face new challenges. Each new day brings more challenging economic news, but also a wealth of new opportunities for the future. In overcoming what is perhaps the biggest challenge Hawai'i has faced since 1959, many of the same qualities shown in the struggle for statehood are needed today.

"We must encourage the participation and collaboration of the entire community. Our efforts must be characterized by determination and hard work. We must embrace flexibility, and have the wisdom to adopt a new plan or strategy when the previous plan falls short. Perhaps most importantly, we must have faith in the strength, resilience and pioneering spirit of Hawai'i's businesses, residents and leaders.

"As Hawai'i's current governor, I will tell you that leading this State has and continues to be the greatest privilege and the most humbling experience of my life. I know the former governors here today feel the same; that it is an honor to lead Hawai'i, which is a place like no other and home to people who are unique in all the world. Our collective history and experience in this House Chambers today offers an incredible reflection of who the people of Hawai'i are, and what they are capable of achieving.

"Columnist Thomas Friedman, in the New York Times last month, pointed out that despite our nation's troubles, the world still looks to America to lead the way out of our current crisis. In the Pacific region, it is up to us to provide that leadership and serve as an example to our neighbors. We did that when we achieved statehood, standing as a model of democracy to Asian and Pacific nations. We will do it again as a model of economic recovery and long-term prosperity.

"And, Hawai'i will always be the model of a community whose diversity is its greatest strength, where people of different ethnic and cultural backgrounds work together and live side-by-side. All of us, one *'ohana*, we will ensure the next 50 years will be as rich and diverse as the first 50.

"I feel blessed, and I am proud to be a resident of the State of Hawai'i and a citizen of the United States America. And, I am optimistic and I'm excited about what we can accomplish as we pull together in the months and years ahead. Thank you for the privilege you've given me. Aloha."

Ms. Arshiel Calatrava, a Kalakaua Middle School student entertained the audience in the second musical interlude which showcased Hawaii's youth.

President Hanabusa then gave her closing remarks as follows:

"Mahalo Arshiel.

"Our development of the Hawai'i that we know today has been a journey, and one that has not been without controversy. It is fitting, then, that we must stop and reflect on those moments, and not only celebrate our progress, but also ask ourselves if we have done the most that we can with what we have been provided.

"The first vital steps toward statehood not only provided Hawai'i's people with the full rights and benefits of citizens of our nation, but also promised a chance of drafting our own Constitution and to fully determine the direction our State would move in. Hawai'i today is the Hawai'i of our own making, just as the Hawai'i of tomorrow will grow from the choices we make today.

"To everyone here today, those who have contributed to our past as well as those helping guide our future, I would like to add my personal thanks for allowing us to reach the heights we have achieved, and to overcome the challenges we have faced together.

"What is great about Hawai'i today, and what will be best about our Hawai'i tomorrow, grows from our shared commitment, not only to our people, to our environment, and let us not forget, our precious host culture. Mahalo to you all for being here and sharing this commemoration. Mahalo to those who have spent endless hours, and put so much effort in planning the commemoration.

"With that, there being no further business, I declare this Joint Session adjourned."

At 1:27 o'clock p.m., President Hanabusa declared the Joint Session of the House of Representatives and the Senate adjourned.

List of the Members of the House of Representatives of the First Legislature of the State of Hawaii

First District:
Jack K. Suwa (D)

Second District:
Joseph R. Garcia, Jr. (R)
Stanley I. Hara (D)
Toshio Serizawa (D)

Third District:
Yoshito Takamine (D)

Fouth District:
Takeshi Kudo (D)

Fifth District:
Akoni Pule (D)

Sixth District:
Pero de la Cruz (D)

Seventh District:
Elmer F. Cravalho (D)
John E. Milligan (R)
David K. Trask, Jr. (D)
Mamoru Yamasaki (D)

Eight District:
Joseph L. Dwight, Jr. (R)
Albert W. Evensen (R)
Hiram K. Kamaka (D)
Richard M. Kennedy (R)

Ninth District:
John C. Lanham (D)
Robert C. Oshiro (D)

Tenth District:
William Bains-Jordan (R)
Donald D.H. Ching (D)
Larry N. Kuriyama (D)
George M. Okano (D)

Eleventh District:
William M. Furtado (D)
Akira Sakima (D)
James H. Wakatsuki (D)

Twelfth District:
Peter S. Iha (D)
Frank W.C. Loo (D)
Robert Teruya (R)

Thirteenth District:
Sakae Amano (D)
Robert W.B. Chang (D)

Fourteenth District:
Robert K. Fukuda (R)
David C. McClung (D)
Howard Y. Miyake (D)
Wadsworth Yee (R)

Fifteenth District:
Dorothy L. Devereux (R)
Eureka Forbes (R)
Thomas P. Gill (D)
Katsugo Miho (R)
Percy K. Mirikitani (R)
James Y. Shigemura (D)

Sixteenth District:
Tadao Beppu (D)
Walter M. Heen (D)
Hiroshi Kato (D)
George M. Koga (D)

Seventeenth District:
Webley E. Edwards (R)
Frank C. Judd (R)
Frederick W. Rohlfing (R)
Ambrose J. Rosehill (R)

Eighteenth District:
William E. Fernandes (D)
Manuel S. Henriques (D)
Abel Medeiros (R)

List of Members of the Senate
of the First Legislature of the State of Hawaii

First District:
Kazuhisa Abe (D)
Nelson K. Doi (D)
William H. Hill (R)
Richard J. Lyman, Jr. (R)
John T. Ushijima (D)

Second District:
Bernard G. Kinney (R)
Julian R. Yates, Sr. (R)

Third District:
Marquis F. Calmes (R)
S. George Fukuoka (D)
Thomas S. Ogata (D)
Barney H. Tokunaga (R)
Nadao Yoshinaga (D)

Fourth District:
Randolph A. Crossley (R)
O. Vincent Esposito (D)
Yasutaka Fukushima (R)
D. Hebden Porteus (R)
J. Ward Russell (R)

Fifth District:
George R. Ariyoshi (D)
Lawrence Y. Kunihisa (R)
Calvin C. McGregor (R)
Steere G. Noda (D)
Sakae Takahashi (D)

Sixth District:
Matsuki Arashiro (D)
Francis M.F. Ching (R)
Noboru Miyake (R)

REGULAR SESSION

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 2:01 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Pastor Robert "Moki" Hino of the St. Andrew's Cathedral – Episcopal Diocese of Hawaii, after which the Roll was called showing all Members present with the exception of Representatives Cabanilla, Ching and Takai, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirtieth Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 420 through 423) were received and announced by the Clerk:

Sen. Com. No. 420, transmitting S.C.R. No. 24, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING FULL PRESERVATION OF UNITED STATES MARINE CORPS AIR STATION EWA AS A NATIONAL MONUMENT, MUSEUM, AND RESTORED PARK FOR THE STATE OF HAWAII," which was adopted by the Senate on March 17, 2009.

Sen. Com. No. 421, transmitting S.C.R. No. 33, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES POSTAL SERVICE TO ISSUE POSTAL STAMPS HONORING THE WORLD WAR II NISEI SOLDIERS, OTHER DISTINGUISHED MILITARY UNITS IN UNITED STATES HISTORY, AND AMERICANS WHO WORKED TOWARD ENDING DISCRIMINATION BASED ON RACE OR NATIONAL ORIGIN," which was adopted by the Senate on March 17, 2009.

Sen. Com. No. 422, transmitting S.C.R. No. 42, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING CONGRESS TO DESIGNATE THE AREA IN HONOLULU BETWEEN KALIHI AND PUNAHOU STREETS, AND THE PALI LOOKOUT AND THE PACIFIC OCEAN AS A NATIONAL HERITAGE AREA," which was adopted by the Senate on March 17, 2009.

Sen. Com. No. 423, transmitting S.C.R. No. 47, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION PROCLAIMING 2009 AS THE YEAR OF THE NONCOMMISSIONED OFFICER CORPS OF THE UNITED STATES ARMY," which was adopted by the Senate on March 17, 2009.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R. Nos.	Referred to:
107	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
108	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
109	Committee on Health
110	Committee on Transportation, then to the Committee on Health

111	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection
112	Committee on Hawaiian Affairs, then to the Committee on Health
113	Committee on Public Safety, then to the Committee on Judiciary
114	Committee on Housing
115	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Economic Revitalization, Business, & Military Affairs
116	Committee on Water, Land, & Ocean Resources
117	Committee on Health, then to the Committee on Consumer Protection & Commerce

H.C.R. Nos.	**Referred to:**
129	Committee on Water, Land, & Ocean Resources, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
130	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
131	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
132	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
133	Committee on Tourism, Culture, & International Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
134	Committee on Health
135	Committee on Human Services, then to the Committee on Finance
136	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Legislative Management
137	Committee on Transportation, then to the Committee on Health
138	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection
139	Committee on Public Safety, then to the Committee on Legislative Management
140	Committee on Public Safety, then to the Committee on Legislative Management
141	Jointly to the Committee on Public Safety and the Committee on Health, then to the Committee on Legislative Management
142	Committee on Hawaiian Affairs, then to the Committee on Health
143	Committee on Public Safety, then to the Committee on Judiciary
144	Committee on Housing
145	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Economic Revitalization, Business, & Military Affairs
146	Committee on Water, Land, & Ocean Resources

S.C.R. Nos.	**Referred to:**
5, SD1	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Higher Education, then to the Committee on Finance
7, SD1	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
14, SD1	Committee on Human Services
15, SD1	Jointly to the Committee on Human Services and the Committee on Health
19, SD1	Committee on Human Services

COMMITTEE REASSIGNMENT

The following measure was re-referred to committee by the Speaker:

S.B. No.	**Re-referred to:**
166, SD1	Committee on Health, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 994), recommending that H.R. No. 87, be referred to the Committee on Transportation.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 87, entitled: "HOUSE RESOLUTION URGING THE STATE OF HAWAII TO CHANGE THE STREET NAME OF FORT BARRETTE ROAD TO KUALAKAʻI ROAD," was referred to the Committee on Transportation with Representatives Ching and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 995), recommending that H.C.R. No. 108, be referred to the Committee on Transportation.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII TO CHANGE THE STREET NAME OF FORT BARRETTE ROAD TO KUALAKAʻI ROAD," was referred to the Committee on Transportation with Representatives Ching and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 996), recommending that H.R. No. 75, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 75, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION

OF CONSERVATION AND RESOURCES ENFORCEMENT, TO PROVIDE LIMITED ENFORCEMENT SERVICES AT NIGHT ON A REGULAR BASIS AND TO CONTINUE PROVIDING ENFORCEMENT SERVICES ON WEEKENDS AND HOLIDAYS AT KANEOHE BAY," was referred to the Committee on Finance with Representatives Ching and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 997), recommending that H.C.R. No. 96, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT, TO PROVIDE LIMITED ENFORCEMENT SERVICES AT NIGHT ON A REGULAR BASIS AND TO CONTINUE PROVIDING ENFORCEMENT SERVICES ON WEEKENDS AND HOLIDAYS AT KANEOHE BAY," was referred to the Committee on Finance with Representatives Ching and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 998), recommending that H.R. No. 83, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 83, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT TO APPLY FOR ACCREDITATION OR RECOGNITION WITH THE COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, INC.," was referred to the Committee on Finance with Representatives Ching and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 999), recommending that H.C.R. No. 103, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 103, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT TO APPLY FOR ACCREDITATION OR RECOGNITION WITH THE COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, INC.," was referred to the Committee on Finance with Representatives Ching and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1000), recommending that H.C.R. No. 49, as amended in HD 1, be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 49, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING FULL PRESERVATION OF UNITED STATES MARINE CORPS AIR STATION EWA AS A NATIONAL MONUMENT, MUSEUM, AND RESTORED PARK FOR THE STATE OF HAWAII," was referred to the Committee on Water, Land, & Ocean Resources with Representatives Ching and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1001) recommending that S.B. No. 1352, SD 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1352, SD 2, entitled: "A BILL FOR AN ACT RELATING TO BUREAU OF CONVEYANCES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1002) recommending that S.B. No. 688, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 688, HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations, and just a very brief comment. We know that Hawaiian Telecom has a very difficult proposition in trying to survive. So does Detroit. Bills like this will hamper the marketplace of the attractiveness of purchasing those businesses, because oftentimes they have to cut back, and oftentimes this bill is exactly contrary to that. So, I'm not sure if it fits the state of the economy now at all. Thank you."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. A 'no' vote, and I'll just save my comments for later."

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 S.B. No. 688, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Finnegan and Marumoto voting no, and with Representatives Souki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1003) recommending that S.B. No. 1622, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1622, SD 1, HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs, seconded by Representative Evans.

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 a no vote 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 S.B. No. 1622, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Finnegan and Marumoto voting no, and with Representatives Souki and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1004) recommending

that S.B. No. 412, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 412, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was placed on the calendar for Third Reading with Representatives Souki and Takai being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 118 through 284) and concurrent resolutions (H.C.R. Nos. 147 through 312) were referred to Printing and further action was deferred:

H.R. No. 118, entitled: "HOUSE RESOLUTION REQUESTING AN INCREASE IN THE FEDERAL MEDICAL ASSISTANCE PERCENTAGE FOR HAWAII," was jointly offered by Representatives Yamane and Mizuno.

H.R. No. 119, entitled: "HOUSE RESOLUTION URGING A STATE-LED COORDINATED EFFORT BY THE HEALTH CARE AND TECHNOLOGY COMMUNITIES TO ENSURE THAT HAWAII IS ABLE TO RAPIDLY RESPOND TO AND QUALIFY FOR GRANT MONEY OFFERED IN THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FOR HEALTH CARE INFORMATION EXCHANGE TECHNOLOGY," was offered by Representative Yamane.

H.R. No. 120, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE PERFORMANCE OF THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY AND TO DETERMINE THE FEASIBILITY OF TRANSFERRING ITS FUNCTIONS BACK TO THE CITY AND COUNTY OF HONOLULU," was offered by Representative Aquino, by request.

H.R. No. 121, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ADOPT THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES," was jointly offered by Representatives Berg, Brower, Hanohano, Mizuno, Takumi, Aquino, Herkes, Nakashima, Rhoads, Souki and Tsuji.

H.R. No. 122, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII CIVIL RIGHTS COMMISSION TO FORM A WORKING GROUP TO STUDY THE ADVISABILITY OF INCLUDING STATE-OPERATED SCHOOLS, LIBRARIES, COMMUNITY COLLEGES, AND UNIVERSITIES IN THE DEFINITION OF "PLACE OF PUBLIC ACCOMMODATION"," was jointly offered by Representatives Chang and Karamatsu.

H.R. No. 123, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF CONSTRUCTING A PRISON AT THE STATE QUARANTINE STATION AT HALAWA, OAHU," was offered by Representative Say.

H.R. No. 124, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO REVIEW ITS EFFORTS OF PROVIDING REENTRY SERVICES TO ALL INMATES RELEASED FROM CUSTODY," was offered by Representative Say.

H.R. No. 125, entitled: "HOUSE RESOLUTION URGING PUBLIC AND PRIVATE AGENCIES TO ENCOURAGE THEIR PARENT CLIENTS TO TURN ON CLOSED CAPTIONING WHEN THEIR CHILDREN WATCH TELEVISION," was offered by Representative Say.

H.R. No. 126, entitled: "HOUSE RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAII FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS," was offered by Representative Say.

H.R. No. 127, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF HEALTH TO IMPLEMENT A PROGRAM TO REQUIRE FOOD ESTABLISHMENTS TO POST NOTICES WARNING THAT SOME FOOD PREPARED OR OFFERED FOR SALE FOR CONSUMPTION MAY CONTAIN PEANUTS OR PRODUCTS DERIVED FROM PEANUTS," was offered by Representative Say.

H.R. No. 128, entitled: "HOUSE RESOLUTION URGING THE REAL ESTATE COMMISSION TO ALLOW DEVELOPERS AND ATTORNEYS TO SUBMIT CONDOMINIUM REGISTRATION FILINGS IN ELECTRONIC FORMAT," was jointly offered by Representatives Keith-Agaran, McKelvey, Aquino, Choy, Coffman, Herkes, C. Lee, Souki, Wakai and Wooley.

H.R. No. 129, entitled: "HOUSE RESOLUTION RECOGNIZING THE IMPORTANCE OF BICYCLING," was jointly offered by Representatives Bertram, Awana, Hanohano, McKelvey and Shimabukuro.

H.R. No. 130, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES' NA ALA HELE PROGRAM TO DESIGNATE THE PI‘ILANI TRAIL AS AN IMPORTANT HAWAIIAN COASTAL CULTURAL HERITAGE CORRIDOR," was jointly offered by Representatives Bertram, McKelvey, Shimabukuro and Souki.

H.R. No. 131, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO MAKE THE HALEAKALA TRAIL AVAILABLE TO THE PEOPLE OF HAWAII," was jointly offered by Representatives Bertram, Carroll, McKelvey, Shimabukuro and Souki.

H.R. No. 132, entitled: "HOUSE RESOLUTION REQUESTING THAT THE FEDERAL DRUG ENFORCEMENT ADMINISTRATION RECOGNIZE PRESIDENT BARACK OBAMA'S POSITION ON MEDICAL MARIJUANA RAIDS AND STOP ENGAGING IN MEDICAL MARIJUANA RAIDS THAT CIRCUMVENT STATE LAWS PERMITTING MEDICAL USE OF MARIJUANA," was jointly offered by Representatives Bertram, Hanohano, Mizuno, Brower, Carroll, Shimabukuro and Souki.

H.R. No. 133, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS WITH THE ASSISTANCE OF THE BERNICE PAUAHI BISHOP MUSEUM TO DEVELOP A PLAN TO IMPLEMENT REPLICAS OF HAWAIIAN HALE ON THE STATE CAPITOL LAWN SURROUNDED BY TROPICAL FOLIAGE FOR REST AREAS," was jointly offered by Representatives Bertram, Carroll, McKelvey, Shimabukuro and Souki.

H.R. No. 134, entitled: "HOUSE RESOLUTION REQUESTING THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES AT THE UNIVERSITY OF HAWAII TO STUDY THE FEASIBILITY OF PLANTING KALO IN THE REFLECTING POOL THAT SURROUNDS THE STATE CAPITOL BUILDING," was jointly offered by Representatives Bertram, McKelvey, Shimabukuro and Souki.

H.R. No. 135, entitled: "HOUSE RESOLUTION REQUESTING THE LONG TERM CARE COMMISSION TO CONDUCT A STUDY OF INCREASING MEDICAID REIMBURSEMENTS TO HOSPITALS FOR PATIENTS WHO ARE WAITLISTED FOR LONG TERM CARE AND TO LONG TERM CARE FACILITIES TO ACCEPT WAITLISTED PATIENTS," was offered by Representative Yamane.

H.R. No. 136, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO IMPLEMENT AN ELECTRONIC DIRECT DEPOSIT SYSTEM FOR MEMBERS OF THE HAWAII NATIONAL GUARD WHILE ON

ACTIVE DUTY IN ACCORDANCE WITH ACT 31, SESSION LAWS OF HAWAII 2007," was offered by Representative McKelvey.

H.R. No. 137, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO ESTABLISH A WESTERN WHITE HOUSE IN THE STATE OF HAWAII," was jointly offered by Representatives Evans, McKelvey and Choy.

H.R. No. 138, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A WORKING GROUP TO INVESTIGATE THE FEASIBILITY OF CREATING A MARKET IN THE TOURISM INDUSTRY FOR RIFLERY, ARCHERY, AND HUNTING ACTIVITIES," was jointly offered by Representatives Evans, McKelvey, Carroll, Choy, Hanohano, Ito, Magaoay, Nakashima, Sagum, Tokioka, Tsuji and Yamashita.

H.R. No. 139, entitled: "HOUSE RESOLUTION REQUESTING HAWAII COMMUNITY COLLEGE TO ESTABLISH A COMMUNITY ADVISORY GROUP TO RECOMMEND A NAME FOR THE WEST HAWAII CAMPUS OF HAWAII COMMUNITY COLLEGE, COMMONLY KNOWN AS HAWAII COMMUNITY COLLEGE AT THE UNIVERSITY OF HAWAII CENTER, WEST HAWAII CAMPUS," was jointly offered by Representatives Evans, Tsuji, Chang, Coffman, Hanohano, Herkes and Nakashima.

H.R. No. 140, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO CONSIDER ADOPTING NEW HOMEOWNER LENDING STANDARDS FOR MORTGAGE LENDING COMPANIES THAT RECEIVE FEDERAL AID," was offered by Representative Karamatsu, by request.

H.R. No. 141, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO EXPLORE AND DEVELOP INCENTIVES AND PREFERENCES FOR SMALL FARMERS TO ALLOW THEM TO EXPAND AND CONTINUE TO CONTRIBUTE TO THE FOOD SELF-SUFFICIENCY OF THE STATE," was jointly offered by Representatives Carroll, Awana, Evans, McKelvey and Shimabukuro.

H.R. No. 142, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO TRANSFER THE OLD KEANAE SCHOOL TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was jointly offered by Representatives Carroll, Awana, Evans, McKelvey and Shimabukuro.

H.R. No. 143, entitled: "HOUSE RESOLUTION EXPRESSING SUPPORT FOR THE UNITED STATES GEOLOGICAL SURVEY REPORT, "THE CORAL REEF OF SOUTH MOLOKAI, HAWAII: PORTRAIT OF A SEDIMENT THREATENED FRINGING REEF", AND ENCOURAGING FEDERAL, STATE, AND COMMUNITY COOPERATION TO STEWARD THE SOUTH MOLOKAI REEF FISHERY," was jointly offered by Representatives Carroll, Evans, McKelvey and Shimabukuro.

H.R. No. 144, entitled: "HOUSE RESOLUTION URGING THE OFFICE OF ELECTIONS TO NOT TRANSMIT VOTE INFORMATION OVER TELEPHONE LINES AND THE INTERNET," was jointly offered by Representatives Carroll, Shimabukuro and McKelvey.

H.R. No. 145, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO DETERMINE THE FEASIBILITY OF ESTABLISHING EARLY CHILDHOOD EDUCATION CENTERS IN EACH OF ITS HOMESTEAD COMMUNITIES," was jointly offered by Representatives Carroll, Awana, Evans, McKelvey, Shimabukuro and Chong.

H.R. No. 146, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DETERMINE WHETHER MAKAPIPI STREAM IS BEING SUFFICIENTLY PROTECTED IN THE PUBLIC INTEREST," was jointly offered by Representatives Carroll, Awana, Evans, McKelvey and Shimabukuro.

H.R. No. 147, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO REFRAIN FROM SELLING, EXCHANGING, OR OTHERWISE ALIENATING LANDS IN THE PUBLIC LAND TRUST," was jointly offered by Representatives Carroll, Awana, Evans, Shimabukuro and McKelvey.

H.R. No. 148, entitled: "HOUSE RESOLUTION REQUESTING THE STATE BUILDING CODE COUNCIL TO ADOPT STANDARDS AND CRITERIA TO ALLOW THE USE OF BAMBOO AS AN ACCEPTED CONSTRUCTION MATERIAL UNDER THE STATE BUILDING CODE," was jointly offered by Representatives Carroll, Awana, Evans, Shimabukuro and McKelvey.

H.R. No. 149, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO CONVENE A SCENIC BYWAYS WORKING GROUP TO SELECT POSSIBLE SITES STATEWIDE, INCLUDING THE PI`ILANI TRAIL ON MAUI, FOR PROPOSED FEDERAL DESIGNATION AS SCENIC BYWAYS," was jointly offered by Representatives McKelvey, Awana, Carroll, Shimabukuro, Bertram and Souki.

H.R. No. 150, entitled: "HOUSE RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO INVENTORY AND REPORT TO THE LEGISLATURE OF THE VALUE OF ALL STATE-OWNED ARTWORK ON DISPLAY AND IN STORAGE," was jointly offered by Representatives Yamashita, Awana, Brower, Chong, Hanohano, Har, Karamatsu, Keith-Agaran, M. Lee, Manahan, M. Oshiro, Tokioka, Tsuji, Yamane, Aquino, Choy, Evans, C. Lee, Nishimoto, Sagum, Say and Souki.

H.R. No. 151, entitled: "HOUSE RESOLUTION REQUESTING THE OBAMA ADMINISTRATION TO HOST A UNITED NATIONS CLIMATE CHANGE CONFERENCE IN HAWAII IN 2010," was jointly offered by Representatives C. Lee, Brower, Nishimoto, B. Oshiro, Saiki and Wakai.

H.R. No. 152, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO EXAMINE AND ADOPT A MORE EQUITABLE PROPERTY TAX SYSTEM BASED ON THE PURCHASE PRICE RATHER THAN THE VALUATION OF REAL PROPERTY," was offered by Representative C. Lee.

H.R. No. 153, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON CONTROL MEASURES FOR VOLATILE ORGANIC COMPOUND EMISSIONS FROM PAINT SPRAY BOOTHS USED BY AUTO BODY REFINISHERS," was jointly offered by Representatives Yamane and Manahan.

H.R. No. 154, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE POTENTIAL IMPACTS OF PLACING HYDROELECTRIC GENERATING DEVICES ALONG MOUNTAIN STREAMS," was offered by Representative Tokioka.

H.R. No. 155, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO ASSIST THE COUNTIES IN NEGOTIATING CABLE TELEVISION PUBLIC ACCESS CONTRACTS WITH LOCAL PUBLIC ACCESS PROVIDERS," was offered by Representative Tokioka.

H.R. No. 156, entitled: "HOUSE RESOLUTION REQUESTING THE SUPERINTENDENT OF EDUCATION TO APPOINT A TASK FORCE TO STUDY THE FEASIBILITY OF IMPLEMENTING A PILOT PROGRAM THAT USES PRIVATE SECTOR RESOURCES FOR A FINANCIAL AND ECONOMIC EDUCATION AND LITERACY PROGRAM FOR PUBLIC SCHOOL STUDENTS ON KAUAI AT NO COST TO THE DEPARTMENT OF EDUCATION," was jointly offered by Representatives Tokioka and Sagum.

H.R. No. 157, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY LANGUAGE

ACCESSIBILITY WITHIN THE TOURISM INDUSTRY IN HAWAII," was jointly offered by Representatives Manahan, Brower, Mizuno, Awana, Chang, Morita, Nakashima, Sagum, Souki, Takumi, Tokioka, Tsuji, Wakai and Wooley.

H.R. No. 158, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO FOCUS PART OF ITS TIME AND RESOURCES TO CERTAIN NON-MARKETING TASKS AND REQUESTING THE GOVERNOR TO FILL THE LAST VACANT POSITION ON THE BOARD OF DIRECTORS," was jointly offered by Representatives Manahan, Brower, Mizuno, Tokioka, Tsuji, Wooley, Awana, Chang, Herkes, Morita, Nakashima, Sagum, Souki, Takumi and Wakai.

H.R. No. 159, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII ENERGY POLICY FORUM TO PREPARE AN INTERDISCIPLINARY STUDY OF NUCLEAR POWER GENERATION," was jointly offered by Representatives Morita and Ito.

H.R. No. 160, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPLEMENT SIMPLE, COST-EFFECTIVE PRACTICES THAT ENCOURAGE ENERGY CONSERVATION IN THE WORKPLACE AMONG DEPARTMENT PERSONNEL," was offered by Representative Morita, by request.

[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. 161, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE IMPACT OF LEVYING THE PUBLIC UTILITIES FRANCHISE TAX ON CABLE AND TELECOMMUNICATIONS COMPANIES," was offered by Representative Aquino, by request.

H.R. No. 162, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF PUBLIC SAFETY TO INCLUDE PROVISIONS IN NEW CONTRACTS WITH PRIVATE OR OUT-OF-STATE PRISON FACILITIES THAT INMATE COMPLAINTS ARE SUBJECT TO INVESTIGATION BY THE OMBUDSMAN AND TO RENEGOTIATE EXISTING CONTRACTS TO ALLOW THE OMBUDSMAN TO INVESTIGATE INMATE COMPLAINTS," was offered by Representative Tokioka.

H.R. No. 163, entitled: "HOUSE RESOLUTION URGING THE UNIVERSITY OF HAWAII ADMINISTRATION TO SUPPORT THE CENTER ON AGING AND TO RE-OPEN THE GERONTOLOGY CERTIFICATE PROGRAMS," was offered by Representative M. Lee.

H.R. No. 164, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DEPARTMENT OF LAND AND NATURAL RESOURCES CONDUCT A STUDY ON THE OVERGROWTH OF INDUCED VEGETATION THAT INHIBITS BEACH ACCESS AND TRANSIT," was jointly offered by Representatives Marumoto, Morita, Chang and Har.

H.R. No. 165, entitled: "HOUSE RESOLUTION REQUESTING THE DIRECTOR OF LABOR AND INDUSTRIAL RELATIONS TO REPORT ON THE EFFECTIVENESS OF THE DISLOCATED WORKERS PROGRAM," was offered by Representative Marumoto.

H.R. No. 166, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO INCREASE FINES FOR MULTIPLE VIOLATIONS OF COUNTY PROPERTY AND PUBLIC HEALTH ORDINANCES," was offered by Representative Marumoto.

H.R. No. 167, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON ESTABLISHING A VETERANS PREFERENCE IN AFFORDABLE HOUSING AND OTHER STATE AND COUNTY PROGRAMS," was jointly offered by Representatives McKelvey, Evans, Ito, Ward, Yamashita and Choy.

H.R. No. 168, entitled: "HOUSE RESOLUTION REQUESTING A JOINT AGENCY STUDY ON THE IMPACT OF ILLEGAL IMMIGRATION IN HAWAII," was jointly offered by Representatives Magaoay, Brower, Chang, Hanohano, Mizuno, Aquino, Berg, Herkes, Nakashima and Rhoads.

H.R. No. 169, entitled: "HOUSE RESOLUTION ESTABLISHING POLICIES FOR THE LEGISLATIVE BROADCAST PROGRAM'S CABLECASTS OF HOUSE OF REPRESENTATIVES' PROCEEDINGS," was jointly offered by Representatives Magaoay, Evans, Say, Tokioka, Finnegan, and B. Oshiro.

H.R. No. 170, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE ENVIRONMENTAL RESPONSE TAX," was offered by Representative Choy.

H.R. No. 171, entitled: "HOUSE RESOLUTION REQUESTING THE FORMATION OF A JOINT LEGISLATIVE PROCUREMENT WORKING GROUP TO EVALUATE THE STATE PROCUREMENT CODE AND RECOMMEND IMPROVEMENTS," was jointly offered by Representatives B. Oshiro, Chong, Evans, Herkes, Magaoay, McKelvey and Say.

H.R. No. 172, entitled: "HOUSE RESOLUTION URGING COMMERCIAL TOUR OPERATORS TO STOP RELEASING RAW SEWAGE WITHIN THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY, AND REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT RULES PROHIBITING THE DUMPING OF RAW SEWAGE WITHIN THE SANCTUARY AND ENSURE THE HARBORS ARE EQUIPPED WITH PROPER PUMP OUT FACILITIES," was jointly offered by Representatives Luke, McKelvey, Bertram, Har, Keith-Agaran, Nakashima, Souki and Wakai.

H.R. No. 173, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF HEALTH TO WORK WITH THE COUNTIES TO DEVELOP STRATEGIES FOR ESTABLISHING EFFECTIVE GRAY WATER RECYCLING PROGRAMS AND THE USE OF INDIVIDUAL RAIN CATCHMENT STORAGE SYSTEMS," was jointly offered by Representatives Luke, Keith-Agaran, McKelvey, Bertram, Har, Nakashima, Souki and Wakai.

H.R. No. 174, entitled: "HOUSE RESOLUTION SUPPORTING PHOTOVOLTAIC AND WIND ELECTRICAL TECHNOLOGIES TO REDUCE CONSUMPTION OF FOSSIL FUELS AND DECREASE UTILITY COSTS," was offered by Representative Luke.

H.R. No. 175, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROTECT HAWAII'S MARINE RESOURCES," was offered by Representative Luke.

H.R. No. 176, entitled: "HOUSE RESOLUTION URGING THE DIVISION OF AQUATIC RESOURCES OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROTECT THE TOTAL REEF SYSTEM," was offered by Representative Luke.

H.R. No. 177, entitled: "HOUSE RESOLUTION SUPPORTING SMALL FARMERS WHO GROW FOOD CROPS LOCALLY AND WHOSE GROSS ANNUAL INCOME IS NO LESS THAN $1,000 AND NO MORE THAN $500,000 ANNUALLY," was jointly offered by Representatives Luke, Keith-Agaran, McKelvey, Bertram, Nakashima, Souki and Wakai.

H.R. No. 178, entitled: "HOUSE RESOLUTION SUPPORTING ENERGY EFFICIENCY AND THE FURTHER DEVELOPMENT OF SUSTAINABLE ENERGY SOURCES," was jointly offered by Representatives Luke, McKelvey, Keith-Agaran, Bertram, Har, Nakashima, Souki and Wakai.

H.R. No. 179, entitled: "HOUSE RESOLUTION URGING THE FEDERAL GOVERNMENT TO ADOPT RULES TO PROHIBIT THE DUMPING OF RAW SEWAGE WITHIN THE HAWAIIAN ISLANDS

HUMPBACK WHALE NATIONAL MARINE SANCTUARY," was jointly offered by Representatives Luke, McKelvey, Bertram, Har, Keith-Agaran, Nakashima, Souki and Wakai.

H.R. No. 180, entitled: "HOUSE RESOLUTION SUPPORTING THE PRODUCTION OF LOCAL RENEWABLE ENERGY," was jointly offered by Representatives Luke, McKelvey, Keith-Agaran, Bertram, Har, Nakashima, Souki and Wakai.

H.R. No. 181, entitled: "HOUSE RESOLUTION SUPPORTING THE SUSPENSION OF ETHANOL GAS REQUIREMENTS IN HAWAIʻI UNTIL HAWAIʻI-GROWN ETHANOL IS AVAILABLE," was jointly offered by Representatives Luke, Keith-Agaran, McKelvey, Bertram, Nakashima and Wakai.

H.R. No. 182, entitled: "HOUSE RESOLUTION URGING CONGRESS TO SUPPORT THE ESTABLISHMENT OF THE PATSY MINK NORTH SHORE HERITAGE PARK ON THE ISLAND OF MAUI," was jointly offered by Representatives Keith-Agaran, Luke, McKelvey, Bertram, Har, Nakashima, Souki and Wakai.

H.R. No. 183, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION WITHDRAW ITS SUPPORT FOR THE HAWAII CAPITAL NATIONAL HERITAGE AREA," was offered by Representative Luke.

H.R. No. 184, entitled: "HOUSE RESOLUTION REQUESTING THAT THE CENTERS FOR DISEASE CONTROL AND PREVENTION ESTABLISH A CHRONIC OBSTRUCTIVE PULMONARY DISEASE MODULE," was jointly offered by Representatives Yamane and Mizuno.

H.R. No. 185, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REVIEW AND ASSESS THE POLICIES AND PROCEDURES IMPLEMENTED BY HOSPITALS TO REDUCE ELECTIVE CESAREAN SECTIONS AND INDUCTION OF LABOR," was jointly offered by Representatives Yamane and Mizuno.

H.R. No. 186, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO UNDERTAKE A FEASIBILITY STUDY RELATED TO INMATE RE-INTEGRATION," was jointly offered by Representatives Chong and Yamashita.

H.R. No. 187, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO DEVELOP PLANS FOR A SCHOLARSHIP PROGRAM FOR HAWAII RESIDENTS TO STUDY ABROAD," was offered by Representative Chong.

H.R. No. 188, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO RECOMMEND PROCEDURES AND LEGISLATION TO REQUIRE CEMETERY AND PRE-NEED FUNERAL AUTHORITIES TO COMPLY WITH UNCLAIMED PROPERTY LAWS UNDER CHAPTER 523A, HAWAII REVISED STATUTES," was offered by Representative M. Lee.

H.R. No. 189, entitled: "HOUSE RESOLUTION REQUESTING THE SISTER-STATE COMMITTEE TO EVALUATE AND DEVELOP RECOMMENDATIONS FOR THE INITIATION OF SISTER STATE OR PROVINCE RELATIONSHIPS WITH BRUYERES, FRANCE," was offered by Representative M. Oshiro.

H.R. No. 190, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, BOARD OF VETERINARY EXAMINERS AND THE HAWAIIAN HUMANE SOCIETY TO IMPLEMENT A COMPREHENSIVE PET PROTECTION PROGRAM FOR DOGS AND CATS," was jointly offered by Representatives Shimabukuro, McKelvey and Finnegan.

H.R. No. 191, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO IDENTIFY PRIORITIES FOR STATE-OWNED IMPORTANT AGRICULTURAL LANDS TO MAXIMIZE THE USE OF SUCH LANDS FOR CRITICALLY-NEEDED AGRICULTURAL AND DAIRY PRODUCTION," was offered by Representative Shimabukuro.

H.R. No. 192, entitled: "HOUSE RESOLUTION DECLARING APRIL 24 AS A DAY OF REMEMBRANCE IN RECOGNITION AND COMMEMORATION OF THE ARMENIAN GENOCIDE OF 1915," was offered by Representative Rhoads.

H.R. No. 193, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR TO PLACE IOLANI PALACE ON THE NOMINATION LIST TO THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION FOR WORLD HERITAGE SITE DESIGNATION," was jointly offered by Representatives Rhoads and Manahan.

H.R. No. 194, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONVENE A WORKING GROUP TO REVIEW THE SYSTEM AND PROCEDURES FOR THE REVIEW OF NATIVE HAWAIIAN BURIAL SITES," was jointly offered by Representatives Carroll, Brower, C. Lee and Mizuno.

H.R. No. 195, entitled: "HOUSE RESOLUTION REQUESTING REVIEW OF EXISTING REPORTS AND STUDIES RELATED TO ASPARTAME AND RECISSION OF APPROVAL OF ASPARTAME FOR UNITED STATES MARKETS," was jointly offered by Representatives Carroll, McKelvey, Shimabukuro, Awana, Belatti, Brower, Chang, Ching, Coffman, Evans, Hanohano, Har, Ito, Magaoay, Manahan, Morita, Nakashima, Nishimoto, Takumi and Yamane.

H.R. No. 196, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO RECONSIDER ITS LEASE PRICES WITH RENTAL CAR AGENCIES AT MOLOKAI AIRPORT," was jointly offered by Representatives Carroll, Brower, C. Lee and Mizuno.

H.R. No. 197, entitled: "HOUSE RESOLUTION URGING THE PUBLIC UTILITIES COMMISSION TO NOT ALLOW YOUNG BROTHERS, LTD., TO DISCONTINUE LESS-THAN-CONTAINER-LOAD SHIPPING TO AND FROM MAUI, MOLOKAI, AND LANAI," was jointly offered by Representatives Carroll and C. Lee.

H.R. No. 198, entitled: "HOUSE RESOLUTION URGING THE COUNTIES TO ADOPT MEASURES THAT PROVIDE REAL PROPERTY TAX RELIEF FOR OWNERS OF KULEANA LANDS," was jointly offered by Representatives Carroll, Brower, C. Lee and Mizuno.

H.R. No. 199, entitled: "HOUSE RESOLUTION ENCOURAGING THE UNIVERSITY OF HAWAII COLLEGE OF ENGINEERING TO CREATE AN UNDERGRADUATE CERTIFICATE OF ROBOTICS AND EXPLORATION PROGRAM," was jointly offered by Representatives Belatti, Hanohano, Magaoay, Thielen, Ward, Aquino, Choy, Finnegan, Keith-Agaran, C. Lee, Luke, McKelvey, Morita, Nakashima, Rhoads and Wakai.

H.R. No. 200, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE UNIVERSITY OF HAWAII TO CONVENE MEETINGS WITH THE COMMUNITY TO ADDRESS STEWARDSHIP ISSUES AND AFFIRM THE STATE'S COMMITMENT TO A COOPERATIVE RELATIONSHIP WITH THE VARIED MEMBERS OF THE COMMUNITY CONCERNED WITH, AND CONNECTED TO, MAUNA KEA (MAUNA AWAKEA) AND ITS UNIQUE SPIRITUAL, CULTURAL, AND NATURAL RESOURCES," was jointly offered by Representatives Hanohano, Belatti, Berg, Carroll, Luke, Morita, Wooley and Tokioka.

H.R. No. 201, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO CONDUCT AN INDEPENDENT APPRAISAL OF MOLOKAI

PROPERTIES LIMITED'S LANDHOLDINGS ON THE ISLAND OF MOLOKAI," was jointly offered by Representatives Carroll, Brower, M. Lee, McKelvey, Mizuno, Shimabukuro and Awana.

H.R. No. 202, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR, THE OFFICE OF HAWAIIAN AFFAIRS, AND THE DEPARTMENT OF HAWAIIAN HOME LANDS TO ORGANIZE AND CONVENE A CONFERENCE TO BEGIN DISCUSSIONS FOR A HAWAIIAN CONSTITUTIONAL CONVENTION," was jointly offered by Representatives Carroll, Awana, Brower, Evans, McKelvey, Mizuno and Shimabukuro.

H.R. No. 203, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DESIGNATE ALL STATE WATERS AND SUBMERGED LANDS WITHIN AN IRREGULAR LINE OF FIVE MILES OFFSHORE THAT IS PARALLEL TO THE CONTOURS OF MOLOKAI'S SHORELINE AS THE MOLOKAI COMMUNITY-BASED SUBSISTENCE FISHING AREA," was jointly offered by Representatives Carroll, Brower, M. Lee, McKelvey, Evans and Mizuno.

H.R. No. 204, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO GIVE PRIORITY TO STATE LEASES FOR AGRICULTURAL AND RANCHING OPERATIONS OVER STATE LEASES FOR ENERGY FACILITY OPERATION PROJECTS WITH RESPECT TO LEASE EXTENSIONS AND RENEWALS," was jointly offered by Representatives Carroll, Brower, M. Lee, Awana, McKelvey and Mizuno.

H.R. No. 205, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO EXEMPT PUBLIC SCHOOLS ON MOLOKAI FROM THE SINGLE SCHOOL CALENDAR," was jointly offered by Representatives Carroll, McKelvey, Brower, M. Lee and Mizuno.

H.R. No. 206, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO CONDUCT A STUDY ON THE FEASIBILITY OF ESTABLISHING EARLY CHILDHOOD EDUCATION CENTERS IN HAWAIIAN HOMESTEAD COMMUNITIES," was jointly offered by Representatives Carroll, Brower, McKelvey, Mizuno and M. Lee.

H.R. No. 207, 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," was jointly offered by Representatives Carroll, Awana, Brower, M. Lee, McKelvey, Mizuno, Shimabukuro, Chong and Evans.

H.R. No. 208, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ALLOCATE FUNDS FOR BEAUTIFICATION AND RESTORATION PROJECTS ON EAST MAUI TO ELIMINATE INVASIVE SPECIES, RESTORE INSTREAM FLOWS, AND PROVIDE FOR ADDITIONAL CONSERVATION AND RESOURCES ENFORCEMENT PERSONNEL," was jointly offered by Representatives Carroll, Brower, Evans, M. Lee, McKelvey, Mizuno, Shimabukuro and Awana.

H.R. No. 209, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO DETERMINE THE FEASIBILITY OF INCREASING THE BOARD PAYMENT RATE FOR FOSTER BOARDING HOME PARENTS, GROUP HOMES, AND CHILD CARING INSTITUTIONS," was jointly offered by Representatives Carroll, Brower, McKelvey, Mizuno and M. Lee.

H.R. No. 210, entitled: "HOUSE RESOLUTION DECLARING OCTOBER 11TH A STATE HOLIDAY IN HONOR OF BLESSED DAMIEN," was jointly offered by Representatives Carroll, Awana, Brower, Coffman, Evans, Har, M. Lee, Manahan, McKelvey, Mizuno, Shimabukuro, Wakai, Yamane and Chong.

H.R. No. 211, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII CONVENTION CENTER IN PARTNERSHIP WITH THE UNIVERSITY OF HAWAII ACADEMY FOR CREATIVE MEDIA, AND NAFSA: ASSOCIATION OF INTERNATIONAL EDUCATORS TO DEVELOP A PROGRAM AND PRODUCE A FILM PROMOTING HAWAII AS AN EDUCATION AND TRAINING DESTINATION OF CHOICE," was jointly offered by Representatives Chang and Manahan.

H.R. No. 212, entitled: "HOUSE RESOLUTION ENSURING THAT ANY LEGISLATIVE EFFORT TO REPAIR THE HEALTHCARE SYSTEM IN HAWAII SHOULD INCORPORATE SUSTAINABLE WELLNESS PROGRAMS THAT ADDRESS THE UNDERLYING CAUSAL FACTORS ASSOCIATED WITH CHRONIC DISEASE," was jointly offered by Representatives Finnegan, Brower, Manahan, McKelvey, Mizuno, Shimabukuro, Carroll, Choy, Marumoto, Pine and Ward.

H.R. No. 213, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO REQUIRE ALL MOTOR VEHICLES TO USE THEIR HEADLIGHTS WHILE DRIVING IN THE CAPITOL'S PARKING STRUCTURE," was jointly offered by Representatives Finnegan, Brower, Manahan, McKelvey, Carroll, Choy, Marumoto, Mizuno, Pine, Shimabukuro and Ward.

H.R. No. 214, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII STATE COALITION AGAINST DOMESTIC VIOLENCE TO DEVELOP, AND FOR THE DEPARTMENT OF EDUCATION TO IMPLEMENT A POLICY AGAINST TEEN DATING VIOLENCE AND ABUSE," was jointly offered by Representatives Finnegan, Awana, Belatti, Cabanilla, Carroll, Choy, Luke and Pine.

H.R. No. 215, entitled: "HOUSE RESOLUTION RESPECTFULLY REQUESTING THE DEPARTMENT OF AGRICULTURE TO WORK WITH THE COMMUNITY ON THE SIDE EFFECTS OF CANE BURNING," was jointly offered by Representatives Bertram and McKelvey.

H.R. No. 216, entitled: "HOUSE RESOLUTION REQUESTING EACH STATE AGENCY THAT IS PLANNING ANY ACTION THAT WILL RESULT IN REDUCTIONS IN SERVICES TO THE PUBLIC TO CONSIDER THE POSSIBLE IMPACT THE REDUCED SERVICES WILL HAVE ON RURAL COMMUNITIES AND TO PROVIDE PREFERENCE TO ENSURING CONTINUED SERVICE TO THOSE RURAL COMMUNITIES," was offered by Representative Herkes.

H.R. No. 217, entitled: "HOUSE RESOLUTION URGING THE STATE LAND USE COMMISSION TO WITHHOLD APPROVAL OF THE PETITION FOR LAND USE DISTRICT BOUNDARY AMENDMENTS FOR THAT CERTAIN PROPERTY IDENTIFIED AS TAX MAP KEY NUMBERS (3) 2-7-4:25 (POR.) AND (3) 2-7-4:140 (POR.), LAND USE COMMISSION DOCKET NUMBER A08-781, UNTIL THE COMMUNITY DEVELOPMENT PROCESS FOR THE HAMAKUA DISTRICT IS COMPLETED," was offered by Representative Nakashima.

H.R. No. 218, entitled: "HOUSE RESOLUTION REQUESTING A MORATORIUM ON THE RELEASE OF BIOLOGICAL CONTROL AGENTS FOR THE ENVIRONMENTAL MANAGEMENT OF PLANT SPECIES THAT ALSO SERVE AS FOOD RESOURCES," was offered by Representative Nakashima.

H.R. No. 219, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW ALL BOARDS, COMMISSIONS, COUNCILS, COMMITTEES, WORKING GROUPS, AND TASK FORCES TO DETERMINE WHICH OF THESE CAN BE ELIMINATED," was jointly offered by Representatives Ito and Har.

H.R. No. 220, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF AQUATIC RESOURCES, TO CONSULT AND CONFER WITH LICENSED SPECIALIZED FISHING PRACTITIONERS PRIOR TO IMPLEMENTING REVISED OR NEW REGULATIONS AFFECTING

THESE STYLES OF NEAR-SHORE COMMERCIAL FISHING AND TO SEEK ADVISE FROM AND WORK COLLABORATIVELY WITH THEM ON ANY AND ALL FUTURE REGULATIONS RELATING TO COMMERCIAL FISHING," was offered by Representative Ito.

H.R. No. 221, entitled: "HOUSE RESOLUTION REQUESTING THE STATE AUDITOR TO EXAMINE THE RATIONALE AND MANAGEMENT OF THE HAWAII PAROLING AUTHORITY," was jointly offered by Representatives Hanohano and Berg.

H.R. No. 222, entitled: "HOUSE RESOLUTION URGING THE GOVERNOR AND THE DIRECTOR OF HEALTH TO SUPPORT ADEQUATE FUNDING FOR THE LANAKILA MULTI-PURPOSE SENIOR CENTER," was jointly offered by Representatives Ching, Manahan, McKelvey, Awana, Choy, Evans, Finnegan, Marumoto and Pine.

H.R. No. 223, entitled: "HOUSE RESOLUTION REQUESTING THE STATE TO RECOGNIZING THE HISTORICAL SIGNIFICANCE OF THE FALLS OF CLYDE AS A SAILING JEWEL OF HAWAII," was jointly offered by Representatives Ching, Awana, Manahan, McKelvey, Aquino, Bertram, Evans, Finnegan, Keith-Agaran, C. Lee, Magaoay, Nakashima, Nishimoto, Pine, Rhoads and Tokioka.

H.R. No. 224, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND OTHER STATE AGENCIES RECOGNIZE THE IMPORTANCE OF AND ASSIST IN THE PRESERVATION OF THE NU`UANU `AUWAI SYSTEM," was jointly offered by Representatives Ching, Awana, McKelvey, Aquino, Belatti, Bertram, Evans, Finnegan, Keith-Agaran, C. Lee, Magaoay, Manahan, Nakashima, Nishimoto, Pine, Rhoads and Tokioka.

H.R. No. 225, entitled: "HOUSE RESOLUTION STRONGLY URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY OF HONOLULU TO HONOR ACT 15 OF THE 1921 TERRITORIAL LEGISLATURE BY PRESERVING THE WAIKIKI WAR MEMORIAL NATATORIUM IN ITS ORIGINAL LOCATION ON THE WAIKIKI SHORE," was jointly offered by Representatives Ching, Awana, Bertram, McKelvey, Evans, Finnegan, Keith-Agaran, C. Lee, Magaoay, Nakashima, Pine and Tokioka.

H.R. No. 226, entitled: "HOUSE RESOLUTION REAFFIRMING THE CONCURRENT JURISDICTION OF THE HONOLULU POLICE DEPARTMENT TO UPHOLD AND ENFORCE THE LAWS OF THE CITY AND COUNTY OF HONOLULU AND STATE OF HAWAII ON STATE OWNED LANDS WITHIN THE CITY AND COUNTY OF HONOLULU," was jointly offered by Representatives Ching, Awana and McKelvey.

H.R. No. 227, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO INCREASE THE FINES ON ILLEGAL MOPEDS AND TO CREATE A TASK FORCE TO EXAMINE THE FEASIBILITY OF PUTTING LICENSE PLATES ON MOPEDS," was jointly offered by Representatives Ching, Awana, Finnegan, Manahan, Choy, Evans, McKelvey and Pine.

H.R. No. 228, entitled: "HOUSE RESOLUTION REQUESTING THAT THE STATE HISTORIC PRESERVATION DIVISION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES BE RELOCATED BACK INTO THE DOWNTOWN AREA," was jointly offered by Representatives Ching, Awana, Evans, Magaoay, McKelvey and Pine.

H.R. No. 229, entitled: "HOUSE RESOLUTION REQUESTING THAT THE BOARD OF LAND AND NATURAL RESOURCES MAKE A DETERMINATION ON THE APPLICATION OF ACT 166, SESSION LAWS OF HAWAII 2000, ON A REQUEST BEFORE IT TO CONSENT TO THE ASSIGNMENT OF A HOMESTEAD LEASE," was offered by Representative Say.

H.R. No. 230, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF USING PROCEEDS FROM THE CIGARETTE TAX FOR THE BENEFIT OF THE CENTER FOR CARDIOVASCULAR RESEARCH," was offered by Representative Say.

H.R. No. 231, entitled: "HOUSE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO ALLOW HAWAII ELECTRIC AND LIGHT COMPANY TO CONTINUE ITS NEGOTIATIONS WITH KAHUA RANCH AND NA MAKANI MOA E KU, LLC, ON THE KAHUA FAST-RESPONSE HYDRO PROJECT," was offered by Representative Say.

H.R. No. 232, entitled: "HOUSE RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU AND THE DEPARTMENT OF HAWAIIAN HOME LANDS TO COMPLETE THE EXCHANGE OF LAND AT EWA DRUM FILL STORAGE SITE FOR LAND NEAR VARONA VILLAGE," was offered by Representative Say.

H.R. No. 233, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO FACILITATE DISCUSSION WITHIN THE COMMUNITY ON THE FUNDING INADEQUACIES OF THE WEIGHTED STUDENT FORMULA, PARTICULARLY FOR SMALLER RURAL SCHOOLS, AND EXPLORE ALTERNATIVE MODELS OR FORMULAS TO THE WEIGHTED STUDENT FORMULA IN THE INTEREST OF MAXIMIZING FUNDING EQUITY TO PUBLIC SCHOOLS," was offered by Representative Nakashima.

H.R. No. 234, entitled: "HOUSE RESOLUTION REQUESTING THE KAHALU‘U NEIGHBORHOOD BOARD TO CONVENE A WORKING GROUP TO CONDUCT A STUDY RELATING TO THE ACQUISITION, USE, AND DEVELOPMENT OF THE FORMER NORIKO'S PROPERTY IN KAHALU‘U, OAHU," was offered by Representative Wooley.

H.R. No. 235, entitled: "HOUSE RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE CABLE TELEVISION DIVISION OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was offered by Representative Wooley, by request.

H.R. No. 236, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A PLAN TO AUTHORIZE GRAY WATER RECYCLING SYSTEMS FOR RESIDENTIAL PREMISES UNDER APPROPRIATE CIRCUMSTANCES," was offered by Representative Wooley.

H.R. No. 237, entitled: "HOUSE RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO DISCUSS ISSUES, STUDY IMPACTS, AND MAKE RECOMMENDATIONS RELATING TO GENETICALLY MODIFIED ORGANISMS, PUBLIC HEALTH, AND ENVIRONMENTAL SAFETY," was offered by Representative Wooley.

H.R. No. 238, entitled: "HOUSE RESOLUTION URGING CONGRESS TO OPPOSE THE PROPOSED RULE AMENDMENTS PUBLISHED ON APRIL 10, 2008 IN THE FEDERAL REGISTER (73 FED. REG. 19708) THAT IMPLEMENT THE DEVELOPMENTAL DISABILITIES ASSISTANCE AND BILL OF RIGHTS ACT OF 2000, AND TO SUPPORT NEW SECTIONS IN THE UPCOMING REAUTHORIZATION," was jointly offered by Representatives Mizuno and Brower.

H.R. No. 239, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATURE TO CONVENE A JOINT TASK FORCE TO REVIEW THE STATUS, PROGRESS, AND RESULTS OF ACT 51, SESSION LAWS OF HAWAII 2004, AND TO DEVELOP A FORMAL PROGRAMMATIC EVALUATION AND IMPACT ASSESSMENT OF THE THIRTEEN MAIN ELEMENTS OF ACT 51, INCLUDING RECOMMENDATION FOR IMPROVING, MODIFYING, AND AMENDING ACT 51," was jointly offered by Representatives Nakashima, Hanohano, Berg, Bertram, Chang, Coffman and Evans.

H.R. No. 240, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DEPARTMENT OF TAXATION UNDERTAKE A STUDY

TO DETERMINE THE FEASIBILITY OF EXEMPTING FROM THE GENERAL EXCISE TAX IMPOSED UNDER CHAPTER 237, HAWAII REVISED STATUTES, LESS THAN CONTAINER LOAD SHIPPING TO THE ISLANDS OF THE COUNTY OF MAUI," was offered by Representative Carroll.

H.R. No. 241, entitled: "HOUSE RESOLUTION URGING THE GOVERNOR AND THE LEGISLATURE TO REQUEST AND PROVIDE FOR SUFFICIENT FUNDING FOR THE DEPARTMENT OF HAWAIIAN HOMESTEADS," was offered by Representative Carroll.

H.R. No. 242, entitled: "HOUSE RESOLUTION URGING THE MEMBERS OF THE HOUSE OF REPRESENTATIVES TO SUPPORT AMENDMENTS TO THE HOUSE OF REPRESENTATIVES RULES AND ADMINISTRATIVE AND FINANCIAL MANUAL TO IMPOSE A DUTY OF A MEMBER TO DISCOURAGE PERMANENT AND SESSION EMPLOYEES OF THE HOUSE OF REPRESENTATIVES FROM TESTIFYING BEFORE THE LEGISLATURE," was jointly offered by Representatives Tokioka, Har, B. Oshiro, Awana, Chong, Herkes, Ito and Souki.

H.R. No. 243, entitled: "HOUSE RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO EXPEDITE THE REVIEW OF THE EWA DEVELOPMENT PLAN," was jointly offered by Representatives Cabanilla, Awana and Tsuji.

H.R. No. 244, entitled: "HOUSE RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A FERRY SYSTEM FROM THE HOAKALEI RESORT AND MARINA IN EWA BEACH TO DOWNTOWN HONOLULU," was jointly offered by Representatives Cabanilla, Awana, McKelvey, Evans, M. Lee and Tsuji.

H.R. No. 245, entitled: "HOUSE RESOLUTION URGING THE UNITED NATIONS, AND THE CONGRESS AND PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES TO TAKE AFFIRMATIVE ACTION TO PROMOTE THE NURSING PROFESSION AND PREVENT THE EXPLOITATION OF FILIPINO NURSES," was jointly offered by Representatives Cabanilla, M. Lee, Magaoay, Mizuno, Sagum and Yamashita.

H.R. No. 246, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CHANGE THE REQUIRED MINIMUM NUMBER OF PERSONS CARRIED IN A MOTOR VEHICLE WHILE TRAVELING ON A HIGH OCCUPANCY VEHICLE LANE FROM THREE TO TWO PASSENGERS," was offered by Representative Har.

H.R. No. 247, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO ENCOURAGE EACH HOLDER OF A CONCESSION CONTRACT AT A STATE AIRPORT TO GIVE FIRST RIGHT OF REFUSAL TO LOCAL VENDORS TO SUPPLY GOODS, WARES, MERCHANDISE, AND SERVICES TO THE CONCESSION," was jointly offered by Representatives C. Lee, Brower, Nishimoto and Keith-Agaran.

H.R. No. 248, entitled: "HOUSE RESOLUTION REQUESTING ALL COUNTIES TO TAKE ADVANTAGE OF WASTE-TO-ENERGY CONVERSION TECHNOLOGY TO DISPOSE OF SOLID WASTE, RATHER THAN EXPAND OR CREATE NEW LANDFILLS," was jointly offered by Representatives C. Lee, Brower, Nishimoto, Coffman, Keith-Agaran, Nakashima, Rhoads, Wakai and Ward.

H.R. No. 249, entitled: "HOUSE RESOLUTION REQUESTING THE HONOLULU CITY COUNCIL TO SUPPORT A CHARTER AMENDMENT TO EXTEND THE PERIOD OF TIME FOR FILING A VACANT OFFICE," was offered by Representative C. Lee.

H.R. No. 250, entitled: "HOUSE RESOLUTION REQUESTING THE MAYOR OF EACH COUNTY TO SUBMIT AN ARTWORK TO BE DISPLAYED AT THE STATE CAPITOL IN CELEBRATION OF THE 50TH ANNIVERSARY OF STATEHOOD," was jointly offered by Representatives C. Lee, Brower, Keith-Agaran, Aquino, Choy, Nishimoto and Wakai.

H.R. No. 251, entitled: "HOUSE RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO STREAMLINE THE EVICTION PROCESS TO CONFORM TO FEDERAL GUIDELINES," was jointly offered by Representatives Cabanilla, Evans, Awana, Brower, Coffman, M. Lee, Tsuji and Ward.

H.R. No. 252, entitled: "HOUSE RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO REMOVE CARE HOMES FROM THE DEFINITION OF GROUP LIVING FACILITY," was jointly offered by Representatives Cabanilla, Awana, Brower, Coffman and Tsuji.

H.R. No. 253, entitled: "HOUSE RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO PROVIDE FAIR AND EQUAL ACCESS TO PUBLIC HOUSING BY REMOVING PREFERENCES IN THE APPLICATION PROCESS," was jointly offered by Representatives Cabanilla, Brower, Awana, Coffman, Evans and Tsuji.

H.R. No. 254, entitled: "HOUSE RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO INCREASE THE MINIMUM RENT SCHEDULE," was jointly offered by Representatives Cabanilla, Awana and Evans.

H.R. No. 255, entitled: "HOUSE RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO INSTITUTE A FIVE YEAR MAXIMUM STAY FOR PUBLIC HOUSING," was jointly offered by Representatives Cabanilla, Awana, Brower, Coffman, Tsuji and Ward.

H.R. No. 256, entitled: "HOUSE RESOLUTION RECOGNIZING EARTH HOUR BY ENCOURAGING THE PEOPLE OF HAWAII TO TURN OFF THEIR LIGHTS FROM 8:30 P.M. TO 9:30 P.M., HAWAII STANDARD TIME, ON MARCH 28, 2009," was offered by Representative McKelvey.

H.R. No. 257, entitled: "HOUSE RESOLUTION URGING CONGRESS TO APPROVE THE UNITED STATES NATIONAL HEALTH CARE ACT," was offered by Representative Morita.

H.R. No. 258, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, THE DEPARTMENT OF HAWAIIAN HOME LANDS, AND THE KAUAI POLICE DEPARTMENT TO ENTER INTO A MEMORANDUM OF UNDERSTANDING REGARDING THE ENFORCEMENT OF STATE LAWS AND COUNTY ORDINANCES AT ANAHOLA AND ALIOMANU BEACH AREA," was jointly offered by Representatives Morita, Tokioka and Sagum

H.R. No. 259, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE EFFECTS OF ADOPTING OBSERVANCE OF DAYLIGHT SAVINGS TIME IN HAWAII," was offered by Representative Morita.

H.R. No. 260, entitled: "HOUSE RESOLUTION URGING THE STATE OF HAWAII TO RECOGNIZE THE THIRD SATURDAY OF EVERY APRIL AS "HAWAIIAN MONK SEAL DAY" AND TO COORDINATE THE IMPLEMENTATION OF THE RECOVERY PLAN FOR THE HAWAIIAN MONK SEAL WITH THE FEDERAL AND COUNTY GOVERNMENTS," was jointly offered by Representatives Morita, Brower, C. Lee, Coffman and Keith-Agaran.

H.R. No. 261, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO START A PILOT PROJECT BY WORKING COLLABORATIVELY WITH THE LANDSCAPE INDUSTRY COUNCIL OF HAWAII, HAWAII FOREST INDUSTRY ASSOCIATION, FARM BUREAU FEDERATION OF HAWAII, AND CONSERVATION GROUPS TO ASSESS THE INVASIVE POTENTIAL VERSUS THE BENEFIT OF NEW AND EXISTING PLANTS AND RESTRICT THE USE AND ENTRY OF PLANTS WITH MORE RISK THAN BENEFIT," was jointly offered by

Representatives Awana, Cabanilla, Carroll and Pine.

H.R. No. 262, entitled: "HOUSE RESOLUTION COMMENDING THE ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES FOR ITS RECOMMENDATION TO IMMUNIZE ALL CHILDREN AGES SIX MONTHS THROUGH AGE EIGHTEEN BEGINNING JULY 1, 2009," was jointly offered by Representatives Awana, Cabanilla and Pine.

H.R. No. 263, entitled: "HOUSE RESOLUTION REQUESTING THAT THE OAHU METROPOLITAN PLANNING ORGANIZATION AND THE CITY AND COUNTY OF HONOLULU DEPARTMENT OF PLANNING AND PERMITTING DEVELOP A PLANNING TEMPLATE FOR ENSURING SUFFICIENT REGIONAL HIGHWAY AND ROADWAY DEVELOPMENT TO MEET THE NEEDS OF EMERGING RESIDENTIAL COMMUNITIES IN THE EWA DEVELOPMENT PLAN AND THE WAIANAE SUSTAINABLE COMMUNITIES PLAN," was jointly offered by Representatives Awana, Pine and Chong.

H.R. No. 264, entitled: "HOUSE RESOLUTION REQUESTING THAT THE LEGISLATIVE REFERENCE BUREAU CONDUCT A STUDY ON THE FEASIBILITY OF USING FACILITIES AT THE UNITED STATES NAVAL RESERVATION AT LUALUALEI FOR EMERGENCY SHELTER PURPOSES," was jointly offered by Representatives Awana, Cabanilla, Evans, Manahan, McKelvey, Tsuji, Wakai, Berg, Carroll, Choy, Ito, Marumoto, Pine, Tokioka, Wooley and Yamane.

H.R. No. 265, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO EDUCATE THE PUBLIC ON THE NEED FOR AN ACCURATE CENSUS COUNT FOR PURPOSES OF AN ACCURATE CONGRESSIONAL REPRESENTATION," was jointly offered by Representatives Brower, Awana, Hanohano, Mizuno, Rhoads, Wakai, Aquino, Belatti, Bertram, Cabanilla, Carroll, Chang, Coffman, Evans, Herkes, Ito, Karamatsu, Keith-Agaran, C. Lee, M. Lee, Luke, Magaoay, McKelvey, Morita, Nishimoto, Souki, Takumi, Ward and Yamashita.

H.R. No. 266, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU DEPARTMENT OF TRANSPORTATION SERVICES, IN COLLABORATION WITH OTHER AGENCIES, TO ASSIST IN RESOLVING ISSUES RELATED TO HOMELESS LIVING IN ABANDONED VEHICLES," was jointly offered by Representatives Brower, C. Lee, Mizuno, Aquino, Awana, Berg, Bertram, Carroll, Choy, Coffman, Evans, Hanohano, Karamatsu, Keith-Agaran, M. Lee, Luke, Magaoay, McKelvey, Nishimoto, B. Oshiro, Saiki, Souki, Wakai, Ward and Yamashita.

H.R. No. 267, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO IDENTIFY A PLAN TO COLLECT UNADJUDICATED FINES AND TO CONSOLIDATE ITS BACKLOG OF WARRANTS," was jointly offered by Representatives Brower, Hanohano, C. Lee, Mizuno, Aquino, Berg, Bertram, Cabanilla, Carroll, Chong, Choy, Coffman, Evans, Ito, Karamatsu, Keith-Agaran, M. Lee, Luke, Magaoay, McKelvey, Nishimoto, B. Oshiro, Rhoads, Saiki, Souki and Wakai.

H.R. No. 268, entitled: "HOUSE RESOLUTION URGING THE EMMA KWOCK CHUN CORPORATION, THE STATE HISTORIC PRESERVATION OFFICE, AND THE HISTORIC HAWAII FOUNDATION TO APPLY FOR PLACEMENT OF PRESIDENT BARACK OBAMA'S PUNAHOU CIRCLE APARTMENT ON THE NATIONAL REGISTER OF HISTORIC PLACES," was jointly offered by Representatives Brower, Belatti, Keith-Agaran, M. Lee, Mizuno, B. Oshiro, Rhoads, Aquino, Awana, Berg, Bertram, Cabanilla, Carroll, Chang, Chong, Choy, Coffman, Evans, Hanohano, Herkes, Karamatsu, C. Lee, Luke, Magaoay, Nishimoto, Saiki, Takumi, Ward and Yamashita.

H.R. No. 269, entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SEEK INCREASED FEDERAL FUNDING TO INITIATE MORE COMPREHENSIVE AND WIDESPREAD HEPATITIS B EDUCATION, PREVENTION, AND TREATMENT PROGRAMS IN HAWAII," was jointly offered by Representatives Brower, Carroll, Hanohano, McKelvey, Mizuno, Aquino, Awana, Belatti, Berg, Bertram, Cabanilla, Chang, Chong, Choy, Coffman, Evans, Herkes, Karamatsu, Keith-Agaran, C. Lee, M. Lee, Luke, Magaoay, Nakashima, Nishimoto, B. Oshiro, Saiki, Souki, Takumi, Wakai, Ward and Yamashita.

H.R. No. 270, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES PRESIDENT AND SENATORS AND CONGRESS MEMBERS TO ENACT LEGISLATION TO EXPEDITE IMMIGRANT VISAS FOR FAMILY REUNIFICATION OF CERTAIN FILIPINO VETERANS OF WORLD WAR II," was offered by Representative Cabanilla.

H.R. No. 271, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO INSTALL ADDITIONAL BICYCLE RACKS AT STATE PARKS," was jointly offered by Representatives Ward, Brower, Belatti, Choy, Coffman, Ito, Magaoay, Manahan, Mizuno and Saiki.

H.R. No. 272, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CLASSIFY KA IWI SHORELINE AS A STATE WILDERNESS PRESERVE," was jointly offered by Representatives Ward, Bertram, Ching, Hanohano, Marumoto, Awana, Cabanilla, Finnegan, Luke, Nakashima, Nishimoto and Souki.

H.R. No. 273, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO INVESTIGATE THE FEASIBILITY OF IMPLEMENTING A GLYCEMIC INDEX PROGRAM IN THE STATE TO LEAD THE NATION IN A GLYCEMIC INDEX LABELING INITIATIVE," was jointly offered by Representatives Ward, Mizuno, Aquino, Awana, Bertram, Chang, Coffman, Finnegan, Marumoto, McKelvey and Sagum.

H.R. No. 274, entitled: "HOUSE RESOLUTION URGING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO CREATE AND MAINTAIN A BIKE PATH THROUGH THE HONOLULU DOWNTOWN AREA," was jointly offered by Representatives Ward, Awana, Bertram, Ching, Finnegan, Hanohano, Marumoto, Thielen, Cabanilla, Luke, Nakashima, Nishimoto and Souki.

H.R. No. 275, entitled: "HOUSE RESOLUTION SUPPORTING THE PEACE CORPS EXPANSION ACT OF 2009," was jointly offered by Representatives Ward, Awana, Finnegan, Marumoto, McKelvey, Mizuno, Aquino, Belatti, Bertram, Chang, Coffman, Nakashima, Pine and Sagum.

H.R. No. 276, entitled: "HOUSE RESOLUTION CONDEMNING THE HUMAN-RIGHTS ATROCITIES AND VIOLENCE AGAINST CHILDREN IN NORTHERN UGANDA AND THE DEMOCRATIC REPUBLIC OF THE CONGO, AND URGING CONGRESS TO LEAD THE INTERNATIONAL COMMUNITY IN EFFORTS TO PROTECT THE CHILDREN OF UGANDA AND THE DEMOCRATIC REPUBLIC OF THE CONGO," was jointly offered by Representatives Ward, Finnegan, McKelvey, Mizuno, Aquino, Awana, Belatti, Bertram, Chang, Coffman, Marumoto, Nakashima, Pine and Sagum.

H.R. No. 277, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAI`I AT MANOA TO ESTABLISH A MUSLIMS IN ASIA RESEARCH INSTITUTE," was jointly offered by Representatives Ward, Mizuno, Bertram and Coffman.

H.R. No. 278, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO PROMOTE ENERGY EFFICIENCY AND REDUCE UTILITY COSTS BY REDUCING AIR CONDITIONING USAGE AT THE STATE CAPITOL," was jointly offered by Representatives Ward, Awana, Coffman, McKelvey, Mizuno, Aquino, Bertram, Nakashima, Pine and Sagum.

H.R. No. 279, entitled: "HOUSE RESOLUTION SUPPORTING THE STATE OFFICE OF PLANNING AND PERMITTING'S PETITION TO RECLASSIFY STATE-OWNED LAND ON THE KA IWI SHORELINE FROM URBAN TO CONSERVATION, AND REQUESTING 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, McKelvey, Mizuno, Aquino, Belatti, Berg, Bertram, Finnegan and Nishimoto.

H.R. No. 280, entitled: "HOUSE RESOLUTION URGING LANDLORDS TO HELP COMMERCIAL TENANTS MAINTAIN THEIR LEASES IN ORDER TO CONTINUE THEIR BUSINESS DURING DIFFICULT ECONOMIC TIMES," was jointly offered by Representatives Ward, Brower, Mizuno, Belatti, Coffman, Ito, Magaoay, Manahan and Saiki.

H.R. No. 281, entitled: "HOUSE RESOLUTION DENOUNCING THE VIOLATION OF HUMAN RIGHTS IN TIBET," was jointly offered by Representatives Ward, Awana, Chang, Finnegan, McKelvey, Mizuno, Aquino, Belatti, Bertram, Coffman, Marumoto, Nakashima, Pine and Sagum.

H.R. No. 282, entitled: "HOUSE RESOLUTION URGING THE MAYOR OF THE CITY AND COUNTY OF HONOLULU TO NOT DECREASE THE NUMBER OF NEIGHBORHOOD BOARDS," was jointly offered by Representatives Ward, Mizuno, Bertram, Marumoto and McKelvey.

H.R. No. 283, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO MAKE GRADES AND HOMEWORK AVAILABLE TO PARENTS ONLINE," was jointly offered by Representatives Ward, Awana, Finnegan, McKelvey, Mizuno, Aquino, Belatti, Bertram, Chang, Coffman, Marumoto, Pine and Sagum.

H.R. No. 284, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAIIAN ELECTRIC COMPANY TO EXPAND IT'S "PAY-AS-YOU-SAVE" PROGRAM FOR PEOPLE WHO INSTALL SOLAR WATER HEATING SYSTEMS AND PHOTOVOLTAIC HEATING SYSTEMS," was jointly offered by Representatives Ward, Bertram, Ching, Finnegan, Hanohano, Marumoto, Thielen, Awana, Cabanilla, Luke, Nakashima, Nishimoto and Souki.

H.C.R. No. 147, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN INCREASE IN THE FEDERAL MEDICAL ASSISTANCE PERCENTAGE FOR HAWAII," was jointly offered by Representatives Yamane and Mizuno.

H.C.R. No. 148, entitled: "HOUSE CONCURRENT RESOLUTION URGING A STATE-LED COORDINATED EFFORT BY THE HEALTH CARE AND TECHNOLOGY COMMUNITIES TO ENSURE THAT HAWAII IS ABLE TO RAPIDLY RESPOND TO AND QUALIFY FOR GRANT MONEY OFFERED IN THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FOR HEALTH CARE INFORMATION EXCHANGE TECHNOLOGY," was offered by Representative Yamane.

H.C.R. No. 149, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE PERFORMANCE OF THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY AND TO DETERMINE THE FEASIBILITY OF TRANSFERRING ITS FUNCTIONS BACK TO THE CITY AND COUNTY OF HONOLULU," was offered by Representative Aquino, by request.

H.C.R. No. 150, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ADOPT THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES," was jointly offered by Representatives Berg, Brower, Hanohano, Mizuno, Morita, Takumi, Aquino, Herkes, Nakashima, Rhoads, Souki and Tsuji.

H.C.R. No. 151, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING EACH PUBLIC SECTOR JURISDICTION WITHIN THE STATE TO SUBMIT REPORTS ON PERIODIC REPRICING AS REQUIRED UNDER SECTION 89-9, HAWAII REVISED STATUTES," was offered by Representative Rhoads.

H.C.R. No. 152, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII CIVIL RIGHTS COMMISSION TO FORM A WORKING GROUP TO STUDY THE ADVISABILITY OF INCLUDING STATE-OPERATED SCHOOLS, LIBRARIES, COMMUNITY COLLEGES, AND UNIVERSITIES IN THE DEFINITION OF "PLACE OF PUBLIC ACCOMMODATION"," was jointly offered by Representatives Chang and Karamatsu.

H.C.R. No. 153, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF CONSTRUCTING A PRISON AT THE STATE QUARANTINE STATION AT HALAWA, OAHU," was offered by Representative Say.

H.C.R. No. 154, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO REVIEW ITS EFFORTS OF PROVIDING REENTRY SERVICES TO ALL INMATES RELEASED FROM CUSTODY," was offered by Representative Say.

H.C.R. No. 155, entitled: "HOUSE CONCURRENT RESOLUTION RECOMMENDING THAT THE KAPOLEI COURT COMPLEX BE RENAMED AS "THE RONALD T.Y. MOON JUDICIAL COMPLEX"," was offered by Representative Say.

H.C.R. No. 156, entitled: "HOUSE CONCURRENT RESOLUTION RENAMING MAUI MEMORIAL MEDICAL CENTER IN HONOR OF REPRESENTATIVE ROBERT H. "BOB" NAKASONE," was offered by Representative Say.

H.C.R. No. 157, entitled: "HOUSE CONCURRENT RESOLUTION URGING PUBLIC AND PRIVATE AGENCIES TO ENCOURAGE THEIR PARENT CLIENTS TO TURN ON CLOSED CAPTIONING WHEN THEIR CHILDREN WATCH TELEVISION," was offered by Representative Say.

H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAII FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS," was offered by Representative Say.

H.C.R. No. 159, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO IMPLEMENT A PROGRAM TO REQUIRE FOOD ESTABLISHMENTS TO POST NOTICES WARNING THAT SOME FOOD PREPARED OR OFFERED FOR SALE FOR CONSUMPTION MAY CONTAIN PEANUTS OR PRODUCTS DERIVED FROM PEANUTS," was offered by Representative Say.

H.C.R. No. 160, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO RESCIND THE POLICY REQUIRING NON-GOVERNMENTAL ORGANIZATIONS TO SIGN A PLEDGE OPPOSING THE DECRIMINALIZATION OF PROSTITUTION AS A CONDITION FOR RECEIVING HIV/AIDS PREVENTION FUNDS," was offered by Representative Say, by request.

H.C.R. No. 161, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE REAL ESTATE COMMISSION TO MODIFY AND ADOPT RULES TO REFLECT CHANGES IN THE CONDOMINIUM LAW UNDER CHAPTER 514B, HAWAII REVISED STATUTES," was jointly offered by Representatives Keith-Agaran, McKelvey, Aquino, Choy, Coffman, Herkes, C. Lee, Souki, Wakai and Wooley.

H.C.R. No. 162, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF BICYCLING," was jointly offered by Representatives Bertram, Awana, Carroll, Hanohano, McKelvey, Shimabukuro and Souki.

H.C.R. No. 163, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES' NA ALA HELE PROGRAM TO DESIGNATE THE PIʻILANI TRAIL AS AN IMPORTANT HAWAIIAN COASTAL CULTURAL HERITAGE CORRIDOR," was jointly offered by Representatives Bertram, Carroll, McKelvey, Shimabukuro and Souki.

H.C.R. No. 164, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO MAKE THE HALEAKALA TRAIL AVAILABLE TO THE PEOPLE OF HAWAII," was jointly offered by Representatives Bertram, Carroll, McKelvey, Shimabukuro and Souki.

H.C.R. No. 165, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE FEDERAL DRUG ENFORCEMENT ADMINISTRATION RECOGNIZE PRESIDENT BARACK OBAMA'S POSITION ON MEDICAL MARIJUANA RAIDS AND STOP ENGAGING IN MEDICAL MARIJUANA RAIDS THAT CIRCUMVENT STATE LAWS PERMITTING MEDICAL USE OF MARIJUANA," was jointly offered by Representatives Bertram, Hanohano, Mizuno, Brower, Shimabukuro and Souki.

H.C.R. No. 166, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS WITH THE ASSISTANCE OF THE BERNICE PAUAHI BISHOP MUSEUM TO DEVELOP A PLAN TO IMPLEMENT REPLICAS OF HAWAIIAN HALE ON THE STATE CAPITOL LAWN SURROUNDED BY TROPICAL FOLIAGE FOR REST AREAS," was jointly offered by Representatives Bertram, McKelvey, Shimabukuro and Souki.

H.C.R. No. 167, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES AT THE UNIVERSITY OF HAWAII TO STUDY THE FEASIBILITY OF PLANTING KALO IN THE REFLECTING POOL THAT SURROUNDS THE STATE CAPITOL BUILDING," was jointly offered by Representatives Bertram, Carroll, McKelvey, Shimabukuro and Souki.

H.C.R. No. 168, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LONG TERM CARE COMMISSION TO CONDUCT A STUDY OF INCREASING MEDICAID REIMBURSEMENTS TO HOSPITALS FOR PATIENTS WHO ARE WAITLISTED FOR LONG TERM CARE AND TO LONG TERM CARE FACILITIES TO ACCEPT WAITLISTED PATIENTS," was offered by Representative Yamane.

H.C.R. No. 169, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO IMPLEMENT AN ELECTRONIC DIRECT DEPOSIT SYSTEM FOR MEMBERS OF THE HAWAII NATIONAL GUARD WHILE ON ACTIVE DUTY IN ACCORDANCE WITH ACT 31, SESSION LAWS OF HAWAII 2007," was offered by Representative McKelvey.

H.C.R. No. 170, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS SEAWARD OF TAX MAP KEY: (2) 4-3-2: 27, AT KAANAPALI, MAUI, FOR CONCRETE PIER BLOCK REMNANTS PURPOSES," was offered by Representative McKelvey, by request.

H.C.R. No. 171, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE AUDITOR STUDY THE FEASIBILITY OF REMOVING AMATEUR BOXING FROM THE JURISDICTION OF THE STATE BOXING COMMISSION OF HAWAII," was jointly offered by Representatives Chang, Herkes, Karamatsu and Souki.

H.C.R. No. 172, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII'S BOARD OF EDUCATION TO CHANGE THE SCHOOL NAME OF NOELANI ELEMENTARY SCHOOL TO PRESIDENT BARACK HUSSEIN OBAMA II ELEMENTARY SCHOOL AND/OR TO CHANGE THE SCHOOL NAME OF PRESIDENT WILLIAM MCKINLEY HIGH SCHOOL TO PRESIDENT BARACK HUSSEIN OBAMA II HIGH SCHOOL," was offered by Representative Keith-Agaran.

H.C.R. No. 173, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO ESTABLISH A WESTERN WHITE HOUSE IN THE STATE OF HAWAII," was jointly offered by Representatives Evans, McKelvey and Choy.

H.C.R. No. 174, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A WORKING GROUP TO INVESTIGATE THE FEASIBILITY OF CREATING A MARKET IN THE TOURISM INDUSTRY FOR RIFLERY, ARCHERY, AND HUNTING ACTIVITIES," was jointly offered by Representatives Evans, McKelvey, Carroll, Choy, Hanohano, Ito, Magaoay, Nakashima, Sagum, Tokioka, Tsuji and Yamashita.

H.C.R. No. 175, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII COMMUNITY COLLEGE TO ESTABLISH A COMMUNITY ADVISORY GROUP TO RECOMMEND A NAME FOR THE WEST HAWAII CAMPUS OF HAWAII COMMUNITY COLLEGE, COMMONLY KNOWN AS HAWAII COMMUNITY COLLEGE AT THE UNIVERSITY OF HAWAII CENTER, WEST HAWAII CAMPUS," was jointly offered by Representatives Evans, Hanohano, Tsuji, Chang, Coffman, Herkes and Nakashima.

H.C.R. No. 176, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO CONSIDER ADOPTING NEW HOMEOWNER LENDING STANDARDS FOR MORTGAGE LENDING COMPANIES THAT RECEIVE FEDERAL AID," was offered by Representative Karamatsu, by request.

H.C.R. No. 177, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO EXPLORE AND DEVELOP INCENTIVES AND PREFERENCES FOR SMALL FARMERS TO ALLOW THEM TO EXPAND AND CONTINUE TO CONTRIBUTE TO THE FOOD SELF-SUFFICIENCY OF THE STATE," was jointly offered by Representatives Carroll, Awana, Evans, McKelvey and Shimabukuro.

H.C.R. No. 178, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO TRANSFER THE OLD KEANAE SCHOOL TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was jointly offered by Representatives Carroll, Awana, Evans, McKelvey and Shimabukuro.

H.C.R. No. 179, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE UNITED STATES GEOLOGICAL SURVEY REPORT, "THE CORAL REEF OF SOUTH MOLOKAI, HAWAII: PORTRAIT OF A SEDIMENT THREATENED FRINGING REEF", AND ENCOURAGING FEDERAL, STATE, AND COMMUNITY COOPERATION TO STEWARD THE SOUTH MOLOKAI REEF FISHERY," was jointly offered by Representatives Carroll, Evans, McKelvey and Shimabukuro.

H.C.R. No. 180, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE OFFICE OF ELECTIONS TO NOT TRANSMIT VOTE INFORMATION OVER TELEPHONE LINES AND THE INTERNET," was jointly offered by Representatives Carroll, Shimabukuro and McKelvey.

H.C.R. No. 181, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO DETERMINE THE FEASIBILITY OF ESTABLISHING EARLY CHILDHOOD EDUCATION CENTERS IN EACH OF ITS HOMESTEAD COMMUNITIES," was jointly offered by Representatives Carroll, Awana, Evans, McKelvey, Shimabukuro and Chong.

H.C.R. No. 182, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL

RESOURCES TO DETERMINE WHETHER MAKAPIPI STREAM IS BEING SUFFICIENTLY PROTECTED IN THE PUBLIC INTEREST," was jointly offered by Representatives Carroll, Awana, Evans, McKelvey and Shimabukuro.

H.C.R. No. 183, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO REFRAIN FROM SELLING, EXCHANGING, OR OTHERWISE ALIENATING LANDS IN THE PUBLIC LAND TRUST," was jointly offered by Representatives Carroll, Awana, Evans, McKelvey and Shimabukuro.

H.C.R. No. 184, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE BUILDING CODE COUNCIL TO ADOPT STANDARDS AND CRITERIA TO ALLOW THE USE OF BAMBOO AS AN ACCEPTED CONSTRUCTION MATERIAL UNDER THE STATE BUILDING CODE," was jointly offered by Representatives Carroll, Awana, Evans, Shimabukuro and McKelvey.

H.C.R. No. 185, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO CONVENE A SCENIC BYWAYS WORKING GROUP TO SELECT POSSIBLE SITES STATEWIDE, INCLUDING THE PI`ILANI TRAIL ON MAUI, FOR PROPOSED FEDERAL DESIGNATION AS SCENIC BYWAYS," was jointly offered by Representatives McKelvey, Awana, Bertram, Carroll, Shimabukuro and Souki.

H.C.R. No. 186, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO INVENTORY AND REPORT TO THE LEGISLATURE OF THE VALUE OF ALL STATE-OWNED ARTWORK ON DISPLAY AND IN STORAGE," was jointly offered by Representatives Yamashita, Awana, Brower, Chong, Hanohano, Har, Karamatsu, Keith-Agaran, M. Lee, Manahan, M. Oshiro, Tokioka, Tsuji, Yamane, Aquino, Choy, Evans, C. Lee, Nishimoto, Sagum, Say and Souki.

H.C.R. No. 187, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON CONTROL MEASURES FOR VOLATILE ORGANIC COMPOUND EMISSIONS FROM PAINT SPRAY BOOTHS USED BY AUTO BODY REFINISHERS," was jointly offered by Representatives Yamane and Manahan.

H.C.R. No. 188, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A LITERATURE REVIEW OF THE HEALTH EFFECTS FROM LONG TERM EXPOSURE TO HAZARDOUS WASTE MATERIALS," was offered by Representative Rhoads.

H.C.R. No. 189, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE POTENTIAL IMPACTS OF PLACING HYDROELECTRIC GENERATING DEVICES ALONG MOUNTAIN STREAMS," was offered by Representative Tokioka.

H.C.R. No. 190, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO ASSIST THE COUNTIES IN NEGOTIATING CABLE TELEVISION PUBLIC ACCESS CONTRACTS WITH LOCAL PUBLIC ACCESS PROVIDERS," was offered by Representative Tokioka.

H.C.R. No. 191, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SUPERINTENDENT OF EDUCATION TO APPOINT A TASK FORCE TO STUDY THE FEASIBILITY OF IMPLEMENTING A PILOT PROGRAM THAT USES PRIVATE SECTOR RESOURCES FOR A FINANCIAL AND ECONOMIC EDUCATION AND LITERACY PROGRAM FOR PUBLIC SCHOOL STUDENTS ON KAUAI AT NO COST TO THE DEPARTMENT OF EDUCATION," was jointly offered by Representatives Tokioka and Sagum.

H.C.R. No. 192, entitled: "HOUSE CONCURRENT RESOLUTION CONVENING THE ECONOMIC RECOVERY TASK FORCE AND REQUESTING THE GOVERNOR'S PARTICIPATION," was jointly offered by Representatives B. Oshiro, Chong, Evans, Magaoay, McKelvey, Say and Souki.

H.C.R. No. 193, entitled: "HOUSE CONCURRENT RESOLUTION ACCEPTING FUNDS PROVIDED TO THE STATE OF HAWAII BY THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 AND ESTABLISHING THE FEDERAL ECONOMIC STIMULUS PROGRAM OVERSIGHT COMMISSION," was jointly offered by Representatives B. Oshiro, Chong, Evans, M. Lee, Magaoay, M. Oshiro, Say and Yamashita.

H.C.R. No. 194, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY LANGUAGE ACCESSIBILITY WITHIN THE TOURISM INDUSTRY IN HAWAII," was jointly offered by Representatives Manahan, Brower, Mizuno, Tokioka, Awana, Chang, Morita, Nakashima, Sagum, Souki, Takumi, Tsuji, Wakai and Wooley.

H.C.R. No. 195, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO FOCUS PART OF ITS TIME AND RESOURCES TO CERTAIN NON-MARKETING TASKS AND REQUESTING THE GOVERNOR TO FILL THE LAST VACANT POSITION ON THE BOARD OF DIRECTORS," was jointly offered by Representatives Manahan, Brower, Mizuno, Tokioka, Tsuji, Wooley, Awana, Chang, Herkes, Morita, Nakashima, Sagum, Souki, Takumi and Wakai.

H.C.R. No. 196, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII ENERGY POLICY FORUM TO PREPARE AN INTERDISCIPLINARY STUDY OF NUCLEAR POWER GENERATION," was jointly offered by Representatives Morita and Ito.

H.C.R. No. 197, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPLEMENT SIMPLE, COST-EFFECTIVE PRACTICES THAT ENCOURAGE ENERGY CONSERVATION IN THE WORKPLACE AMONG DEPARTMENT PERSONNEL," was offered by Representative Morita, by request.

[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. 198, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE IMPACT OF LEVYING THE PUBLIC UTILITIES FRANCHISE TAX ON CABLE AND TELECOMMUNICATIONS COMPANIES," was offered by Representative Aquino, by request.

H.C.R. No. 199, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PRIVATE PRISON PERFORMANCE AUDIT OF SAGUARO CORRECTIONAL CENTER," was jointly offered by Representatives Hanohano and Tokioka.

H.C.R. No. 200, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF PUBLIC SAFETY TO INCLUDE PROVISIONS IN NEW CONTRACTS WITH PRIVATE OR OUT-OF-STATE PRISON FACILITIES THAT INMATE COMPLAINTS ARE SUBJECT TO INVESTIGATION BY THE OMBUDSMAN AND TO RENEGOTIATE EXISTING CONTRACTS TO ALLOW THE OMBUDSMAN TO INVESTIGATE INMATE COMPLAINTS," was offered by Representative Tokioka.

H.C.R. No. 201, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII ADMINISTRATION TO SUPPORT THE CENTER ON AGING AND TO RE-OPEN THE GERONTOLOGY CERTIFICATE PROGRAMS," was offered by Representative M. Lee.

H.C.R. No. 202, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF LAND AND NATURAL RESOURCES CONDUCT A STUDY ON THE OVERGROWTH OF INDUCED VEGETATION THAT INHIBITS BEACH ACCESS AND TRANSIT," was jointly offered by Representatives Marumoto, C. Lee, Morita, Chang and Har.

H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF LABOR AND INDUSTRIAL RELATIONS TO REPORT ON THE EFFECTIVENESS OF THE DISLOCATED WORKERS PROGRAM," was offered by Representative Marumoto.

H.C.R. No. 204, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO INCREASE FINES FOR MULTIPLE VIOLATIONS OF COUNTY PROPERTY AND PUBLIC HEALTH ORDINANCES," was offered by Representative Marumoto.

H.C.R. No. 205, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON ESTABLISHING A VETERANS PREFERENCE IN AFFORDABLE HOUSING AND OTHER STATE AND COUNTY PROGRAMS," was jointly offered by Representatives McKelvey, Evans, Ito, Ward, Yamashita and Choy.

H.C.R. No. 206, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY RECENT AMENDMENTS TO HAWAII ADMINISTRATIVE RULES RELATING TO CONSTRUCTION CONTRACTS UNDER THE HAWAII PUBLIC PROCUREMENT CODE TO DETERMINE WHETHER THOSE AMENDMENTS ARE CONTRARY TO THE LETTER OR SPIRIT OF THE PROCUREMENT CODE," was jointly offered by Representatives McKelvey, Evans, Berg, Choy, Hanohano, Manahan, Tokioka, Tsuji, Wakai and Wooley.

H.C.R. No. 207, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A JOINT AGENCY STUDY ON THE IMPACT OF ILLEGAL IMMIGRATION IN HAWAII," was jointly offered by Representatives Magaoay, Brower, Chang, Hanohano, Mizuno, Nakashima, Aquino, Berg, Herkes and Rhoads.

H.C.R. No. 208, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE ELECTRIFICATION OF ENERGY-EFFICIENT TRANSPORTATION SYSTEMS IN HAWAII," was offered by Representative Souki.

H.C.R. No. 209, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE ENVIRONMENTAL RESPONSE TAX," was offered by Representative Choy.

H.C.R. No. 210, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A JOINT LEGISLATIVE PROCUREMENT WORKING GROUP TO EVALUATE THE STATE PROCUREMENT CODE AND RECOMMEND IMPROVEMENTS," was jointly offered by Representatives B. Oshiro, Chong, Evans, Herkes, Magaoay, McKelvey and Say.

H.C.R. No. 211, entitled: "HOUSE CONCURRENT RESOLUTION URGING COMMERCIAL TOUR OPERATORS TO STOP RELEASING RAW SEWAGE WITHIN THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY, AND REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT RULES PROHIBITING THE DUMPING OF RAW SEWAGE WITHIN THE SANCTUARY AND ENSURE THE HARBORS ARE EQUIPPED WITH PROPER PUMP OUT FACILITIES," was jointly offered by Representatives Luke, McKelvey, Bertram, Har, Keith-Agaran, Nakashima, Souki and Wakai.

H.C.R. No. 212, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO WORK WITH THE COUNTIES TO DEVELOP STRATEGIES FOR ESTABLISHING EFFECTIVE GRAY WATER RECYCLING PROGRAMS AND THE USE OF INDIVIDUAL RAIN CATCHMENT STORAGE SYSTEMS," was jointly offered by Representatives Luke, McKelvey, Bertram, Har, Keith-Agaran, Nakashima, Souki and Wakai.

H.C.R. No. 213, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION WITHDRAW ITS SUPPORT FOR THE HAWAII CAPITAL NATIONAL HERITAGE AREA," was offered by Representative Luke.

H.C.R. No. 214, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE CENTERS FOR DISEASE CONTROL AND PREVENTION ESTABLISH A CHRONIC OBSTRUCTIVE PULMONARY DISEASE MODULE," was jointly offered by Representatives Yamane and Mizuno.

H.C.R. No. 215, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REVIEW AND ASSESS THE POLICIES AND PROCEDURES IMPLEMENTED BY HOSPITALS TO REDUCE ELECTIVE CESAREAN SECTIONS AND INDUCTION OF LABOR," was jointly offered by Representatives Yamane and Mizuno.

H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO UNDERTAKE A FEASIBILITY STUDY RELATED TO INMATE RE-INTEGRATION," was jointly offered by Representatives Chong and Yamashita.

H.C.R. No. 217, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO DEVELOP PLANS FOR A SCHOLARSHIP PROGRAM FOR HAWAII RESIDENTS TO STUDY ABROAD," was offered by Representative Chong.

H.C.R. No. 218, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR LACTATION CONSULTANT SERVICES," was jointly offered by Representatives M. Lee, Awana, Cabanilla, Evans, Finnegan, Hanohano, Pine, Shimabukuro, Thielen, Belatti and Marumoto.

H.C.R. No. 219, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO RECOMMEND PROCEDURES AND LEGISLATION TO REQUIRE CEMETERY AND PRE-NEED FUNERAL AUTHORITIES TO COMPLY WITH UNCLAIMED PROPERTY LAWS UNDER CHAPTER 523A, HAWAII REVISED STATUTES," was offered by Representative M. Lee.

H.C.R. No. 220, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SISTER-STATE COMMITTEE TO EVALUATE AND DEVELOP RECOMMENDATIONS FOR THE INITIATION OF SISTER STATE OR PROVINCE RELATIONSHIPS WITH BRUYERES, FRANCE," was offered by Representative M. Oshiro.

H.C.R. No. 221, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, BOARD OF VETERINARY EXAMINERS AND THE HAWAIIAN HUMANE SOCIETY TO IMPLEMENT A COMPREHENSIVE PET PROTECTION PROGRAM FOR DOGS AND CATS," was jointly offered by Representatives Shimabukuro, McKelvey and Finnegan.

H.C.R. No. 222, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO IDENTIFY PRIORITIES FOR STATE-OWNED IMPORTANT AGRICULTURAL LANDS TO MAXIMIZE THE USE OF SUCH LANDS FOR CRITICALLY-NEEDED AGRICULTURAL AND DAIRY PRODUCTION," was offered by Representative Shimabukuro.

H.C.R. No. 223, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A COMPARATIVE FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT

OF HEALTH'S COMMUNITY MENTAL HEALTH CENTER AND WAI`ANAE'S INDEPENDENTLY OPERATED COMMUNITY MENTAL HEALTH CENTER," was offered by Representative Shimabukuro.

H.C.R. No. 224, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING APRIL 24 AS A DAY OF REMEMBRANCE IN RECOGNITION AND COMMEMORATION OF THE ARMENIAN GENOCIDE OF 1915," was offered by Representative Rhoads.

H.C.R. No. 225, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR TO PLACE IOLANI PALACE ON THE NOMINATION LIST TO THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION FOR WORLD HERITAGE SITE DESIGNATION," was jointly offered by Representatives Rhoads and Manahan.

H.C.R. No. 226, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONVENE A WORKING GROUP TO REVIEW THE SYSTEM AND PROCEDURES FOR THE REVIEW OF NATIVE HAWAIIAN BURIAL SITES," was jointly offered by Representatives Carroll, Awana, Brower, Evans, M. Lee, McKelvey, Mizuno and Shimabukuro.

H.C.R. No. 227, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO RECONSIDER ITS LEASE PRICES WITH RENTAL CAR AGENCIES AT MOLOKAI AIRPORT," was jointly offered by Representatives Carroll, Brower, C. Lee and Mizuno.

H.C.R. No. 228, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PUBLIC UTILITIES COMMISSION TO NOT ALLOW YOUNG BROTHERS, LTD., TO DISCONTINUE LESS-THAN-CONTAINER-LOAD SHIPPING TO AND FROM MAUI, MOLOKAI, AND LANAI," was jointly offered by Representatives Carroll and C. Lee.

H.C.R. No. 229, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTIES TO ADOPT MEASURES THAT PROVIDE REAL PROPERTY TAX RELIEF FOR OWNERS OF KULEANA LANDS," was jointly offered by Representatives Carroll, Brower, C. Lee and Mizuno.

H.C.R. No. 230, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE UNIVERSITY OF HAWAII COLLEGE OF ENGINEERING TO CREATE AN UNDERGRADUATE CERTIFICATE OF ROBOTICS AND EXPLORATION PROGRAM," was jointly offered by Representatives Belatti, Hanohano, Magaoay, Thielen, Ward, Aquino, Choy, Finnegan, Keith-Agaran, C. Lee, Luke, McKelvey, Morita, Rhoads and Wakai.

H.C.R. No. 231, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE UNIVERSITY OF HAWAII TO CONVENE MEETINGS WITH THE COMMUNITY TO ADDRESS STEWARDSHIP ISSUES AND AFFIRM THE STATE'S COMMITMENT TO A COOPERATIVE RELATIONSHIP WITH THE VARIED MEMBERS OF THE COMMUNITY CONCERNED WITH, AND CONNECTED TO, MAUNA KEA (MAUNA AWAKEA) AND ITS UNIQUE SPIRITUAL, CULTURAL, AND NATURAL RESOURCES," was jointly offered by Representatives Hanohano, Belatti, Berg, Carroll, C. Lee, Luke, Morita, Wooley and Tokioka.

H.C.R. No. 232, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO CONDUCT AN INDEPENDENT APPRAISAL OF MOLOKAI PROPERTIES LIMITED'S LANDHOLDINGS ON THE ISLAND OF MOLOKAI," was jointly offered by Representatives Carroll, Brower, M. Lee, McKelvey, Mizuno, Shimabukuro and Awana.

H.C.R. No. 233, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR, THE OFFICE OF HAWAIIAN AFFAIRS, AND THE DEPARTMENT OF HAWAIIAN HOME LANDS TO ORGANIZE AND CONVENE A CONFERENCE TO BEGIN DISCUSSIONS FOR A HAWAIIAN CONSTITUTIONAL CONVENTION," was jointly offered by Representatives Carroll, Awana, Brower, Evans, McKelvey, Mizuno and Shimabukuro.

H.C.R. No. 234, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DESIGNATE ALL STATE WATERS AND SUBMERGED LANDS WITHIN AN IRREGULAR LINE OF FIVE MILES OFFSHORE THAT IS PARALLEL TO THE CONTOURS OF MOLOKAI'S SHORELINE AS THE MOLOKAI COMMUNITY-BASED SUBSISTENCE FISHING AREA," was jointly offered by Representatives Carroll, Brower, M. Lee, Evans, McKelvey and Mizuno.

H.C.R. No. 235, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO GIVE PRIORITY TO STATE LEASES FOR AGRICULTURAL AND RANCHING OPERATIONS OVER STATE LEASES FOR ENERGY FACILITY OPERATION PROJECTS WITH RESPECT TO LEASE EXTENSIONS AND RENEWALS," was jointly offered by Representatives Carroll, Brower, M. Lee, Awana, McKelvey and Mizuno.

H.C.R. No. 236, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO EXEMPT PUBLIC SCHOOLS ON MOLOKAI FROM THE SINGLE SCHOOL CALENDAR," was jointly offered by Representatives Carroll, McKelvey, Brower, M. Lee and Mizuno.

H.C.R. No. 237, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO CONDUCT A STUDY ON THE FEASIBILITY OF ESTABLISHING EARLY CHILDHOOD EDUCATION CENTERS IN HAWAIIAN HOMESTEAD COMMUNITIES," was jointly offered by Representatives Carroll, Brower, M. Lee, McKelvey and Mizuno.

H.C.R. No. 238, 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," was jointly offered by Representatives Carroll, Brower, Evans, M. Lee, McKelvey, Mizuno, Shimabukuro, Awana and Chong.

H.C.R. No. 239, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ALLOCATE FUNDS FOR BEAUTIFICATION AND RESTORATION PROJECTS ON EAST MAUI TO ELIMINATE INVASIVE SPECIES, RESTORE INSTREAM FLOWS, AND PROVIDE FOR ADDITIONAL CONSERVATION AND RESOURCES ENFORCEMENT PERSONNEL," was jointly offered by Representatives Carroll, Brower, Evans, McKelvey, Mizuno, Shimabukuro, Awana and M. Lee.

H.C.R. No. 240, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO DETERMINE THE FEASIBILITY OF INCREASING THE BOARD PAYMENT RATE FOR FOSTER BOARDING HOME PARENTS, GROUP HOMES, AND CHILD CARING INSTITUTIONS," was jointly offered by Representatives Carroll, Brower, M. Lee, McKelvey and Mizuno.

H.C.R. No. 241, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING OCTOBER 11TH A STATE HOLIDAY IN HONOR OF BLESSED DAMIEN," was jointly offered by Representatives Carroll, Awana, Brower, Coffman, Evans, Har, M. Lee, Manahan, McKelvey, Mizuno, Shimabukuro, Wakai, Yamane and Chong.

H.C.R. No. 242, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII CONVENTION CENTER IN PARTNERSHIP WITH THE UNIVERSITY OF HAWAII ACADEMY FOR CREATIVE MEDIA, AND NAFSA: ASSOCIATION OF

INTERNATIONAL EDUCATORS TO DEVELOP A PROGRAM AND PRODUCE A FILM PROMOTING HAWAII AS AN EDUCATION AND TRAINING DESTINATION OF CHOICE," was jointly offered by Representatives Chang and Manahan.

H.C.R. No. 243, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE FIRE COUNCIL TO EXAMINE THE FEASIBILITY AND COSTS OF INSTALLING AND RETROFITTING RESIDENTIAL CARE HOMES FOR THE ELDERLY WITH AUTOMATIC SPRINKLER SYSTEMS IN ACCORDANCE WITH NATIONAL FIRE PROTECTION AGENCY STANDARDS," was offered by Representative Chang.

H.C.R. No. 244, entitled: "HOUSE CONCURRENT RESOLUTION ENSURING THAT ANY LEGISLATIVE EFFORT TO REPAIR THE HEALTHCARE SYSTEM IN HAWAII SHOULD INCORPORATE SUSTAINABLE WELLNESS PROGRAMS THAT ADDRESS THE UNDERLYING CAUSAL FACTORS ASSOCIATED WITH CHRONIC DISEASE," was jointly offered by Representatives Finnegan, Brower, Carroll, Manahan, McKelvey, Mizuno, Shimabukuro, Choy, Marumoto, Pine and Ward.

H.C.R. No. 245, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO REQUIRE ALL MOTOR VEHICLES TO USE THEIR HEADLIGHTS WHILE DRIVING IN THE CAPITOL'S PARKING STRUCTURE," was jointly offered by Representatives Finnegan, Brower, Manahan, McKelvey, Carroll, Choy, Marumoto, Mizuno, Pine, Shimabukuro and Ward.

H.C.R. No. 246, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE COALITION AGAINST DOMESTIC VIOLENCE TO DEVELOP, AND FOR THE DEPARTMENT OF EDUCATION TO IMPLEMENT A POLICY AGAINST TEEN DATING VIOLENCE AND ABUSE," was jointly offered by Representatives Finnegan, Awana, Belatti, Cabanilla, Carroll, Choy, Luke and Pine.

H.C.R. No. 247, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING EACH STATE AGENCY THAT IS PLANNING ANY ACTION THAT WILL RESULT IN REDUCTIONS IN SERVICES TO THE PUBLIC TO CONSIDER THE POSSIBLE IMPACT THE REDUCED SERVICES WILL HAVE ON RURAL COMMUNITIES AND TO PROVIDE PREFERENCE TO ENSURING CONTINUED SERVICE TO THOSE RURAL COMMUNITIES," was offered by Representative Herkes.

H.C.R. No. 248, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE LAND USE COMMISSION TO WITHHOLD APPROVAL OF THE PETITION FOR LAND USE DISTRICT BOUNDARY AMENDMENTS FOR THAT CERTAIN PROPERTY IDENTIFIED AS TAX MAP KEY NUMBERS (3) 2-7-4:25 (POR.) AND (3) 2-7-4:140 (POR.), LAND USE COMMISSION DOCKET NUMBER A08-781, UNTIL THE COMMUNITY DEVELOPMENT PROCESS FOR THE HAMAKUA DISTRICT IS COMPLETED," was offered by Representative Nakashima.

H.C.R. No. 249, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MORATORIUM ON THE RELEASE OF BIOLOGICAL CONTROL AGENTS FOR THE ENVIRONMENTAL MANAGEMENT OF PLANT SPECIES THAT ALSO SERVE AS FOOD RESOURCES," was offered by Representative Nakashima.

H.C.R. No. 250, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW ALL BOARDS, COMMISSIONS, COUNCILS, COMMITTEES, WORKING GROUPS, AND TASK FORCES TO DETERMINE WHICH OF THESE CAN BE ELIMINATED," was jointly offered by Representatives Ito and Har.

H.C.R. No. 251, entitled: "HOUSE CONCURRENT RESOLUTION URGING DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF AQUATIC RESOURCES, TO CONSULT AND CONFER WITH LICENSED SPECIALIZED FISHING PRACTITIONERS PRIOR TO IMPLEMENTING REVISED OR NEW REGULATIONS AFFECTING THESE STYLES OF NEAR-SHORE COMMERCIAL FISHING AND TO SEEK ADVICE FROM AND WORK COLLABORATIVELY WITH THEM ON ANY AND ALL FUTURE REGULATIONS RELATING TO COMMERCIAL FISHING," was offered by Representative Ito.

H.C.R. No. 252, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO EXAMINE THE RATIONALE AND MANAGEMENT OF THE HAWAII PAROLING AUTHORITY," was jointly offered by Representatives Hanohano and Berg.

H.C.R. No. 253, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR AND THE DIRECTOR OF HEALTH TO SUPPORT ADEQUATE FUNDING FOR THE LANAKILA MULTI-PURPOSE SENIOR CENTER," was jointly offered by Representatives Ching, Manahan, McKelvey, Awana, Choy, Evans, Finnegan, Marumoto and Pine.

H.C.R. No. 254, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE TO RECOGNIZING THE HISTORICAL SIGNIFICANCE OF THE FALLS OF CLYDE AS A SAILING JEWEL OF HAWAII," was jointly offered by Representatives Ching, Awana, Manahan, McKelvey, Aquino, Bertram, Evans, Finnegan, Keith-Agaran, C. Lee, Magaoay, Nakashima, Nishimoto, Pine, Rhoads and Tokioka.

H.C.R. No. 255, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND OTHER STATE AGENCIES RECOGNIZE THE IMPORTANCE OF AND ASSIST IN THE PRESERVATION OF THE NU`UANU `AUWAI SYSTEM," was jointly offered by Representatives Ching, Awana, Bertram, Finnegan, McKelvey, Aquino, Belatti, Evans, Keith-Agaran, C. Lee, Magaoay, Manahan, Nakashima, Nishimoto, Pine, Rhoads and Tokioka.

H.C.R. No. 256, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY OF HONOLULU TO HONOR ACT 15 OF THE 1921 TERRITORIAL LEGISLATURE BY PRESERVING THE WAIKIKI WAR MEMORIAL NATATORIUM IN ITS ORIGINAL LOCATION ON THE WAIKIKI SHORE," was jointly offered by Representatives Ching, Awana, McKelvey, Bertram, Evans, Finnegan, Keith-Agaran, C. Lee, Magaoay, Nakashima, Pine, Takumi and Tokioka.

H.C.R. No. 257, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE STATE HISTORIC PRESERVATION DIVISION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES BE RELOCATED BACK INTO THE DOWNTOWN AREA," was jointly offered by Representatives Ching, Evans, Magaoay, McKelvey and Pine.

H.C.R. No. 258, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE BOARD OF LAND AND NATURAL RESOURCES MAKE A DETERMINATION ON THE APPLICATION OF ACT 166, SESSION LAWS OF HAWAII 2000, ON A REQUEST BEFORE IT TO CONSENT TO THE ASSIGNMENT OF A HOMESTEAD LEASE," was offered by Representative Say.

H.C.R. No. 259, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF USING PROCEEDS FROM THE CIGARETTE TAX FOR THE BENEFIT OF THE CENTER FOR CARDIOVASCULAR RESEARCH," was offered by Representative Say.

H.C.R. No. 260, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO ALLOW HAWAII ELECTRIC AND LIGHT COMPANY TO CONTINUE ITS NEGOTIATIONS WITH KAHUA RANCH AND NA MAKANI MOA E KU, LLC, ON THE KAHUA FAST-RESPONSE HYDRO PROJECT," was offered by Representative Say.

H.C.R. No. 261, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU AND THE DEPARTMENT OF HAWAIIAN HOME LANDS TO COMPLETE THE EXCHANGE OF LAND AT EWA DRUM FILL STORAGE SITE FOR LAND NEAR VARONA VILLAGE," was offered by Representative Say.

H.C.R. No. 262, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE DELINQUENT TAX PROJECT OF THE DEPARTMENT OF TAXATION," was jointly offered by Representatives Say and Chong.

H.C.R. No. 263, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO FACILITATE DISCUSSION WITHIN THE COMMUNITY ON THE FUNDING INADEQUACIES OF THE WEIGHTED STUDENT FORMULA, PARTICULARLY FOR SMALLER RURAL SCHOOLS, AND EXPLORE ALTERNATIVE MODELS OR FORMULAS TO THE WEIGHTED STUDENT FORMULA IN THE INTEREST OF MAXIMIZING FUNDING EQUITY TO PUBLIC SCHOOLS," was offered by Representative Nakashima.

H.C.R. No. 264, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE KAHALU‘U NEIGHBORHOOD BOARD TO CONVENE A WORKING GROUP TO CONDUCT A STUDY RELATING TO THE ACQUISITION, USE, AND DEVELOPMENT OF THE FORMER NORIKO'S PROPERTY IN KAHALU‘U, OAHU," was offered by Representative Wooley.

H.C.R. No. 265, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE CABLE TELEVISION DIVISION OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was offered by Representative Wooley, by request.

H.C.R. No. 266, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A PLAN TO AUTHORIZE GRAY WATER RECYCLING SYSTEMS FOR RESIDENTIAL PREMISES UNDER APPROPRIATE CIRCUMSTANCES," was offered by Representative Wooley.

H.C.R. No. 267, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO DISCUSS ISSUES, STUDY IMPACTS, AND MAKE RECOMMENDATIONS RELATING TO GENETICALLY MODIFIED ORGANISMS, PUBLIC HEALTH, AND ENVIRONMENTAL SAFETY," was offered by Representative Wooley.

H.C.R. No. 268, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO OPPOSE THE PROPOSED RULE AMENDMENTS PUBLISHED ON APRIL 10, 2008 IN THE FEDERAL REGISTER (73 FED. REG. 19708) THAT IMPLEMENT THE DEVELOPMENTAL DISABILITIES ASSISTANCE AND BILL OF RIGHTS ACT OF 2000, AND TO SUPPORT NEW SECTIONS IN THE UPCOMING REAUTHORIZATION," was jointly offered by Representatives Mizuno and Brower.

H.C.R. No. 269, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATURE TO CONVENE A JOINT TASK FORCE TO REVIEW THE STATUS, PROGRESS, AND RESULTS OF ACT 51, SESSION LAWS OF HAWAII 2004, AND TO DEVELOP A FORMAL PROGRAMMATIC EVALUATION AND IMPACT ASSESSMENT OF THE THIRTEEN MAIN ELEMENTS OF ACT 51, INCLUDING RECOMMENDATION FOR IMPROVING, MODIFYING, AND AMENDING ACT 51," was jointly offered by Representatives Nakashima, Hanohano, Berg, Bertram, Chang, Coffman and Evans.

H.C.R. No. 270, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF TAXATION UNDERTAKE A STUDY TO DETERMINE THE FEASIBILITY OF EXEMPTING FROM THE GENERAL EXCISE TAX IMPOSED UNDER CHAPTER 237, HAWAII REVISED STATUTES, LESS THAN CONTAINER LOAD SHIPPING TO THE ISLANDS OF THE COUNTY OF MAUI," was offered by Representative Carroll.

H.C.R. No. 271, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR AND THE LEGISLATURE TO REQUEST AND PROVIDE FOR SUFFICIENT FUNDING FOR THE DEPARTMENT OF HAWAIIAN HOMESTEADS," was offered by Representative Carroll.

H.C.R. No. 272, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO EXPEDITE THE REVIEW OF THE EWA DEVELOPMENT PLAN," was jointly offered by Representatives Cabanilla, Awana, McKelvey and Tsuji.

H.C.R. No. 273, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A FERRY SYSTEM FROM THE HOAKALEI RESORT AND MARINA IN EWA BEACH TO DOWNTOWN HONOLULU," was jointly offered by Representatives Cabanilla, Awana, McKelvey, M. Lee and Tsuji.

H.C.R. No. 274, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED NATIONS, AND THE CONGRESS AND PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES TO TAKE AFFIRMATIVE ACTION TO PROMOTE THE NURSING PROFESSION AND PREVENT THE EXPLOITATION OF FILIPINO NURSES," was jointly offered by Representatives Cabanilla, M. Lee, Magaoay, Mizuno, Sagum and Yamashita.

H.C.R. No. 275, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CHANGE THE REQUIRED MINIMUM NUMBER OF PERSONS CARRIED IN A MOTOR VEHICLE WHILE TRAVELING ON A HIGH OCCUPANCY VEHICLE LANE FROM THREE TO TWO PASSENGERS," was offered by Representative Har.

H.C.R. No. 276, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO ENCOURAGE EACH HOLDER OF A CONCESSION CONTRACT AT A STATE AIRPORT TO GIVE FIRST RIGHT OF REFUSAL TO LOCAL VENDORS TO SUPPLY GOODS, WARES, MERCHANDISE, AND SERVICES TO THE CONCESSION," was jointly offered by Representatives C. Lee, Nishimoto, Brower and Keith-Agaran.

H.C.R. No. 277, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ALL COUNTIES TO TAKE ADVANTAGE OF WASTE-TO-ENERGY CONVERSION TECHNOLOGY TO DISPOSE OF SOLID WASTE, RATHER THAN EXPAND OR CREATE NEW LANDFILLS," was jointly offered by Representatives C. Lee, Brower, Nishimoto, Coffman, Keith-Agaran, Nakashima, Rhoads, Wakai and Ward.

H.C.R. No. 278, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO TAKE ADVANTAGE OF WASTE-TO-ENERGY CONVERSION TECHNOLOGY TO DISPOSE OF SOLID WASTE, RATHER THAN EXPAND OR CREATE NEW LANDFILLS," was jointly offered by Representatives C. Lee, Brower and Nishimoto.

H.C.R. No. 279, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO STREAMLINE THE EVICTION PROCESS TO CONFORM TO FEDERAL GUIDELINES," was jointly offered by Representatives Cabanilla, Evans, Awana, Brower, Coffman, M. Lee, Tsuji and Ward.

H.C.R. No. 280, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO REMOVE CARE HOMES FROM THE DEFINITION OF GROUP LIVING FACILITY," was jointly offered by Representatives Cabanilla, Awana, Brower, Coffman, Evans and Tsuji.

H.C.R. No. 281, entitled: "HOUSE CONCURRENT RESOLUTION

URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO PROVIDE FAIR AND EQUAL ACCESS TO PUBLIC HOUSING BY REMOVING PREFERENCES IN THE APPLICATION PROCESS," was jointly offered by Representatives Cabanilla, Brower, Awana, Coffman and Tsuji.

H.C.R. No. 282, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO INCREASE THE MINIMUM RENT SCHEDULE," was jointly offered by Representatives Cabanilla and Awana.

H.C.R. No. 283, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO INSTITUTE A FIVE YEAR MAXIMUM STAY FOR PUBLIC HOUSING," was jointly offered by Representatives Cabanilla, Awana, Coffman, Evans, Tsuji and Ward.

H.C.R. No. 284, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING EARTH HOUR BY ENCOURAGING THE PEOPLE OF HAWAII TO TURN OFF THEIR LIGHTS FROM 8:30 P.M. TO 9:30 P.M., HAWAII STANDARD TIME, ON MARCH 28, 2009," was offered by Representative McKelvey.

H.C.R. No. 285, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO APPROVE THE UNITED STATES NATIONAL HEALTH CARE ACT," was offered by Representative Morita.

H.C.R. No. 286, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, THE DEPARTMENT OF HAWAIIAN HOME LANDS, AND THE KAUAI POLICE DEPARTMENT TO ENTER INTO A MEMORANDUM OF UNDERSTANDING REGARDING THE ENFORCEMENT OF STATE LAWS AND COUNTY ORDINANCES AT ANAHOLA AND ALIOMANU BEACH AREA," was jointly offered by Representatives Morita, Tokioka and Sagum.

H.C.R. No. 287, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE EFFECTS OF ADOPTING OBSERVANCE OF DAYLIGHT SAVINGS TIME IN HAWAII," was offered by Representative Morita.

H.C.R. No. 288, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII TO RECOGNIZE THE THIRD SATURDAY OF EVERY APRIL AS "HAWAIIAN MONK SEAL DAY" AND TO COORDINATE THE IMPLEMENTATION OF THE RECOVERY PLAN FOR THE HAWAIIAN MONK SEAL WITH THE FEDERAL AND COUNTY GOVERNMENTS," was jointly offered by Representatives Morita, Brower, C. Lee, Coffman and Keith-Agaran.

H.C.R. No. 289, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO START A PILOT PROJECT BY WORKING COLLABORATIVELY WITH THE LANDSCAPE INDUSTRY COUNCIL OF HAWAII, HAWAII FOREST INDUSTRY ASSOCIATION, FARM BUREAU FEDERATION OF HAWAII, AND CONSERVATION GROUPS TO ASSESS THE INVASIVE POTENTIAL VERSUS THE BENEFIT OF NEW AND EXISTING PLANTS AND RESTRICT THE USE AND ENTRY OF PLANTS WITH MORE RISK THAN BENEFIT," was jointly offered by Representatives Awana, Cabanilla, Carroll and Pine.

H.C.R. No. 290, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING THE ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES FOR ITS RECOMMENDATION TO IMMUNIZE ALL CHILDREN AGES SIX MONTHS THROUGH AGE EIGHTEEN BEGINNING JULY 1, 2009," was jointly offered by Representatives Awana, Cabanilla and Pine.

H.C.R. No. 291, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE OAHU METROPOLITAN PLANNING ORGANIZATION AND THE CITY AND COUNTY OF HONOLULU DEPARTMENT OF PLANNING AND PERMITTING DEVELOP A PLANNING TEMPLATE FOR ENSURING SUFFICIENT REGIONAL HIGHWAY AND ROADWAY DEVELOPMENT TO MEET THE NEEDS OF EMERGING RESIDENTIAL COMMUNITIES IN THE EWA DEVELOPMENT PLAN AND THE WAIANAE SUSTAINABLE COMMUNITIES PLAN," was jointly offered by Representatives Awana, Pine and Chong.

H.C.R. No. 292, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE LEGISLATIVE REFERENCE BUREAU CONDUCT A STUDY ON THE FEASIBILITY OF USING FACILITIES AT THE UNITED STATES NAVAL RESERVATION AT LUALUALEI FOR EMERGENCY SHELTER PURPOSES," was jointly offered by Representatives Awana, Evans, Manahan, McKelvey, Tsuji, Berg, Cabanilla, Carroll, Choy, Ito, Marumoto, Pine, Tokioka, Wakai, Wooley and Yamane.

H.C.R. No. 293, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO EDUCATE THE PUBLIC ON THE NEED FOR AN ACCURATE CENSUS COUNT FOR PURPOSES OF AN ACCURATE CONGRESSIONAL REPRESENTATION," was jointly offered by Representatives Brower, Awana, Hanohano, Mizuno, Rhoads, Wakai, Aquino, Belatti, Cabanilla, Carroll, Chang, Coffman, Evans, Herkes, Ito, Karamatsu, Keith-Agaran, M. Lee, Magaoay, McKelvey, Morita, Nishimoto, Souki, Takumi, Ward and Yamashita.

H.C.R. No. 294, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU DEPARTMENT OF TRANSPORTATION SERVICES, IN COLLABORATION WITH OTHER AGENCIES, TO ASSIST IN RESOLVING ISSUES RELATED TO HOMELESS LIVING IN ABANDONED VEHICLES," was jointly offered by Representatives Brower, Mizuno, Aquino, Awana, Berg, Bertram, Carroll, Choy, Coffman, Evans, Hanohano, Karamatsu, Keith-Agaran, M. Lee, Luke, Magaoay, McKelvey, Nishimoto, B. Oshiro, Saiki, Souki, Wakai, Ward and Yamashita.

H.C.R. No. 295, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO IDENTIFY A PLAN TO COLLECT UNADJUDICATED FINES AND TO CONSOLIDATE ITS BACKLOG OF WARRANTS," was jointly offered by Representatives Brower, Hanohano, Mizuno, Aquino, Berg, Bertram, Cabanilla, Carroll, Chong, Choy, Coffman, Evans, Ito, Karamatsu, Keith-Agaran, M. Lee, Luke, McKelvey, Nakashima, Nishimoto, B. Oshiro, Rhoads, Saiki, Souki and Wakai.

H.C.R. No. 296, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE EMMA KWOCK CHUN CORPORATION, THE STATE HISTORIC PRESERVATION OFFICE, AND THE HISTORIC HAWAII FOUNDATION TO APPLY FOR PLACEMENT OF PRESIDENT BARACK OBAMA'S PUNAHOU CIRCLE APARTMENT ON THE NATIONAL REGISTER OF HISTORIC PLACES," was jointly offered by Representatives Brower, Belatti, Keith-Agaran, M. Lee, Mizuno, B. Oshiro, Rhoads, Aquino, Awana, Berg, Bertram, Cabanilla, Carroll, Chang, Chong, Choy, Coffman, Evans, Hanohano, Herkes, Karamatsu, Luke, Magaoay, Nishimoto, Saiki, Takumi, Ward and Yamashita.

H.C.R. No. 297, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SEEK INCREASED FEDERAL FUNDING TO INITIATE MORE COMPREHENSIVE AND WIDESPREAD HEPATITIS B EDUCATION, PREVENTION, AND TREATMENT PROGRAMS IN HAWAII," was jointly offered by Representatives Brower, Carroll, Hanohano, McKelvey, Mizuno, Aquino, Awana, Belatti, Berg, Bertram, Cabanilla, Chang, Chong, Choy, Coffman, Evans, Herkes, Karamatsu, Keith-Agaran, M. Lee, Luke, Magaoay, Nakashima, Nishimoto, B. Oshiro, Saiki, Souki, Takumi, Wakai, Ward and Yamashita.

H.C.R. No. 298, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES PRESIDENT AND SENATORS AND CONGRESS MEMBERS TO ENACT LEGISLATION TO EXPEDITE IMMIGRANT VISAS FOR FAMILY REUNIFICATION OF CERTAIN FILIPINO VETERANS OF WORLD WAR II," was

offered by Representative Cabanilla.

H.C.R. No. 299, 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 Ward, Brower, Belatti, Choy, Coffman, Ito, Magaoay, Manahan, Mizuno, Saiki and Souki.

H.C.R. No. 300, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CLASSIFY KA IWI SHORELINE AS A STATE WILDERNESS PRESERVE," was jointly offered by Representatives Ward, Bertram, Ching, Hanohano, Marumoto, Awana, Cabanilla, Finnegan, Luke, Nakashima, Nishimoto and Souki.

H.C.R. No. 301, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO INVESTIGATE THE FEASIBILITY OF IMPLEMENTING A GLYCEMIC INDEX PROGRAM IN THE STATE TO LEAD THE NATION IN A GLYCEMIC INDEX LABELING INITIATIVE," was jointly offered by Representatives Ward, Aquino, Awana, Bertram, Chang, Coffman, Finnegan, Marumoto, McKelvey, Mizuno, Pine and Sagum.

H.C.R. No. 302, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO CREATE AND MAINTAIN A BIKE PATH THROUGH THE HONOLULU DOWNTOWN AREA," was jointly offered by Representatives Ward, Awana, Bertram, Ching, Finnegan, Hanohano, Marumoto, Thielen, Cabanilla, Luke, Nakashima, Nishimoto and Souki.

H.C.R. No. 303, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PEACE CORPS EXPANSION ACT OF 2009," was jointly offered by Representatives Ward, Awana, Chang, Finnegan, Marumoto, McKelvey, Mizuno, Aquino, Belatti, Bertram, Coffman, Nakashima, Pine and Sagum.

H.C.R. No. 304, entitled: "HOUSE CONCURRENT RESOLUTION CONDEMNING THE HUMAN-RIGHTS ATROCITIES AND VIOLENCE AGAINST CHILDREN IN NORTHERN UGANDA AND THE DEMOCRATIC REPUBLIC OF THE CONGO, AND URGING CONGRESS TO LEAD THE INTERNATIONAL COMMUNITY IN EFFORTS TO PROTECT THE CHILDREN OF UGANDA AND THE DEMOCRATIC REPUBLIC OF THE CONGO," was jointly offered by Representatives Ward, Finnegan, McKelvey, Mizuno, Aquino, Awana, Belatti, Bertram, Chang, Coffman, Marumoto, Nakashima, Pine and Sagum.

H.C.R. No. 305, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAI`I AT MANOA TO ESTABLISH A MUSLIMS IN ASIA RESEARCH INSTITUTE," was jointly offered by Representatives Ward, Mizuno, Bertram and Coffman.

H.C.R. No. 306, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO PROMOTE ENERGY EFFICIENCY AND REDUCE UTILITY COSTS BY REDUCING AIR CONDITIONING USAGE AT THE STATE CAPITOL," was jointly offered by Representatives Ward, Awana, Coffman, McKelvey, Mizuno, Aquino, Bertram, Nakashima and Pine.

H.C.R. No. 307, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE STATE OFFICE OF PLANNING AND PERMITTING'S PETITION TO RECLASSIFY STATE-OWNED LAND ON THE KA IWI SHORELINE FROM URBAN TO CONSERVATION, AND REQUESTING 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, McKelvey, Mizuno, Aquino, Belatti, Berg, Bertram, Finnegan and Nishimoto.

H.C.R. No. 308, entitled: "HOUSE CONCURRENT RESOLUTION URGING LANDLORDS TO HELP COMMERCIAL TENANTS MAINTAIN THEIR LEASES IN ORDER TO CONTINUE THEIR BUSINESS DURING DIFFICULT ECONOMIC TIMES," was jointly offered by Representatives Ward, Brower, Mizuno, Belatti, Coffman, Ito, Magaoay, Manahan, Saiki and Souki.

H.C.R. No. 309, entitled: "HOUSE CONCURRENT RESOLUTION DENOUNCING THE VIOLATION OF HUMAN RIGHTS IN TIBET," was jointly offered by Representatives Ward, Awana, Chang, Finnegan, McKelvey, Mizuno, Aquino, Belatti, Bertram, Coffman, Marumoto, Nakashima, Pine and Sagum.

H.C.R. No. 310, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE MAYOR OF THE CITY AND COUNTY OF HONOLULU TO NOT DECREASE THE NUMBER OF NEIGHBORHOOD BOARDS," was jointly offered by Representatives Ward, Marumoto, Mizuno, Bertram and McKelvey.

H.C.R. No. 311, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO MAKE GRADES AND HOMEWORK AVAILABLE TO PARENTS ONLINE," was jointly offered by Representatives Ward, Awana, Finnegan, McKelvey, Mizuno, Aquino, Belatti, Bertram, Chang, Coffman, Marumoto, Pine and Sagum.

H.C.R. No. 312, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAIIAN ELECTRIC COMPANY TO EXPAND IT'S "PAY-AS-YOU-SAVE" PROGRAM FOR PEOPLE WHO INSTALL SOLAR WATER HEATING SYSTEMS AND PHOTOVOLTAIC HEATING SYSTEMS," was jointly offered by Representatives Ward, Bertram, Ching, Finnegan, Hanohano, Marumoto, Thielen, Awana, Cabanilla, Luke, Nakashima, Nishimoto and Souki.

ANNOUNCEMENTS

Representative Herkes: "Thank you, Mr. Speaker. I speak for many of us here, it was worth being here to see the picture of the Chief Justice, the Governor, you, and the Senate President holding hands. "

Speaker Say: "Representative Herkes, it was at the request of the entertainer, Danny Couch."

Representative Coffman, for the Committee on Energy & Environmental Protection, requested a waiver of the 48-hour advanced notice requirement for the purpose of reconsidering prior decision-making on Senate Bill 1202, SD 2, 'Relating to Transportation Energy Initiatives' on Thursday, March 19th, 2009, at 10:35 a.m., in Conference Room 325.

Representative Coffman: "This measure is about energy-efficient vehicles. Your Committee will further amend the bill to include a grant program provision to effectuate any federal funds that may become available through the American Recovery and Reinvestment Act, or other federal initiatives. Thank you, Mr. Speaker."

Representative Ward: "Mr. Speaker, just a brief reflection, following the Representative from the Big Island. A quote from Mrs. Quinn, regarding the balance between the Majority and the Minority, was much more even back in 1959. It was the first time that some of us actually felt the difference in that historical moment. Thank you."

Representative Carroll: "Thank you, Mr. Speaker. Your Committee on Hawaiian Affairs, 9 AM hearing agenda will reconvene for decision-making at 4:30, in Room 329. Thank you."

At this time, Representative Evans 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 Pine and carried. (Representatives Souki and Takai were excused.)

At 2:11 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives stood in recess until 12:00 o'clock noon tomorrow, Thursday, March 19, 2009. (Representatives Souki and Takai were excused.)

ADJOURNMENT

At 6:00 o'clock p.m., the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, March 19, 2009.

THIRTY-SECOND DAY

Thursday, March 19, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:07 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Reverend Sky St. John of Unity Church, after which the Roll was called showing all Members present with the exception of Representatives M. Oshiro, Takai 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.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Mizuno introduced participants in the 10th Annual Hawaii State Council on Developmental Disabilities Day at the Capitol program, including Executive Director, Ms. Waynette Cabral and her staff.

Representative McKelvey introduced Ms. Caren Pantezzi, disabilities advocate with the Hawaii Families as Allies on Maui.

Representative Rhoads introduced Mr. Fetu Kolio of the Kalihi-Palama Neighborhood Board.

Representative Yamane introduced advocates, volunteers and staff of the American Cancer Society of Hawaii Pacific promoting March as National Colorectal Cancer Awareness Month, and Mr. James 'Dick' Bunker, life member of the Society's Board of Directors.

Representative Marumoto introduced 5th grade students of Wilson Elementary School. They were accompanied by their teachers, Ms. Wendy Machida and Ms. Sarah Sugimoto; and parents, Ms. Adele Choy and Ms. Patti Izon.

Representative Nakashima introduced participants involved with the Honoka'a High School Relay for Life: Ms. Angela Brandt, Honoka'a High School Student Activities Coordinator; Ms. Danica Tamaye, forestry student from Oregon; and Ms. Lyla Mah, nursing student from Humbolt State University.

Representative Evans introduced Mr. Curtis Tyler, former Hawaii County Councilman.

Representative Tokioka, on behalf of the Kauai delegation, introduced Ms. Ellen Ching and Ms. Christina Pilkington of Kauai.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	Re-referred to:
701, SD2	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
1083, SD1	Committee on Hawaiian Affairs, then to the Committee on Finance
1113, SD1	Committee on Water, Land, & Ocean Resources
1125, SD2	Committee on Labor & Public Employment, then to the Committee on Finance
1152	Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 285) was announced by the Clerk and the following action taken:

H.R. No. 285, entitled: "HOUSE RESOLUTION CONGRATULATING REYNALDO D. GRAULTY ON THE OCCASION OF HIS RETIREMENT," was offered by Representative Wakai.

Representative Wakai moved that H.R. No. 285 be adopted, seconded by Representative Brower.

Representative Wakai commended and thanked the Honorable Reynaldo D. Graulty for his many years of service as a member of the House of Representatives and the Senate, as the State Insurance Commissioner, and as a Circuit Court Judge, and congratulated him on his retirement.

Representative Brower then introduced Mr. Graulty's wife, Mrs. Gigi Graulty who was seated with him on the Floor of the House; and recognized the many friends and family seated in the gallery:

Daughters, Ms. Erinn and Ms. Stephanie Graulty;
Grandaughter, Bailee; and grandson Maddox;
Judge Graulty's staff members, Mr. Mark Chun Ming, Ms. Peggy Uehara, and Ms. Pat Yamashita;
Friend, Circuit Court Judge Michael Wilson; and
Former Insurance Commission and legislative staff members.

Representative Har also congratulated Mr. Graulty on his retirement, and thanked him for his words of encouragement.

Representative Cabanilla thanked Mr. Graulty for his service to Hawaii and thanked him for being an icon in the Filipino community.

Representative Yamane applauded both Mr. and Mrs. Graulty for their many years of serving the people of Hawaii.

The motion was put to vote by the Chair and carried, and H.R. No. 285 was adopted with Representatives Luke, M. Oshiro, Saiki, Takai and Thielen were excused.

The following resolution (H.R. No. 286) was announced by the Clerk and the following action taken:

H.R. No. 286, entitled: "HOUSE RESOLUTION RECOGNIZING AND HONORING THE U.S. SMALL BUSINESS ADMINISTRATION'S DEDICATION TO THE SMALL BUSINESS COMMUNITY," was offered by Representative Choy.

Representative Choy moved that H.R. No. 286 be adopted, seconded by Representative McKelvey.

Representatives Choy and McKelvey introduced the U.S. Small Business Administration 2009 Awardees for Hawaii who were seated on the Floor of the House:

Mr. Michael Fairall, Owner and Principal of Mokulua Woodworking, Ltd., the 2009 Young Entrepreneur of the Year;

Mr. Richard Xie, President of Hawaiian Sealife Inc., the 2009 Small Exporter of the Year;

Ms. Jayne Kim and Ms. June Arakawa, along with husbands, Mr. Jay Kim and Mr. Shuichi Arakawa, owners of Eki Cyclery, the 2009 Family-Owned Small Business of the Year;

Ms. Naomi Hazelton Giambrone, founder of Pacific Edge Magazine, the 2009 Small Business Journalist of the Year;

Ms. Judy Arayanado, Work & Family Life coordinator for the Pearl Harbor Fleet & Family Support Center, the 2009 Veteran's Business Champion of the Year;

Mr. Timothy Moore, along with partners Mr. Michael Moore and Mr. Robert Aguiar of Old Lahaina Luau & Aloha Mixed Plate, the 2009 Entrepreneurial Success of the Year;

Ms. Melissa Pavlicek, founder and President of the Hawaii Public Policy Advocates, the 2009 Women in Business Champion of the Year;

Ms. Jean Jeremiah of the SCORE Association, the 2009 Financial Services Champion of the Year;

Ms. Barbara Haliniak, founder of Business Depot Inc., and Chair of the Molokai Chamber of Commerce, the 2009 Minority Small Business Champion of the Year;

Ms. Agnes Reyes, President of Case Management Professionals, Inc., the 2009 Home-Based Business Champion of the Year; and

Mr. Vaughn Vasconcellos, President and Chief Executive Officer of Akimeka LLC, the 2009 Small Business Person of the Year. Mr. Vasconcellos was represented by Mr. Phil Kahue of Akimeka LLC.

Representative McKelvey then recognized the many friends and family who were seated in the gallery.

The motion was put to vote by the Chair and carried, and H.R. No. 286 was adopted with Representatives Ching, Luke, Saiki, Takai and Thielen being excused.

At 12:40 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 Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1005) recommending that S.B. No. 1142, SD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1142, SD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations, and I will reserve my comments for later."

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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1142, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Chang, Luke, Mizuno, Saiki, Souki, Takai and Thielen being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1006) recommending that S.B. No. 930, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 930, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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 S.B. 930 - Relating to Volunteer Medical Assistance Services. I am currently concerned that the lack of coverage for professional liability may mean that valuable healthcare workers will not participate as State volunteers. This measure would provide immunity from liability and coverage of medical expenses for licensed medical personnel providing volunteer services in non-emergency situations, such as school-based immunization clinics, on behalf of the State or a county.

"The University of Hawaii states in their testimony that "The University of Hawaii Manoa supports the intent of S.B. 930, which provides protections to healthcare workers volunteering emergency services that are consistent with Good Samaritan practices elsewhere, provided it does not adversely affect our UH priorities as set in our budget request, most notably in health and safety repairs and maintenance issues. Addressing these urgent needs is critical to our ability to perform our core mission for the State of Hawaii." And "We believe S.B. 930 will protect those healthcare workers who come to the aid of their community in times of crises anywhere in Hawaii. The bill also strikes a balance with patients rights, in that it does not diminish the legal rights of those who were inadvertently harmed when assisted by such volunteers given there is willful or criminal misconduct, gross negligence or reckless misconduct." 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. 930, HD 1, 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 Chang, Luke, Mizuno, Saiki, Souki, Takai and Thielen being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1007) recommending that S.B. No. 777, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 777, SD 1, HD 1, pass Second Reading and be referred to the Committee on Education, seconded by Representative Evans.

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 rise in opposition to S.B. 777 - Relating to Comprehensive Sexuality Health Education. I believe that this bill is

unnecessary because the current sexual education curricula being taught by the State is accurate and appropriate. The Department of Health states in their testimony that "Information currently provided by State-funded DOH programs regarding sexual health education, family planning, pregnancy counseling, and sexually transmitted diseases, including Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome, is medically accurate, based on scientific fact, and is age appropriate. This bill is unnecessary because as part of the contracting process, program materials are reviewed by DOH on a regular basis, and inaccurate information would be corrected at this time."

"The Hawaii Family Forum, which is a non-profit, pro-family education organization committed to preserving and strengthening families in Hawaii, states "S.B.777 is an unnecessarily punitive measure, which will de-fund successful local abstinence programs for Hawaii's youth." I agree with the Hawaii Family Forum and would like to see the continuation of such programs as "Try Wait." Catholic Charities Hawaii has operated this successful federally funded abstinence program, which is a medically accurate abstinence-only program. Thank you."

Representative M. 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 M. Lee's written remarks are as follows:

"Mr. Speaker, although I supported the original version of this bill I have to vote with reservations on the HD1. I have to vote with reservations because the purpose of this bill was changed from requiring "any recipient of state funding that provides sexuality health education to provide medically accurate, factual, and comprehensive information that is age appropriate and includes education on abstinence and contraception," to requiring "any recipient of state funding <u>specifically for sexuality health education</u> programs to provide medically accurate, factual, and comprehensive information that is age appropriate and includes education on abstinence and contraception."

"Mr. Speaker this change does not accomplish the goal that this bill set out to accomplish. It still allows funding to programs that do not provide comprehensive sexuality education to our children and does not change the current status quo. For this reason Mr. Speaker, I am voting with reservations on SB777 SD1 HD1."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 777, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE SEXUALITY HEALTH EDUCATION," passed Second Reading and was referred to the Committee on Education with Representatives Ching and Finnegan voting no, and with Representatives Chang, Luke, Mizuno, Saiki, Souki, Takai and Thielen being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1008) recommending that S.B. No. 809, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 809, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Luke, Mizuno, Saiki, Souki, Takai and Thielen being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1009) recommending that S.B. No. 1668, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1668, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Luke, Mizuno, Saiki, Souki, Takai and Thielen being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1010) recommending that S.B. No. 108, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 108, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Luke, Mizuno, Saiki, Souki, Takai and Thielen being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1011) recommending that S.B. No. 535, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 535, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Luke, Mizuno, Saiki, Souki, Takai and Thielen being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1012) recommending that S.B. No. 843, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 843, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Luke, Mizuno, Saiki, Souki, Takai and Thielen being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1013) recommending that S.B. No. 912, SD 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 912, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PERMANENCY HEARINGS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Luke, Mizuno, Saiki, Souki, Takai and Thielen being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1014) recommending that S.B. No. 109, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 109, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR JUVENILES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Luke, Mizuno, Saiki, Souki, Takai and Thielen being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1015) recommending that S.B. No. 851, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 851, 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 Chang, Luke, Mizuno, Saiki, Souki, Takai and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1016) recommending that S.B. No. 504, SD 2, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 504, SD 2, 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 Chang, Luke, Mizuno, Saiki, Souki, Takai and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1017) recommending that S.B. No. 713, SD 2, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 713, SD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EMERGENCY ENVIRONMENTAL WORKFORCE," passed Second Reading and was referred to the Committee on Higher Education with Representatives Chang, Luke, Mizuno, Saiki, Souki, Takai and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1018) recommending that S.B. No. 942, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 942, SD 1, entitled: "A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Luke, Mizuno, Saiki, Souki, Takai and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1019) recommending that S.B. No. 1046, SD 1, pass Second Reading and be referred to the Committee on Health.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1046, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PROFESSIONAL EDUCATION," passed Second Reading and was referred to the Committee on Health with Representatives Chang, Luke, Mizuno, Saiki, Souki, Takai and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1020), recommending that H.R. No. 46, as amended in HD 1, be referred to the Committee on Tourism, Culture, & International Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 46, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF EDUCATION TO UNDERTAKE EFFORTS TO INTEGRATE ADDITIONAL INTERNATIONAL AFFAIRS AND GLOBAL EDUCATION COURSEWORK INTO ITS CURRICULUM," was referred to the Committee on Tourism, Culture, & International Affairs with Representatives Chang, Luke, Mizuno, Saiki, Souki, Takai and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1021), recommending that H.C.R. No. 58, as amended in HD 1, be referred to the Committee on Tourism, Culture, & International Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 58, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF EDUCATION TO UNDERTAKE EFFORTS TO INTEGRATE ADDITIONAL INTERNATIONAL AFFAIRS AND GLOBAL EDUCATION COURSEWORK INTO ITS CURRICULUM," was referred to the Committee on Tourism, Culture, & International Affairs with Representatives Chang, Luke, Mizuno, Saiki, Souki, Takai and Thielen being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1022), recommending that H.C.R. No. 92, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 92, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY, SHERIFF DIVISION, AND TO REPORT ON THE SUITABILITY OF THE ADMINISTRATIVE ORGANIZATION OF THE DEPARTMENT OF PUBLIC SAFETY AND SHERIFF DIVISION," was referred to the Committee on Legislative Management with Representatives Chang, Luke, Mizuno, Saiki, Souki, Takai and Thielen being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering a certain Senate bill for Third Reading by consent calendar. (Representatives Chang, Luke, Mizuno, Saiki, Souki, Takai and Thielen were excused.)

THIRD READING

S.B. No. 412:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 412, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Third Reading by a vote of 44 ayes, with Representatives Chang, Luke, Mizuno, Saiki, Souki, Takai and Thielen being excused.

At 12:59 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 412

ADJOURNMENT

At 12:59 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, March 20, 2009. (Representatives Chang, Luke, Mizuno, Saiki, Souki, Takai and Thielen were excused.)

THIRTY-THIRD DAY

Friday, March 20, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:05 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Reverend Arthur J. Kaufman of Aiea Hongwanji, after which the Roll was called showing all Members present with the exception of Representatives McKelvey, Takai and Thielen, 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 Ito introduced Colonel Gene Castagnetti, Director of the Punchbowl Veterans Cemetery.

Representative Finnegan introduced Ms. Claire Tamamoto from the Aiea Community Association.

Representative Cabanilla introduced nursing educators from the University of the Philippines College of Nursing: Dean Josefina A. Tuazon, Professor Araceli O. Balabagno, Professor Cora A. Anonuevo, Professor Luz Barbara Dones, Professor Lydia T. Manahan, Professor Bethel Buena Villarta, Professor Sheila Bonito and Ms. Efrelyn Iellamo. They were accompanied by leaders of the Filipino Nurses Organization of Hawaii, President Josie Rojas, Immediate Past President Nancy Walch, and Vice President Elsa Talavera.

Representative Mizuno introduced Mrs. Terry Kaide, Retired Chief Clerk of the Third Circuit Court, her daughters, Ms. Charlotte Kaide and Ms. Gail Sakaguchi, and grandson, Mr. Evan Sakaguchi, who were accompanied by his legislative aide, Ms. Arianne Cameros.

Representative Har introduced Mr. George Hurd, friend, constituent and cameraman for KGMB.

Representative Luke introduced Representative Nishimoto's mother, Mrs. Pat Nishimoto.

Representative Finnegan introduced Mr. Jess Bradfield, a student from BYU-Hawaii, who was accompanied by her legislative aide, Mr. Richard Fale.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R. Nos.	Referred to:
118	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
119	Committee on Health, then to the Committee on Finance
120	Committee on Water, Land, & Ocean Resources, then to the Committee on Legislative Management
121	Committee on Hawaiian Affairs, then to the Committee on Tourism, Culture, & International Affairs
122	Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Judiciary
123	Committee on Public Safety, then to the Committee on Legislative Management
124	Committee on Public Safety, then to the Committee on Finance
125	Committee on Human Services
126	Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance
127	Committee on Health, then to the Committee on Finance
128	Committee on Consumer Protection & Commerce
129	Committee on Transportation
130	Committee on Water, Land, & Ocean Resources
131	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
132	Committee on Public Safety, then to the Committee on Health
133	Committee on Hawaiian Affairs, then to the Committee on Finance
134	Committee on Hawaiian Affairs, then to the Committee on Agriculture
135	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
136	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
137	Committee on Tourism, Culture, & International Affairs
138	Committee on Tourism, Culture, & International Affairs, then to the Committee on Water, Land, & Ocean Resources
139	Committee on Higher Education
140	Committee on Housing, then to the Committee on Consumer Protection & Commerce
141	Committee on Agriculture, then to the Committee on Finance
142	Committee on Education, then to the Committee on Water, Land, & Ocean Resources
143	Committee on Water, Land, & Ocean Resources
144	Committee on Judiciary
145	Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance
146	Committee on Water, Land, & Ocean Resources
147	Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, then to the Committee on Finance
148	Committee on Water, Land, & Ocean Resources

149 Committee on Transportation, then to the Committee on Water, Land, & Ocean Resources

150 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

151 Committee on Energy & Environmental Protection

152 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

153 Committee on Health, then to the Committee on Consumer Protection & Commerce

154 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection

155 Committee on Consumer Protection & Commerce, then to the Committee on Finance

156 Committee on Education, then to the Committee on Economic Revitalization, Business, & Military Affairs

157 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

158 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

159 Committee on Energy & Environmental Protection, then to the Committee on Finance

160 Committee on Energy & Environmental Protection, then to the Committee on Education

161 Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management, then to the Committee on Finance

162 Committee on Public Safety, then to the Committee on Legislative Management, then to the Committee on Finance

163 Committee on Higher Education, then to the Committee on Health, then to the Committee on Finance

164 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

165 Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

166 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

167 Committee on Housing, then jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Legislative Management

168 Committee on Labor & Public Employment, then to the Committee on Finance

169 Committee on Legislative Management, then to the Committee on Finance

170 Committee on Energy & Environmental Protection, then to the Committee on Legislative Management, then to the Committee on Finance

171 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Legislative Management

172 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

173 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources

174 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

175 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

176 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

177 Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

178 Committee on Energy & Environmental Protection, then to the Committee on Finance

179 Committee on Water, Land, & Ocean Resources, then to the Committee on Transportation

180 Jointly to the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Finance

181 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

182 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

183 Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources

184 Committee on Health, then to the Committee on Finance

185 Committee on Health

186 Committee on Public Safety, then to the Committee on Finance

187 Committee on Higher Education, then to the Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

188 Committee on Consumer Protection & Commerce, then to the Committee on Finance

189 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

190 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

191 Committee on Water, Land, & Ocean Resources, then to the Committee on Agriculture

192 Committee on Tourism, Culture, & International Affairs

193 Committee on Water, Land, & Ocean Resources, then to the Committee on Tourism, Culture, & International Affairs

194 Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources

195 Committee on Health, then to the Committee on Finance

196 Committee on Transportation, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

197 Committee on Transportation, then to the Committee on Consumer Protection & Commerce

198 Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

199 Committee on Higher Education, then to the Committee on Finance

200 Committee on Water, Land, & Ocean Resources, then to the Committee on Higher Education, then to the Committee on Finance

201 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

202 Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

203 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

204 Committee on Agriculture, then jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources

205 Committee on Education, then to the Committee on Finance

206 Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance

207 Committee on Water, Land, & Ocean Resources, then to the Committee on Transportation, then to the Committee on Finance

208 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

209 Committee on Human Services, then to the Committee on Finance

210 Committee on Tourism, Culture, & International Affairs

211 Jointly to the Committee on Higher Education and the Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

212 Committee on Health, then to the Committee on Finance

213 Committee on Transportation, then to the Committee on Judiciary

214 Committee on Human Services, then to the Committee on Education

215 Committee on Agriculture, then to the Committee on Health

216 Committee on Finance

217 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

218 Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Health

219 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

220 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

221 Committee on Public Safety, then to the Committee on Legislative Management

222 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

223 Committee on Tourism, Culture, & International Affairs, then to the Committee on Transportation

224 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

225 Committee on Water, Land, & Ocean Resources

226 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

227 Committee on Transportation, then to the Committee on Judiciary

228 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

229 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

230 Jointly to the Committee on Health and the Committee on Higher Education, then to the Committee on Finance

231 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

232 Committee on Hawaiian Affairs, then to the Committee on Finance

233 Committee on Education, then to the Committee on Finance

234 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

235 Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

236 Committee on Energy & Environmental Protection, then to the Committee on Housing

237 Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection and the Committee on Higher Education, then to the Committee on Judiciary

238 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary

239 Committee on Education, then to the Committee on Finance

240 Committee on Transportation, then to the Committee on Finance

241 Committee on Hawaiian Affairs, then to the Committee on Finance

242 Committee on Legislative Management

243 Committee on Water, Land, & Ocean Resources, then to the Committee on Agriculture

244 Committee on Transportation, then to the Committee on Finance

245 Committee on Health, then to the Committee on Tourism, Culture, & International Affairs

246 Committee on Transportation, then to the Committee on Judiciary

247 Committee on Transportation, then to the Committee on Economic Revitalization, Business, & Military Affairs

248 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

249 Committee on Judiciary

250 Committee on Tourism, Culture, & International Affairs

251 Committee on Housing, then to the Committee on Judiciary

252 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Water, Land, & Ocean Resources

253 Committee on Housing, then to the Committee on Finance

254 Committee on Housing, then to the Committee on Finance

255 Committee on Housing, then to the Committee on Finance

256 Committee on Energy & Environmental Protection

257 Committee on Health, then to the Committee on Consumer Protection & Commerce

258 Committee on Water, Land, & Ocean Resources, then to the Committee on Hawaiian Affairs, then to the Committee on Judiciary

259 Committee on Energy & Environmental Protection, then to the Committee on Legislative Management

260 Committee on Water, Land, & Ocean Resources

261 Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

262 Committee on Health, then to the Committee on Finance

263 Committee on Transportation, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

264 Committee on Public Safety, then to the Committee on Legislative Management, then to the Committee on Finance

265 Committee on Judiciary

266 Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Transportation, then to the Committee on Judiciary

267 Committee on Public Safety, then to the Committee on Judiciary, then to the Committee on Finance

268 Committee on Tourism, Culture, & International Affairs, then to the Committee on Water, Land, & Ocean Resources

269 Committee on Health, then to the Committee on Finance

270 Committee on Human Services, then to the Committee on Economic Revitalization, Business, & Military Affairs

271 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

272 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

273 Committee on Health, then to the Committee on Finance

274 Committee on Transportation, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

275 Committee on Human Services, then to the Committee on Tourism, Culture, & International Affairs

276 Committee on Human Services, then to the Committee on Tourism, Culture, & International Affairs

277 Committee on Higher Education, then to the Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

278 Committee on Energy & Environmental Protection, then to the Committee on Finance

279 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

280 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary

281 Committee on Human Services, then to the Committee on Tourism, Culture, & International Affairs

282 Committee on Judiciary, then to the Committee on Finance

283 Committee on Education, then to the Committee on Finance

284 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

H.C.R. Nos. **Referred to:**

147 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance

148 Committee on Health, then to the Committee on Finance

149 Committee on Water, Land, & Ocean Resources, then to the Committee on Legislative Management

150 Committee on Hawaiian Affairs, then to the Committee on Tourism, Culture, & International Affairs

151 Committee on Labor & Public Employment, then to the Committee on Finance

152 Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Judiciary

153 Committee on Public Safety, then to the Committee on Legislative Management

154 Committee on Public Safety, then to the Committee on Finance

155 Committee on Judiciary

156 Committee on Health

157 Committee on Human Services

158 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

159 Committee on Health, then to the Committee on Finance

160 Committee on Health, then to the Committee on Tourism, Culture, & International Affairs

161 Committee on Consumer Protection & Commerce

162 Committee on Transportation

163 Committee on Water, Land, & Ocean Resources

164 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

165 Committee on Public Safety, then to the Committee on Health

166 Committee on Hawaiian Affairs, then to the Committee on Finance

167 Committee on Hawaiian Affairs, then to the Committee on Agriculture

168 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

169 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

170 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

171 Jointly to the Committee on Tourism, Culture, & International Affairs and the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

172 Committee on Education

173 Committee on Tourism, Culture, & International Affairs

174 Committee on Tourism, Culture, & International Affairs, then to the Committee on Water, Land, & Ocean Resources

175 Committee on Higher Education

176 Committee on Housing, then to the Committee on Consumer Protection & Commerce

177 Committee on Agriculture, then to the Committee on Finance

178 Committee on Education, then to the Committee on Water, Land, & Ocean Resources

179 Committee on Water, Land, & Ocean Resources

180 Committee on Judiciary

181 Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance

182 Committee on Water, Land, & Ocean Resources

183 Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, then to the Committee on Finance

184 Committee on Water, Land, & Ocean Resources

185 Committee on Transportation, then to the Committee on Water, Land, & Ocean Resources

186 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

187 Committee on Health, then to the Committee on Consumer Protection & Commerce

188 Committee on Health, then to the Committee on Legislative Management, then to the Committee on Finance

189 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection

190 Committee on Consumer Protection & Commerce, then to the Committee on Finance

191 Committee on Education, then to the Committee on Economic Revitalization, Business, & Military Affairs

192 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Legislative Management, then to the Committee on Finance

193 Committee on Finance

194 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

195 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

196 Committee on Energy & Environmental Protection, then to the Committee on Finance

197 Committee on Energy & Environmental Protection, then to the Committee on Education

198 Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management, then to the Committee on Finance

199 Committee on Public Safety, then to the Committee on Legislative Management, then to the Committee on Finance

200 Committee on Public Safety, then to the Committee on Legislative Management, then to the Committee on Finance

201 Committee on Higher Education, then to the Committee on Health, then to the Committee on Finance

202 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

203 Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

204 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

205 Committee on Housing, then jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Legislative Management

206 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Legislative Management, then to the Committee on Finance

207 Committee on Labor & Public Employment, then to the Committee on Finance

208 Jointly to the Committee on Transportation and the Committee on Energy & Environmental Protection, then to the Committee on Finance

209 Committee on Energy & Environmental Protection, then to the Committee on Legislative Management, then to the Committee on Finance

210 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Legislative Management

211 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

212 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources

213 Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources

214 Committee on Health, then to the Committee on Finance

215 Committee on Health

216 Committee on Public Safety, then to the Committee on Finance

217 Jointly to the Committee on Higher Education and the Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

218 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

219 Committee on Consumer Protection & Commerce, then to the Committee on Finance

220 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

221 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

222 Committee on Water, Land, & Ocean Resources, then to the Committee on Agriculture

223 Committee on Health, then to the Committee on Legislative Management, then to the Committee on Finance

224 Committee on Tourism, Culture, & International Affairs

225 Committee on Water, Land, & Ocean Resources, then to the Committee on Tourism, Culture, & International Affairs

226 Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources

227 Committee on Transportation, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

228 Committee on Transportation, then to the Committee on Consumer Protection & Commerce

229 Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

230 Committee on Higher Education, then to the Committee on Finance

231 Committee on Water, Land, & Ocean Resources, then to the Committee on Higher Education, then to the Committee on Finance

232 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

233 Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

234 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

235 Committee on Agriculture, then jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources

236 Committee on Education, then to the Committee on Finance

237 Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance

238 Committee on Water, Land, & Ocean Resources, then to the Committee on Transportation, then to the Committee on Finance

239 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

240 Committee on Human Services, then to the Committee on Finance

241 Committee on Tourism, Culture, & International Affairs

242 Jointly to the Committee on Higher Education and the Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

243 Committee on Human Services, then to the Committee on Public Safety

244 Committee on Health, then to the Committee on Finance

245 Committee on Transportation, then to the Committee on Judiciary

246 Committee on Human Services, then to the Committee on Education

247 Committee on Finance

248 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

249 Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Health

250 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

251 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

252 Committee on Public Safety, then to the Committee on Legislative Management

253 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

254 Committee on Tourism, Culture, & International Affairs, then to the Committee on Transportation

255 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

256 Committee on Water, Land, & Ocean Resources, then to the Committee on Economic Revitalization, Business, & Military Affairs

257 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

258 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

259 Jointly to the Committee on Health and the Committee on Higher Education, then to the Committee on Finance

260 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

261 Committee on Hawaiian Affairs, then to the Committee on Finance

262 Committee on Finance

263 Committee on Education, then to the Committee on Finance

264 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

265 Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

266 Committee on Energy & Environmental Protection, then to the Committee on Housing

267 Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection and the Committee on Higher Education, then to the Committee on Judiciary

268 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary

269 Committee on Education, then to the Committee on Finance

270 Committee on Transportation, then to the Committee on Finance

271 Committee on Hawaiian Affairs, then to the Committee on Finance

272 Committee on Water, Land, & Ocean Resources, then to the Committee on Agriculture

273 Committee on Transportation, then to the Committee on Finance

274 Committee on Health, then to the Committee on Tourism, Culture, & International Affairs

275 Committee on Transportation, then to the Committee on Judiciary

276 Committee on Transportation, then to the Committee on Economic Revitalization, Business, & Military Affairs

277 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

278 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

279 Committee on Housing, then to the Committee on Judiciary

280 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Water, Land, & Ocean Resources

281 Committee on Housing, then to the Committee on Finance

282 Committee on Housing, then to the Committee on Finance

283 Committee on Housing, then to the Committee on Finance

284 Committee on Energy & Environmental Protection

285 Committee on Health, then to the Committee on Consumer Protection & Commerce

286 Committee on Water, Land, & Ocean Resources, then to the Committee on Hawaiian Affairs, then to the Committee on Judiciary

287 Committee on Energy & Environmental Protection, then to the Committee on Legislative Management

288 Committee on Water, Land, & Ocean Resources

289 Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

290 Committee on Health, then to the Committee on Finance

291 Committee on Transportation, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

292 Committee on Public Safety, then to the Committee on Legislative Management, then to the Committee on Finance

293 Committee on Judiciary

294 Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Transportation, then to the Committee on Judiciary

295 Committee on Public Safety, then to the Committee on Judiciary, then to the Committee on Finance

296 Committee on Tourism, Culture, & International Affairs, then to the Committee on Water, Land, & Ocean Resources

297 Committee on Health, then to the Committee on Finance

298 Committee on Human Services, then to the Committee on Economic Revitalization, Business, & Military Affairs

299 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

300 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

301 Committee on Health, then to the Committee on Finance

302 Committee on Transportation, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

303	Committee on Human Services, then to the Committee on Tourism, Culture, & International Affairs
304	Committee on Human Services, then to the Committee on Tourism, Culture, & International Affairs
305	Committee on Higher Education, then to the Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance
306	Committee on Energy & Environmental Protection, then to the Committee on Finance
307	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
308	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary
309	Committee on Human Services, then to the Committee on Tourism, Culture, & International Affairs
310	Committee on Judiciary, then to the Committee on Finance
311	Committee on Education, then to the Committee on Finance
312	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

S.C.R. Nos.	**Referred to:**
24, SD1	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Water, Land, & Ocean Resources
33, SD1	Committee on Economic Revitalization, Business, & Military Affairs
42	Committee on Tourism, Culture, & International Affairs, then to the Committee on Water, Land, & Ocean Resources
47, SD1	Committee on Economic Revitalization, Business, & Military Affairs

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	**Re-referred to:**
591, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Finance
917, SD2	Committee on Finance
1164, SD2, HD1	Committee on Education, then to the Committee on Finance

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 287) was announced by the Clerk and the following action taken:

H.R. No. 287, entitled: "HOUSE RESOLUTION COMMENDS AND CONGRATULATES LEIMOMI MO'OKINI LUM FOR OUTSTANDING SERVICES IN PERPETUATING HAWAII'S ANCIENT CULTURAL HERITAGE," was offered by Representative Souki.

Representative Souki moved that HR. No. 287 be adopted, seconded by Representative Chang.

Representative Souki introduced the honoree, Mrs. Leimomi Mo'okini Lum, who was seated on the Floor of the House, and commended her for her work in perpetuating the cultural heritage of the Mo'okini Hei'au on the Big Island.

Representative Evans further recognized Mrs. Lum and applauded her for her Children's Day Program at the Hei'au.

Representative Yamane further acknowledged and thanked Mrs. Lum for helping him to name his youngest son.

The motion was put to vote by the Chair and carried, and H.R. No. 287 was adopted with Representatives McKelvey, Saiki, Takai, Thielen and Tokioka being excused.

The following resolution (H.R. No. 288) was announced by the Clerk and the following action taken:

H.R. No. 288, entitled: "HOUSE RESOLUTION CONGRATULATING UNIVERSITY OF HAWAII 2008-2009 CHEER SQUAD CHEERLEADING CHAMPIONS OF RAH! PAULA ABDUL'S CHEERLEADING BOWL," was jointly offered by Representatives Brower, Awana, Hanohano, Karamatsu, C. Lee, McKelvey, Mizuno, B. Oshiro, Aquino, Berg, Bertram, Choy, Coffman, Evans, Herkes, Ito, Keith-Agaran, M. Lee, Magaoay, Nakashima, Nishimoto, Saiki, Souki, Takumi, Wakai and Yamashita.

Representative Brower moved that HR. No. 288 be adopted, seconded by Representative Wakai.

Representative Brower congratulated the University of Hawaii Cheer Squad for capturing first place in the inaugural RAH! Paula Abdul's Cheerleading Bowl, a nationwide cheerleading competition, and recognized the members seated on the Floor of the House:

Mr. Michael Barker;
Ms. Pualani Castagnetti;
Mr. Christoff Elster;
Ms. Liz Hamann;
Mr. Kelvin Lam;
Mr. George McGuire;
Mr. David Morgan; and
Mr. Mateo Salado, Assistant Coach.

Representative Brower also recognized guests seated in the gallery:

Ms. Haley Collins;
Ms. Vanessa Bader; and
Col. Gene Castagnetti.

Representative Wakai acknowledged and recognized Head Coach Mike Baker for his outstanding work in leading the team.

The motion was put to vote by the Chair and carried, and H.R. No. 288 was adopted with Representatives McKelvey, Saiki, Takai 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 12:45 o'clock p.m., with the Speaker presiding.

STANDING COMMITTEE REPORTS

At this time, the Chair addressed the Members, stating:

"Members, at this time it's 12:46 p.m., and I would like this Chamber to finish by 1:00 for the Majority Caucus, and then 2:00 for the Committee on Education to proceed on with their business. We have 16 pages to go through on Second Reading or being referred to Committees."

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1023) recommending that S.B. No. 442, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 442, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIT ORIENTED DEVELOPMENT," passed Second Reading and was referred jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1024) recommending that S.B. No. 477, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 477, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT RETENTION OF ATTORNEYS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1025) recommending that S.B. No. 1215, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1215, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATING TO RESIDENCE REQUIREMENTS FOR MEMBERS OF THE LEGISLATURE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1026) recommending that S.B. No. 602, SD 2, pass Second Reading and be referred to the Committee on Hawaiian Affairs.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 602, SD 2, pass Second Reading and be referred to the Committee on Hawaiian Affairs, seconded by Representative Evans.

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, on 1026, Senate Bill 602, Senate Draft 2, I have some reservations. This bill would take up to $1 million a year from the Works of Art Special Fund, to allow Bishop Museum and Iolani Palace to purchase art. This would happen for two years, so it would be up to $2 million.

"While I have no problem helping the museum and Iolani Palace, I question whether we should take the money out of this particular Fund. The Works of Art Special Fund generally purchases contemporary art from local living artists. So, the mission of the State Foundation of Culture and Arts and the two institutions are quite different. Remember, local living artists are small business people and are very vulnerable to economic downturns. The purpose clause states that any loss could result in a loss of 2,357 jobs.

"So, because the arts community is a very vibrant community, I'm wondering whether we should take any money out of the Fund at this time. So, just wanted to express my reservations. 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. 602, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ARTS," passed Second Reading and was referred to the Committee on Hawaiian Affairs with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1027) recommending that S.B. No. 1334, SD 2, pass Second Reading and be referred to the Committee on Hawaiian Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1334, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN MUSIC AND DANCE," passed Second Reading and was referred to the Committee on Hawaiian Affairs with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1028) recommending that S.B. No. 774, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 774, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," passed Second Reading and was referred to the Committee on Education with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1029) recommending that S.B. No. 1223, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1223, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MADE PRODUCTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1030) recommending that S.B. No. 1179, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1179, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Education with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1031) recommending that S.B. No. 178, SD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 178, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING," passed Second Reading and was referred to the Committee on Energy & Environmental Protection with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1032) recommending that S.B. No. 799, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 799, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CLARIFY THE SELECTION OF THE STUDENT MEMBER OF THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1033) recommending that S.B. No. 733, SD 2, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 733, SD 2, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

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. 733, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1034) recommending that S.B. No. 121, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 121, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS ACT," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1035) recommending that S.B. No. 427, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 427, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1036) recommending that S.B. No. 230, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 230, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RIGHTS OF VICTIMS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1037) recommending that S.B. No. 301, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 301, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGISTERED AGENTS ACT," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1038) recommending that S.B. No. 190, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 190, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'll try to be brief. In support of Stand. Com. Report 1038. Mr. Speaker, this bill came along, Senate Bill 190, because someone who was married for 63 years, was unfortunately forced to be separated from her husband. This person is Terry Kaide. She's 86 years old, and she's a retired Clerk of the Third Circuit Court in Hilo.

"Her husband, Sydney, age 89, is a retired contractor, and they've been married for 63 years. Sydney is bedridden and diagnosed with bladder cancer. He's suffered some strokes, and so he's unable to talk, but Terry stays at his side, whenever she can. And, this is her words: 'Although he's unable to talk, he's tube-fed, he can see me, hear me, feel my touch. When he hears or sees people that are familiar to him, he's so overcome with joy and emotions. I want to live with my husband before the Lord takes us home. We don't have too much time left. I want to be able to wake up and see his face every morning, hold his hand, and sing his favorite songs. I miss him all the time, and I just want to be at his side. I want to hold his hand for more than an hour or two each day. In my silence, I'm suffering from hurt, guilt, confusion, and the injustice to my marriage.'

"Mr. Speaker, this bill came along because Terry Kaide wanted to do something about this. And, because of that, we passed out of your Human Services Committee, a bill to address that. The underlying laws actually have a good rationale. We want to have in a foster home two Medicaid clients and one private pay. The rationale is to have more Medicare low income families be allowed to live or reside in a care home.

"Unfortunately, it's not an airtight and perfect law, and this is the perfect example why. Because of Mrs. Kaide, we passed a law out of our committee, with the Department of Human Services helping us craft this piece of legislation to now allow a married couple, this would be the exception to the rule now, now you can have another private pay if you have a married couple, such as Terry and Sydney. This will also allow reciprocal beneficiary couples to be together. This will also allow siblings, and a parent or child, as well as best friends to be together.

"So, because of Mrs. Kaide and her steadfast commitment to this, she has opened her door to so many other people, so that they can live together. I just wanted to thank Mrs. Kaide, and let the people out there know that some of the best pieces of legislation are not crafted by the legislators themselves, but the people from the community. I totally support this bill, Mr. Speaker. Thank you, very much."

Representative Ward rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I also rise in support of Senate Bill 190. And out of respect for the lady who came all the way from Hilo and her daughters all the way from California, Mr. Speaker.

"This bill puts common sense back into government. It says that if you're married, you can live together. And, I think it's true to what

marriage vows say, that not, 'until sickness do we part,' but, 'not until death do we part.' Mr. Speaker, I would like to request submittal of this letter from the Governor, to Mrs. Kaide, that says that if we pass it, she will sign it, and as the request from Mrs. Kaide, upon her husband's birthday, April 11th, this could become law. That's what the goal is, that's what we're hoping for. Thank you, for your indulgence."

Representative Ward submitted the following letter from the Governor:

"February 18,2009

Ms. Charlotte Kaide
Ms. Gale Sakaguchi

Aloha Ms. Kaide and Ms. Sakaguchi,

Mahalo for writing me regarding your mother's request to join your father in an adult community care foster home. I understand that your father is too frail to move into another facility at this time. I regret that the current law does not enable me to give you the result you seek.

As you may know, the State Department of Human Services licenses and regulates adult foster homes so low-income Medicaid clients can receive long-term care in family-like residential settings, as opposed to institutional hospitals and nursing homes.

Because there is a significant shortage of adult foster homes for Medicaid recipients, the law stipulates that no more than one private pay client can live in these two- or three-bed facilities.

Under Senate Bill 190, however, a couple who are private pay clients could live together in an adult foster home under certain conditions. My Administration opposed the original version of this bill, but is now working with the State Legislature on modifications that would apply to your situation.

If the House and Senate approve the amended bill in a timely manner, my policy advisors and I will give it careful consideration and I could sign it into law as early as April.

I hope this information is helpful. I also wish you and your family all the best as you strive to find a long-term care solution for your parents.

Sincerely,
/s/
LINDA LINGLE"

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:

"Mr. Speaker, I am in strong support of SB190, SD1, HD1, Relating to Community Care Foster Homes. I am a Hilo resident and friend of Mr. & Mrs. Sydney Kaide who, along with their children, are proponents of the measure. I sympathize and understand their plight as a married couple unable to live in the same community care foster family home because of the current law. The merits of this bill are many and I urge this Body to support 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. 190, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY CARE FOSTER FAMILY HOME," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1039) recommending that S.B. No. 1140, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 1140, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1040) recommending that S.B. No. 1676, SD 2, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1676, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1041) recommending that S.B. No. 1263, 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 B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1263, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1042) recommending that S.B. No. 1332, 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 B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1332, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTHCARE," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1043) recommending that S.B. No. 1137, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1137, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1044) recommending that S.B. No. 585, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 585, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1045) recommending that S.B. No. 43, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Higher Education and the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 43, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN WORKFORCE ASSESSMENT," passed Second Reading and was referred jointly to the Committee on Higher Education and the Committee on Consumer Protection & Commerce with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1046) recommending that S.B. No. 169, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 169, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH CORPS," passed Second Reading and was referred to the Committee on Higher Education with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1047) recommending that S.B. No. 1205, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1205, SD 2, HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative Evans.

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. 1205, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1048) recommending that S.B. No. 389, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 389, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representatives Chang and Takumi, for the Committee on Higher Education and the Committee on Education presented a report (Stand. Com. Rep. No. 1049) recommending that S.B. No. 1129, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1129, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1050) recommending that S.B. No. 754, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 754, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1051) recommending that S.B. No. 910, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 910, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF HOMELESS PROGRAMS WITHIN THE DEPARTMENT OF HUMAN SERVICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1052) recommending that S.B. No. 560, SD 2, pass Second Reading and be referred to the Committee on Hawaiian Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 560, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Hawaiian Affairs with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1053) recommending that S.B. No. 212, SD 2, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 212, SD 2, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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. 212, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1054) recommending that S.B. No. 231, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 231, 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 Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1055) recommending that S.B. No. 619, SD 2, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 619, SD 2, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, I'm in opposition to 1055, and I have a couple brief comments. Mr. Speaker, SCR 1055 would allow people in prison to vote, and very few states allow prisoners that right.

"Basically, prisoners had their rights taken away, as part of their punishment for the crime that they committed. One of my other concerns is, this measure does not consider that a great deal of offenders use multiple means, multiple social security numbers, dates of births, and various addresses in their efforts to elude law enforcement.

"There is a real potential for voter fraud, as there is no way to verify previous residence information provided by the incarcerated person.

"I just believe that we're going in the wrong direction in giving too many criminals rights."

Representative Ching rose in opposition to the measure and asked that the her written remarks, and the remarks of Representative Pine be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition to S.B. 619 - Relating to Voting Rights, Incarcerated Person. I believe that this bill could put a financial burden on the State. I also believe this bill unfairly rewards those who have broken our laws. The Governor's Chief of Staff, Barry Fukunaga, states in his testimony that, "At present, Hawaii law does not permit offenders to vote during their period of incarceration. This limitation is a sensible one, as it denies voting rights to individuals who have been convicted and incarcerated for deliberate criminal activities. The vast majority of states do not give incarcerated offenders the right to vote."

"The Department of Public safety also has concerns and states in their testimony that "Any perceived disfranchisement of the offender by temporarily disallowing them to vote is done as a result of their willful criminal activities that victimize the community," and "This measure does not consider the fact that a great deal of offenders use multiple names, social security numbers, date of births, and various addresses in their efforts to elude law enforcement. This measure also fails to consider the fact that there is no way for the Office of Elections or various County Clerks to address the real potential for voter fraud as these entities have no way to verify the previous residence information provided by the incarcerated person."

"Thank you."

Representative Marumoto rose in support of the measure with reservations and asked that the remarks of Representative Pine be entered into 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, in support. Just like my colleague in Ewa Beach, when I saw this bill, I had a lot of concern about it. What I did is, I called the introducer, who is my Senator, and asked him, 'What are you doing?' And he said that we need to incorporate them as part of our society. We need to train them, as part of our society. And we have to give them responsibilities. They need to be a part of a bigger society. Therefore, we should allow them to vote.

"So, I just want to resonate what my Senator said to me, when I called him. Thank you, Mr. Speaker."

Representative Finnegan 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 M. Lee rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Brower 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. 619, SD 2, entitled: "A BILL FOR AN ACT RELATING TO VOTING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Ching, Finnegan and Pine voting no, and with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1056) recommending that S.B. No. 1147, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1147, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE DISASTER RELIEF," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1057) recommending that S.B. No. 967, 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 B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 967, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1058) recommending that S.B. No. 1148, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1148, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPREHENSIVE OFFENDER REENTRY SYSTEM," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1059) recommending that S.B. No. 614, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 614, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY

LEAVE," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1060) recommending that S.B. No. 896, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 896, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1061) recommending that S.B. No. 623, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 623, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE," passed Second Reading and was referred to the Committee on Higher Education with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1062) recommending that S.B. No. 1276, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1276, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1063) recommending that S.B. No. 1568, SD 2, pass Second Reading and be referred to the Committee on Human Services.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1568, SD 2, pass Second Reading and be referred to the Committee on Human Services, seconded by Representative Evans.

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. 1568, SD 2, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE," passed Second Reading and was referred to the Committee on Human Services with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1064) recommending that S.B. No. 1203, SD 2, pass Second Reading and be referred to the Committee on Human Services.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1203, SD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICE," passed Second Reading and was referred to the Committee on Human Services with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1065) recommending that S.B. No. 905, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Human Services.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 905, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF COMMUNITY SERVICES," passed Second Reading and was referred to the Committee on Human Services with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1066) recommending that S.B. No. 667, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 667, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WHISTLEBLOWERS' PROTECTION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representatives Rhoads and McKelvey, for the Committee on Labor & Public Employment and the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1067) recommending that S.B. No. 782, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committees be adopted, and that S.B. No. 782, SD 1, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of SB782 SD1 HD1 Relating to Employment Security. This measure provides unemployment insurance to those who are separated from their employment as a result of domestic violence in a manner that accommodates the legitimate interests of employers.

"SB782, SD1, HD1 also provides that domestic violence victim's suspension or discharge from work will not be considered misconduct under the law, and will not affect their eligibility for unemployment benefits. Women often fear being stalked while going to work, as well as fearing that violence could happen at home or at work. Fear of losing financial security is often the main reason domestic violence victims return to their abusers, so it is very important to allow victims to assert their independence with the assistance of unemployment benefits.

"Just this week a women was shot to death in her car by a man she held a TRO against. Was she on the way to work? Must women who are abused and stalked leave their homes and eventually the state to find safety? This is a small part of the fight against domestic violence. If a woman is not economically independent how can she avoid going back to her abuser?

"For all these reasons, I urge the Members' support."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 782, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1068) recommending that S.B. No. 1108, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1108, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1069) recommending that S.B. No. 579, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 579, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE," passed Second Reading and was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1070) recommending that S.B. No. 1085, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1085, SD 2, HD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations on Stand. Com. Rep. No. 1070. SCR 1070 prohibits the sale of ceded lands, until the unrelinquished claims of the Native Hawaiian people are resolved, or reconciliation between the State and Native Hawaiian people are no longer supported.

"The reason why I'm standing, however, is for what the Attorney General said, and said very passionately to the Committee. According to the AG, the bill raises the potential for additional federal court lawsuits against the State, by persons opposed to government programs that provide benefits to Native Hawaiians.

"I asked the AG, 'Do you really believe this? Is this your best legal opinion?' And he said, 'Definitely, yes.' And, he further stated that if that was not the case, OHA would otherwise not want to take the risk, and it would seem that their lawyers would be able to put that legal opinion in writing.

"My point, Mr. Speaker, is to vote with reservations, but to go on record, that if this bill ends up denying, lessening, or threatening Hawaiian rights, this Body will have been warned by the AG. It's simple as that, just going on the record. 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. 1085, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CEDED LANDS," passed Second Reading and was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representatives McKelvey and Tsuji, for the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1071) recommending that S.B. No. 1248, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 1248, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," passed Second Reading and was referred to the Committee on Energy & Environmental Protection with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1072) recommending that S.B. No. 687, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 687, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1073) recommending that S.B. No. 1680, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1680, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1074) recommending that S.B. No. 420, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 420, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHIC MEDICINE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1075) recommending that S.B. No. 1260, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1260, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION FEES," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1076) recommending that S.B. No. 242, SD 2, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No.

242, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1077) recommending that S.B. No. 606, SD 2, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 606, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1078) recommending that S.B. No. 868, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 868, 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 Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1079) recommending that S.B. No. 1671, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1671, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOSSIL FUELS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1080) recommending that S.B. No. 605, 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 B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 605, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1081) recommending that S.B. No. 1173, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 1173, SD 2, HD 1, 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 Chang, McKelvey, Morita, Takai and Thielen being excused.

Representatives Morita and Cabanilla, for the Committee on Energy & Environmental Protection and the Committee on Housing presented a report (Stand. Com. Rep. No. 1082) recommending that S.B. No. 1338, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 1338, 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 Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1083) recommending that S.B. No. 1202, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Transportation and the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1202, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION ENERGY INITIATIVES," passed Second Reading and was referred jointly to the Committee on Transportation and the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1084) recommending that S.B. No. 1258, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1258, SD 2, 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 Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1085) recommending that S.B. No. 995, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 995, SD 2, HD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, seconded by Representative Evans.

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 S.B. No. 995, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

Representatives Morita and Cabanilla, for the Committee on Energy & Environmental Protection and the Committee on Housing presented a report (Stand. Com. Rep. No. 1086) recommending that S.B. No. 390, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 390, 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 Chang, McKelvey, Morita, Takai and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1087) recommending that S.B. No. 1164, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1164, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Chang, McKelvey, Morita, Takai and Thielen being excused.

ADJOURNMENT

At 1:01 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, March 23, 2009. (Representatives Chang, McKelvey, Morita, Takai and Thielen were excused.)

THIRTY-FOURTH DAY

Monday, March 23, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:07 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Pastor Jack D. Smith of the Community Church of the Nazarene - Wahiawa, after which the Roll was called showing all Members present with the exception of Representatives Carroll and Takai, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Third Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 424 and 425) were received and announced by the Clerk:

Sen. Com. No. 424, transmitting S.C.R. No. 11, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ENCOURAGE THE PUBLIC ELEMENTARY SCHOOLS TO ESTABLISH RESOURCE CENTERS ON THEIR CAMPUSES IN ORDER TO COMBAT HOMELESSNESS," which was adopted by the Senate on March 20, 2009.

Sen. Com. No. 425, transmitting S.C.R. No. 30, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A FEASIBILITY STUDY ON CONVERTING HARD COVER TEXT BOOKS TO E-BOOKS FOR USE IN PUBLIC SCHOOLS," which was adopted by the Senate on March 20, 2009.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Tokioka introduced former State Representative Al Lardizabal's mother, Grandma Macose; his son, Mr. Anson Lardizibal; and his grandchildren, Tia and Christian from Kauai.

Representative Har introduced constituents and foster family advocates, Mr. Franklin and Mrs. Evelyn Souza, and Ms. Judith Wilhoite.

Representative Pine introduced Mrs. Susan and Mr. Sean Carter, who were accompanied by her staff Mr. Dan Douglas.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	Re-referred to:
43, SD2, HD1	Committee on Health, then to the Committee on Finance
169, SD2 HD1	Committee on Health, then to the Committee on Finance
931, SD1	Committee on Health, then to the Committee on Judiciary

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 289) was announced by the Clerk and the following action taken:

H.R. No. 289, entitled: "HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING LEILEHUA HIGH SCHOOL MULES BOYS CROSS COUNTRY TEAM FOR WINNING THE 2008 HONOLULU MARATHON/HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION CROSS COUNTRY STATE CHAMPIONSHIP," was jointly offered by Representatives M. Oshiro, M. Lee and Yamane.

Representative M. Oshiro moved that HR. No. 289 be adopted, seconded by Representative M. Lee.

Representative M. Oshiro congratulated and applauded the 2008 Hawaii High School State Champion Leilehua High School Cross Country Team, and introduced the team members seated on the Floor of the House:

Coaches, Mr. Shawn Nakata and Ms. Lena Lynn Miyamoto;

Team Captain, Mr. Bryce Jenkins; and

Team Members, Mr. Noel Cabato, Mr. Shannon Cosey, Mr. Cody Dela Cuesta, Mr. Jayson Dumaoal, Mr. Michael Chambers, Mr. Evan Igarashi, Mr. Margarito Maritnez, and Mr. Shannon White.

Representative M. Oshiro also introduced Leilehua High School Principal, Ms. Aloha Coleman, and Athletic Director, Mr. James Toyota. Also with them were parents, Col. Bruce Jenkins and Mrs. Susan Jenkins.

The motion was put to vote by the Chair and carried, and H.R. No. 289 was adopted with Representatives Carroll and Takai being excused.

The following resolution (H.R. No. 290) was announced by the Clerk and the following action taken:

H.R. No. 290, entitled: "HOUSE RESOLUTION CONGRATULATING BEBI DAVIS AS THE 2009 HAWAII STATE TEACHER OF THE YEAR, AND GLENN LEE, PEGGY ANN PAVAO, RAMONA TAKAHASHI, JOHN CONSTANINOU, ROBERTA KOKX, AND MARY LARDIZABAL AS THE 2009 HAWAII STATE DISTRICT TEACHERS OF THE YEAR," was jointly offered by Representatives Takumi and Berg.

Representative Takumi moved that HR. No. 290 be adopted, seconded by Representative Berg.

Representative Takumi introduced and congratulated Ms. Bebi Davis of Farrington High School, the 2009 Hawaii Teacher of the Year who was seated on the Floor of the House.

Representative Takumi also introduced and recognized friends, family and students seated in the gallery:

Mr. Harry Davis, her husband;
Mr. Ronn Nozoe, Honolulu District Superintendent;
Ms. Catherine Payne, Principal;
Ms. Leonore Higa, former Vice Principal;
Ms. Wendy Horikami, Vice Principal;
Ms. Shannon Goo, Vice Principal;
Mr. Samuel Mukai, Student Teacher;
Ms. Lisa Ponce, Science Department Chair;
Ms. Estelle Wong, Kaimuki Adult School Principal; and

Students, April Aggacid, Charls Daren Pasion, Claire Magallanes, Cristina Felicitas, Crystal Maeshiro, Demiliza Saramosing, Dwight Edades, Elvis Grande, Jarin Loristo, Jeffrey Nariano, Jiro Manog, Jorge Portillo, Joyce Aquino, Melanie Takashima, Minh Trang Nguyen,

Nadine Pilande, Rennel Bautista, Rhena Singh, Rondel Daga, Sairel Labasan, Timothy Le, Tony Ho, Travis Takashima, Victor Tran, Rebekah Daniels, Dexter Artienda, Justin Sagadraga, and Katrina Sagadraga.

Representative Berg introduced and recognized the 2009 District Teachers of the Year who were seated on the Floor of the House:

Mr. Glenn Lee of Waialua High School, the 2009 Central District Teacher of the Year;

Ms. Peggy Ann Pavao of Kapolei Middle School who was not in attendance, the 2009 Leeward District Teacher of the Year;

Ms. Ramona Takahashi of Kailua High School, the 2009 Windward District Teacher of the Year;

Mr. John Constantinou of Keaau High School who was not in attendance, the 2009 Hawaii District Teacher of the Year;

Ms. Roberta Kokx of Kihei Elementary School, the 2009 Maui District Teacher of the Year; and

Ms. Mary Lardizibal of Kapaa Middle School, the 2009 Kauai District Teacher of the Year.

Representative Berg also introduced friends and family who were seated in the gallery:

Ms. Takahashi's family, mother, Mrs. Beverly Takahashi; sisters, Ms. Teri Sato and Ms. Dana Hosaka; and brother, Mr. Ross Takahashi; and

Ms. Lardizibal's family, husband, Mr. Anson Lardizibal; children, Miss Tia and Master Christian Lardizibal; and grandmother-in-law, Mrs. Anne Macose.

The motion was put to vote by the Chair and carried, and H.R. No. 290 was adopted with Representatives Carroll, Saiki and Takai being excused.

At 12:37 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., with Vice Speaker Magaoay presiding.

STANDING COMMITTEE REPORTS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1088) recommending that S.B. No. 549, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 549, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EXPRESS WARRANTY ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Carroll, Saiki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1089) recommending that S.B. No. 848, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 848, entitled: "A BILL FOR AN ACT RELATING TO METAL," passed Second Reading and was referred to the Committee on Judiciary with Representatives Carroll, Saiki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1090) recommending that S.B. No. 1128, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1128, entitled: "A BILL FOR AN ACT RELATING TO METAL," passed Second Reading and was referred to the Committee on Judiciary with Representatives Carroll, Saiki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1091) recommending that S.B. No. 878, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 878, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF HEARING NOTICES," passed Second Reading and was referred to the Committee on Finance with Representatives Carroll, Saiki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1092) recommending that S.B. No. 880, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 880, entitled: "A BILL FOR AN ACT RELATING TO GAS PIPELINE SYSTEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Carroll, Saiki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1093) recommending that S.B. No. 34, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 34, SD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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:

"I quote from testimony from The Legal Aid Society of Hawaii:

LASH anticipates a growing number of foreclosures in the coming years as the so-called exotic mortgage products mature and consumers are not able to keep up with their adjusted mortgage payments or find a suitable refinance. With the growing number of foreclosures, there will only be an increase in the number of foreclosure rescue scams and wronged consumers in the State of Hawaii. The Legal Aid Society of Hawaii opposes SB 34 SD1 and its efforts to exempt real estate brokers and salespersons from Act 137. We do not believe this is the appropriate means to protect the consumers in the State of Hawaii.

Conclusion: We appreciate these committees' recognition of the need to protect consumers in the State of Hawaii. SB 34 SD l attempts to weaken protections for consumers. We oppose SB 34 SD 1 but are more than willing to work with the industry to find the most suitable way to ease the challenges of Act 137 while protecting the interests of the consumers in the State of Hawaii. Thank you for the opportunity to testify."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 34, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT," passed Second Reading and was referred to the

Committee on Judiciary with Representatives Carroll, Saiki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1094) recommending that S.B. No. 35, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 35, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Carroll, Saiki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1095) recommending that S.B. No. 520, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 520, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Carroll, Saiki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1096) recommending that S.B. No. 1241, SD 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1241, SD 2, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Carroll, Saiki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1097) recommending that S.B. No. 203, SD 2, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 203, SD 2, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Thielen rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I have a ruling of a potential conflict? There are contractors in my family," and the Chair ruled, "no conflict."

Representative Har rose to disclose a potential conflict of interest, stating:

"Also a ruling on a potential conflict. Mr. Speaker, at my law firm, I represent contractors," 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. 203, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Carroll, Saiki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1098) recommending that S.B. No. 1230, SD 2, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1230, SD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Pine rose to speak in support of the measure with reservations, stating:

"Reservations as well, on this tax increase."

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 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. 1230, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Carroll, Saiki and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1099) recommending that S.B. No. 133, SD 2, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 133, SD 2, entitled: "A BILL FOR AN ACT RELATING TO UTILITIES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Carroll, Saiki and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1100) recommending that S.B. No. 201, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 201, SD 2, HD 1, 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 Carroll, Saiki and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1101) recommending that S.B. No. 914, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 914, 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 Carroll, Saiki and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1102) recommending that S.B. No. 1130, SD 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1130, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES," passed Second Reading and was

referred to the Committee on Judiciary with Representatives Carroll, Saiki and Takai being excused.

Representatives Ito and Karamatsu, for the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1103) recommending that S.B. No. 1677, SD 1, as amended in HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committees be adopted, and that S.B. No. 1677, SD 1, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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 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 Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Luke rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano 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 Committees was adopted and S.B. No. 1677, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," was referred to the Committee on Finance with Representatives Carroll, Saiki and Takai being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1104) recommending that S.B. No. 1259, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 1259, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Carroll, Saiki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1105), recommending that H.C.R. No. 16, HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 16, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative M. Lee rose to speak in support of the measure, stating:

"Mr. Speaker, in support of 1105, and I'd like to put written remarks in. This is a Woman's Caucus measure. Thank you."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of HCR16 HD1 which encourages State and county action to stimulate individual savings and development of credit and to formulate an inventory of banking services available to low-income persons and those with no credit history in the State.

"Consumers without a relationship with a mainstream financial institution may pay higher transaction fees for services and may pay interest rates to purchase items through rent-to-own companies. Whereas, consumers who have established banking relationships have access to better tools to save, build assets and enhance their ability to manage money and make significant financial decisions.

"On February 5, 2009, the FDIC annual survey of banks' efforts to serve the unbanked and underbanked noted, "While most banks offer basic checking accounts to customers, few offer deposit, payment, credit and electronically based products that address the unique needs of unbanked and underbanked customers."

"Those who will be the most affected by this Resolution include low-income individuals and families, female-headed households, the less educated and individuals living in rural communities because they are the most vulnerable to being financially underserved. Not having this happen could be extremely detrimental for these individuals in these financially hard times, Mr. Speaker.

"For all of these reasons, 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 H.C.R. No. 16, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING STATE AND COUNTY ACTION TO STIMULATE INDIVIDUAL SAVINGS AND DEVELOPMENT OF CREDIT AND TO FORMULATE AN INVENTORY OF BANKING SERVICES AVAILABLE TO LOW-INCOME PERSONS AND THOSE WITH NO CREDIT HISTORY IN THE STATE," was referred to the Committee on Finance with Representatives Carroll, Saiki and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1106), recommending that H.R. No. 34, be referred to the Committee on Health.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 34, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF DEFENSE TO ALLOW AVAILABLE SURPLUS HELICOPTERS TO BE USED FOR MEDICAL EVACUATION SERVICES," was referred to the Committee on Health with Representatives Carroll, Saiki and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1107), recommending that H.C.R. No. 42, be referred to the Committee on Health.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 42, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF DEFENSE TO ALLOW AVAILABLE SURPLUS HELICOPTERS TO BE USED FOR MEDICAL EVACUATION SERVICES," was referred to the Committee on Health with Representatives Carroll, Saiki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1108) recommending that H.C.R. No. 43, HD 1, as amended in HD 2, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 43, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO INVESTIGATE HEALTH RISKS AND POTENTIAL ENERGY USES OF POLYSTYRENE FOOD CONTAINERS AND TO ESTABLISH STANDARDS FOR BIODEGRADABLE PLASTIC FOOD

CONTAINERS AND GROCERY BAGS," was adopted, with Representatives Carroll, Saiki and Takai being excused.

LATE INTRODUCTION

The following late introduction was made to the Members of the House:

Representative Tokioka introduced former State Representative Al Lardizabal.

ANNOUNCEMENTS

Representative Cabanilla, for the Committee on Housing, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing House Resolution No. 266 and House Concurrent Resolution No. 294, on Wednesday, March 25th, at 9:45 a.m., in Conference Room 325, and the Chair "so ordered."

Representative Yamane, for the Committee on Health, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing and having decision-making on the following measures:

Representative Yamane: "Thank you, Mr. Speaker. The first measure, in the desire to work collaboratively with the Department of Health, we'd like to have Senate Bill 931, SD 1, 'Relating to Epidemiologic Investigations' which grants the Department of Health the authority to take samples necessary for epidemiologic investigations, to be heard Tuesday on the 10:00 agenda.

"Another Senate Bill, 568, SD 2, 'Relating to electronic prescriptions.' This bill is to establish an electronic prescription task force to develop a plan to implement a mandatory electronic prescription drug program, not later than 07/01/11.

"Both bills would like to be placed on tomorrow's agenda at 10 am in the Health Conference Room. Thank you."

ADJOURNMENT

At 12:54 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, March 24, 2009. (Representatives Carroll, Finnegan, Saiki and Takai were excused.)

THIRTY-FIFTH DAY

Tuesday, March 24, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:07 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Bishop Scott J. Bradshaw of The Church of Jesus Christ Latter Day Saints, after which the Roll was called showing all Members present with the exception of Representatives M. Oshiro and Takai, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Fourth Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 426 and 427) were received and announced by the Clerk:

Sen. Com. No. 426, transmitting S.C.R. No. 18, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE FURTHER SUPPORT FOR ADVANCED PLACEMENT AND INTERNATIONAL BACCALAUREATE COURSES IN PUBLIC SCHOOLS THAT LIMIT OR DO NOT OFFER THESE COURSES," which was adopted by the Senate on March 23, 2009.

Sen. Com. No. 427, transmitting S.C.R. No. 52, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE HOOKAKOO CORPORATION REPORT ON THE PROGRESS AND IMPACTS OF THE MODELS FOR EXPANDED LEARNING TIME BEING PILOTED BY THE HOOKAKOO CORPORATION'S PARTNER CONVERSION CHARTER SCHOOLS," which was adopted by the Senate on March 23, 2009.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Wooley introduced Ms. Elizabeth Lau, Ms. Leialoha "Rocky" Kaluhiwa, Mr. Jerry Kaluhiwa and Mr. Calvin Hoe.

Representative Chong introduced Ms. Janine Tully from the Ko'olaupoko Civic Club.

Representative Shimabukuro introduced students from Brigham Young University-Hawaii and their teacher, Ms. Furuto.

Representative Awana introduced her legislative shadow for the day, Ms. Shanna Espiritu, a senior at Pearl City High School.

Representative Ching introduced her legislative shadow for the day, Ms. Jonabelle Fabro, a senior at Farrington High School, who was accompanied by her legislative aide, Ms. Kristen Tibourtine.

Representative Pine introduced her father, Dr. Ronald Pine, and her two sisters, Hypatia and Yun Pine; and Ms. Jolene Bradshaw and Bishop Bradshaw. They were accompanied by her Office Manager, Ms. Sarah Hunt.

Representative Pine also introduced her legislative shadow for the day, Mr. Ted Olivas, a senior at Farrington High School.

Representative Aquino introduced his legislative shadow for the day, Mr. Eduardo Javonillo, a senior at Farrington High School, who was accompanied by his legislative aide, Mr. Darryl Macha.

Representative Har introduced her legislative shadow for the day, Ms. Demiliza Saramosing, a senior at Farrington High School.

Representative Mizuno introduced his legislative shadow for the day, Mr. Jeffrey Mariano, a junior at Farrington High School.

Representative McKelvey introduced the Halau Ku Mana, and Kumu Kawika Mersberg.

Representative Yamane introduced social work students from Brigham Young University-Hawaii campus, Hawaii Pacific University and the University of Hawaii at Manoa.

Representative Finnegan recognized her legislative shadow for the day, Ms. Vanessa Pulido, a senior at Farrington High School.

Representative Manahan recognized his legislative shadow for the day, Ms. Sairel Labasan, a senior at Farrington High School.

Representative Manahan also introduced chaperones that were accompanying the student shadows, Ms. Carlota Ader, Ms. Marissa Buendicho, Ms. Leslie Cabingabang, Ms. Charlene Cuaresma, Ms. Myrna Daguio, Ms. Lynne Gutierrez, Ms. Zhoydell Magaoay and Mr. Ben Pulido.

Representative Tokioka introduced his legislative shadow for the day, Mr. Dexter Artienda, a senior at Farrington High School.

Representative Tokioka also introduced Ms. Nalani Paio, Ms. Lisa Wong and Mr. Joe Davis from the Hawaii Visitors and Convention Bureau; and Ms. Muriel Anderson and Ms. Kelii Wilson from the Hawaii Tourism Authority.

Representative Belatti introduced her legislative shadow for the day, Ms. Jasmin Cariaga, a senior at Farrington High School.

Representative Carroll introduced her staff, Ms. Kaho'omei Panoke, Mr. Travis Quezon, and Office Manager, Ms. Jan Salcedo.

Representative M. Oshiro introduced constituents, Ms. Judy Ott, secretary for FACE; and Ms. Karen Ginoza of Wahiawa.

Representative Ito introduced his friend, Mr. Gene Kaneshiro, former owner of Columbia Inn.

Representative Manahan introduced his constituent, Ms. Tiva Aga with the United States Department of Commerce, Bureau of Census, and her colleague, Ms. Jennifer Wong.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

S.C.R. Nos.	Referred to:
11	Committee on Education, then to the Committee on Housing, then to the Committee on Finance
30	Committee on Education, 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:

623, SD1, HD1	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 291) was announced by the Clerk and the following action taken:

H.R. No. 291, entitled: "HOUSE RESOLUTION CONGRATULATING RUTH SILBERSTEIN AS HAWAII'S 2008 NATIONAL DISTINGUISHED PRINCIPAL, MEREDITH MAEDA AS HAWAII'S NOMINEE FOR THE METLIFE/NATIONAL ASSOCIATION OF SECONDARY SCHOOL PRINCIPALS HAWAII HIGH SCHOOL PRINCIPAL OF THE YEAR, LYNN KAHOOHALAHALA AS HAWAII'S 2008 STATE ASSISTANT PRINCIPAL OF THE YEAR BY THE NATIONAL ASSOCIATION OF SECONDARY SCHOOL PRINCIPALS, AND MYRON MONTE AS THE 5TH ANNUAL WINNER OF THE MASAYUKI TOKIOKA AWARD," was jointly offered by Representatives Takumi and Berg.

Representative Takumi moved that HR. No. 291 be adopted, seconded by Representative Berg.

Representative Takumi congratulated and applauded Ms. Ruth Silberstein of Palolo Elementary School, Hawaii's 2008 National Distinguished Principal who was seated on the Floor of the House.

Representative Berg then commended and introduced the other honorees seated on the Floor of the House:

Mr. Meredith Maeda, Principal at Castle High School, the MetLife/National Association of Secondary School Principals Hawaii High School Principal of the Year;

Ms. Lynn Kahoohalahala, Vice Principal at Lahainaluna High School, the 2008 Hawaii State Assistant Principal of the Year; and

Mr. Myron Monte, Principal at Dole Middle School, recipient of the Masayuki Tokioka Award.

Representative Berg also introduced friends and family seated in the gallery:

Mr. Maeda's wife, Mrs. Muromoto-Maeda; and sons, Mr. Nathan Maeda and Mr. Justin Maeda;

Ms. Kahoohalahala's mother, Ms. Jane Humphrey; and

Mr. Monte's wife, Mrs. Barbara Monte.

The motion was put to vote by the Chair and carried, and H.R. No. 291 was adopted with Representative Takai being excused.

The following resolution (H.R. No. 292) was announced by the Clerk and the following action taken:

H.R. No. 292, entitled: "HOUSE RESOLUTION CONGRATULATING AND COMMENDING THE HAWAIIAN CIVIC CLUB OF HONOLULU AND THE ASSOCIATION OF HAWAIIAN CIVIC CLUBS FOR THEIR OUTSTANDING CONTRIBUTIONS AND COMMITMENT TO PERPETUATING THE VISION OF, PRINCE JONAH KUHIO KALANIANA`OLE PI`IKOI," was jointly offered by Representatives Carroll and Sagum.

Representative Carroll moved that HR. No. 292 be adopted, seconded by Representative Sagum.

Representative Carroll congratulated and commended the Hawaiian Civic of Honolulu and the Association of Hawaiian Civic Clubs, and introduced the honorees representing the Clubs who were seated on the Floor of the House:

Ms Leimomi Khan, President of the Association of Hawaiian Civic Clubs:

Ms. Leatrice Kauahi, President of the Hawaiian Civic Club of Honolulu;

Ms. Anita Naone, Immediate Past President of the Hawaiian Civic Club of Honolulu;

Ms. Momi Clark, Director of the Hawaiian Civic Club of Honolulu; and

Mr. Manu Boyd, Past President of the Hawaiian Civic Club of Honolulu.

Representative Sagum recognized the contributions of the many Civic Clubs, and congratulated the Association of Hawaiian Civic Clubs on their 50th Anniversary.

Representative Carroll then congratulated the Hawaiian Civic Club of Honolulu on their 90th Anniversary.

The motion was put to vote by the Chair and carried, and H.R. No. 292 was adopted with Representative Takai being excused.

At 12:45 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:57 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1109) recommending that S.B. No. 281, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 281, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1110) recommending that S.B. No. 1056, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1056, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1111) recommending that S.B. No. 58, 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 B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 58, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1112) recommending that S.B. No. 715, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 715, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1113) recommending that S.B. No. 936, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 936, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF HEALTH CERTIFICATES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1114) recommending that S.B. No. 426, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 426, 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 Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1115) recommending that S.B. No. 113, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 113, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1116) recommending that S.B. No. 937, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 937, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1117) recommending that S.B. No. 567, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 567, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1118) recommending that S.B. No. 877, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 877, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ONE CALL CENTER," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1119) recommending that S.B. No. 438, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 438, entitled: "A BILL FOR AN ACT RELATING TO BOARD OF EDUCATION MEETINGS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1120) recommending that S.B. No. 145, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 145, 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 Representative Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1121) recommending that S.B. No. 160, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 160, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL MEALS," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1122) recommending that S.B. No. 162, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 162, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1123) recommending that S.B. No. 164, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 164, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL GRANTS SEARCH, DEVELOPMENT, AND APPLICATION REVOLVING FUND," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1124) recommending that S.B. No. 1669, SD 2, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1669, SD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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. 1669, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1125) recommending that S.B. No. 1311, SD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1311, SD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

Representative Keith-Agaran 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 Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I have reservations with a portion of SB 1311, SD 1, Relating to Aquatic Resources.

"I am concerned about granting the University of Hawai'i a blanket and broad permit exemption for repair and maintenance of State land and buildings at the Hawaii Marine Laboratory Refuge on Moku o Lo'e, also known as Coconut Island. This exemption is neither needed nor prudent.

"Hawaii is an Ocean State and we owe it to future generations to be attentive stewards of our precious nearshore aquatic ecosystem. For many of our residents, the Pacific Ocean is our main place of recreation as well as a source of spiritual sustenance. Many of our families still depend on nearshore resources for subsistence and cultural purposes.

"By exempting the University of Hawai'i from following the proper procedures in place for any other user of State fast and submerged lands puts at risk our marine life. It's a fact that the invasive algae species that have overtaken the coral reefs in Kāne'ohe Bay have been traced to samples introduced by researchers from the University. These foreign species remain a challenge and cause problems for the Windward O'ahu's nearshore areas. I certainly hope the University of Hawai'i staff and researchers of today take more than a clinical appreciation of our islands and hold a better and more profound admiration for our native ecosystem. I'm sure they will be vigilant in preventing the destruction or removal of corals or other marine life and taking proper precautions against the introduction of alien species.

"But the exemption is simply not needed.

"I'm not persuaded that the University somehow needs to avoid regulatory oversight for the broad and undefined category of repair and maintenance. It troubles me that the University would seek a broad exemption when the existing regulations already provide exemptions that have been established through rulemaking and the experience of DLNR. Since the mid-1990s, the Department of Land and Natural Resources (DLNR) has employed a sliding scale of regulatory requirements for work in the conservation district. If the proposed work is truly minor repair and maintenance, DLNR's Office of Conservation and Coastal Lands (OCCL) can process a simple site plan approval or even employ a proper and considered categorical exemption in the existing rules. Further, work that is more involved may still only require a permit processed through OCCL. Only profound changes to the landscape would require a full Conservation District Use Permit and a Land Board hearing.

"For these concerns, please record my vote with reservations."

Representative Berg rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Belatti 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 Committee was adopted and S.B. No. 1311, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representative Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1126) recommending that S.B. No. 1674, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1674, 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 Representative Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1127) recommending that S.B. No. 39, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 39, entitled: "A BILL FOR AN ACT RELATING TO REPORTS ON THE HAWAII CANCER RESEARCH SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Chang and Takumi, for the Committee on Higher Education and the Committee on Education presented a report (Stand. Com. Rep. No. 1128) recommending that S.B. No. 1096, SD 2, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committees be adopted, and that S.B. No. 1096, SD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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 S.B. No. 1096, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE AND DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1129) recommending that S.B. No. 898, SD 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 898, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1130) recommending that S.B. No. 207, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 207, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1131) recommending that S.B. No. 210, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 210, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1132) recommending that S.B. No. 539, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 539, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1133) recommending that S.B. No. 540, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 540, 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 Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1134) recommending that S.B. No. 546, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 546, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1135) recommending that S.B. No. 564, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 564, SD 2, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1136) recommending that S.B. No. 213, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 213, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Hanohano and Rhoads, for the Committee on Public Safety and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1137) recommending that S.B. No. 208, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committees be adopted, and that S.B. No. 208, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 208, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Hanohano and Rhoads, for the Committee on Public Safety and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1138) recommending that S.B. No. 309, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 309, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1139) recommending that S.B. No. 862, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 862, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1140) recommending that S.B. No. 1160, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1160, SD 2, 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 Representative Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1141) recommending that S.B. No. 1221, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1221, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1142) recommending that S.B. No. 53, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 53, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1143) recommending that S.B. No. 528, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 528, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1144) recommending that S.B. No. 161, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No.

161, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1145) recommending that S.B. No. 163, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 163, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1146) recommending that S.B. No. 501, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 501, entitled: "A BILL FOR AN ACT RELATING TO THE TEACHER EDUCATION COORDINATING COMMITTEE," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1147) recommending that S.B. No. 1120, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 1120, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1148) recommending that S.B. No. 1250, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 1250, 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 Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1149) recommending that S.B. No. 714, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 714, SD 1, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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. 714, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1150) recommending that S.B. No. 107, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 107, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVOCATION," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1151) recommending that S.B. No. 1055, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1055, HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

Representative Keith-Agaran 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. 1055, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1152) recommending that S.B. No. 51, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 51, SD 1, 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 Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1153) recommending that S.B. No. 166, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 166, 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 Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1154) recommending that S.B. No. 436, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 436, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIFE SCIENCES," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1155) recommending that S.B. No. 91, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 91, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1156) recommending that S.B. No. 1299, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1299, 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 Takai being excused.

Representatives Cabanilla and Ito, for the Committee on Housing and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1157) recommending that S.B. No. 440, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 440, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was referred to the Committee on Transportation, with Representative Takai being excused.

Representatives Cabanilla and Ito, for the Committee on Housing and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1158) recommending that S.B. No. 773, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 773, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Cabanilla and Ito, for the Committee on Housing and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1159) recommending that S.B. No. 1277, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 1277, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1160) recommending that S.B. No. 721, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 721, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT-WIDE IMPROVEMENT PROGRAMS," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1161) recommending that S.B. No. 1069, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1069, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1162) recommending that S.B. No. 415, SD 2, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committees be adopted, and that S.B. No. 415, SD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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 S.B. No. 415, 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 Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1163) recommending that S.B. No. 186, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 186, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CARE SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1164) recommending that S.B. No. 1666, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1666, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY ASSISTANCE TO NEEDY FAMILIES," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1165) recommending that S.B. No. 112, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 112, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILDREN'S JUSTICE PROGRAM," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1166) recommending that S.B. No. 1066, SD 2, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1066, SD 2, 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 Economic Revitalization, Business, & Military Affairs, with Representative Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1167) recommending that S.B. No. 417, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committees be adopted, and that S.B. No. 417, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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 to speak in strong support of SB 417, which establishes guidelines for Medicaid reimbursement to hospitals and facilities with long-term beds. The bill also makes appropriations for safe house programs for at-risk youth, as well as for emergency services at Federally Qualified Health Centers.

"While I speak in support of the bill in its entirety, I speak with special concern for my many constituents whose health and well-being have long depended on emergency services offered by our non-profit federally qualified health center. The Wai'anae Coast Comprehensive Health Center (WCCHC)—along with other community health centers in low-income areas throughout the state that will benefit from this legislation—has thus far been able to keep its emergency room open 24 hours a day, 365 days a year. Without help from the Legislature, this around-the-clock service may not be able to continue.

"Our Committees on Human Services and Health heard compelling testimony submitted by the CEO of the Wai'anae Center. Of the $1.8 million needed to operate emergency services between midnight and 8 a.m., he pointed to a $332,000 shortfall for the coming fiscal year. As a result, the Committees amended SB 417 to include an unspecified appropriation to help WCCHC and other health centers maintain current levels of service.

"During all my years as a legislator, even when times were better, I have heard the same cries for help. Each year, WCCHC has had to come to us and beg for emergency services funding. Somehow, whether by tapping into Rainy Day funds or other sources, the Legislature has risen to the occasion and managed to keep these critical services from being shut down. This year, the need is greater than ever.

"I urge my colleagues to join me in supporting this bill, which gives some measure of hope to those who depend so heavily on our community health centers."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 417, 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 Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1168) recommending that S.B. No. 1344, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committees be adopted, and that S.B. No. 1344, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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 S.B. No. 1344, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1169) recommending that H.C.R. No. 89, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE HOOKAKOO CORPORATION REPORT ON THE PROGRESS AND IMPACTS OF THE MODELS FOR EXPANDED LEARNING TIME BEING PILOTED BY THE HOOKAKOO CORPORATION'S PARTNER CONVERSION CHARTER SCHOOLS," was adopted, with Representative Takai being excused.

ANNOUNCEMENTS

Representative Carroll: "Thank you, Mr. Speaker. As part of our Hawaiian Caucus Day event, we'd like to invite all of you to join the Hawaiian Caucus in Room 329 for a luau luncheon, Hawaiian food, which is being sponsored by the Office of Hawaiian Affairs.

"You will also take notice that we've been having a lot of activities that have been going on, and we'd just ask that you talk story with some of the people that are here, and also participate if you can in pounding some taro and eating some poi. Thank you very much."

Representative Cabanilla, for the Committee on Housing, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing House Resolution No. 266 and House Concurrent Resolution No. 294, and the Chair "so ordered."

Representative Cabanilla: "Thank you, Mr. Speaker. These are measures that have something to do with resolving the issues of homeless people living in abandoned vehicles. Thank you, Mr. Speaker."

Representative Mizuno, for the Committee on Human Services and the Committee on Health, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing Senate Bill 673, Relating to Zoning, on Wednesday, March 25 at 11 a.m. in Conference Room 329, and the Chair "so ordered."

Representative Mizuno: "Thank you. This does go into the Committee on Hawaiian Affairs' time. We have gotten approval from the Chair of the Hawaiian Affairs Committee to hear this measure. Thank you Mr. Speaker."

ADJOURNMENT

At 1:06 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, March 25, 2009. (Representative Takai was excused.)

THIRTY-SIXTH DAY

Wednesday, March 25, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Father Tim Sexton of Saint Andrew's Cathedral, after which the Roll was called showing all Members present with the exception of Representatives Brower, M. Oshiro, Sagum, Souki, Takai and Ward, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Fifth Day was deferred.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Thielen introduced her student shadow, Miss Kylie Schatz, 5th grade student at Aikahi Elementary School. She was accompanied by legislative aides, Ms. Lauren Goodmiller and Ms. Franziska Roessy.

Representative Choy introduced Mrs. Cora Say of Lanakila Elementary School, wife of House Speaker Calvin Say.

Representative Ching introduced 3rd grade teachers, Ms. Carol Kishimoto and Ms. Carolyn Emoto; and PCNC Coordinator, Ms. Cynthia Fong of Blue Ribbon School, Lanakila Elementary.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

S.C.R. Nos.	Referred to:
18, SD1	Committee on Education, then to the Committee on Finance
52, SD1	Committee on Education, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	Re-referred to:
264	Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance
440, SD2, HD1	Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources
1202, SD2, HD1	Committee on Energy & Environmental Protection, then to the Committee on Finance
1271, SD1	Committee on Finance

INTRODUCTION OF RESOLUTIONS

(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 293) was announced by the Clerk and the following action taken:

H.R. No. 293, entitled: "HOUSE RESOLUTION CONGRATULATING KAREN HERESA AS HAWAII'S 2008 MILKEN AWARD WINNER, AND KAPALAMA ELEMENTARY SCHOOL, KAIMUKI MIDDLE SCHOOL, AND LANAKILA ELEMENTARY SCHOOL AS THE 2009 BLUE RIBBON SCHOOLS OF THE STATE OF HAWAII," was jointly offered by Representatives Takumi and Berg.

Representative Takumi moved that H.R. No. 293 be adopted, seconded by Representative Berg.

Representative Takumi recognized in abstentia Ms. Karen Heresa, a special education teacher at Wilcox Elementary, Hawaii's 2008 Milken Award winner.

Representative Berg then recognized and applauded Hawaii's 2009 Blue Ribbon Schools, and introduced the honorees seated on the Floor of the House:

Kaimuki Middle School represented by their Principal, Mr. Frank Ferdnandes;

Kapalama Elementary School represented by their Vice Principal, Ms. Michelle DeBusca; and

Lanakila Elementary School represented by their Principal, Mr. Michael Ono.

Representative Berg also introduced friends and family seated in the gallery:

Mr. Fernandes' wife, Mrs. Rinda Fernandes; and daughter, Ms. Kalito Fernandes;

Ms DeBusca's colleagues from Kapalama Elementary, Curriculum Coordinator, Ms. Atsuko Sakamoto; and Student Services Coordinator, Ms. Linda Nagatani; and

Mr. Ono's colleagues from Lanakila Elementary, 3rd grade teachers, Ms. Carol Kishimoto and Ms. Carrolyn Emoto; and PCNC, Ms. Cynthia Fong.

Representative Tokioka then praised the work of Ms. Heresa and thanked her for her work with his hearing-impaired son.

Representative Marumoto then congratulated Kaimuki Middle School, and Representative Ching congratulated Lanakila Elementary.

The motion was put to vote by the Chair and carried, and H.R. No. 293 was adopted with Representatives Brower, Keith-Agaran, C. Lee, Mizuno, M. Oshiro, Sagum, Saiki, Takai and Ward being excused.

The following resolution (H.R. No. 294) was announced by the Clerk and the following action taken:

H.R. No. 294, entitled: "HOUSE RESOLUTION RECOGNIZING THE OUTSTANDING ACHIEVEMENTS OF NANCY ATMOSPERA-WALCH, CONNIE CHUN, MARIO PALMA, AND BEATRICE "BEA" RAMOS-RAZON, AS OUTSTANDING FILIPINO NURSES IN HAWAII," was offered by Representative Cabanilla.

Representative Cabanilla moved that H.R. No. 294 be adopted, seconded by Representative M. Lee.

Representative Cabanilla recognized the contributions of the Filipino nurses to the people of Hawaii.

Representative M. Lee then introduced Filipina nurse, Ms. Connie Beltran Chun who was seated on the Floor of the House, recipient of the 2008 YWCA Women of the Year Award. With Ms. Chun were Mr. Luis and Ms. Luz Gantan who were seated in the gallery.

Representative M. Lee then introduced Ms. Nancy Atmospera-Walch seated on the Floor of the House, who was awarded the Inez Cayaban Distinguished Service Excellence Award by the Filipino Nurses of Hawaii in 2008. With her were friends and family seated in the gallery, Ms. Nellie Atmosphera, Mr. Kuhio Walch, Mr. Gerhart Walch, and Mr. James Boersma.

Representative Yamane introduced Mr. Mario Palma seated on the Floor of the House, who was awarded the Leadership Excellence Award by the Hawaii Filipino Nurses of Hawaii in 2008.

Representative Yamane then recognized all the Filipino nurses seated in the gallery.

Representative McKelvey further recognized and thanked all the Filipino nurses for helping to ease the nursing shortage in Hawaii.

Representative Souki further congratulated former Representative Connie Chun and applauded her contributions as a legislator in the area of health and human services.

The motion was put to vote by the Chair and carried, and H.R. No. 294 was adopted with Representatives Keith-Agaran, C. Lee, Sagum, Saiki, Takai and Ward being excused.

LATE INTRODUCTION

The following late introduction was made to the Members of the House:

Representative Ching introduced her student shadow, Ms. Kara Nelson, a junior at St. Andrews Priory.

At 12:32 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:41 o'clock p.m.

At this time, the Chair announced:

"Members, please note that S.B. No. 440, SD 2, HD 1, has been re-referred solely to the Committees on Housing, and Water, Land, & Ocean Resources per Committee Referral Sheet No. 40 that has been placed on your desk today. The Committee on Transportation has 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

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, to rules were suspended to reconsider action previously taken on S.B. No. 440, SD 2, HD 1. (Representatives Bertram, Sagum, Saiki, Takai and Ward were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 1157, recommending referral to the Committee on Transportation, seconded by Representative Evans and carried. (Representatives Bertram, Sagum, Saiki, Takai and Ward were excused.)

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering a certain Senate bill for Third Reading by consent calendar. (Representatives Bertram, Sagum, Saiki and Takai were excused.)

UNFINISHED BUSINESS

S.B. No. 440, SD 2, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 440, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Third Reading by a vote of 47 ayes, with Representatives Bertram, Sagum, Saiki and Takai being excused.

At 12:43 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 440, SD 2, HD 1

STANDING COMMITTEE REPORTS

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1170) recommending that S.B. No. 947, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 947, SD 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT CONTRIBUTION RATES," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1171) recommending that S.B. No. 1126, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1126, SD 2, entitled: "A BILL FOR AN ACT RELATING TO JOB-SHARING FOR PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1172) recommending that S.B. No. 690, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 690, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERGOVERNMENTAL MOVEMENTS," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1173) recommending that S.B. No. 1122, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1122, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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. 1122, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1174) recommending that S.B. No. 1094, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1094, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1175) recommending that S.B. No. 1679, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1679, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1176) recommending that S.B. No. 1073, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Public Safety.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1073, SD 1, HD 1, pass Second Reading and be referred to the Committee on Public Safety, seconded by Representative Evans.

Representative Bertram 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. 1073, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," passed Second Reading and was referred to the Committee on Public Safety with Representatives Sagum, Saiki and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1177) recommending that S.B. No. 1610, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1610, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ORDERS," passed Second Reading and was referred jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce with Representatives Sagum, Saiki and Takai being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1178) recommending that S.B. No. 1105, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1105, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE HEARINGS AND PROCEDURES," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1179) recommending that S.B. No. 300, 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 B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 300, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Sagum, Saiki and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1180) recommending that S.B. No. 101, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 101, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS BY COUNTIES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Sagum, Saiki and Takai being excused.

Representatives McKelvey and Manahan, for the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1181) recommending that S.B. No. 1005, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1005, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Sagum, Saiki and Takai being excused.

Representatives McKelvey and Tsuji, for the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1182) recommending that S.B. No. 506, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 506, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1183) recommending that S.B. No. 1054, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1054, 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 Sagum, Saiki and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1184) recommending that S.B. No. 1118, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1118, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1185) recommending that S.B. No. 868, SD 2, HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 868, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1186) recommending that S.B. No. 1107, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1107, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1187) recommending that S.B. No. 886, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 886, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Sagum, Saiki and Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1188) recommending that S.B. No. 1633, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1633, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST EPOD, 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 Sagum, Saiki and Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1189) recommending that S.B. No. 497, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 497, SD 1, 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 Sagum, Saiki and Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1190) recommending that S.B. No. 747, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 747, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1191) recommending that S.B. No. 360, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 360, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXTRACURRICULAR ACTIVITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1192) recommending that S.B. No. 777, SD 1, HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 777, SD 1, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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 rise in opposition to S.B. 777 - Relating to Comprehensive Sexuality Health Education. I continue to believe that this bill is unnecessary because the current sexual education curricula being taught by the State is accurate and appropriate. The Department of Health states in their testimony that, "Information currently provided by State-funded DOH programs regarding sexual health education, family planning, pregnancy counseling, and sexually transmitted diseases, including Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome, is medically accurate, based on scientific fact, and is age appropriate. This bill is unnecessary because as part of the contracting process, program materials are reviewed by DOH on a regular basis, and inaccurate information would be corrected at this time."

"The Hawaii Family Forum, which is a non-profit, pro-family education organization committed to preserving and strengthening families in Hawaii, states, "S.B.777 is an unnecessarily punitive measure, which will de-fund successful local abstinence programs for Hawaii's youth." I agree with the Hawaii Family Forum and would like to see the continuation of such programs as, "Try Wait." Catholic Charities Hawaii has operated this successful federally funded abstinence program, which is a medically accurate abstinence-only program. 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. 777, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE SEXUALITY HEALTH EDUCATION," was referred to the Committee on Finance with Representatives Bertram, Ching and Finnegan voting no, and with Representatives Sagum, Saiki and Takai being excused.

Representatives Tsuji and Manahan, for the Committee on Agriculture and the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1193) recommending that S.B. No. 696, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 696, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COQUI FROGS," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representatives Karamatsu and Hanohano, for the Committee on Judiciary and the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1194) recommending that S.B. No. 1058, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1058, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representatives Ito and Karamatsu, for the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1195) recommending that S.B. No. 995, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 995, SD 2, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Marumoto rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"HB 995 resolves claims and disputes relating to the portion of income from the lands of the public land trust for use by the Office of Hawaiian Affairs between 1978 and 2008. It conveys certain parcels of land in fee simple to OHA.

"I speak as a proponent of a "global solution" to the OHA issue. This bill is but a small step towards that goal.

"My reservations stem from the Senate intent to transfer Mauna Kea and other properties to OHA, and although subsequent HDs have not reflected this desire, the original idea can always re-emerge in conference drafts.

"Regarding the properties of Kaka'ako Makai, the testimony of the Attorney General pointed out that OHA's unilateral ability to pick and choose means that the State could be left with property that is fragmented rather than contiguous, and substantially de-valued by the selection. We should be more careful with the land owned by citizens and taxpayers."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 995, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1196) recommending that S.B. No. 523, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 523, SD 2, 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 Sagum, Saiki and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1197) recommending that S.B. No. 537, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 537, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1198) recommending that S.B. No. 830, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 830, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT SHARED SERVICES TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1199) recommending that S.B. No. 1614, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1614, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PASSENGER FACILITY CHARGE SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1200) recommending that S.B. No. 711, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 711, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Sagum, Saiki and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1201) recommending that S.B. No. 979, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 979, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Sagum, Saiki and Takai being excused.

Representatives Manahan and McKelvey, for the Committee on Tourism, Culture, & International Affairs and the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1202) recommending that S.B. No. 1167, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1167, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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 S.B. No. 1167, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representatives Manahan and Tsuji, for the Committee on Tourism, Culture, & International Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1203) recommending that S.B. No. 1272, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1272, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I vote 'aye' with reservations. I'm reluctant to dedicate an unspecified percentage of the Transient Accommodation Tax to pest eradication. I think we need it more for marketing purposes during our economic doldrums."

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. 1272, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1204) recommending that S.B. No. 921, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 921, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FINANCIAL ASSISTANCE FOR INDEPENDENT LIVING SERVICES AND CENTERS," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1205) recommending that S.B. No. 1183, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1183, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRACTICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Sagum, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1206) recommending that S.B. No. 19, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 19, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1207) recommending that S.B. No. 63, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 63, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record 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 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 63, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Finance with Representative Finnegan voting no, and with Representatives Sagum, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1208) recommending that S.B. No. 642, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 642, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1209) recommending that S.B. No. 1125, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1125, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1125, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second

Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1210) recommending that S.B. No. 1181, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1181, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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. 1181, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1211) recommending that S.B. No. 1664, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1664, SD 2, 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 Sagum, Saiki and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1212), recommending that H.C.R. No. 94, be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 94, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AND FINANCIAL AUDIT OF THE HAWAII PUBLIC HOUSING AUTHORITY'S MAINTENANCE CONTRACTS," was referred to the Committee on Legislative Management with Representatives Sagum, Saiki and Takai being excused.

ANNOUNCEMENTS

Representative Carroll: "Thank you, Mr. Speaker. Your Committee on Hawaiian Affairs will reconvene for decision-making in Room 329 at 1:30 today."

Representative Ching: "Thank you, Mr. Speaker. Mr. Speaker, tomorrow, March 26, we will celebrate Prince Jonah Kuhio Kalanianaole Day. He was born in 1871, the Prince of the Reigning House of Kalaukaua, and Hawaii's second Delegate to Congress, and he was called Ke Ali'i Maka 'Ainana, Prince of the People. Citizen Prince. In line to become the king of the Hawaiian Monarchy, had it continued.

"Upon the overthrow in the 1800s, a year later, he joined Native Hawaiians and American sympathizers, in organizing what would become an unsuccessful rebellion against the newly formed Republic of Hawaii that would lead to his imprisonment.

"And upon his release, he left Hawaii, traveled to Europe, Africa, joined the British Army to fight the Second Boer War, before returning home to Hawaii's new political scene.

"And in 1901, Prince Kuhio Kalanianaole joined the Republican Party, and was credited as starting the Republican Party in Hawaii, whereas his brother, David Kawananakoa started the Democrat Party. And as the Party's U.S. Congressional Delegate won a sweeping victory, he would serve from 1903 to his death in 1922.

"He is buried at Mauna Ala, the Royal Mausoleum, in Nu'uanu, where there will be a ceremony, tomorrow at 9 a.m. In attendance will be Princess Abigail Kekaulike Kawananakoa. Thank you."

ADJOURNMENT

At 12:52 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Friday, March 27, 2009. (Representatives Sagum, Saiki, Takai and Ward were excused.)

THIRTY-SEVENTH DAY

Friday, March 27, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:08 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Mr. Pamai Tenn, after which the Roll was called showing all Members present with the exception of Representatives Chang, McKelvey, M. Oshiro, Pine and Takai, 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 MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 274 and 275) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 274, dated March 24, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Act 219, Session Laws of Hawaii, 2007, Relating to the Health Care and Act 213, Part III, Section 52, Session Laws of Hawaii, 2007, Relating to the State Budget for the Hawaii Health Care Workforce Assessment.

Gov. Msg. No. 275, dated March 24, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Act 213, Section 38, Session Laws of Hawaii, 2007, 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.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 6) was received and announced by the Clerk:

Sen. Com. No. 428, transmitting H.B. No. 520, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDINGS," which passed Third Reading in the Senate on March 25, 2009.

Representative B. Oshiro moved to disagree to the amendments made by the Senate to the following House bill, seconded by Representative Evans and carried: (Representatives Chang, McKelvey, M. Oshiro, Pine and Takai were excused.)

H.B. No. 520, HD 1, (SD 1)

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Choy introduced the 2008 Hawaii High School Athletic Association Division I State Champs, the Punahou Buff 'n Blue Varsity Football Team. They were accompanied by Punahou President, Dr. James Scott; and Head Football Coach, Mr. Kale Ane.

Representative Marumoto introduced friends and family of the Football Team: grandparents, former District Judge and Mrs. Tenny Tong; and friend, Mr. David Arakawa.

Representative Marumoto also introduced her daughter, Ms. Wendy Suite, and grandson Brian Suite, a defensive back on the team.

Representative Berg further recognized and congratulated the Punahou Buff 'n Blue Football Team.

Representative Har introduced student artists from Makakilo Elementary School who were accompanied by teachers, Ms. Lisa Shindo, Ms. Betty Nishihara and husband, 'Papa' Nishihara; and Principal Mr. Sean Tajima.

Miss Kylie Kiyuna, 1st grade student with her parents, Mrs. Eileen and Mr. Ronnie Kiyuna, and sisters Sapphire and Kira;

Miss Keeley Oyadomari, 2nd grade student with her parents, Mrs. Felice and Mr. Shaye Oyadomari, brothers Dianni and Anotonio, and sister Bryanna;

Miss Nharee Cook, 1st grade student with mother, Ms. Amy Cook, sisters Abcdee and Loeghan, and brother Nunu.

Representative Ching introduced her 5 year old daughter Miss Anna Lauren Elizabeth Lerner, who was accompanied by her legislative staff Ms. Kristen Tibourtine.

Representative Carroll introduced leaders from the Ka Ipu Kukui Fellows program from Maui:

Ms. Kate Bahr, Lahaina Restoration Foundation;
Mr. Kainoa Casco, Dowling Company;
Ms. Ellen Federoff, Akimeka Technologies;
Mr. David Gorman, Morgan Stanley, Inc.;
Ms. Kuhea Paraculles, County of Maui, Office of the Mayor;
Ms. Kattie McMillian, Maui Community College;
Mr. Kevin Yoshida, Central Pacific Bank;
Ms. Leilani Pulmano, Maui Land & Pine Co.;
Mr. Jeff Rebugio, Kaanapali Land Management Corp;
Ms. Megan Webster, Maul Land & Pine Co.; and
Ms. Tamara Paltin, County of Maui, Department of Parts & Recreation.

Representative Chong introduced Ms. Myra Shozuya of the Legislative Reference Bureau, and her grandson, Nicholas.

At 12:22 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 12:24 o'clock p.m.

Representative Takumi introduced Education Week Honorees:

Ms. Erin Yagi from Waipahu Intermediate School, winner of the Presidential Award for Excellence in Mathematics and Science Teaching for 2007. She was accompanied by her son, Mr. Dearrin Yagi and Ms. Carol Yang-Endo from the Leeward District Office; and

Ms. Ivalee Sinclair, family specialist for the Department of Education's Community Children's Council Office, winner of the *Honolulu Advertiser* 2008 Jefferson Award and recipient of Mental Health America of Hawaii's lifetime achievement award. She was accompanied by friends, Mr. Eric Rolseth and Ms. Christy Nishimura.

Representative Berg introduced Education Week Honorees:

Ms. Alisha Deguair, third grade teacher at Kahakai Elementary School and winner of the National Milken Educators of Hawaii's 'Teacher of Promise' award. She was accompanied by Kahakai Elementary School, Principal Jessica Yamasawa; and

Ms. Carol Hotta, Maui District Itinerant teacher for the visually impaired and winner of the first Eva Smyth Educator of Blind Children Award. She was accompanied by her husband, Mr. Earle Hotta.

At 12:28 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 REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.R. Nos.	Re-referred to:
163	Committee on Health, then to the Committee on Finance
277	Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

H.C.R. Nos.	Re-referred to:
201	Committee on Health, then to the Committee on Finance
305	Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

S.B. Nos.	Re-referred to:
378, SD1, HD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
636, SD1, HD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1046, SD1	Committee on Higher Education, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1213) recommending that S.B. No. 580, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 580, SD 2, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I strongly support SB 580, S.D. 2, H.D. 1 which will clarify that the State's forfeiture laws apply to natural resource violations. A recent Hawaii Supreme Court decision, *Carlisle v. One Boat, et. al.* (No. 26995, November 17, 2008) raised the issue of whether the State's forfeiture statutes and the DLNR administrative rules, as applied to natural resource violations, provide a legally sufficient statutory basis to authorize forfeiture claims by the State.

"This bill will validate the use of certain civil remedies, including forfeiture of property such as boats or water vessels, imposed to enforce violations of laws protecting the Kaho'olawe Island Reserve, caves and other historic preservation areas. This bill clarifies and confirms what DLNR and DOCARE have been doing over the years (i.e., seizing and forfeiting boats and other instruments used in natural resource violations). The language of Section 2 of this bill specifically provides that "violators may be subject to civil remedies, including forfeiture pursuant to Chapter 712A." Section 3 authorizes DLNR to participate in forfeitures by policy and to adopt rules for covering certain kinds of natural resource violations.

"I generally support giving DLNR's enforcement officers the necessary tools to be good stewards and to better foster sustainability. Many natural resource violations involving the use of a boat or fishing vessel fall within the category of petty misdemeanors punishable with a fine of no more than $1,000 or imprisonment of not more than thirty days, or both. The relatively light punishment for such violations is not sufficient to deter a boat owner who commits a natural resource violation. Forfeiture of a violator's boat or vessel provides stronger deterrence than the current penalty provision for a petty misdemeanor. However, risking the loss of a boat or vessel worth possibly ten times more than the monetary penalty will certainly cause someone to think twice before attempting to use a boat or vessel to unlawfully poach within the Kaho'olawe Island Reserve and similar historic preservation areas.

"I urge my colleagues to vote in favor of the bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 580, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1214) recommending that S.B. No. 1088, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1088, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1215) recommending that S.B. No. 1318, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1318, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Hanohano and Souki, for the Committee on Public Safety and the Committee on Transportation presented a report (Stand. Com. Rep. No. 1216) recommending that S.B. No. 1059, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1059, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1217) recommending that S.B. No. 1060, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1060, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Second Reading and was referred to the

Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1218) recommending that S.B. No. 970, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 970, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS' ACCOUNTS," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1219) recommending that S.B. No. 969, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 969, SD 2, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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 S.B. No. 969, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESTRICTED ACCESS TO CORRECTIONAL FACILITIES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1220) recommending that S.B. No. 1258, SD 2, HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1258, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1221) recommending that S.B. No. 1680, SD 2, HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1680, SD 2, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Bertram rose in support of the measure 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 in support of SB1680 SD2 HD1. At the EBM Committee, there were over 500 testimonies in support of Senate language that would finally resolve the long standing PEG access organizations controversy. The Senate language follows the recommendations of our own HCR 358 task force which recommended against the use of procurement and recommended proper and effective oversight by the cable regulator.

"The CPC Committee received over a thousand testimonies in support of keeping the Senate's PEG language in. While there are some technical corrections requested by the Administration and industry, no one has testified or requested that the PEG language be removed. The public has overwhelmingly spoken and it wants the PEG issue resolved with the rest of the broadband issues. I stand with the public and the people of Maui and support passage of 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. 1680, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1222) recommending that S.B. No. 933, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 933, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY LICENSURE OF DENTISTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1223) recommending that S.B. No. 571, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 571, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A VETERANS' MEMORIAL," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1224) recommending that S.B. No. 705, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 705, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1225) recommending that S.B. No. 764, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 764, SD 2, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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. 764, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1226) recommending that S.B. No. 1195, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No.

1195, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ECONOMY," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1227) recommending that S.B. No. 1140, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1140, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1228) recommending that S.B. No. 967, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 967, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1229) recommending that S.B. No. 585, SD 2, HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 585, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1230) recommending that S.B. No. 1671, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1671, SD 1, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative 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. 1671, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FOSSIL FUELS," was referred to the Committee on Finance with Representative Thielen voting no, and with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1231) recommending that S.B. No. 1142, SD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1142, SD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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 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."

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 S.B. No. 1142, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1232) recommending that S.B. No. 605, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 605, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NOISE," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1233) recommending that S.B. No. 470, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 470, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1234) recommending that S.B. No. 887, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 887, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1235) recommending that S.B. No. 892, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 892, 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 Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1236) recommending that S.B. No. 614, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 614, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1237) recommending that S.B. No. 896, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 896, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1238) recommending that S.B. No. 1205, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1205, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1239) recommending that S.B. No. 876, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 876, 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 Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1240) recommending that S.B. No. 1621, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1621, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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 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 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 S.B. No. 1621, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Finance with Representatives Ching, Finnegan, Marumoto and Thielen voting no, and with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1241) recommending that S.B. No. 1223, SD 1, HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1223, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MADE PRODUCTS," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1242) recommending that S.B. No. 1173, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1173, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1243) recommending that S.B. No. 382, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 382, SD 1, HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

Representative Marumoto 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 Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 382, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Finnegan, Marumoto and Thielen voting no, and with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1244) recommending that S.B. No. 1226, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1226, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Souki rose to speak in support of the measure with reservations, stating:

"On Stand. Com. Rep. Nos. 1244, 1245 and 1246, all with strong reservations."

Representative Bertram rose to speak in support of the measure with reservations, stating:

"On Stand. Com. 1244, strong reservations as well."

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. 1226, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TOURISM SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1245) recommending that S.B. No. 1227, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1227, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Souki rose to speak in support of the measure with reservations, stating:

"On Stand. Com. Rep. Nos. 1244, 1245 and 1246, all with strong reservations."

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. 1227, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1246) recommending that S.B. No. 264, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 264, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Souki rose to speak in support of the measure with reservations, stating:

"On Stand. Com. Rep. Nos. 1244, 1245 and 1246, all with 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. 264, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1247) recommending that S.B. No. 1329, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1329, 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 Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Chang and Rhoads, for the Committee on Higher Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1248) recommending that S.B. No. 1665, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1665, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1249) recommending that S.B. No. 1263, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1263, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1250) recommending that S.B. No. 119, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 119, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM FOREIGN-COUNTRY MONEY JUDGMENTS RECOGNITION ACT," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1251) recommending that S.B. No. 843, SD 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 843, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1252) recommending that S.B. No. 1137, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1137, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1253) recommending that S.B. No. 931, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No.

931, 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 Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1254) recommending that S.B. No. 423, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 423, 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 Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1255) recommending that S.B. No. 568, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 568, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PRESCRIPTIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1256) recommending that S.B. No. 1178, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1178, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1257) recommending that S.B. No. 1673, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1673, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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 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 S.B. No. 1673, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1258) recommending that S.B. No. 1203, SD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1203, SD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICE," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1259) recommending that S.B. No. 1568, SD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1568, SD 2, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1260) recommending that S.B. No. 905, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 905, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF COMMUNITY SERVICES," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1261) recommending that S.B. No. 1, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OPIHI," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1262) recommending that S.B. No. 378, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 378, SD 1, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative C. Lee 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 Keith-Agaran 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 Morita 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. 378, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," passed Second Reading

and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1263) recommending that S.B. No. 521, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 521, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1264) recommending that S.B. No. 522, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 522, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1265) recommending that S.B. No. 1141, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1141, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered." [Note: Representative Thielen later changed her vote to a 'no' vote.]

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Berg rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I wish to register a 'no' vote to pass this forward. Looking at the expectation of this bill to offer the sale and exchange of parcels to leaseholders on Sand Island, knowing that it is ceded lands. The Department opposes the bill. The Attorney General says that it has constitutional concerns. I don't think this should go any further. Thank you."

Representative Luke 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 Shimabukuro 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 a no vote for her, and the Chair "so ordered."

Representative Coffman rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Wooley 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."

Representative Carroll rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Thielen rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'd like to change my reservations to a 'no' vote, please."

Representative Saiki rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Cabanilla rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Morita rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Har rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1141, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Finance with Representatives Belatti, Berg, Cabanilla, Finnegan, Luke and Thielen voting no, and with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Cabanilla and Ito, for the Committee on Housing and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1266) recommending that S.B. No. 442, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 442, SD 2, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

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. 442, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSIT ORIENTED DEVELOPMENT," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1267) recommending that S.B. No. 1218, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1218, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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. 1218, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATORS," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources presented a report (Stand.

Com. Rep. No. 1268) recommending that S.B. No. 1152, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1152, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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."

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 Morita rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1152, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1269) recommending that S.B. No. 633, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Hawaiian Affairs.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 633, SD 1, HD 1, pass Second Reading and be referred to the Committee on Hawaiian Affairs, seconded by Representative Evans.

Representative Morita 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. 633, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER," passed Second Reading and was referred to the Committee on Hawaiian Affairs with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1270) recommending that S.B. No. 1345, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1345, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative C. Lee 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 Saiki 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. 1345, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1271) recommending that S.B. No. 468, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 468, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1272) recommending that S.B. No. 636, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 636, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1273) recommending that S.B. No. 709, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Agriculture.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 709, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Agriculture with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Ito and Morita, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1274) recommending that S.B. No. 50, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 50, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY PRODUCERS," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1275) recommending that S.B. No. 295, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 295, SD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Finnegan 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 strong support of Standing Committee Report No. 1295, Senate Bill 295, Senate Draft 1, Relating to Transportation. This bill will allow high occupancy vehicle lanes to be used by hybrid and other energy-efficient vehicles including plug-in hybrid electric vehicles, regardless of the number of occupants.

"Mr. Speaker, I stand in strong support for two reasons. First, this adds an incentive to purchase energy efficient vehicles. Energy-efficient vehicles, such as hybrid vehicles and plug-in hybrid vehicles, are gaining increased acceptance in the consumer market. These vehicles are being purchased in greater numbers and are becoming a more common sight on our roadways. The use of these vehicles not only reduces the consumption of fossil fuels, but also aids in the reduction of pollution, including greenhouse-gas emissions. Providing incentives for the purchase and use of these vehicles, such as allowing these vehicles to use HOV lanes regardless of the number of occupants, will benefit the environment and decrease the State's dependence on fossil fuels.

"Secondly, our HOV lanes are currently underutilized. By allowing energy efficient vehicles to use HOV lanes, we can get more cars out of general purpose lanes and improve the flow of traffic. This will be one part of a traffic solution to minimize the time spent on the road. For these reasons, I stand in strong support. 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 S.B. 295 - Relating to Transportation. I introduced a similar measure as a freshman member of this Body and I am glad to see this bill is moving.

"Sierra Club says, "Hawaii is the most dependent state in the nation on imported oil. Some 50 million barrels are imported annually, nearly 80% of which originate from foreign sources. In addition, over 805,000 tons of coals are imported into our state. These sources provide power for over 92% of Hawaii's electricity generation. The combustion of these resources also contributes over 23 million tons of climate changing greenhouse gas into our atmosphere annually." 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. 295, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1276) recommending that S.B. No. 718, SD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 718, SD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Bertram rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support."

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of SB718 SD1 to require the adoption of a statewide "complete streets" policy. This bill makes the modest requirement that all roads, streets and highways constructed or maintained by the State or counties make reasonable accommodation for convenient access and mobility for all users -- not just cars.

"While the Department of Transportation has testified that building complete streets would cost too much, sadly we see what it costs in terms of tragic pedestrian accidents, countless lost hours stuck in traffic, billions from the local economy thrown down the tube to foreign oil, and the marginalization of an estimated one third of the public that doesn't own a car. When we don't have complete streets, our streets are not safe for every user and our roads are not inviting for all modes of transportation.

"Contrary to DOT testimony, this is not a mandate without flexibility. SB718 includes reasonable exemptions for highways, for example, where bikes and pedestrians are prohibited, and for projects in sparsely populated areas that would cost too much for their low probable use. And the task force called for in the bill should help resolve some of the questions heard in the testimony and bring groups together.

"Mr. Speaker, I am very optimistic that complete streets will revitalize our communities simply because the policy requires we build what's missing, like street and sidewalk lighting, beautiful landscaping, feeder routes, and safe bikeways.

"Let's ensure our beautiful island towns and cities have complete streets. Through this simple policy, we will be improving safety, reducing car congestion, cutting the foreign oil habit and improving public health, just by encouraging walking and biking. I urge passage of SB718. Mahalo."

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:

"Mr. Speaker, I rise in support of SB 718, SD 1. I am in support of a Complete Streets policy for this State. The goal of Complete Streets is to make our public highways and trails accessible, convenient, and safe, not just for motorists, but also for a broad spectrum of other users, including pedestrians, bicyclists, transit users, and persons of all ages and abilities. A Complete Streets policy encourages alternative forms of transportation so that the people of Hawaii may come to rely less on their cars.

"Designing our streets to make room for pedestrians and bicyclists will produce many positive results for our State and our people. Making the option of walking or biking more readily available will promote healthy physical activity. The resulting decrease in cars on our roads will reduce our dependence on fossil fuels, reduce traffic congestion, and reduce vehicular air and noise pollution. A Complete Streets policy will make room for all of us on Hawaii's roads, thereby reducing the incidence of pedestrian and bicyclist injuries and fatalities. A Complete Streets policy promises to improve the quality of life for all of Hawaii's citizens. 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. 718, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1277) recommending that S.B. No. 1224, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1224, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"A 'no' vote, please, on 1277. Mr. Speaker, this is the bill where we give a break to lessees out at the airport, but we don't give a break to the others that are leasing State or county lands. It singles out one group for favorable treatment. Maybe there are compelling reasons, but in this time, there are compelling reasons, I think, for many other small business people. I just don't think this bill is fair.

"Now, we have the SuperFerry decision, so this may be looked at, as that kind of single issue, single focus legislation, and it may not even withstand judicial scrutiny. But, I think we're being unfair to all the others, at the expense of their operations, by giving this off to this one group. Thank you."

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 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 for S.B. 1224 - Relating to Airport Concessions. This bill would allow government to pick winners and losers in the economy by deciding how much rent concessions should pay based on their performance. Unprofitable concessions would then pay less rent that profitable ones. This is not fair to the profitable concessions. 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. 1224, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONS," passed Second Reading and was referred to the Committee on Finance with Representative Thielen voting no, and with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1278) recommending that S.B. No. 1611, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1611, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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 a no vote 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 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1611, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Finance with Representatives Ching and Marumoto voting no, and with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1279) recommending that S.B. No. 427, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 427, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1280) recommending that S.B. No. 242, SD 2, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 242, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1281) recommending that S.B. No. 688, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 688, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations. I'll be very brief because the Chair of EBM is not here, because I wanted to commend him for doing what otherwise would be impossible. This is a bill that says that if you buy a business, you've got to keep the employees, or at least those who are non-supervisory.

"But, he and the Vice Chair, in a very innovative way, have brought the two sides together. I like the spirit of bringing labor and management together. That's very, very well, and that's really why I wanted to stand to commend them about. Because it says that if you keep the employees, you get a 4% G.E.Tax holiday for a year.

"Now because this was a HD 1, I'm not sure whether business likes it, or labor likes it, but the fact that it's moving on, and it's creative, and it's in the spirit of trying to put a quarter of a loaf and a quarter of a loaf, and maybe you get a half of a loaf out of it. I wanted to stand to commend the Chair. Thank you."

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 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.B. No. 688, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," was referred to the Committee on Finance with Representatives Ching, Finnegan, Marumoto and Thielen voting no, and with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1282) recommending that S.B. No. 205, 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 B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 205, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OWNER-BUILDERS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1283) recommending that S.B. No. 178, SD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 178, SD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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. 178, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1284) recommending that S.B. No. 1248, SD 1, HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1248, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1285) recommending that S.B. No. 266, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 266, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GLOBAL WARMING," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1286) recommending that S.B. No. 464, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 464, 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 Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1287) recommending that S.B. No. 466, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 466, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO POLLUTION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1288) recommending that S.B. No. 701, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 701, SD 2, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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:

"I am in strong support, Mr. Speaker."

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. This measure addresses the concerns from constituents along the Waianae Coast who have been plagued by the only solid municipal landfill in the City and County of Honolulu. I had organized and held a series of three meetings with the community on their concerns about landfills for the past two years. Officials from the Department of Health were present to answer questions and provide resources to meeting attendees.

"Mr. Speaker, landfills have been a concern for the residents along the Waianae Coast for a very long time. This measure will force our City and County to look elsewhere if another solid municipal landfill is to be established. However, my hope is that discussions surrounding landfills will soon be the thing of the past and alternatives can be implemented when addressing waste. Thank you, Mr. Speaker."

Representative M. 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 M. Lee's written remarks are as follows:

"I rise with reservations on this measure. First, this bill is a good example of bad public policy. I do understand the concerns of residents on the Leeward Coast. They have been burdened with the problem of waste for many years, and the health concerns are valid.

"This bill, however, places a moratorium on the construction of any new solid waste landfills and/or the expansion of any existing private solid waste landfills in the Waianae, Waialua, Koolaupoko and Koolauloa Districts. It does not mention Central Oahu, Mililani, Kunia or Wahiawa—all of which lie above the Pearl Harbor Aquifer.

"I was part of the effort to keep Mililani's water supply pure after pesticide contamination was found in 1986. I strongly oppose any policy which, intended or not, would permit any landfill over the Pearl Harbor Aquifer. I suggest this bill be amended or voted down."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 701, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDFILLS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1289) recommending that S.B. No. 536, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 536, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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:

"Mr. Speaker, I rise in support of SB 536, SD 1, HD 1, which calls for the development of a Statewide Starlight Reserve Strategy to preserve the quality of Hawaii's night sky. The night sky visible from Hawaii, the most isolated land mass on earth, is perhaps more spectacular than the night sky that can be viewed from anywhere else. It is a unique educational, scientific, cultural, environmental, health, and economic resource worth preserving for future generations.

"First, our night sky has important educational and scientific value. Our two astronomy observatories at Maunakea and Haleakala are world-renowned for the views of the heavens that they afford.

"Second, our night skyscape has irreplaceable value to our native peoples, who have relied on the stars to assist them with agricultural cycles, fishing cycles, and oceanic navigation. Younger generations who are now reviving Native Hawaiian cultural and traditional practices depend on the continued preservation of the night sky.

"Third, a naturally dark night sky is a valuable environmental and health resource. Endangered animals like Newell's shearwater birds and sea turtles can become disoriented by too much ambient night light.

"Lastly, there are a growing number of visitors who come to Hawaii to enjoy our unparalleled views of the heavens. These visitors constitute a tourist market we should cultivate.

"Hawaii is a unique place with natural resources found nowhere else in the world. This State should be at the forefront of worldwide efforts to preserve its view of the night sky. For all of these reasons, I stand in strong support of the Statewide Starlight Reserve Policy embodied in SB 536 SD 1 HD 1."

Represent Ching rose to speak in support of the measure, stating:

"Thank you. I stand in strong support of this bill, Mr. Speaker. Thank you. Mr. Speaker, what this bill does, is it requires DBEDT to develop an Advisory Committee to develop a Statewide Starlight Reserve Strategy and preserve the quality of the night sky, associated scientific, astronomical, natural, landscape related values.

"One of our prides and joy is the fact that we are one of the best places in the world for astronomy. That is a reflection of excellence in this State. And, what they came to tell us, is that the light from Maui and Oahu is traveling over to the Big Island, to Mauna Kea. And it is affecting the ability to see the astronomical constellations, etc. All the research that's going into that.

"What catches my attention, because I've been following this issue for some time, is that not only is light linked to problems with some of the natural behavior of our *honu*, but actually, they're finding more and more that it is detrimental to health of human beings. It interrupts the circadian rhythm of people. Even though you may have curtains, even though you may have all of this, it's linked to breast cancer and some other ailments.

"But more important, well, that's important too, but all three of the reasons, not only is it affecting one of our reflections of excellence, and it is bad for the natural environment and our health, but it costs a lot of money. And I would propose that if we were to, as there are initiatives coming out of Australia and New Zealand, to turn off your lights more often, and to be more judicious about when we're putting our nightlight's on, you would save a lot of money. You would save a lot of energy.

"And so, this is something that to me has a lot of merit, and I would just like to ask for additional written comments."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of S.B. 536 - Relating to Starlight Reserve. I believe the starlight reserve has a vast range of benefits to the State. The starlight reserve will produce energy savings by reducing wasteful use of light at night, improve glare from roadway lighting and preserve the ability of Hawaii's residents and visitors to view the beauty of the night sky.

"Richard Wainscoat, who works at the University of Hawaii Institute for Astronomy and as President of Commission 50 of the International Astronomical Union, states in his testimony that "Mauna Kea Observatory on the Island of Hawaii is arguably the best observing site on Earth. Haleakala Observatory on Maui is among the best observing sites in the Northern Hemisphere. Mauna Kea is threatened by light pollution. Haleakala already suffers from significant light pollution that comes both from Maui County and from Oahu. Much of it is unnecessary, and results from careless and wasteful use of light at night." 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. 536, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STARLIGHT RESERVE," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1290) recommending that S.B. No. 1008, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1008, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"A 'no' vote please, on Relating to Water Quality Standards, Mr. Speaker. I don't believe in lessening the standards. Thank you."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative C. Lee 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 Berg rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered." \

Representative Wooley 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1008, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY STANDARDS," passed Second Reading and was referred to the Committee on Finance with Representative Thielen voting no, and with

Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Morita and McKelvey, for the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1291) recommending that S.B. No. 1065, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1065, SD 2, 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 Consumer Protection & Commerce with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Morita and Tsuji, for the Committee on Energy & Environmental Protection and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1292) recommending that S.B. No. 512, SD 2, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 512, SD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I have reservations on this bill, but it's not to be construed that I'm opposed to biofuel development. It's just, I feel that this bill needs a little more study, and a little more work. 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. 512, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1293) recommending that S.B. No. 109, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 109, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR JUVENILES," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

At 1:00 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 1:01 o'clock p.m.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1294) recommending that S.B. No. 851, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 851, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1295) recommending that S.B. No. 912, SD 2, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 912, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERMANENCY HEARINGS," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1296) recommending that S.B. No. 1352, SD 2, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1352, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUREAU OF CONVEYANCES," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1297) recommending that S.B. No. 504, SD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 504, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1298) recommending that S.B. No. 713, SD 2, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 713, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EMERGENCY ENVIRONMENTAL WORKFORCE," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1299) recommending that S.B. No. 1334, SD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1334, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN MUSIC AND DANCE," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1300) recommending that S.B. No. 602, SD 2, as amended in HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 602, SD 2, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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 S.B. No. 602, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ARTS," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1301) recommending that S.B. No. 1083, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1083, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BURIAL SITES," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Carroll and Cabanilla, for the Committee on Hawaiian Affairs and the Committee on Housing presented a report (Stand. Com. Rep. No. 1302) recommending that S.B. No. 1268, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1268, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Keith-Agaran 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 S.B. No. 1268, 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 Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1303) recommending that S.B. No. 932, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 932, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFECTIOUS DISEASE TESTING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1304) recommending that S.B. No. 940, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 940, SD 1, 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 Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1305) recommending that S.B. No. 496, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 496, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, 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 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 a no vote 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 B. Oshiro rose to disclose a potential conflict of interest, stating:

"A ruling on a potential conflict. At my law firm, I represent Charter Schools. 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. 496, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Finance with Representative Marumoto voting no, and with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1306) recommending that S.B. No. 389, SD 1, HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 389, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1307) recommending that S.B. No. 754, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 754, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1308) recommending that S.B. No. 1148, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1148, SD 2, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

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 S.B. No. 1148, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPREHENSIVE OFFENDER REENTRY SYSTEM," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1309) recommending that S.B. No. 44, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 44, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative 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 S.B. No. 44, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

ADJOURNMENT

At 1:05 o'clock p.m. on motion by Representative Evans, seconded by Representative Ching and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, March 30, 2009. (Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka were excused.)

HOUSE COMMUNICATION

House Communication dated March 27, 2009, 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 bill:

H.B. No. 520, HD 1, SD 1

THIRTY-EIGHTH DAY

Monday, March 30, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:07 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Dr. Stephen L. Swisher of Kenneth Copeland Ministries, after which the Roll was called showing all Members present with the exception of Representatives Berg, Mizuno and Takai, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Seventh Day was deferred.

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 276) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 276, dated March 26, 2009, transmitting the Quarterly Report to the Legislature of the State of Hawaii on Act 2, Second Special Session Laws of Hawaii 2007, Conditions, Protocols and Costs, prepared pursuant to Act 2 of the Twenty-Fourth Legislature, 2007 Second Special Session.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 429 through 432) were received and announced by the Clerk:

Sen. Com. No. 429, transmitting S.C.R. No. 66, S.D. 1, entitled: "A BILL FOR AN ACT REQUESTING THAT THE UNITED STATES POSTAL SERVICE ISSUE A COMMEMORATIVE STAMP HONORING PRINCE JONAH KUHIO KALANIANAOLE," which was adopted in the Senate on March 27, 2009.

Sen. Com. No. 430, transmitting H.B. No. 442, entitled: "A BILL FOR AN ACT RELATING TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD," which passed Third Reading in the Senate on March 27, 2009.

Sen. Com. No. 431, transmitting H.B. No. 319, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," which passed Third Reading in the Senate on March 27, 2009.

Sen. Com. No. 432, informing the House that the Senate has disagreed to the amendments proposed by the House on the following Senate Bill:

S.B. No. 440, SD 2, HD 1

Representative B. Oshiro moved to disagree to the amendments made by the Senate to the following House bill, seconded by Representative Evans and carried: (Representatives Berg, Mizuno and Takai were excused.)

H.B. No. 319, HD 1, (SD 1)

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative M. Lee introduced Ms. Shahlo Mamraeva, an exchange student from Uzbekistan and volunteer in her office, who was accompanied by her legislative staff, Mr. Shawn James Leavey and Ms. Bree Davis.

Representative Brower introduced televangelists from the Kenneth Copeland Ministries in Newark, Texas, Mrs. Kellie Copeland Swisher and Dr. Stephen Swisher. They were accompanied by Reverend Daniel de Gracia, and his Office Manager, Ms. Cynthia Nyross.

Representative Luke introduced Mr. Jake Taniguchi, 5th grade student at Aina Haina Elementary, and son of Senate Chief Clerk, Ms. Carol Taniguchi.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.R. Nos.	Re-referred to:
170	Committee on Finance
187	Jointly to the Committee on Higher Education and the Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

H.C.R. No.	Re-referred to:
209	Committee on Finance

S.B. No.	Re-referred to:
638, SD2	Committee on Water, Land, & Ocean Resources

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 295) was announced by the Clerk and the following action taken:

H.R. No. 295, entitled: "HOUSE RESOLUTION RECOGNIZES AND COMMENDS DALLAS CARTER AS AN OUTSTANDING ROLE MODEL FOR GOOD HEALTH," was jointly offered by Representatives M. Lee, Morita, Rhoads and Yamane.

Representative M. Lee moved that H.R. No. 295 be adopted, seconded by Representative Rhoads.

Representative M. Lee introduced Mr. Dallas Carter, the grand prize winner of the Beachbody.com's Million Dollar Body Game and commended him on his lifestyle-changing achievements. Accompanying him on the Floor of the House were his wife, Mrs. Monica Carter, and their children, Mariah and Dallas Carter, III.

Representative Rhoads also congratulated Mr. Carter and applauded him for being a role model and inspiring others to improve their health.

Representative Rhoads then introduced supporters of Mr. Carter who were seated in the gallery: his boss, Ms. Beverly Sandobal; his coach Ms. Fran Patoskie; and Beachboy team member, Ms. Joanne Chung.

The motion was put to vote by the Chair and carried, and H.R. No. 295 was adopted with Representatives Berg, Mizuno and Takai being excused.

The following resolution (H.R. No. 296) was announced by the Clerk and the following action taken:

H.R. No. 296, entitled: "HOUSE RESOLUTION HONORING FRANK DE LIMA FOR HIS OUTSTANDING SERVICE TO HAWAII'S YOUTH THROUGH THE "FRANK DE LIMA STUDENT ENRICHMENT PROGRAM"," was offered by Representative Ward.

Representative Ward moved that H.R. No. 296 be adopted, seconded by Representative Belatti.

Representative Ward introduced the honoree, Mr. Frank De Lima and thanked him for bringing laughter to the people of Hawaii, and commended him for his 29 years of service through his Frank De Lima Student Enrichment Program.

Representative Ward then introduced Mr. De Lima's friends, Uncle Bobby and Aunty Marian Chun of North Hollywood, California; and Mr. Albert Chee, Jr. of Chevron USA, long-time sponsors of Mr. De Lima's student program.

Representative Belatti, as a former participant of the Student Enrichment Program, thanked Mr. De Lima for his work in inspiring students.

Representative Ching further thanked and commended Mr. De Lima for his work with Hawaii's youth.

The motion was put to vote by the Chair and carried, and H.R. No. 296 was adopted with Representatives Berg, Mizuno and Takai being excused.

At 12:32 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:41 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1310), recommending that H.R. No. 67, as amended in HD 1, be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.R. No. 67, HD 1, be referred to the Committee on Judiciary, seconded by Representative Evans.

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 Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose in support of the measure with reservations and asked that 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 to H.R. 67 – Urging State and Local Law Enforcement Officers to Abide by State Laws Relating to the Medical use of Cannabis. The law enforcement community is well abreast of Hawaii's current medical marijuana laws and I feel this measure might not be necessary. The Honolulu Police Department states in their testimony, "We are well aware of the medical marijuana law of this state and do not need a resolution to remind us of our obligation to obey the law."

"I also have concerns that this bill might send the wrong message to law enforcement. The Department of Public Safety says, "The Department feels that House Resolution 67 is not necessary and derogatory in nature to Hawaii's hard working law enforcement officers. For these reasons the department cannot support House Resolution 67 and ask that it be held." Thank you."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Bertram rose in support of the measure 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 in strong support of HR 67. Since the inception of Hawaii's cannabis program there has been a hostility towards the program and the patients by law enforcement. Recent testimony from the Maui Police Chief stated bluntly that he "did not support the program in its entirety".

"There have been dozens of anecdotal and many verified instances of illegal seizures and harassment by local law enforcement. For this worthy program to work patients must have faith that local law enforcement will honor and follow state law. This resolution is one small step in that direction. 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.R. No. 67, HD 1, entitled: "HOUSE RESOLUTION URGING STATE AND LOCAL LAW ENFORCEMENT OFFICERS TO ABIDE BY STATE LAWS RELATING TO THE MEDICAL USE OF CANNABIS," was referred to the Committee on Judiciary with Representatives Berg, Mizuno, Saiki and Takai being excused.

Representatives Hanohano and Tsuji, for the Committee on Public Safety and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1311), recommending that H.R. No. 12, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 12, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE U.S. DEPARTMENT OF AGRICULTURE TO PROVIDE FEDERAL AID TO ASSIST AGRICULTURAL OPERATIONS IN VOG-IMPACTED AREAS IN MEETING THEIR WATER NEEDS," was referred to the Committee on Finance with Representatives Berg, Mizuno, Saiki and Takai being excused.

Representatives Hanohano and Tsuji, for the Committee on Public Safety and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1312), recommending that H.C.R. No. 8, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 8, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE U.S. DEPARTMENT OF AGRICULTURE TO PROVIDE FEDERAL AID TO ASSIST AGRICULTURAL OPERATIONS IN VOG-IMPACTED AREAS IN MEETING THEIR WATER NEEDS," was referred to the Committee on Finance with Representatives Berg, Mizuno, Saiki and Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1313), recommending that H.R. No. 36, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 36, 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 Berg, Mizuno, Saiki and Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1314), recommending that H.C.R. No. 45, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 45, 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 Berg, Mizuno, Saiki and Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1315), recommending that H.C.R. No. 35, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 35, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE A PROPOSED MEASURE TO REGULATE HOME CARE AGENCIES BY THE DEPARTMENT OF HEALTH," was referred to the Committee on Finance with Representatives Berg, Mizuno, Saiki and Takai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1316), recommending that H.R. No. 91, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 91, 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 KAMUELA VACUUM COOLING PLANT," was referred to the Committee on Finance with Representatives Berg, Mizuno, Saiki and Takai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1317), recommending that H.C.R. No. 113, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 113, 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 KAMUELA VACUUM COOLING PLANT," was referred to the Committee on Finance with Representatives Berg, Mizuno, Saiki and Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1318) recommending that H.R. No. 55, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 55, entitled: "HOUSE RESOLUTION WHEREAS, RECOGNIZING MARCH AS ADULT RESIDENTIAL CARE HOME AND ADULT FOSTER HOME OPERATORS MONTH," was adopted, with Representatives Berg, Mizuno, Saiki and Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1319) recommending that H.C.R. No. 69, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 69, entitled: "HOUSE CONCURRENT RESOLUTION WHEREAS, RECOGNIZING MARCH AS ADULT RESIDENTIAL CARE HOME AND ADULT FOSTER HOME OPERATORS MONTH," was adopted, with Representatives Berg, Mizuno, Saiki and Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1320) recommending that H.R. No. 8, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 8, HD 1, entitled: "HOUSE RESOLUTION DESIGNATING THE FIRST WEEK IN FEBRUARY AS HAWAII TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK," was adopted, with Representatives Berg, Mizuno, Saiki and Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1321) recommending that H.C.R. No. 4, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 4, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING THE FIRST WEEK IN FEBRUARY AS HAWAII TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK," was adopted, with Representatives Berg, Mizuno, Saiki and Takai being excused.

ANNOUNCEMENT

Representative Brower: "Thank you, Mr. Speaker. I just want to invite the Members to lunch with the gentleman who gave our invocation, Dr. Stephen Lowell Swisher, and it will be in Room 423, food will be served. Thank you."

ADJOURNMENT

At 12:45 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, March 31, 2009. (Representatives Berg, Mizuno, Saiki and Takai were excused.)

HOUSE COMMUNICATION

House Communication dated March 30, 2009, 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 bill:

H.B. No. 319, HD 1, SD 1

THIRTY-NINTH DAY

Tuesday, March 31, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Miss Seiko Chow, daughter of Ms. Candace Van Buren, Office Manager of Representative Nishimoto, after which the Roll was called showing all Members present with the exception of Representatives Berg, Evans, Herkes and Takai, 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 MESSAGE

The following message from the Governor (Gov. Msg. No. 277) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 277, dated February 12, 2009, transmitting the Hawaii Ignition Interlock Implementation Task Force Report, as required by Act 171, Session Laws of Hawaii 2008.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 433 through 435) were received and announced by the Clerk:

Sen. Com. No. 433, transmitting S.C.R. No. 6, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING PUBLIC AND PRIVATE AGENCIES TO MAKE APPROPRIATE EXEMPTIONS FOR GRANDPARENTS CARING FOR GRANDCHILDREN TO REMAIN IN SENIOR HOUSING UNTIL SUITABLE HOUSING IS OBTAINED," which was adopted by the Senate on March 30, 2009.

Sen. Com. No. 434, transmitting H.C.R No. 38, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH," which was adopted by the Senate on March 30, 2009.

Sen. Com. No. 435, transmitting H.C.R No. 44, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING APRIL AS CHILD ABUSE PREVENTION MONTH," which was adopted by the Senate on March 30, 2009.

MISCELLANEOUS COMMUNICATION

The following miscellaneous communication (Misc. Com. No. 4) was received by the Clerk and was placed on file:

Misc. Com. No. 4, dated March 23, 2009, from Roy Hiraga, County Clerk, County of Maui, transmitting Resolution No. 09-29, which was adopted by the Council of the County of Maui on March 20, 2009.

INTRODUCTION

The following introduction was made to the Members of the House:

Representative Finnegan introduced Idaho State Representative, Eric Anderson, who was visiting Hawaii for the Western Aquatic Invasive Species Conference.

ORDER OF THE DAY

COMMITTEE ASSIGNMENT

The following measure was referred to committee by the Speaker:

S.C.R. No.	Referred to:
66, SD1	Committee on Hawaiian Affairs

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.R. Nos.	Re-referred to:
162	Jointly to the Committee on Public Safety and the Committee on Legislative Management, then to the Committee on Finance
264	Jointly to the Committee on Public Safety and the Committee on Legislative Management, then to the Committee on Finance

H.C.R. Nos.	Re-referred to:
199	Jointly to the Committee on Public Safety and the Committee on Legislative Management, then to the Committee on Finance
200	Jointly to the Committee on Public Safety and the Committee on Legislative Management, then to the Committee on Finance
292	Jointly to the Committee on Public Safety and the Committee on Legislative Management, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1322), recommending that H.R. No. 76, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.R. No. 76, entitled: "HOUSE RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO INCLUDE GIFTED AND TALENTED STUDENTS IN THE SPECIAL NEEDS CATEGORY," was referred to the Committee on Finance with Representatives Berg, Evans, Herkes, Saiki and Takai being excused.

Representatives Takumi and Yamane, for the Committee on Education and the Committee on Health presented two reports:

(Stand. Com. Rep. No. 1323), recommending that H.R. No. 47, as amended in HD 1, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1324), recommending that H.C.R. No. 59, as amended in HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the reports of the Committees be adopted, and that H.R. No. 47, HD 1, and H.C.R. No. 59, HD 1, be referred to the Committee on Finance, seconded by Representative Chong

Representative Bertram rose in support of both measures and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Bertram's written remarks are as follows:

"It has been universally accepted that eating more fruits and vegetables promotes better health due to the fiber and nutrients they contain and that eating more fruits and vegetables provide greater protection from a myriad of diseases from diabetes to cancer and heart disease later in life. Research has also shown that children who eat healthy meals score higher on tests.

"That said, there are increasing numbers of families eating vegetarian meals and it is unfair to place their children, or any child that chooses to adopt a vegetarian diet, at a disadvantage by not offering that option at their school cafeteria."

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. 59 – Requesting the Board of Education to Develop a Policy to Offer Vegetarian Meals on a Regular Basis in All School Menu Plans. Hawaii has one of the highest rates of diabetes in the United States and I believe this measure will benefit the children of Hawaii by giving them healthier dietary options while they are in school.

"Sally Belles, who is a Registered Dietitian, states, "A poor diet leads to poor nutritional status and decreased performance in the academic setting for our school age children and teens. Research has shown that children, who eat a healthy, balanced breakfast score higher on standardized tests. In addition, childhood obesity is one of the most pressing public health and nutrition issues today, and has become the most common chronic disease in childhood. Specifically, it is associated with the growing incidence of type II diabetes, poor self-esteem, and poor health as adults.

"The American Dietetic Association and the Hawaii Dietetic Association recommended that there be greater emphasis on a "plant-based" diet including fruits, vegetables, whole grains, legumes and nuts. Plant-based diets are nutrient-dense and naturally low in total fat, saturated fat, trans-fat, cholesterol and sodium." Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committees were adopted and H.R. No. 47, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO DEVELOP A POLICY TO OFFER VEGETARIAN MEALS ON A REGULAR BASIS IN ALL SCHOOL MENU PLANS," was referred to the Committee on Finance with Representatives Berg, Evans, Herkes, Saiki and Takai being excused; and

H.C.R. No. 59, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO DEVELOP A POLICY TO OFFER VEGETARIAN MEALS ON A REGULAR BASIS IN ALL SCHOOL MENU PLANS," was referred to the Committee on Finance with Representatives Berg, Evans, Herkes, Saiki and Takai being excused.

Representatives Takumi and Yamane, for the Committee on Education and the Committee on Health presented a report (Stand. Com. Rep. No. 1325), recommending that H.R. No. 68, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.R. No. 68, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DEPARTMENT OF HEALTH PROVIDE A COMPREHENSIVE REPORT OF POST FELIX CONSENT DECREE CHILD AND ADOLESCENT MENTAL HEALTH SERVICES AND FUNDING," was referred to the Committee on Judiciary with Representatives Berg, Evans, Herkes, Saiki and Takai being excused.

Representatives Takumi and Yamane, for the Committee on Education and the Committee on Health presented a report (Stand. Com. Rep. No. 1326), recommending that H.C.R. No. 86, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.C.R. No. 86, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF HEALTH PROVIDE A COMPREHENSIVE REPORT OF POST FELIX CONSENT DECREE CHILD AND ADOLESCENT MENTAL HEALTH SERVICES AND FUNDING," was referred to the Committee on Judiciary with Representatives Berg, Evans, Herkes, Saiki and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1327), recommending that H.C.R. No. 63, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 63, be referred to the Committee on Finance, seconded by Representative Chong.

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.C.R. 63 – Urging the Governor to Include the Kukui Gardens Affordable Housing Project in the State's List of Shovel-Ready Projects for the President's Proposed Economic Stimulus Plan. Through the efforts of Governor Lingle, Senate President Colleen Hanabusa and Speaker Calvin Say half of the property of Kukui Gardens was able to be saved for affordable housing. Currently there are plans available to build units that accommodate the rest of the residence, but due to the current financial situation those plans have been unable to go forward.

"I believe putting this project on the State list of 'shovel-ready' projects able to receive federal stimulus money, is an effective way to provide our citizens with affordable housing, while not putting a great financial burden on the State. 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. 63, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO INCLUDE THE KUKUI GARDENS AFFORDABLE HOUSING PROJECT IN THE STATE'S LIST OF SHOVEL-READY PROJECTS FOR THE PRESIDENT'S PROPOSED ECONOMIC STIMULUS PLAN," was referred to the Committee on Finance with Representatives Berg, Evans, Herkes, Saiki and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1328), recommending that H.R. No. 167, as amended in HD 1, be referred jointly to the Committee on Human Services and the Committee on Health.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.R. No. 167, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DISSEMINATION OF INFORMATION TO THE PUBLIC ABOUT THE VETERANS PREFERENCE FOR TENANT SELECTION IN STATE LOW-INCOME HOUSING PROJECTS," was referred jointly to the Committee on Human Services and the Committee on Health with Representatives Berg, Evans, Herkes, Saiki and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1329), recommending that H.C.R. No. 205, as amended in HD 1, be referred jointly to the Committee on Human Services and the Committee on Health.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.C.R. No. 205, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DISSEMINATION OF INFORMATION TO THE PUBLIC ABOUT THE VETERANS PREFERENCE FOR TENANT

SELECTION IN STATE LOW-INCOME HOUSING PROJECTS," was referred jointly to the Committee on Human Services and the Committee on Health with Representatives Berg, Evans, Herkes, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1330), recommending that H.R. No. 168, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.R. No. 168, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A JOINT AGENCY STUDY ON THE IMPACT OF ILLEGAL IMMIGRATION IN HAWAII," was referred to the Committee on Finance with Representatives Berg, Evans, Herkes, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1331), recommending that H.C.R. No. 207, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.C.R. No. 207, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A JOINT AGENCY STUDY ON THE IMPACT OF ILLEGAL IMMIGRATION IN HAWAII," was referred to the Committee on Finance with Representatives Berg, Evans, Herkes, Saiki and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1332), recommending that H.R. No. 136, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.R. No. 136, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO IMPLEMENT AN ELECTRONIC DIRECT DEPOSIT SYSTEM FOR MEMBERS OF THE HAWAII NATIONAL GUARD WHILE ON ACTIVE DUTY IN ACCORDANCE WITH ACT 31, SESSION LAWS OF HAWAII 2007," was referred to the Committee on Finance with Representatives Berg, Evans, Herkes, Saiki and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1333), recommending that H.C.R. No. 169, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.C.R. No. 169, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO IMPLEMENT AN ELECTRONIC DIRECT DEPOSIT SYSTEM FOR MEMBERS OF THE HAWAII NATIONAL GUARD WHILE ON ACTIVE DUTY IN ACCORDANCE WITH ACT 31, SESSION LAWS OF HAWAII 2007," was referred to the Committee on Finance with Representatives Berg, Evans, Herkes, Saiki and Takai being excused.

Representatives Cabanilla and Ito, for the Committee on Housing and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1334), recommending that H.R. No. 266, as amended in HD 1, be referred to the Committee on Transportation.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.R. No. 266, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU DEPARTMENT OF TRANSPORTATION SERVICES, IN COLLABORATION WITH OTHER AGENCIES, TO ASSIST IN RESOLVING ISSUES RELATED TO HOMELESS LIVING IN ABANDONED VEHICLES," was referred to the Committee on Transportation with Representatives Berg, Evans, Herkes, Saiki and Takai being excused.

Representatives Cabanilla and Ito, for the Committee on Housing and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1335), recommending that H.C.R. No. 294, as amended in HD 1, be referred to the Committee on Transportation.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.C.R. No. 294, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU DEPARTMENT OF TRANSPORTATION SERVICES, IN COLLABORATION WITH OTHER AGENCIES, TO ASSIST IN RESOLVING ISSUES RELATED TO HOMELESS LIVING IN ABANDONED VEHICLES," was referred to the Committee on Transportation with Representatives Berg, Evans, Herkes, Saiki and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented two reports:

(Stand. Com. Rep. No. 1336) recommending that H.R. No. 114, be adopted; and

(Stand. Com. Rep. No. 1337) recommending that H.C.R. No. 144, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 114, and H.C.R. No. 144, be adopted, seconded by Representative Chong.

Representative Thielen rose to speak in opposition to both measures, stating:

"Mr. Speaker, I'm rising to speak against these measures. Mr. Speaker, the House Resolution and House Concurrent Resolution urge Hawaii's Congressional Delegation to introduce legislation deterring the transportation of homeless persons to Hawaii.

"Mr. Speaker, frankly, I think these measures are an embarrassment. I think they go contrary to the feeling of the Aloha Spirit. And I think they're quite heartless. Thank you."

Representative Awana rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in support for Stand. Com. Report 1336 and 1337. I'd just like to make a few comments about this issue. It is a known situation that homeless from other states are being transported here. This is not for the situation where they come to Hawaii not being homeless, and then we're asking for this consideration. It's known through the law enforcement, as well as our homeless shelters, that people are being transported here and they are already homeless. 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. 114, entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION DETERRING THE TRANSPORTATION OF HOMELESS PERSONS TO HAWAII," was adopted, with Representative Thielen voting no, and with Representatives Berg, Evans, Herkes, Saiki and Takai being excused; and

H.C.R. No. 144, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION DETERRING THE TRANSPORTATION OF HOMELESS PERSONS TO HAWAII," was adopted, with Representative Thielen voting no, and with Representatives Berg, Evans, Herkes, Saiki and Takai being excused.

At this time, the Chair stated:

"Members, please note the 48-hour notice for Standing Committee Report No. 1338 on page 6."

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1338) recommending that S.B. No. 823, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1338 on S.B. No. 823, 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. 823, SD 1, HD 1, were made available to the Members of the House.

ANNOUNCEMENTS

Representative McKelvey: "Thank you, Mr. Speaker. Mr. Speaker and Members, I would like to remind everybody that we are convening in a Joint Session in the Senate Chamber this afternoon at 2 o'clock, for the 2009 Medal of Honor Ceremony. Of the 23 names enrolled, 9 medals will be presented to the family and friends this afternoon.

"With your permission, Mr. Speaker, I would like to request that the House Members assemble in the Majority Caucus parlor at about 1:45 today, for escort over to the Senate by the Sergeant-at-Arms. And just for the Members' edification, because we're awarding nine medals, this should be a very brief, but touching ceremony. So, I hope all of you can attend. I'm sure it would mean a lot to the families.

"After the Ceremony, we'll also be having a reception with light refreshments, sponsored by the Legislature, for our special guests, and that will be in Conference Room 329. And of course, all legislators and their staff are invited to attend. Thank you, Mr. Speaker. I hope to see everybody at about 1:45."

Representative Ward: "Thank you, Mr. Speaker. I'd like to make an announcement. As a member of the of the Minority, representing 6 out of 51, if I could include a footnote from the Representative from Idaho, who said they have 50 Republicans and 20 Democrats. The other side of the story is, they get paid $15,000 per year. $15,000. I just thought the Body would like to know that."

At 12:15 o'clock p.m., the Chair declared a recess and the House of Representatives stood in recess, and in accordance with Senate Concurrent Resolution No. 2, 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-Fifth Legislature was called to order at 2:04 o'clock p.m. by the Honorable Colleen Hanabusa, President of the Senate.

The President addressed the Chamber, stating:

"This is indeed a momentous occasion. We honor members of the Armed Forces of the United States, with ties to Hawai‘i, who fought and died bravely, in a combat zone designated by Presidential Order.

"On behalf of House Speaker Say and all of the members of the Hawai‘i 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."

At this time, the members of the Senate, 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 Mr. Eric Wahilani, thereafter the invocation was delivered by Master Sergeant Retired Raymond Ganotise.

President Hanabusa then addressed the Members, guests and audience as follows:

"As citizens 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 gather in Joint Session to honor those who have made a sacrifice for which we cannot ask, and shall not forget. We honor the family, friends and colleagues who have also sacrificed, who have themselves paid a price, and who have helped make today’s honorees the brave, strong individuals that we called on and counted on to serve our nation.

"We offer this honor as a small token that can never in itself repay the honor that has been given us. An honor borne of courage, driven by duty, and paid for in loss.

"The roll of heroes that we call today is more than a list of names. It is an acknowledgement of a community.

"The Hawai‘i Medal of Honor is reserved for those who have touched our islands, and have felt the touch of our people. And in offering it to those gathered here, in memory of those who have fallen, we recognize that they are a part of us. For each and every one of you, your tears are our tears. Your loss, our loss. Your pride, our pride. Wherever each of these medals finds its final home, a piece of our hearts goes with it. You will always be a part of our *'ohana*, our family, because you have brought us honor, and allowed us to share these lives.

"These medals symbolize our aloha. Our farewell to those we have lost. But also our love for those who have lived among us, touched us, and sacrificed for us. And our enduring welcome for all represented here today, the fallen and their families, who will be counted among us forever.

"A grateful state best honors and remembers the sacrifices of these who have served our nation by living our lives in deepest appreciation of our freedom. That is what they defended. That is what they fought and died for.

"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 our 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."

"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.

"Mahalo."

At this time, the President of the Senate introduced the following state, congressional and military leaders seated on the floor of the Senate:

The Honorable Linda Lingle, Governor of the State of Hawai'i;

The Honorable James R. Aiona, Jr., Lieutenant Governor of the State of Hawai'i;

Representing the Honorable Daniel K. Inouye, United States Senator: Colonel Retired Walter Kaneakua;

Representing the Honorable Daniel K. Akaka, United States Senator: Mr. Kekoa Kaluhiwa;

Representing the Honorable Neil Abercrombie, United States Congressman: Ms. Lee-Ann McClain;

Representing the Honorable Mazie K. Hirono, United States Congresswoman: Mr. John White;

Mr. Allen Hoe, Civilian Aide to the Secretary of the Army;

Ms. Christina Kemmer, Civilian Aide to the Secretary of the Army;

Lieutenant General Benjamin Mixon, Commanding General, United States Army Pacific;

Major General Robert G.F. Lee, The Adjutant General, Hawai'i Department of Defense;

Major General Darryl D.M. Wong, Commander, Hawai'i Air National Guard;

Major General Raymond V. Mason, Commanding General, 8th Theater Sustainment Command, and Mrs. Patti Mason;

Representing the Pacific Air Forces, Major General Mike Hostage;

Representing United States Pacific Command, Major General Vernon Miyagi;

Representing the 25th Infantry Division, and Major General Robert L. Caslen, Jr., is his wife Mrs. Shelly Caslen;

Brigadier General Stephen L. Jones, Commander, Tripler Army Medical Center;

Rear Admiral Dixon R. Smith, Commander, Navy Region Hawaii, and Mrs. Kiki Smith;

Brigadier General Gary M. Ishikawa, Deputy Adjutant General, Hawai'i Department of Defense;

Representing the Hawai'i Army National Guard, Brigadier General Gary M. Hara, Assistant Adjutant General, and Mrs. Dianne Hara;

Representing the 9th Mission Support Command, Colonel Michael Phipps;

Representing the Fourteenth Coast Guard District, Captain Steve Mehling, and Mrs. Terrie Mehling; and

Representing the Hawai'i Army National Guard, Colonel Joe Logan, and Mrs. Gaylene Logan.

The President called upon the Honorable Linda Lingle to deliver her remarks as follows:

"Lieutenant Governor Aiona, President Hanabusa, Speaker Say, Legislators, Major General Lee, and all of our special guests here today, Aloha.

"We're gathered for a somber purpose. These soldiers who are no longer with us represent a profound loss for their families, for our State, and for our nation. However, I am grateful for this opportunity to recognize these soldiers who died for our freedom, and to express my personal and our collective gratitude to their loved ones. It's a privilege to help present the Hawaii Medal of Honor to families of these 23 heroes.

"Honor is a rare and precious quality. Honor is something that is earned. As Calvin Coolidge said, "No person was ever honored for what he received. Honor has been the reward for what he gave." These soldiers gave their country their very best. They paid the ultimate price, and the Hawaii Medal of Honor represents just a very small token of our very deep appreciation.

"The military has a long history here in our community. Soldiers have protected our people and our shores. They've also defended democracy abroad. This legacy of service is epitomized by Nisei soldiers in the 442nd Regimental Combat Team, 100th Battalion, and the Military Intelligence Service.

"In October of this past year, I was privileged to visit members of today's military training at Fort Hood. This included National Guard soldiers from our 29th Brigade Combat team, and the Army Reserves 442nd Infantry. It's important that soldiers know how much the people of Hawaii respect their service. That we will continue to support their families until their safe return. When soldiers don't return, our responsibility to their families is even greater.

"I was very touched recently by a ceremony in my office by an organization called, The Home of the Brave Quilt. They made a presentation to Deyson Cariaga's mother, Theresa Inouye. You all remember that we honored Deyson here with a Hawaii Medal of Honor in 2006. I was there that day, and I was with Deyson's mother right after he died, and I was with her when she received the quilt. And it was incredibly meaningful to her, because she said it showed that the community hadn't forgotten about her son, or about her loss.

"Every service member we are honoring today, regardless of where he was born, was a beloved member of our *'ohana*. I appreciate that many of you have traveled from the Neighbor Islands and from the mainland United States to be with us today. You are a part of our *'ohana* as well. The people of Hawaii join you in sorrow and in praise for your loved ones' courage and bravery.

"The poet Henry Wadsworth Longfellow wrote movingly of fallen soldiers. In poem, he wrote:

Your silent tents of green,
We deck with fragrant flowers;
Yours has the suffering been,
The memory shall be ours.

"I know that each of you consider it a privilege to have known these soldiers during your lives. Whether as a wife, a mother, a father, a brother, a sister, a cousin, a friend, or a fellow soldier. Our collective privilege as a state and as a nation is that we were able to benefit from their service. Their memories will live on through you. And they will live on in the proud tradition of service that they perpetuated.

"The rights and freedoms we enjoy are precious gifts that your loved ones gave their lives to protect, and we will never forget.

"Mahalo, God bless you all, and God bless America."

President Hanabusa then called upon Major General Robert Lee to deliver his remarks on behalf of the military as follows:

"Good afternoon and aloha. I want to take this opportunity to recognize a key individual who can't be here today. A person instrumental in establishing this award and this ceremony, State Representative Mark Takai. Representative Takai is currently Major Mark Takai, United States Army, serving in Camp Arifjan, Kuwait. So Mark, I hope you are watching through the Internet. It's only 3:30 in the Middle East. It's time to get up anyway.

"Mark was mobilized this past February, and is currently serving as the Civil Affairs Officer on the staff of the 29th Infantry Brigade Combat Team, and we look forward to his return and all of the soldiers of Hawaii's 29th Brigade this summer.

"The ceremony has been held annually since 2006 to honor the ultimate sacrifice of our heroes with ties to Hawaii. This is the time when the civilian and military community in Hawaii can bond together in a spirit of shared sacrifice and recognition. From the thousands who have answered our nation's call to duty, we honor today 23 members of the United States Army and the United States Marine Corps who gave their last full measure.

"While it may be difficult for civilians to understand the world in which the military inhabits, I certainly appreciate very much how our civilian community in Hawaii supports our troops. From the many care packages sent to our troops overseas, to the genuine appreciation expressed to our troops at the airports and restaurants across the State. Mahalo.

"Everyone who puts on the uniform and takes the oath to support and defend our Constitution, knows that he or she may be called upon to put their life on the line. There is an inherent risk involved in service to our nation. It is one of the few professions where, perspective employees are told they will be challenged to the limits of their physical and mental stamina. They may be asked to perform their jobs in dangerous locations. And maybe, they might not come back. In spite of the risks, we are just so fortunate that thousands volunteered to serve in the Armed Forces of the Unites States.

"And I have personally witnessed in Iraq, Afghanistan, and trouble spots throughout the world, the finest sons and daughters America has ever produced, so we are most saddened when we lose one of our own.

"The State Medal of Honor is Hawaii's way to remember their ultimate sacrifice. To show our appreciation to their families, to share in their loss, and to assure them they will always be part of this State's *'ohana*, this State's family.

"The k*alo*, or taro leaves, in the Medal, is emblematic of the embrace of the people of Hawaii. Whether the fallen Soldier, Marine, Sailor, Airman or Coastguardsman grew up in Hawaii or were members of units based in Hawaii, he is still embraced as part of our *'ohana*.

"Following America's tradition in past wars, a gold star was often displayed in the window to let the entire neighborhood know that the life of a hero who had grown up here had been taken. Today the gold star in the Medal's Coat of Arms represents the 50th State star 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 its *puela* will remind us that these families 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 where the people of Hawaii can bestow upon them to symbolize the sacrifice. So to the families of our 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*.

"May God bless all of you, and may God bless the United States of America."

At this time, the President of the Senate and the Speaker of the House presented the Hawaii Medal of Honor. The Clerk of the Senate announced the names of the Hawaii Medal of Honor recipients, which was followed by the ringing of the memorial bell.

United States Army Sergeant Timothy P. Martin.
Sergeant Martin was 27. He was from Pixley, California and served with the 2nd Squadron, 14th Cavalry Regiment, 2nd Stryker Brigade Combat Team, 25th Infantry Division from Schofield Barracks. Here to receive his medal are family friend and brother-in-arms, Sergeant Trey Van Wyhe and Mrs. Jody Van Wyhe.

United States Army Sergeant First Class David L. McDowell.
Sergeant McDowell was 30. He was born in Honolulu, Hawaii and served with the 2nd Battalion, 75th Ranger Regiment from Fort Lewis, Washington. Here to receive his medal are his sister, Michele DeLay and nephews, Nathan and Dylan DeLay.

United States Army Sergeant John K. Daggett.
Sergeant Daggett was 21. He was from Phoenix, Arizona and served with the 1st Battalion, 14th Infantry Regiment, 2nd Brigade Combat Team, 25th Infantry Division from Schofield Barracks. Here to receive his medal is family friend and brother-in-arms, Private First Class Shane Stuard.

United States Army Corporal William L. McMillan III.
Corporal McMillan was 22. He was from Lexington, Kentucky and served with the 1st Battalion, 21st Infantry Regiment, 2nd Stryker Brigade Combat Team, 25th Infantry Division from Schofield Barracks. Here to receive his medal are brothers-in-arms, Sergeant Nathan Rolens and Sergeant Erwin Saddi.

United States Army First Lieutenant Jonathan P. Brostrom.
Lieutenant Brostrom was 24. He was from Aiea, Hawaii and served with the 2nd Battalion, 503rd Infantry Regiment (Airborne), 173rd Airborne Brigade Combat Team in Vicenza, Italy. Here to receive his medal are his parents, Colonel Retired David and Mary Jo Brostrom and brother, Blake Brostrom.

United States Army Sergeant Kenneth B. Gibson.
Sergeant Gibson was 25. He was from Christiansburg, Virginia and served with the 1st Battalion, 14th Infantry Regiment, 2nd Brigade Combat Team, 25th Infantry Division from Schofield Barracks. Here to receive his medal is his wife, Nikki Gibson.

United States Army Staff Sergeant Solomon T. Sam.
Staff Sergeant Sam was 31. He was from Majuro in the Marshall Islands and served with the 523rd Engineer Company, 84th Engineer Battalion, 25th Infantry Division from Schofield Barracks. Here to receive his medal are his parents, Harry and Teaoi Sam.

United States Army Private First Class Christopher W. Lotter.

Private Lotter was 20. He was from Chester Heights, Pennsylvania and served with the 3rd Battalion, 7th Field Artillery Regiment, 3rd Brigade Combat Team, 25th Infantry Division from Schofield Barracks. Here to receive his medal is family friend and brother-in-arms, Sergeant First Class Jason Gibson.

United States Army Private Sean P. McCune.
Private McCune was 20. He was from Euless, Texas and served with the 2nd Battalion, 35th Infantry Regiment, 3rd Brigade Combat Team, 25th Infantry Division from Schofield Barracks. Here to receive his medal is family friend and brother-in-arms, Sergeant Eric Smith.

The Clerk of the House of Representatives 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 Marine Corps Sergeant Phillip A. Bocks

United States Army Sergeant Ireno S. Lacerna

United States Army Sergeant Gary D. Willett

United States Army Sergeant First Class Jerald A. Whisenhunt

United States Army Corporal Michael T. Manibog

United States Army Specialist Gregory B. Rundell

United States Army Specialist Jeremiah C. Hughes

United States Army Private Eugene D.M. Kanakaole

United States Marine Corps Captain Philip J. Dykeman

United States Marine Corps Corporal Marcus W. Preudhomme

United States Marine Corps Lieutenant Colonel Max A. Galeai

United States Army Staff Sergeant Julian F.A. Manglona

United States Army Private First Class Christopher A. McCraw

United States Marine Corps Corporal Thomas Reilly Jr.

At this time, Members of the Hickam Base Honor Guard proceeded with a 21-gun Salute and the playing of Taps outside the Senate Chamber in the Capitol Rotunda, which was then followed by a moment of silence.

Speaker Say then gave his closing remarks as follows:

"On this most hallowed day, I am reminded of the eloquent Memorial Day remarks offered by the late Supreme Court Justice Oliver Wendell Holmes in 1884 that continue to ring true today:

Such hearts were stilled twenty years ago—and to us, who remain behind, is left this day of memories. Every year, in the full tide of spring, at the height of the symphony of flowers and love and life—there comes a pause, and through the silence we hear the lonely pipe of death. Year after year, the comrades of the dead follow, with public honor, procession, and commemorative flags and funeral march. Honor and grief from us, who stand almost alone, and have seen the best and noblest of our generation pass away.

"The pain of losing the best and the most valiant is raw and unrelenting. I hope you will find some consolation in understanding that our young men and women of the United States Armed Forces died a noble death. They died to ensure that no further harm may reach our shores. They sacrificed their lives to protect their loved ones at home. They perished defending the American ideals of democracy, liberty, and justice.

"There is a high cost that comes with conflict. Over 200 servicemen and women with Hawaii ties have been lost in Iraq and Afghanistan. Many more have returned wounded, both in body and in spirit. The survivors bear emotional and physical scars that most of us can never fully feel or know.

"It is often said that nothing that is of value in this world comes without a price. Well, our soldiers have paid that price a hundredfold. And for those who are still paying for the wages of war, the people of the State of Hawaii are in your debt.

"How do we turn our collective sorrow into positivity? How do we honor them? We can commit ourselves to remain true to the spirit of the deceased. Be involved in the activities he or she enjoyed that are greater than our own self-interest. Put family and community above personal gain. Live a life enriched with the aloha spirit, with *pono* or balance, with *maika'i* , goodness and wellness, and *ho'okipa*, hospitality.

"Live life as if it were a gift.

"Finally, with the recently announced troop reductions in the Middle East, we can rededicate our efforts to do whatever we can to make sure that all of our sons and daughters are brought home as quickly as possible. For where we love is home; home that our feet may leave, but not our hearts. Ultimately, all the soldiers should be home, with their loved ones. And for those who did not find their way home, please take some solace in knowing that their hearts and spirits are at home, where they have always belonged, with you.

"It is my greatest hope that one day, it will no longer be necessary for us to come together every spring to memorialize the fallen. My greatest wish is for the Hawaii Medal of Honor to retire quietly into history, a poignant, but obsolete relic of a past that no longer burdens us.

"I conclude with the final passage from Justice Holmes' speech. His words echo my own hope for a brighter future replete with peace, harmony, charity, respect, and love.

But grief is not the end of all. Our dead brothers and sisters still live for us, and bid us think of life, not death. As I listen, the great chorus of life and joy begins again, and amid the awful orchestra of seen and unseen powers and destinies of good and evil, our trumpets sound once more a note of daring, hope, and will.

"To all of you, Aloha."

The Speaker of the House of Representatives then called on the Joint Service Color Guard and the Hawaii Air National Guard, Royal Guard for the retiring of the Colors, and at 2:58 o'clock p.m., declared the Joint Session of the Senate and the House of Representatives adjourned.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 12:00 o'clock noon, Thursday, April 2, 2009.

JOINT SEESION OF
THE HAWAII STATE LEGISLATURE
SENATE CHAMBERS
March 31, 2009 * 2:00 PM

HAWAII MEDAL OF HONOR

PROGRAM

Call to Order	Senate President Colleen Hanabusa
Posting of the Colors	United States Pacific Command Joint Service Color Guard Hawaii Air National Guard Royal Guard
National Anthem & Hawaii Pono'i	Mr. Eric Wahilani
Invocation	MSG (Ret) Raymond Ganotise
Welcome & introduction of Guests	Senate President Colleen Hanabusa
Governor's Message	Governor Linda Lingle
Military Address	Major General Robert G.F. Lee
Hawaii Medal of Honor Presentation	Senate President Colleen Hanabusa House Speaker Calvin K.Y. Say Governor Linda Lingle Major General Robert G.F. Lee
Presentation of Certificates	Lieutenant Governor James R. Aiona, Jr. Senator Will Espero Representative Angus L.K. McKelvey
Rendering of Honors	United States Navy
21-Gun Salute	Hickam Base Honor Guard
Taps	Marine Forces Pacific Band
Closing Remarks	House Speaker Calvin K.Y. Say
Retiring of the Colors	

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.

2009 HAWAII MEDAL OF HONOR RECIPIENTS

United States Marine Corps Sergeant Phillip A. Bocks
United States Army Sergeant Ireno S. Lacerna
United States Army Sergeant Gary D. Willett
United States Army Sergeant First Class Jerald A. Whisenhunt
United States Army Sergeant Timothy P. Martin
United States Army Corporal Michael T. Manibog
United States Army Specialist Gregory B. Rundell
United States Army Specialist Jeremiah C. Hughes
United States Army Sergeant First Class David L. McDowell
United States Army Sergeant John K. Daggett
United States Army Private Eugene D.M. Kanakaole
United States Marine Corps Captain Philip J. Dykeman
United States Marine Corps Corporal Marcus W. Preudhomme
United States Marine Corps Lieutenant Colonel Max A. Galeai
United States Army Corporal William L. McMillan III
United States Army First Lieutenant Jonathan P. Brostrom
United States Army Sergeant Kenneth B. Gibson
United States Army Staff Sergeant Julian F.A. Manglona
United States Army Private First Class Christopher A. McCraw
United States Army Staff Sergeant Solomon T. Sam
United States Marine Corps Corporal Thomas Reilly Jr.
United States Army Private First Class Christopher W. Lotter
United States Army Private Sean P. McCune

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."

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
Richard Rapoza & Jane Hong, Senate Communications Office
Dennis Fujii, United States Pacific Command
Kole M. Miller, Chief of Protocol, 25th Infantry Division
Ms. Ernestine Pratt, US Army
Mr. Leighton Siu
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
USS Arizona Memorial
USS Bowfin Submarine Museum & Park
Battleship Missouri Memorial
Pacific Aviation Museum – Pearl Harbor
Hale Koa Hotel
Polynesian Cultural Center
Hawaii Hotel & Lodging Association
Aloha Diners Club
Capitol TV
Girl Scouts of Hawaii

Planning Committee
Senate President Colleen Hanabusa
House Speaker Calvin K.Y. Say
Senator Will Espero
Representative Angus L.K. McKelvey
Representative K. Mark Takai
Major General Robert G.F. Lee
Patricia A. Mau-Shimizu, House Chief Clerk
Carol Taniguchi, Senate Chief Clerk
Kevin R. Kuroda, House Sergeant-at-Arms
Ben Villaflor, Senate Sergeant-at-Arms
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.

FORTIETH DAY

Thursday, April 2, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered Reverend Bob Nakata of the Kahalu'u United Methodist Church, after which the Roll was called showing all Members present with the exception of Representatives Cabanilla, M. Oshiro, Souki and Takai, who were excused.

On motion by Representative Evans, seconded by Representative Pine and carried, reading of the Journal was dispensed with and the Journals of the Twenty-Fourth and Twenty-Fifth Days were approved. (Representatives M. Oshiro, Souki and Takai were excused.)

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 278) was received and announced by the Clerk:

Gov. Msg. No. 278, dated March 30, 2009, transmitting a proposed bill draft for immediate passage to amend the FY 09 Executive Budget (Act 213, SLH 2007, as amended by Act 158, SLH 2008). The draft includes:

- Departmental requests for federal stimulus funds in the American Recovery and Reinvestment Act of 2009 (ARRA) for FY 09. The draft also contains corresponding general fund reductions to certain programs that receive offsetting federal funding available under the ARRA to help address the State's budget shortfall in FY 09.

- Non-ARRA related adjustments to appropriate increased federal TANF funding that Hawaii recently qualified for in FY 09. This is necessary because appropriation of the TANF funds is a federal requirement.

- Requests for additional FY 09 funding for HTH 420, Adult Mental Health – Outpatient program, of $10 million, $1.86 million in ARRA Federal Medical Assistance Percentage (FMAP) through the Department of Human Services (DHS) funds and $8.14 million in general funds, and for HTH 210, Hawaii Health Systems Corporation, of $14 million in general funds to meet program requirements for FY 09.

The following messages from the Governor (Gov. Msg. Nos. 279 through 281) were received by the Clerk:

Gov. Msg. No. 279, dated March 6, 2009, transmitting the report required by Act 158, Section 63.1, SLH 2008.

Gov. Msg. No. 280, dated March 18, 2009, 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. 281, informing the House that on April 1, 2009, the following bill was signed into law:

S.B. No. 412, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT." (ACT 002)

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 62) was received by the Clerk and was placed on file:

Dept. Com. No. 62, dated March 31, 2009, from Marion Higa, State Auditor, transmitting the report, Audit of the State of Hawai'i's Information Technology: Who's in Charge.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Sagum introduced his cousin, Kauai County Councilman, Derek Kawakami, Operations Manager for Big Save, Inc., and Vice President of the Hawaii State Association of Counties.

Representative McKelvey introduced Hawaii-born actress, Ms. Tia Carrere.

Representative Yamane introduced Hawaii's Mock Trial Program State Champions from Mililani High School who were accompanied by Senator Michelle Kidani.

Coaches, Mr. Steven Hioki, Ms. Amy Perruso and Ms. Lailanie Del Mundo; and

Students, Ben Peterson, Amy Hunt, Grade Lim, Jessica Sneed, Sarah Nishioka, Silke Ann Mariano, Jacob Garner, Sherry "Suzu" Fair, Brittany Acoba, Paige Yenke, Zubin Dodhi, Mallory Hiyase, Dominique Carbajol, Kentrel Brown, Dejah Quiban, Danielle Snodgrass, Alexis Tansey and Rebecca Wedge.

Representative Manahan introduced Bank of Hawaii Vice President of International Banking Division, Ms. Betty Brow, who was here accompanying the Chinese Chamber of Commerce.

Representative Ching introduced members from the Chinese Community here to honor the Chinese Chamber of Commerce of Hawaii:

Chinese Chamber of Commerce of Hawaii:
Libby Lew, 2nd V.P.;
Gerald Chang, 3rd V.P.;
Edward Pei, Immediate Past Pres.;
Wen Li, Executive V.P.;
Peter Chun, Past President;
Vernon Ching, Past President;
Clyde Chun, Emeritus Director;
Kevin Lam, Director;
Betty Brow, Director;
Hamilton Liu, Director;
Jenny Hui, Member;
Stanley Okada, Photographer;
John Zhang, Officer;
C.C. Chia;
Tiger Li; and
Janet Maduli;

Dorothy M.K. Chun Mau, ACUW, Inc.;
Tim Law, Assn. Of Chinese from VCL;
Juliette Chock, Chinese Catholic Club of Honolulu;
Calvin C. Ching, Chinese Physical Culture Association;
Alda Mae Doong Takabayashi, Chinese Women's Club of Honolulu;
Bok Ying Loui, Chung Chung Alumni Association;
Michael Chun, Chung Shan Association of HI;
Kin Chun Lau, Dong Guan Societies of Hawaii;
Cynthia Wong Lai, Duck Doo Society;
Wayne Lu, Hawaii Chinese Association;
Elvira Lo, Hawaii Chinese Civic Association;
Robert Z. Wu, Hawaii Mainland China Overseas Assn.;
John Hui, Hawaii Teo Chew Association;
Mike Han Chan, HI Teo Chew Chamber of Commerce;
Barinna Poon, Hong Kong Business Association of HI;
Cy Feng, Honolulu Chinatown Lions Club;

Lily F.K. and Dwight Tang Miyashiro, Kwangtung Community Honolulu;
Archie C.W. Yeung, Leong Doo Society;
Linuce and Presley Pang, Ling Hou Hing Pang Society;
Howard C.O. Lum, Lum Sai Ho Tong;
Roger K.S. Liu, Palolo Chinese Home;
Riley G.C. Yuen, See Dai Doo Society;
Kam Chu Siu, Siu Society of Hawaii;
Vernon H.Q. Tam, Tom Association;
Helen and Wilbur Ho, Tsung Tsin Association;
Frances H., Goo, U.S. China People's Friendship Assn.;
Zhao Wang Chow, Wong Leong Doo Benevolent Society;
Foo Chan, Yee Yee Tong;
James Yan, HI Chinese News;
Karl Kao, World Journal;
Darlene Wong;
Dr. Roger Wong;
Rena Hwang; and
Larry Chiang, CCB TV.

Representative Berg recognized Ms. Amy Perruso, teacher of the Mililani Debate Team, for furthering civics education.

Representative Ward introduced Mr. Jeff Blum, STEM and robotics coach.

ORDER OF THE DAY

COMMITTEE ASSIGNMENT

The following measure was referred to committee by the Speaker:

S.C.R. No.	Referred to:
6, SD1	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Housing

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

S.B. Nos.	Re-referred to:
294, SD2	Committee on Finance
733, SD2	Committee on Education, then to the Committee on Finance

H.R. No.	Re-referred to:
210	Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

H.C.R. No.	Re-referred to:
241	Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 297) was announced by the Clerk and the following action taken:

H.R. No. 297, entitled: "HOUSE RESOLUTION CONGRATULATING IOLANI SCHOOL'S ALL-GIRLS TEAM FOR WINNING THE U.S. DEPARTMENT OF ENERGY'S 2009 REAL WORLD DESIGN CHALLENGE," was jointly offered by Representatives Nishimoto, C. Lee and Shimabukuro.

Representative Nishimoto moved that H.R. No. 297 be adopted, seconded by Representative C. Lee.

Representative C. Lee commended the Iolani School All-Girls team for winning the US Department of Energy's 2009 Real World Design Challenge held in Washington DC.

Representative Shimabukuro also congratulated the team and introduced the members seated on the Floor of the House:

Coach, Mr. Carey Inouye; and

Team Members, Ms. Amy Ko, Ms. Adeline Li, Ms. Anya Liao, Ms. Celia Ou, Ms. Jessica Lynn Saylors, and Ms. Julia Zhang.

The motion was put to vote by the Chair and carried, and H.R. No. 297 was adopted with Representatives Saiki and Takai being excused.

The following resolution (H.R. No. 298) was announced by the Clerk and the following action taken:

H.R. No. 298, entitled: "HOUSE RESOLUTION HONORING THE CHINESE CHAMBER OF COMMERCE OF HAWAII FOR HAVING CELEBRATED THEIR 60TH NARCISSUS FESTIVAL," was offered by Representative Ching.

Representative Ching moved that H.R. No. 298 be adopted, seconded by Representative Marumoto.

Representative Ching praised the Chinese Chamber of Commerce and its role in preserving the culture and values of the Chinese community, and applauded the Chamber on the 60th Anniversary of the Narcissus Festival.

Representative Ching then introduced members of the Chinese Chamber of Commerce who were seated on the Floor of the House:

Mr. Ted Li, President;
Mr. Dennis Hwang, President Elect;
Mr. Wesley Fong, Past President,
Ms. Michele Choy, Narcissus Pageant Chair; and
Ms. Lisa Wai Hah Wong, 2009 Narcissus Queen.

Representative Ching also introduced Ms. Wong's parents, and other members of the Narcissus Court who were seated in the gallery:

Dr. Roger and Mrs. Darlene Wong, parents of Queen, Ms. Lisa Wong;
Ms. Dan Yuan, Second Princess;
Ms. Kristine Duong, Fourth Princess; and
Ms. Janet Maduli, pageant producer.

Representative Rhoads also commended the Chinese Chamber of Commerce for preserving the culture of Chinatown, and congratulated them on their 60th Narcissus Festival.

The motion was put to vote by the Chair and carried, and H.R. No. 298 was adopted with Representatives Saiki and Takai being excused.

At 12:42 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:54 o'clock p.m., with Vice Speaker Magaoay presiding.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain Senate bills for Third Reading by consent calendar. (Representative Takai was excused.)

UNFINISHED BUSINESS

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1338) recommending that S.B. No. 823, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 823, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

At 12:56 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 823, SD 1, HD 1

STANDING COMMITTEE REPORTS

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1339), recommending that H.R. No. 88, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 88, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR COLONOSCOPY COLORECTAL CANCER SCREENING," was referred to the Committee on Consumer Protection & Commerce, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1340), recommending that H.C.R. No. 109, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 109, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR COLONOSCOPY COLORECTAL CANCER SCREENING," was referred to the Committee on Consumer Protection & Commerce, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1341), recommending that H.R. No. 153, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 153, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON CONTROL MEASURES FOR VOLATILE ORGANIC COMPOUND EMISSIONS FROM PAINT SPRAY BOOTHS USED BY AUTO BODY REFINISHERS," was referred to the Committee on Consumer Protection & Commerce, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1342), recommending that H.C.R. No. 187, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 187, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON CONTROL MEASURES FOR VOLATILE ORGANIC COMPOUND EMISSIONS FROM PAINT SPRAY BOOTHS USED BY AUTO BODY REFINISHERS," was referred to the Committee on Consumer Protection & Commerce, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1343), recommending that H.R. No. 119, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 119, entitled: "HOUSE RESOLUTION URGING A STATE-LED COORDINATED EFFORT BY THE HEALTH CARE AND TECHNOLOGY COMMUNITIES TO ENSURE THAT HAWAII IS ABLE TO RAPIDLY RESPOND TO AND QUALIFY FOR GRANT MONEY OFFERED IN THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FOR HEALTH CARE INFORMATION EXCHANGE TECHNOLOGY," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1344), recommending that H.C.R. No. 148, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 148, entitled: "HOUSE CONCURRENT RESOLUTION URGING A STATE-LED COORDINATED EFFORT BY THE HEALTH CARE AND TECHNOLOGY COMMUNITIES TO ENSURE THAT HAWAII IS ABLE TO RAPIDLY RESPOND TO AND QUALIFY FOR GRANT MONEY OFFERED IN THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FOR HEALTH CARE INFORMATION EXCHANGE TECHNOLOGY," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented two reports:

(Stand. Com. Rep. No. 1345), recommending that H.R. No. 212, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1346), recommending that H.C.R. No. 244, be referred to the Committee on Finance.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 212, and H.C.R. No. 244, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Bertram rose in support of both measures and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Bertram's written remarks are as follows:

"Given the optimal weather conditions in Hawaii for outdoor exercise along with the availability of many sports venues, and the availability of a wide variety of fresh fruits, vegetables and other nutritious foods, one might assume that Hawaii would have a very healthy population. However approximately 60% of the population in the healthcare system suffering from chronic conditions such as diabetes and cardiovascular disease would not be suffering from these conditions if they adopted a regular exercise regimen and ate more healthy foods.

"Instead of only treating illnesses after the fact, we should be proactive and assist in the prevention of these disabling conditions before they occur. Incorporating sustainable wellness programs into our healthcare system will not only lower our healthcare costs, but ensure that our citizens lead a more active and healthy life."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 212, entitled: "HOUSE RESOLUTION ENSURING THAT ANY LEGISLATIVE EFFORT TO REPAIR THE HEALTHCARE SYSTEM IN HAWAII SHOULD

INCORPORATE SUSTAINABLE WELLNESS PROGRAMS THAT ADDRESS THE UNDERLYING CAUSAL FACTORS ASSOCIATED WITH CHRONIC DISEASE," was referred to the Committee on Finance, with Representative Takai being excused; and

H.C.R. No. 244, entitled: "HOUSE CONCURRENT RESOLUTION ENSURING THAT ANY LEGISLATIVE EFFORT TO REPAIR THE HEALTHCARE SYSTEM IN HAWAII SHOULD INCORPORATE SUSTAINABLE WELLNESS PROGRAMS THAT ADDRESS THE UNDERLYING CAUSAL FACTORS ASSOCIATED WITH CHRONIC DISEASE," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1347), recommending that H.R. No. 269, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 269, entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SEEK INCREASED FEDERAL FUNDING TO INITIATE MORE COMPREHENSIVE AND WIDESPREAD HEPATITIS B EDUCATION, PREVENTION, AND TREATMENT PROGRAMS IN HAWAII," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1348), recommending that H.C.R. No. 297, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 297, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SEEK INCREASED FEDERAL FUNDING TO INITIATE MORE COMPREHENSIVE AND WIDESPREAD HEPATITIS B EDUCATION, PREVENTION, AND TREATMENT PROGRAMS IN HAWAII," was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1349), recommending that H.R. No. 16, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 16, entitled: "HOUSE RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE GOVERNOR TO CREATE A HOME FOR LIFE TASK FORCE TO REDUCE BARRIERS TO AGING IN PLACE AND TO FACILITATE MULTIGENERATIONAL LIVING," was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1350), recommending that H.C.R. No. 12, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 12, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE GOVERNOR TO CREATE A HOME FOR LIFE TASK FORCE TO REDUCE BARRIERS TO AGING IN PLACE AND TO FACILITATE MULTIGENERATIONAL LIVING," was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1351), recommending that H.R. No. 17, be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 17, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF VARIOUS UNRESOLVED ISSUES RELATING TO AGING," was referred to the Committee on Higher Education, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1352), recommending that H.C.R. No. 13, be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 13, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF VARIOUS UNRESOLVED ISSUES RELATING TO AGING," was referred to the Committee on Higher Education, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1353), recommending that H.R. No. 18, be referred to the Committee on Housing.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 18, entitled: "HOUSE RESOLUTION REQUESTING PUBLIC AND PRIVATE AGENCIES TO MAKE APPROPRIATE EXEMPTIONS FOR GRANDPARENTS CARING FOR GRANDCHILDREN TO REMAIN IN SENIOR HOUSING UNTIL SUITABLE HOUSING IS OBTAINED," was referred to the Committee on Housing, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1354), recommending that H.C.R. No. 14, be referred to the Committee on Housing.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 14, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING PUBLIC AND PRIVATE AGENCIES TO MAKE APPROPRIATE EXEMPTIONS FOR GRANDPARENTS CARING FOR GRANDCHILDREN TO REMAIN IN SENIOR HOUSING UNTIL SUITABLE HOUSING IS OBTAINED," was referred to the Committee on Housing, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1355), recommending that H.C.R. No. 15, be referred to the Committee on Labor & Public Employment.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 15, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING STAKEHOLDERS AND INTERESTED PARTIES TO WORK TOGETHER TO ESTABLISH PAID FAMILY LEAVE OR SIMILAR WAGE REPLACEMENT PROGRAMS TO ASSIST FAMILY CAREGIVERS," was referred to the Committee on Labor & Public Employment, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1356), recommending that H.C.R. No. 33, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 33, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CENTERS FOR MEDICARE AND MEDICAID SERVICES TO CONSIDER RAISING THE MEDICARE FEE SCHEDULE PAYMENT AMOUNTS FOR PHYSICIANS RENDERING

SERVICES IN HAWAII," was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1357), recommending that H.C.R. No. 34, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 34, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO RAISE MEDICARE FEE SCHEDULE PAYMENT AMOUNTS FOR PHYSICIANS RENDERING SERVICES IN HAWAII," was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1358), recommending that H.C.R. No. 36, be referred to the Committee on Legislative Management.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 36, be referred to the Committee on Legislative Management, seconded by Representative Evans.

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, thank you for the opportunity to offer my reservations regarding House Concurrent Resolution 36, which would request the Auditor to conduct a comprehensive financial audit of all federal funds designated for healthcare received by the Department of Human Services (DHS).

"Mr. Speaker, I question the need for this Resolution at this time. Given our current budget crisis we must undoubtedly give particular oversight to our State government to ensure that each department spends prudently. However, DHS is already thoroughly audited by the federal government in order to maintain its current level of federal funding. Moreover, under its current leadership, DHS has demonstrated a propensity for finding further sources of federal revenue. Under Director Lillian Koller, DHS has brought $175 million of new federal funding into the Department's budget.

"As DHS has already demonstrated that it is fiscally sound, I believe this Resolution is unneeded and would be a waste of State resources, especially given the limits of our means in this budgetary period. Thus I submit my reservations.

"Thank you for this opportunity to offer my reservations to this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 36, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A COMPREHENSIVE FINANCIAL AUDIT OF ALL FEDERAL FUNDS DESIGNATED FOR HEALTH CARE RECEIVED BY THE DEPARTMENT OF HUMAN SERVICES," was referred to the Committee on Legislative Management, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1359), recommending that H.R. No. 149, be referred to the Committee on Water, Land, & Ocean Resources.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.R. No. 149, be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

Representative McKelvey rose in support of the measure, stating:

"Thank you very much, Mr. Speaker. On 1359, 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.R. No. 149, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO CONVENE A SCENIC BYWAYS WORKING GROUP TO SELECT POSSIBLE SITES STATEWIDE, INCLUDING THE PI`ILANI TRAIL ON MAUI, FOR PROPOSED FEDERAL DESIGNATION AS SCENIC BYWAYS," was referred to the Committee on Water, Land, & Ocean Resources, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1360), recommending that H.C.R. No. 185, be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 185, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO CONVENE A SCENIC BYWAYS WORKING GROUP TO SELECT POSSIBLE SITES STATEWIDE, INCLUDING THE PI`ILANI TRAIL ON MAUI, FOR PROPOSED FEDERAL DESIGNATION AS SCENIC BYWAYS," was referred to the Committee on Water, Land, & Ocean Resources, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1361), recommending that H.R. No. 274, be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 274, entitled: "HOUSE RESOLUTION URGING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO CREATE AND MAINTAIN A BIKE PATH THROUGH THE HONOLULU DOWNTOWN AREA," was referred to the Committee on Water, Land, & Ocean Resources, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1362), recommending that H.C.R. No. 302, be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 302, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO CREATE AND MAINTAIN A BIKE PATH THROUGH THE HONOLULU DOWNTOWN AREA," was referred to the Committee on Water, Land, & Ocean Resources, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1363), recommending that H.R. No. 263, be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 263, entitled: "HOUSE RESOLUTION REQUESTING THAT THE OAHU METROPOLITAN PLANNING ORGANIZATION AND THE CITY AND COUNTY OF HONOLULU DEPARTMENT OF PLANNING AND PERMITTING DEVELOP A PLANNING TEMPLATE FOR ENSURING SUFFICIENT REGIONAL HIGHWAY AND ROADWAY DEVELOPMENT TO MEET THE NEEDS OF EMERGING RESIDENTIAL COMMUNITIES IN THE EWA DEVELOPMENT PLAN AND THE WAIANAE SUSTAINABLE COMMUNITIES PLAN," was referred to the Committee on Water, Land, & Ocean Resources, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1364), recommending that H.C.R. No. 291, be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R.

No. 291, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE OAHU METROPOLITAN PLANNING ORGANIZATION AND THE CITY AND COUNTY OF HONOLULU DEPARTMENT OF PLANNING AND PERMITTING DEVELOP A PLANNING TEMPLATE FOR ENSURING SUFFICIENT REGIONAL HIGHWAY AND ROADWAY DEVELOPMENT TO MEET THE NEEDS OF EMERGING RESIDENTIAL COMMUNITIES IN THE EWA DEVELOPMENT PLAN AND THE WAIANAE SUSTAINABLE COMMUNITIES PLAN," was referred to the Committee on Water, Land, & Ocean Resources, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1365), recommending that H.R. No. 64, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 64, HD 1, entitled: "HOUSE RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR THE ANE KEOHOKALOLE HIGHWAY EXTENSION, MID-LEVEL ROAD, IN THE COUNTY OF HAWAI‘I," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1366), recommending that H.C.R. No. 82, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 82, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR THE ANE KEOHOKALOLE HIGHWAY EXTENSION, MID-LEVEL ROAD, IN THE COUNTY OF HAWAI‘I," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1367), recommending that H.R. No. 110, as amended in HD 1, be referred to the Committee on Health.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 110, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, ALONG WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION, TO STUDY THE MINIMUM SOUND LEVEL NECESSARY TO ENSURE THAT BLIND PEDESTRIANS CAN HEAR HYBRID AND OTHER "SILENT" VEHICLES IN ALL PHASES OF THEIR OPERATION," was referred to the Committee on Health, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1368), recommending that H.C.R. No. 137, as amended in HD 1, be referred to the Committee on Health.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 137, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, ALONG WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION, TO STUDY THE MINIMUM SOUND LEVEL NECESSARY TO ENSURE THAT BLIND PEDESTRIANS CAN HEAR HYBRID AND OTHER "SILENT" VEHICLES IN ALL PHASES OF THEIR OPERATION," was referred to the Committee on Health, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1369), recommending that H.R. No. 270, be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 270, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES PRESIDENT AND SENATORS AND CONGRESS MEMBERS TO ENACT LEGISLATION TO EXPEDITE IMMIGRANT VISAS FOR FAMILY REUNIFICATION OF CERTAIN FILIPINO VETERANS OF WORLD WAR II," was referred to the Committee on Economic Revitalization, Business, & Military Affairs, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1370), recommending that H.C.R. No. 298, be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 298, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES PRESIDENT AND SENATORS AND CONGRESS MEMBERS TO ENACT LEGISLATION TO EXPEDITE IMMIGRANT VISAS FOR FAMILY REUNIFICATION OF CERTAIN FILIPINO VETERANS OF WORLD WAR II," was referred to the Committee on Economic Revitalization, Business, & Military Affairs, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1371), recommending that H.C.R. No. 135, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 135, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY SUPPORTING THE CONCEPT OF ESTABLISHING A SYSTEM OF JUVENILE INTAKE AND ASSESSMENT CENTERS, AS EMBODIED BY THE PROPOSED PILOT BIG ISLAND JUVENILE INTAKE AND ASSESSMENT CENTER, THROUGHOUT THE STATE," was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1372), recommending that H.C.R. No. 55, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 55, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CENTERS FOR MEDICARE AND MEDICAID SERVICES TO INCREASE REIMBURSEMENT TO HAWAII PROVIDERS," was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Chang and Manahan, for the Committee on Higher Education and the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1373), recommending that H.R. No. 187, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 187, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO DEVELOP PLANS FOR A SCHOLARSHIP PROGRAM FOR HAWAII RESIDENTS TO STUDY ABROAD," was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Chang and Manahan, for the Committee on Higher Education and the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1374), recommending that H.C.R. No. 217, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 217, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO DEVELOP PLANS FOR A SCHOLARSHIP PROGRAM

FOR HAWAII RESIDENTS TO STUDY ABROAD," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1375), recommending that H.C.R. No. 60, be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 60, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AT MANOA, COLLEGE OF SOCIAL SCIENCES, PUBLIC POLICY CENTER AND SPARK M. MATSUNAGA INSTITUTE FOR PEACE AND CONFLICT RESOLUTION TO CONVENE A WORKING GROUP TO EXPLORE THE SAFE USE OF HUNTING DOGS ON PUBLIC HIKING TRAILS," was referred to the Committee on Higher Education, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1376), recommending that H.R. No. 191, be referred to the Committee on Agriculture.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 191, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO IDENTIFY PRIORITIES FOR STATE-OWNED IMPORTANT AGRICULTURAL LANDS TO MAXIMIZE THE USE OF SUCH LANDS FOR CRITICALLY-NEEDED AGRICULTURAL AND DAIRY PRODUCTION," was referred to the Committee on Agriculture, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1377), recommending that H.C.R. No. 222, be referred to the Committee on Agriculture.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 222, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO IDENTIFY PRIORITIES FOR STATE-OWNED IMPORTANT AGRICULTURAL LANDS TO MAXIMIZE THE USE OF SUCH LANDS FOR CRITICALLY-NEEDED AGRICULTURAL AND DAIRY PRODUCTION," was referred to the Committee on Agriculture, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1378), recommending that H.R. No. 92, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 92, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR AND THE CHAIRPERSON OF THE BOARD OF LAND AND NATURAL RESOURCES TO STRIVE TO EXPEND THE STATE OF HAWAII'S FULL ALLOTMENT OF FEDERAL AID IN WILDLIFE RESTORATION FUNDS," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1379), recommending that H.C.R. No. 114, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 114, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR AND THE CHAIRPERSON OF THE BOARD OF LAND AND NATURAL RESOURCES TO STRIVE TO EXPEND THE STATE OF HAWAII'S FULL ALLOTMENT OF FEDERAL AID IN WILDLIFE RESTORATION FUNDS," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1380), recommending that H.R. No. 219, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 219, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW ALL BOARDS, COMMISSIONS, COUNCILS, COMMITTEES, WORKING GROUPS, AND TASK FORCES TO DETERMINE WHICH OF THESE CAN BE ELIMINATED," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1381), recommending that H.C.R. No. 250, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 250, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW ALL BOARDS, COMMISSIONS, COUNCILS, COMMITTEES, WORKING GROUPS, AND TASK FORCES TO DETERMINE WHICH OF THESE CAN BE ELIMINATED," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1382), recommending that H.R. No. 229, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 229, entitled: "HOUSE RESOLUTION REQUESTING THAT THE BOARD OF LAND AND NATURAL RESOURCES MAKE A DETERMINATION ON THE APPLICATION OF ACT 166, SESSION LAWS OF HAWAII 2000, ON A REQUEST BEFORE IT TO CONSENT TO THE ASSIGNMENT OF A HOMESTEAD LEASE," was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1383), recommending that H.C.R. No. 258, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 258, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE BOARD OF LAND AND NATURAL RESOURCES MAKE A DETERMINATION ON THE APPLICATION OF ACT 166, SESSION LAWS OF HAWAII 2000, ON A REQUEST BEFORE IT TO CONSENT TO THE ASSIGNMENT OF A HOMESTEAD LEASE," was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1384), recommending that H.R. No. 193, as amended in HD 1, be referred to the Committee on Tourism, Culture, & International Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 193, HD 1, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR TO PLACE IOLANI PALACE ON THE NOMINATION LIST TO THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION FOR WORLD HERITAGE SITE DESIGNATION," was referred to the Committee on Tourism, Culture, & International Affairs, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1385), recommending

that H.C.R. No. 225, as amended in HD 1, be referred to the Committee on Tourism, Culture, & International Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 225, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR TO PLACE IOLANI PALACE ON THE NOMINATION LIST TO THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION FOR WORLD HERITAGE SITE DESIGNATION," was referred to the Committee on Tourism, Culture, & International Affairs, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1386), recommending that H.R. No. 184, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 184, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT FEDERAL FUNDING BE PROVIDED TO THE CENTERS FOR DISEASE CONTROL AND PREVENTION TO ESTABLISH A CHRONIC OBSTRUCTIVE PULMONARY DISEASE PROGRAM," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1387), recommending that H.C.R. No. 214, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 214, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT FEDERAL FUNDING BE PROVIDED TO THE CENTERS FOR DISEASE CONTROL AND PREVENTION TO ESTABLISH A CHRONIC OBSTRUCTIVE PULMONARY DISEASE PROGRAM," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1388), recommending that H.R. No. 236, be referred to the Committee on Housing.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 236, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A PLAN TO AUTHORIZE GRAY WATER RECYCLING SYSTEMS FOR RESIDENTIAL PREMISES UNDER APPROPRIATE CIRCUMSTANCES," was referred to the Committee on Housing, with Representative Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1389), recommending that H.C.R. No. 266, be referred to the Committee on Housing.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 266, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A PLAN TO AUTHORIZE GRAY WATER RECYCLING SYSTEMS FOR RESIDENTIAL PREMISES UNDER APPROPRIATE CIRCUMSTANCES," was referred to the Committee on Housing, with Representative Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1390), recommending that H.R. No. 259, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 259, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO GATHER AND COMPILE INFORMATION ON DAYLIGHT SAVINGS AND ITS EFFECT ON CLIMATE CHANGE AND ENERGY-USE REDUCTION," was referred to the Committee on Legislative Management, with Representative Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1391), recommending that H.C.R. No. 287, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 287, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO GATHER AND COMPILE INFORMATION ON DAYLIGHT SAVINGS AND ITS EFFECT ON CLIMATE CHANGE AND ENERGY-USE REDUCTION," was referred to the Committee on Legislative Management, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1392), recommending that H.R. No. 281, be referred to the Committee on Tourism, Culture, & International Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 281, entitled: "HOUSE RESOLUTION DENOUNCING THE VIOLATION OF HUMAN RIGHTS IN TIBET," was referred to the Committee on Tourism, Culture, & International Affairs, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1393), recommending that H.C.R. No. 309, be referred to the Committee on Tourism, Culture, & International Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 309, entitled: "HOUSE CONCURRENT RESOLUTION DENOUNCING THE VIOLATION OF HUMAN RIGHTS IN TIBET," was referred to the Committee on Tourism, Culture, & International Affairs, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1394), recommending that H.R. No. 102, be referred to the Committee on Transportation.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 102, entitled: "HOUSE RESOLUTION URGING NONPROFIT ORGANIZATIONS AND COMMUNITY GROUPS TO ESTABLISH SAFETY PROCEDURES FOR ROADSIDE SOLICITATION OF FUNDS AND DONATED GOODS," was referred to the Committee on Transportation, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1395), recommending that H.C.R. No. 123, be referred to the Committee on Transportation.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 123, entitled: "HOUSE CONCURRENT RESOLUTION URGING NONPROFIT ORGANIZATIONS AND COMMUNITY GROUPS TO ESTABLISH SAFETY PROCEDURES FOR ROADSIDE SOLICITATION OF FUNDS AND DONATED GOODS," was referred to the Committee on Transportation, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1396), recommending that H.R. No. 209, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 209, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO DETERMINE THE FEASIBILITY OF INCREASING THE BOARD PAYMENT RATE FOR FOSTER BOARDING HOME PARENTS, GROUP HOMES, AND CHILD CARING INSTITUTIONS," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1397), recommending that H.C.R. No. 240, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 240, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO DETERMINE THE FEASIBILITY OF INCREASING THE BOARD PAYMENT RATE FOR FOSTER BOARDING HOME PARENTS, GROUP HOMES, AND CHILD CARING INSTITUTIONS," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1398), recommending that H.R. No. 275, be referred to the Committee on Tourism, Culture, & International Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 275, entitled: "HOUSE RESOLUTION SUPPORTING THE PEACE CORPS EXPANSION ACT OF 2009," was referred to the Committee on Tourism, Culture, & International Affairs, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1399), recommending that H.C.R. No. 303, be referred to the Committee on Tourism, Culture, & International Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 303, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PEACE CORPS EXPANSION ACT OF 2009," was referred to the Committee on Tourism, Culture, & International Affairs, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1400), recommending that H.R. No. 276, be referred to the Committee on Tourism, Culture, & International Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 276, entitled: "HOUSE RESOLUTION CONDEMNING THE HUMAN-RIGHTS ATROCITIES AND VIOLENCE AGAINST CHILDREN IN NORTHERN UGANDA AND THE DEMOCRATIC REPUBLIC OF THE CONGO, AND URGING CONGRESS TO LEAD THE INTERNATIONAL COMMUNITY IN EFFORTS TO PROTECT THE CHILDREN OF UGANDA AND THE DEMOCRATIC REPUBLIC OF THE CONGO," was referred to the Committee on Tourism, Culture, & International Affairs, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1401), recommending that H.C.R. No. 304, be referred to the Committee on Tourism, Culture, & International Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 304, entitled: "HOUSE CONCURRENT RESOLUTION CONDEMNING THE HUMAN-RIGHTS ATROCITIES AND VIOLENCE AGAINST CHILDREN IN NORTHERN UGANDA AND THE DEMOCRATIC REPUBLIC OF THE CONGO, AND URGING CONGRESS TO LEAD THE INTERNATIONAL COMMUNITY IN EFFORTS TO PROTECT THE CHILDREN OF UGANDA AND THE DEMOCRATIC REPUBLIC OF THE CONGO," was referred to the Committee on Tourism, Culture, & International Affairs, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1402) recommending that H.R. No. 34, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 34, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF DEFENSE TO ALLOW AVAILABLE SURPLUS HELICOPTERS TO BE USED FOR MEDICAL EVACUATION SERVICES," was adopted, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1403) recommending that H.C.R. No. 42, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 42, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF DEFENSE TO ALLOW AVAILABLE SURPLUS HELICOPTERS TO BE USED FOR MEDICAL EVACUATION SERVICES," was adopted, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1404) recommending that H.R. No. 185, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 185, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REVIEW AND ASSESS THE POLICIES AND PROCEDURES IMPLEMENTED BY HOSPITALS TO REDUCE ELECTIVE CESAREAN SECTIONS AND INDUCTION OF LABOR," was adopted, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1405) recommending that H.C.R. No. 215, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 215, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REVIEW AND ASSESS THE POLICIES AND PROCEDURES IMPLEMENTED BY HOSPITALS TO REDUCE ELECTIVE CESAREAN SECTIONS AND INDUCTION OF LABOR," was adopted, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented two reports:

(Stand. Com. Rep. No. 1406) recommending that H.R. No. 129, be adopted; and

(Stand. Com. Rep. No. 1407) recommending that H.C.R. No. 162, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 129, and H.C.R. No. 162, be adopted, seconded by Representative Evans.

Representative Bertram rose in support of both measures and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Bertram's written remarks are as follows:

"Riding a bicycle is a healthy lifestyle. Riding a bicycle leaves no carbon footprint. Riding a bicycle is a cheap mode of transportation.

"What's not to like?"

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 129, entitled: "HOUSE RESOLUTION RECOGNIZING THE IMPORTANCE OF BICYCLING," was adopted, with Representative Takai being excused; and

H.C.R. No. 162, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF BICYCLING," was adopted, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1408) recommending that H.C.R. No. 49, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 49, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING FULL PRESERVATION OF UNITED STATES MARINE CORPS AIR STATION EWA AS A NATIONAL MONUMENT, MUSEUM, AND RESTORED PARK FOR THE STATE OF HAWAII," was adopted, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1409) recommending that H.C.R. No. 116, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 116, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTY OF KAUA'I TO RESTORE PRINCE KUHIO PARK TO ITS FORMER CONFIGURATION," was adopted, with Representative Takai being excused.

Representatives Ito and Morita, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1410) recommending that H.R. No. 111, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 111, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REMOVE THE KA`OHE HOMESTEADS FROM THE GEOTHERMAL RESOURCES SUBZONE DESIGNATION," was adopted, with Representative Takai being excused.

Representatives Ito and Morita, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1411) recommending that H.C.R. No. 138, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 138, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REMOVE THE KA`OHE HOMESTEADS FROM THE GEOTHERMAL RESOURCES SUBZONE DESIGNATION," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1412) recommending that H.R. No. 125, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 125, entitled: "HOUSE RESOLUTION URGING PUBLIC AND PRIVATE AGENCIES TO ENCOURAGE THEIR PARENT CLIENTS TO TURN ON CLOSED CAPTIONING WHEN THEIR CHILDREN WATCH TELEVISION," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1413) recommending that H.C.R. No. 157, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 157, entitled: "HOUSE CONCURRENT RESOLUTION URGING PUBLIC AND PRIVATE AGENCIES TO ENCOURAGE THEIR PARENT CLIENTS TO TURN ON CLOSED CAPTIONING WHEN THEIR CHILDREN WATCH TELEVISION," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1414) recommending that S.C.R. No. 14, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 14, SD 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING PARTICIPATION IN THE WHITE RIBBON CAMPAIGN TO END VIOLENCE AGAINST WOMEN," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1415) recommending that S.C.R. No. 19, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 19, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING FAITH-BASED ORGANIZATIONS TO NETWORK AND COOPERATE TO SUPPORT FOSTER FAMILIES IN HAWAII," was adopted, with Representative Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1416) recommending that S.C.R. No. 15, SD 1, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 15, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION DESIGNATING THE FIRST WEEK IN FEBRUARY AS HAWAII TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK," was adopted, with Representative Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1417) recommending that S.B. No. 298, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 298, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was placed on the calendar for Third Reading, with Representative Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1418) recommending that S.B. No. 574, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 574, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was placed on the calendar for Third Reading, with Representative Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1419) recommending that S.B. No. 92, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 92, 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 Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1420) recommending that S.B. No. 1113, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1113, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GEOGRAPHIC LIMITATIONS ON TIME SHARES," passed Second Reading and was placed on the calendar for Third Reading, with Representative Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1421) recommending that S.B. No. 108, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 108, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1422) recommending that S.B. No. 942, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 942, SD 1, entitled: "A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1423) recommending that S.B. No. 1130, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1130, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1424) recommending that S.B. No. 715, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 715, HD 1, pass Third Reading, seconded by Representative Evans.

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 Standing Committee Report No. 1424, Senate Bill 715, House Draft 1, Relating to Transportation. SB 715 HD1 is the companion bill to House Bill 865 which I introduced, and which is a recommendation of the 2007 Interim Task Force on Smart Growth Development. This bill would require the Statewide Transportation Council to comply with county transportation-related plans, county general plans, and all community, development, or community development plans adopted pursuant to the county general plan, to the extent that compliance does not affect the receipt of federal funds.

"Improving coordination between the State and counties is critical to ensure our major backbone infrastructure is planned, funded and constructed in a timely basis. As transportation funding begins to shrink at the federal level, it is important to coordinate our efforts at the State and county levels to maximize our returns.

"While the Island of Oahu has the Oahu Metropolitan Planning Organization (OMPO) to set its priorities, the Department of Transportation (DOT) sets the Statewide Transportation Improvement Program, or STIP, for the Neighbor Islands. This bill will ensure that the DOT will take into account county transportation and general plans to ensure consistency and to eliminate conflict with county plans when the STIP is implemented. Furthermore, by providing consistency between the STIP and county plans, Hawai`i will have more effective transportation systems that will better meet the transportation needs of Hawai`i's citizens.

"Mr. Speaker, as we know Hawai`i has a finite amount of land, and our development decisions will continue to affect us as our population continues to grow which is why I continue to advocate for smart growth development. SB 715, HD 1, will ensure that our transportation-related plans will be cohesive and comprehensive.

"Finally, I would like to thank Senator English for introducing this Senate bill on my behalf. 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. 715, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

At 1:05 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 108
S.B. No. 942, SD 1
S.B. No. 1130, SD 2
S.B. No. 715, HD 1

At this time, the Chair stated:

"Members, please note on page 25, the 48-hour notice on Stand. Com. Nos. 1425 to 1427 for the Committees on Judiciary and Water, Land, & Ocean Resources."

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1425) recommending that S.B. No. 203, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1425 on S.B. No. 203, 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. 203, SD 2, HD 1, were made available to the Members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1426) recommending that S.B. No. 848, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1426 on S.B. No. 848, 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. 848, HD 1, were made available to the Members of the House.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1427) recommending that S.B. No. 1195, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1427 on S.B. No. 1195, 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. 1195, SD 1, HD 2, were made available to the Members of the House.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to a certain House bill. (Representatives Cabanilla and Takai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House bill, seconded by Representative Evans.

H.B. 520, HD 1, (SD 1)

At 1:06 o'clock p.m. Representative Pine requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:06 o'clock p.m.

The motion was put to vote by the Chair and carried, and the House reconsidered its action previously taken in disagreeing to the amendments made by the Senate, and gave notice of intent to agree to such amendments for the noted House bill. (Representatives Cabanilla and Takai were excused.)

ANNOUNCEMENTS

Representative Belatti: "Thank you, Mr. Speaker. I'd just like to take a moment to recognize, and it was brought to my attention by the good Representative from Hanalei, that we have a special day being celebrated by the Representative from Pearl City. He is celebrating his 1,000th day of session today. I'd like to just commend him for his service to the State of Hawaii."

Vice Speaker Magaoay: "Representative Takumi, do you have anything to share?"

Representative Takumi: "Mr. Speaker, it doesn't feel a day over 999 sessions, actually. Thank you."

Representative McKelvey: "Thank you very much, Mr. Speaker. As many of you are aware, we are having Science and Technology Day at the Capitol. We are privileged to have many participants in our Science and Technology Day who've come out to show us how their company, organization, or school contributes or profits to both the economy, and the betterment of Hawaii.

"And on behalf of all of us self-proclaimed 'geeks and nerds,' we'd like to invite everybody to attend a luncheon in Room 423. So, come on by, visit the booths, have a bite to eat, and just get down and techno. Thank you, very much."

Representative Ching: "Thank you, Mr. Speaker. I would also like to invite everyone to Room 329, where we'll have some lunch with the Members of the Chinese Chamber of Commerce of Hawaii, in part hosted by Panda Express. Thank you."

Representative M. Lee: "Thank you. I just wanted to remind the Members that April is here, and it won't be long before we are going to be presenting our Easter Baskets to the Institute for Human Services. I know that you're busy preparing your baskets, and we'll be happy to receive them. I know that we're going to have a good turnout this year. Thank you."

ADJOURNMENT

At 1:10 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, April 3, 2009. (Representatives Cabanilla and Takai were excused.)

HOUSE COMMUNICATION

House Communication dated April 2, 2009, 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 27, 2009 and gives notice of intent to agree for House Bill No. 520, HD 1, SD 1.

FORTY-FIRST DAY

Friday, April 3, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:03 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Speaker Emeritus Joseph M. Souki, after which the Roll was called showing all Members present with the exception of Representatives McKelvey, M. Oshiro, Takai and Takumi, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fortieth Day was deferred.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Mizuno introduced students from Hawaii Pacific University involved with the Invisible Children of Uganda. They were accompanied by his legislative aide, Ms. Arianne Cameros.

Ms. Sara Ortiz, Director of the International Youth Network;
Mr. Paul Tran, Professor and Advisor;
Ms. Chelsea Travis, President;
Ms. Isabelle Gardnert, Public Relations Chair;
Ms. Aya Sato, Chair of Education Committee;
Ms. Janie Turner, Treasurer; and
Ms. Melanie Menor, Secretary.

Representative Ward also recognized the HPU students and announced the sleepover being held to bring awareness to the plight of Ugandan youth.

Representative Sagum introduced fishing advocates:

Mr. Sterling Kaya, Publisher of Lawai'a Magazine, President of Hanapa'a Fishing Company, and Owner/Producer/Publisher of Hawaii Skin Diver TV show and magazine;
Mr. Marc Inouye, Sales and Marketing Director for Lawai'a Magazine and Hawaii Skin Diver Magazine; and
Ms. Stephanie Sakamoto, daughter of the late fisherman/artist, Mr. Mike Sakamoto.

Representative Har introduced Ms. Laura Thielen, Department of Land and Natural Resources Chairperson; Mr. Paul Connery; and Mr. Henry Curtis, Executive Director of Life of the Land.

Representative Ito introduced Mr. Tony Costa, an advocate for responsible fishing.

Representative Tokioka introduced Ms. Ann Henriques and Ms. Mary Henriques, granddaughters of former State Representative and Vice Speaker, Manuel "Manuela Boy" Henriques of Kauai. They were accompanied by his legislative staff, Mr. Gavin McCall.

Representative Har also introduced Ms. Stephanie Sakamoto, former staff member for Representative Blake Oshiro.

Representative Nishimoto introduced his parents, Mrs. Pat and Mr. Mel Nishimoto. They were accompanied by his Office Manager, Ms. Candace Van Buren, and his legislative aide, Ms. Jenalyn Tadio.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.R. Nos.	Re-referred to:
108	Committee on Economic Revitalization, Business, & Military Affairs
164	Committee on Water, Land, & Ocean Resources
166	Committee on Water, Land, & Ocean Resources
223	Committee on Transportation

H.C.R. Nos.	Re-referred to:
41	Committee on Consumer Protection & Commerce
60	Committee on Water, Land, & Ocean Resources
131	Committee on Economic Revitalization, Business, & Military Affairs
171	Committee on Consumer Protection & Commerce
202	Committee on Water, Land, & Ocean Resources
204	Committee on Water, Land, & Ocean Resources
254	Committee on Transportation

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 299) was announced by the Clerk and the following action taken:

H.R. No. 299, entitled: "HOUSE RESOLUTION CONGRATULATING AND COMMENDING THE HAWAIIAN ISLANDS NATIONAL WILDLIFE REFUGE, A COMPONENT OF THE PAPAHANAUMOKUAKEA MARINE NATIONAL MONUMENT, ON ITS CENTENNIAL CELEBRATION," was jointly offered by Representatives C. Lee and Morita.

Representative C. Lee moved that H.R. No. 299 be adopted, seconded by Representative Morita.

Representative C. Lee recognized the 100th anniversary of the Hawaiian Island National Wildlife Refuge, and conveyed the importance of the Papahanaumokuakea Marine National Monument.

Representative Morita further proclaimed the ecological significance of the preservation area, and commended the many conservation workers who provide stewardship for the resource.

Representative Morita then introduced the honorees seated on the Floor of the House:

Ms. Athline Clark, State Superintendent of the Papahanaumokuakea Marine National Monument;

Ms. Aulani Wilhelm, National Oceanic and Atmospheric Administration Superintendent;

Ms. Susan White, U.S. Fish and Wildlife Service Superintendent;

Ms. Margaret Akamnine, NOAA's National Marine Fisheries Services, and Chair of the Monument Management Board;

Mr. Dan Polhemus, State of Hawaii Division of Aquatic Resources Administrator, and Recorder of the Monument Management Board; and

Ms. Gina Shultz, Deputy Field Supervisor of the Pacific Islands Fish and Wildlife Office, U.S. Fish and Wildlife Service.

Representative Ching also commended the conservation workers and thanked them for their stewardship of the Monument.

The motion was put to vote by the Chair and carried, and H.R. No. 299 was adopted with Representatives Awana, McKelvey, M. Oshiro, Takai and Yamane being excused.

The following resolution (H.R. No. 300) was announced by the Clerk and the following action taken:

H.R. No. 300, entitled: "HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING THE HAWAIIAN INTERNATIONAL BILLFISH TOURNAMENT ON ITS GOLDEN ANNIVERSARY," was jointly offered by Representatives Herkes, Chang, Coffman, Evans, Hanohano, Nakashima and Tsuji.

Representative Herkes moved that H.R. No. 300 be adopted, seconded by Representative Coffman.

Representative Herkes commended the Hawaiian International Billfish Tournament for its contributions to Hawaii and big-game fishing, and congratulated them on their 50th anniversary of the tournament.

Representative Herkes then introduced Mr. Peter Fithian, founder of the tournament, and his wife, Mrs. Roberta Fithian who were seated on the Floor of the House.

Representative Coffman then introduced President of the Hawaiian International Billfish Association, Mr. Fred Duerr of the Kona Village Resort, also seated on the Floor of the House.

The motion was put to vote by the Chair and carried, and H.R. No. 300 was adopted with Representatives Awana, McKelvey, M. Oshiro, Saiki, Takai and Yamane being excused.

At 12:34 o'clock p.m. Representative the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:45 o'clock p.m., with the Speaker presiding.

STANDING COMMITTEE REPORTS

Representatives Chang and Manahan, for the Committee on Higher Education and the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1428), recommending that H.R. No. 211, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 211, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII VISITORS AND CONVENTION BUREAU IN PARTNERSHIP WITH THE UNIVERSITY OF HAWAII ACADEMY FOR CREATIVE MEDIA, NAFSA: ASSOCIATION OF INTERNATIONAL EDUCATORS, AND THE HAWAII HOTEL AND LODGING ASSOCIATION TO DEVELOP A PROGRAM AND PRODUCE A FILM PROMOTING HAWAII AS AN EDUCATION AND TRAINING DESTINATION OF CHOICE," was referred to the Committee on Finance with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

Representatives Chang and Manahan, for the Committee on Higher Education and the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1429), recommending that H.C.R. No. 242, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 242, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII VISITORS AND CONVENTION BUREAU IN PARTNERSHIP WITH THE UNIVERSITY OF HAWAII ACADEMY FOR CREATIVE MEDIA, NAFSA: ASSOCIATION OF INTERNATIONAL EDUCATORS, AND THE HAWAII HOTEL AND LODGING ASSOCIATION TO DEVELOP A PROGRAM AND PRODUCE A FILM PROMOTING HAWAII AS AN EDUCATION AND TRAINING DESTINATION OF CHOICE," was referred to the Committee on Finance with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1430), recommending that H.R. No. 231, as amended in HD 1, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 231, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO GRANT A WAIVER ALLOWING HAWAII ELECTRIC AND LIGHT COMPANY TO CONTINUE ITS NEGOTIATIONS WITH KAHUA RANCH AND NA MAKANI MOA E KU, LLC, ON THE KAHUA FAST-RESPONSE HYDRO PROJECT," was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1431), recommending that H.C.R. No. 260, as amended in HD 1, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 260, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO GRANT A WAIVER ALLOWING HAWAII ELECTRIC AND LIGHT COMPANY TO CONTINUE ITS NEGOTIATIONS WITH KAHUA RANCH AND NA MAKANI MOA E KU, LLC, ON THE KAHUA FAST-RESPONSE HYDRO PROJECT," was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1432), recommending that H.R. No. 213, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 213, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO REQUIRE ALL MOTOR VEHICLES TO USE THEIR HEADLIGHTS WHILE DRIVING IN THE CAPITOL'S PARKING STRUCTURE," was referred to the Committee on Judiciary with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1433), recommending that H.C.R. No. 245, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 245, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO REQUIRE ALL MOTOR VEHICLES TO USE THEIR HEADLIGHTS WHILE DRIVING IN THE CAPITOL'S PARKING STRUCTURE," was referred to the Committee on Judiciary

with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1434), recommending that H.R. No. 240, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 240, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DEPARTMENT OF TAXATION UNDERTAKE A STUDY TO DETERMINE THE FEASIBILITY OF EXEMPTING FROM THE GENERAL EXCISE TAX IMPOSED UNDER CHAPTER 237, HAWAII REVISED STATUTES, LESS THAN CONTAINER LOAD SHIPPING TO THE ISLANDS OF THE COUNTY OF MAUI," was referred to the Committee on Finance with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1435), recommending that H.C.R. No. 270, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 270, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF TAXATION UNDERTAKE A STUDY TO DETERMINE THE FEASIBILITY OF EXEMPTING FROM THE GENERAL EXCISE TAX IMPOSED UNDER CHAPTER 237, HAWAII REVISED STATUTES, LESS THAN CONTAINER LOAD SHIPPING TO THE ISLANDS OF THE COUNTY OF MAUI," was referred to the Committee on Finance with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

Representative Souki, for the Committee on Transportation presented two reports:

(Stand. Com. Rep. No. 1436), recommending that H.R. No. 244, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1437), recommending that H.C.R. No. 273, be referred to the Committee on Finance.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 244, and H.C.R. No. 273, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Pine rose in support of both measures, stating:

"On these two measures, in strong support."

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 stand in support of these two measures. As you know, traffic congestion is a major problem, negatively affecting the quality of life for thousands of residents who live in Ewa, and all of Leeward Oahu.

"The establishment of a ferry operation in Hoakalei's planned marina would be a wonderful and much-needed alternative form of transportation that would help to alleviate traffic congestion. The ferry would increase mobility, and get people out of their cars and to their downtown destinations efficiently.

"The ferry would also be providing a multi-modal transportation system needed in West Oahu in order to service this rapidly growing area. We believe that a ferry operation should be an integral part of that system.

"I urge your support of these measures and request that they be passed out of Committee, which would encourage the State Department of Transportation to engage in and facilitate discussions with the City and County of Honolulu Department of Transportation Services, private developers, and other stakeholders to explore the possibility of establishing a ferry operation from the Hoakalei Resort and Marina to downtown Honolulu."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 244, entitled: "HOUSE RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A FERRY SYSTEM FROM THE HOAKALEI RESORT AND MARINA IN EWA BEACH TO DOWNTOWN HONOLULU," was referred to the Committee on Finance with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused; and

H.C.R. No. 273, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A FERRY SYSTEM FROM THE HOAKALEI RESORT AND MARINA IN EWA BEACH TO DOWNTOWN HONOLULU," was referred to the Committee on Finance with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1438), recommending that H.R. No. 247, be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 247, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO ENCOURAGE EACH HOLDER OF A CONCESSION CONTRACT AT A STATE AIRPORT TO GIVE FIRST RIGHT OF REFUSAL TO LOCAL VENDORS TO SUPPLY GOODS, WARES, MERCHANDISE, AND SERVICES TO THE CONCESSION," was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1439), recommending that H.C.R. No. 276, be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 276, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO ENCOURAGE EACH HOLDER OF A CONCESSION CONTRACT AT A STATE AIRPORT TO GIVE FIRST RIGHT OF REFUSAL TO LOCAL VENDORS TO SUPPLY GOODS, WARES, MERCHANDISE, AND SERVICES TO THE CONCESSION," was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

Representatives Souki and Morita, for the Committee on Transportation and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1440), recommending that H.C.R. No. 208, as amended in HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 208, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Rhoads rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I just need to request a ruling on a potential conflict of interest. Better Place, which is a marketer of electric cars, is a client of my wife's firm. 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.C.R. No. 208, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE

ELECTRIFICATION OF ENERGY-EFFICIENT TRANSPORTATION SYSTEMS IN HAWAII," was referred to the Committee on Finance with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1441), recommending that H.R. No. 235, be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 235, entitled: "HOUSE RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE CABLE TELEVISION DIVISION OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was referred to the Committee on Legislative Management with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1442), recommending that H.C.R. No. 265, be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 265, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE CABLE TELEVISION DIVISION OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was referred to the Committee on Legislative Management with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented two reports:

(Stand. Com. Rep. No. 1443), recommending that H.R. No. 190, as amended in HD 1, be referred to the Committee on Judiciary; and

(Stand. Com. Rep. No. 1444), recommending that H.C.R. No. 221, as amended in HD 1, be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 190, HD 1, and H.C.R. No. 221, HD 1, be referred to the Committee on Judiciary, seconded by Representative Evans.

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. 190, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A SUNRISE ANALYSIS FOR THE REGISTRATION OF PET DEALERS IN HAWAI‘I," was referred to the Committee on Judiciary with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused; and

H.C.R. No. 221, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE ANALYSIS FOR THE REGISTRATION OF PET DEALERS IN HAWAI‘I," was referred to the Committee on Judiciary with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1445), recommending that H.R. No. 251, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 251, entitled: "HOUSE RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO STREAMLINE THE EVICTION PROCESS TO CONFORM TO FEDERAL GUIDELINES," was referred to the Committee on Judiciary with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1446), recommending that H.C.R. No. 279, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 279, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO STREAMLINE THE EVICTION PROCESS TO CONFORM TO FEDERAL GUIDELINES," was referred to the Committee on Judiciary with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1447), recommending that H.R. No. 121, be referred to the Committee on Tourism, Culture, & International Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 121, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ADOPT THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES," was referred to the Committee on Tourism, Culture, & International Affairs with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1448), recommending that H.C.R. No. 150, be referred to the Committee on Tourism, Culture, & International Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 150, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ADOPT THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES," was referred to the Committee on Tourism, Culture, & International Affairs with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1449), recommending that H.C.R. No. 92, HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 92, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY, SHERIFF DIVISION, AND TO REPORT ON THE SUITABILITY OF THE ADMINISTRATIVE ORGANIZATION OF THE DEPARTMENT OF PUBLIC SAFETY AND SHERIFF DIVISION," was referred to the Committee on Finance with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1450), recommending that H.R. No. 169, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 169, entitled: "HOUSE RESOLUTION ESTABLISHING POLICIES FOR THE LEGISLATIVE BROADCAST PROGRAM'S CABLECASTS OF HOUSE OF REPRESENTATIVES' PROCEEDINGS," was referred to the Committee on Finance with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

Representative Souki, for the Committee on Transportation presented two reports:

(Stand. Com. Rep. No. 1451) recommending that H.R. No. 87, be adopted; and

(Stand. Com. Rep. No. 1452) recommending that H.C.R. No. 108, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 87, and H.C.R. No. 108, be adopted, seconded by Representative Evans.

Representative Pine rose to speak in opposition to both measures, stating:

"Unfortunately, I need to vote against 1451 and 1452. And, I have some comments that last night, a bunch of Veterans asked me to read. What these resolutions do, is urge the State of Hawaii to change the street name of Fort Barrette Road in the Kapolei/Ewa area to Kualaka'i Road.

"In 1999, many attempts were made by Hawaiian activists to change the names of the streets at the former Barbers Point Station, to all Hawaiian names, after succeeding in changing the name of the area to Kalaeloa.

"Veterans groups, members of Ewa, Ewa Beach, Makakilo, and Filipino residents voiced opposition. Filipinos were sensitive to keeping those historic World War II street names, as many were relevant to the battles in the Philippines, such as Corregidor, Bataan, and the Philippine Sea.

"The Barbers Point Redevelopment Commission did not rename the street names. In 2000 and 2001, activists introduced these bills to change the street names again, and again the people rallied opposing changing the street names. Former Representatives Romy Cachola and Ezra Kanoho, both held their versions of these bills in their Committees.

"Fort Barrette was named after a General during World War II. He was a General who served honorably in the United States Army, and for whom a fort was named that protected the coast of the Island of Oahu from any ship-borne invasion. It was a fort that suffered casualties, as a result of an attack on American soil by the Japanese.

"According to many of the Veterans that have been emailing me, and this is all last night, and I've talked to the introducers. I'm sure they reviewed some of this information as well. The reason why this is such an important area to a lot of the Veterans, at least in my community in Ewa Beach, and why they've been calling me is, Fort Barrette Road saw action on December 7th, 1941, when the roadway was destroyed by Japanese Zeroes and 'Val' dive-bombers during the attack on Pearl Harbor.

"This attack on Fort Barrette, an Ewa Field Marine Base, lasted only one hour in a series of three waves. This area of Oahu saw more continuous strafing than any other area during the Pearl Harbor raid, due to the fact that the Japanese air units used this Ewa area for their staging and regrouping point.

"So, as you can imagine, there are a lot of people who don't want to see the name changed, and just asked me today to voice their opinions for them."

Representative Cabanilla rose to speak in opposition to both measures, stating:

"Mr. Speaker, in opposition, and I thank my colleague from Ewa Beach for pointing out those facts. With respect to the Veterans and the history of Hawaii, I'm asking my colleagues to vote 'no' as well. Thank you."

Representative Ward rose to speak in opposition to both measures, stating:

"Mr. Speaker, I also rise in opposition. Mr. Speaker, like most people, all of us generally don't have Floor debate as a time to make up our mind. Sometimes we don't even listen, but this time I think it's pretty convincing, the debt of gratitude that we owe Filipino Veterans. This is just one small gesture that we could have to say, 'Yes, we remember you because you remember the street as it was.' And all the other streets, if they want to be Hawaiian, fine, but if this is the one exception, I think we should agree with that out of respect for them. Thank you."

Representative Sagum rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. In support. I think the person who testified, the Hawaiian consultant who testified at the hearing, correctly identified how the canoes came from Tahiti, and they landed in this area. And, he really talked about a lot of cultural aspects of what the land holds, and why the name is appropriate. Thank you."

Representative Evans rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. I rise in support. One of the comments from the Minority Floor Leader really struck me, and that this was former Barbers Point, that it's now returning to the people. And I believe that this discussion is a really good one on what is the future of Barbers Point, and what does it really mean to return it back to the people.

"I do honor veterans. I was the former Chair of Military Affairs. I believe we should honor them continually, and it could be very appropriate to have a memorial out there for Fort Barrette. There were all kinds of veterans who actually served there, and all the armed services should be honored out there. This Body should definitely support memorials, but I believe the Representative from Kauai really pointed out there's a huge history to that area, far before the military ever came there. So I strongly support this Resolution. Thank you."

Representative Pine rose to respond, stating:

"Thank you. And again, this is not to disrespect the Hawaiian community at all. I think Pearl Harbor is probably one of the most significant events that ever happened in this past century, and one of the top monuments in the world that people visit in terms of a war area.

"There's currently a petition to the United States, and to the President, to make this very same area another memorial. I guess it's just a clash between cultures right now. And that's why in voting 'no.' I feel that we should tread a little lighter on this, and have a little bit more community discussion within the communities that are affected, with the Hawaiian groups and the Veterans groups. Because even if this passes today, it's like the whole House of Representatives is saying that we don't want it to be called Fort Barrette Road anymore."

Representative Carroll rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. In support. I wasn't going to speak on these Resolutions since I don't sit on the Transportation Committee. However, I was raised in Ewa Beach, and like my good colleague from Kauai said, the information that was provided in the Committee, there's a lot of history.

"If we're going to do memorials, let's talk about the host culture that's always forgotten. Let's go back to when our ancestors were first ones here. So, Mr. Speaker, with my whole heart, I ask that this Body supports these Resolutions. Thank you."

Representative Tokioka rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. In strong support. I too do not sit on the Transportation Committee, but the Kauai delegation from the House of Representatives was invited to the Hawaiian Civics Clubs Convention on Kauai this past summer. At that convention, this was one of their number one priorities for the thousands of members of the Hawaiian Civic Clubs throughout this State. So, Mr. Speaker, again, in strong support. Mahalo."

Representative Marumoto rose to speak in opposition to both measures, stating:

"Thank you. Mr. Speaker, in opposition. I thank the Representative from Ewa Beach for bringing this to my attention, and I think we should remember General Barrette. I do not want to disrespect the host culture. Perhaps we can name Kualalaka'i Road on another street, or a school, or some other fitting place, like a park. So, I think we can 'have our cake and eat it too.' Thank you."

Representative Ching rose to speak in support of both measures with reservations, stating:

"Thank you, Mr. Speaker. I just wanted to rise with strong reservations, because to me, what I've always felt in our beautiful culture, one of our attributes, one of the strengths of our culture is that we are always able to accommodate and blend. To me, history is all about everybody. It's about everybody, and definitely our host culture. Hopefully we can coexist. It's one of our strengths. Thank you."

Representative Har rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. I rise in support of the Resolutions. Mr. Speaker, Fort Barrette was originally known as Fort Kapolei. The construction of Fort Kapolei was opposed by both the Honolulu Chamber of Commerce and civilian contractors, but not withstanding this opposition, the Army Corp of Engineers proceeded with its construction.

"Fort Kapolei eventually had its name changed to Fort Barrette in 1934, after Brig. General John Barrette. However, little is really known of Brig. General John Barrette. Changing of the name Fort Barrette to Kualaka'i is not proposed out of disrespect or disloyalty. Instead, the Resolutions were introduced out of respect for the land. The street referred to as Fort Barrette was an ancient Hawaiian trail for over 1,000 years. As the State formally changed the name of Barbers Point to Kalaeloa upon the closure of Barbers Point, many in my district believe it is appropriate to change the name of Fort Barrette Road to Kualaka'i Road, to celebrate the rebirth and renewal of our new great City of Kapolei.

"As we designate the names of our streets, we must consider what would best honor Hawaii's history. Moreover, I do remind the opponents of this measure, that the Department of Transportation in its testimony stated that it would be willing to rename Fort Barrette Road, provided that the community supported the proposed new name change. Community members have voiced opinions, both for and against the name change. All opinions on the issue are welcome and necessary to continue the dialog on how best to preserve the rich cultural and military history of Kapolei.

"It is my hope we can work together as a community to reach consensus on how best to preserve our history. Until consensus can be reached, the street name will not be changed. Hawaiian Civics Clubs who had been working to *malama* the land, hope that the opponents of these Resolutions will work with our Hawaiian Civics Clubs towards this endeavor.

"Finally, Mr. Speaker, symbolically, *ulu* refers to rebirth or life renewal. Kapolei is a growing city. This name change will help define the future of Kapolei as its growth as a new city. Thank you, Mr. Speaker."

Representative Finnegan rose and asked that the Clerk record a no vote for her on both measures, and the Chair "so ordered."

Representative Carroll rose in support of both measures and asked that the remarks of Representative Har be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Pine rose in opposition to both measures 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 HR87/HCR108.

"In addition to my comments made on the House Floor, I would like to submit comments made from a constituent, Mr. Earl Arakaki regarding the reasons that the name, Ft. Barrette Road, should not be changed. His arguments are as follows of which I am in agreement and offer my colleagues to consider:

I rise in opposition to HR87 that changes the name of Fort Barrette Road [1] to Kualakai. This resolution has nothing to do with just changing a name, it is an attempt to change the history of the area. We have all ready changed historic names like Barbers Point and Dillingham Airfield when will we stop trying to erase history?[2]

Fort Barrette was one of a series of Forts that defended Pearl Harbor from enemy warships. Before the advent of radar, large naval guns depended on lines of position to determine the range of a target. Fort Ruger, Fort DeRussey, Ft. Kamehameha, Ft. Weaver and Fort Barrette all provided line of sights to provide to the gunners a range at which to fire their 16 inch guns. They served us well since because of this defense, Pearl Harbor was never attacked by warships. During the attacks on Pearl Harbor by enemy aircraft, Fort Barrette defended Ewa Marine Corps air Station with it's anti aircraft battery and at least one soldier was killed at Fort Barrette by Japanese aircraft while defending the airfield.

Fort Barrette Road served the fort by allowing for the movement of men and ammunition from the nearby Oahu railroad. Without the existence of Fort Barrette Road, the Fort itself could not have survived or performed it¹s function of defense. The road is as historic as the Fort itself and has served with honor since the early 1920s.

To now change the name is to dishonor our valiant men and women who are serving and dying in 2 wars, the one in Afghanistan and in Iraq. There is a saying in the military ³leave no one behind.² Not only does this apply to bodies on the battlefield but also to the memory of those killed in battle in the defense of our country. Fort Barrette and Fort Barrette Road honor those brave men and women who are now just memories to their loved ones. [3] Many soldiers, sailors and marines and airmen have fought and died in the wars we face today and some have earned our highest military honor, the United States Medal of Honor, are we to disrespect them today by changing the name of a historic road? We have honored them in this very body with a state medal of honor and proclamations from our legislature was that gesture so meaningless that at the first opportunity we alter history to which they were a part of?

HR87 even states that ³Kualakai was a trail that paralleled Ft. Barrette Road.² It never connected with Fort Barrette Road and yet we seek to change the name just because Fort Barrette Road happens to be nearby and is a military name. Why do we not show respect for both names and seek a trail marker and monument for Kualakai trail rather than erase one history for another.

At the House Transportation Committee hearing on April 1, 2009 there were 16 people who provided testimony opposing the street name change. One group in opposition was the Oahu Veterans Council that has 35 veterans organizations with 80,000 member veterans. At the Committee hearing there were only 2 that gave testimony in favor of the change. Why do we hold hearings if we are not going to side with the majority?

If we change the history that is Fort Barrette Road why should we not change all other roads named for the military like, Fort Weaver Road, Fort DeRussey and even Nimitz Highway?

I ask that particularly at this time when our men and women are dying for our freedoms that they not be dishonored. Let us work together to remember both Kualakai and Fort Barrette rd. and not choose one over the other.

Please vote no for HR87.

NOTES

[1] Fort Barrette Road, named after United States Army Brigadier General John D. Barrette.

[2] Such as was done by the 2001 Legislature which approved the changing of the name of Dillingham Airfield, to Kawaihapai. Dillingham Airfield was named honoring World War Two Captain Henry Gaylord Dillingham, Captain Dillingham was not simply the son of Walter H. Dillingham, and Grandson of Benjamin Dillingham, he was much more. Captain Dillingham was a B-29 pilot who was killed in action over Kawasaki, Japan on July 25, 1945, giving his life defense of our country.

[3] who trained at the former Naval Air Station Barbers Point, now renamed Kalaeloa, for many the last sight of United States soil prior to being sent of to World War II in the Pacific, Korean War, and Viet Nam, never to return."

Representative Cabanilla rose and asked that the Clerk record a no vote for her on both measures, and the Chair "so ordered."

Representative Ching rose in support of both measures 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 rise with strong reservations to H.C.R. 108 – Urging the State of Hawaii To Change The Street Name of Fort Barrette Road To Kualaka'i Road. As Founder of the Heritage Caucus I have a great appreciation for history and heritage and believe in the accurate portrayal of past events. However, let us beware that while this particular site is sacred and perhaps worthy of a name change, future street changes should scrutinized, handled on case-by-case basis with close and careful attention to history.

"Both Hawaiian history and American history are important, and deserve a place in our books, schoolrooms, and yes, even our street signs. Fort Barrette served an important role in Oahu's defense up to and following World War II. Though the Fort itself no longer exists, its contribution is remembered only by this short stretch of road called Fort Barrette Road. Changing the name of Fort Barrett Road will erase the last traces of the service and sacrifice of those who served at Fort Barrette in times of national need. Therefore, I agree that a statue or other signage is in order to preserve the memory of Fort Barrette. One of the most important things about history is that it is preserved and protected for future generations and I have concerns that this measure may open up the flood gates for the changing of street signs across the State, beyond Kapolei.

"Additionally, we must ask the question, is this the right time to be implementing changes to street names? Are there other ways to honor the many histories of places? In changing street signs, maps will need to be changed, stationery, etc. and there are costs to all of this. To be considered is that the State's economy is in a downturn. 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. 87, entitled: "HOUSE RESOLUTION URGING THE STATE OF HAWAII TO CHANGE THE STREET NAME OF FORT BARRETTE ROAD TO KUALAKA'I ROAD," was adopted, with Representatives Cabanilla, Finnegan, Marumoto, Pine and Ward voting no, and with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto, M. Oshiro, Saiki and Takai being excused; and

H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII TO CHANGE THE STREET NAME OF FORT BARRETTE ROAD TO KUALAKA'I ROAD," was adopted, with Representatives Cabanilla, Finnegan, Marumoto, Pine and Ward voting no, and with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto, M. Oshiro, Saiki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1453) recommending that H.R. No. 128, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 128, HD 1, entitled: "HOUSE RESOLUTION URGING THE REAL ESTATE COMMISSION TO CONSIDER ALLOWING DEVELOPERS AND ATTORNEYS TO SUBMIT CONDOMINIUM REGISTRATION FILINGS IN ELECTRONIC FORMAT," was adopted, with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto, M. Oshiro, Saiki and Takai being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain Senate bills for Third Reading by consent calendar. (Representatives Awana, Keith-Agaran, McKelvey, Nishimoto, M. Oshiro and Takai were excused.)

STANDING COMMITTEE REPORTS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1454) recommending that S.B. No. 936, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 936, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF HEALTH CERTIFICATES," passed Third Reading by a vote of 45 ayes, with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto, M. Oshiro and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1455) recommending that S.B. No. 1065, SD 2, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1065, SD 2, 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 Awana, Keith-Agaran, McKelvey, Nishimoto, M. Oshiro and Takai being excused.

At 1:02 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 936
S.B. No. 1065, SD 2, HD 1

At this time, the Chair stated:

"Members of the House, please note the 48-hour notice for Standing Committee Report No. 1456 as listed on page 9."

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1456) recommending that S.B. No. 1677, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1456 on S.B. No. 1677, 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. 1677, SD 1, HD 2, were made available to the Members of the House.

THIRD READING

S.B. No. 298, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 298, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 45 ayes, with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto, M. Oshiro and Takai being excused.

S.B. No. 574, SD 1:

Representative B. Oshiro moved that S.B. No. 574, SD 1, pass Third Reading, seconded by Representative Evans.

Representative Pine rose in support of the measure, stating:

"Mr. Speaker, in strong support."

Representative Ward rose in support of 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 support for Senate Bill 574 Senate Draft 1, which would extend the condominium dispute resolution pilot project until June 2011.

"Mr. Speaker, the program has demonstrated considerable success in being able to resolve disputes within condominium associations. Hawaii Kai has numerous such associations, providing my community with the ability to better resolve issues that could otherwise only be handled through expensive legal action. I think this program is a great example of government working to provide a positive service to the community. I believe that this program should be extended to provide a further benefit to our State, perhaps one day leading to a full scale program. With that, I offer it my full 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 S.B. No. 574, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 45 ayes, with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto, M. Oshiro and Takai being excused.

S.B. No. 92:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 92, 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 45 ayes, with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto, M. Oshiro and Takai being excused.

S.B. No. 1113, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 1113, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GEOGRAPHIC LIMITATIONS ON TIME SHARES," passed Third Reading by a vote of 45 ayes, with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto, M. Oshiro and Takai being excused.

At 1:04 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 298, SD 1
S.B. No. 574, SD 1
S.B. No. 92
S.B. No. 1113, SD 1

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering a certain House bill for Final Reading by consent calendar. (Representatives Awana, Keith-Agaran, McKelvey, Nishimoto, M. Oshiro and Takai were excused.)

FINAL READING

Representative B. Oshiro moved to agree to the amendments made by the Senate to H.B. No. 520, HD 1, (SD 1), seconded by Representative Evans and carried. (Representatives Awana, Keith-Agaran, McKelvey, Nishimoto, M. Oshiro and Takai were excused.)

H.B. No. 520, HD 1, SD 1:

Representative B. Oshiro moved that H.B. No. 520, HD 1, SD 1, pass Final Reading, seconded by Representative Evans.

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I guess this is the last time that I will rise, still in lonely opposition. Just two reasons why I oppose House Bill 520, House Draft 1, Senate Draft 1. It's a repeal of the Act. And I've said this before, that I'm truly in support of revising it, or amending it. But in repealing the Act, I'm not sure that we recognize also what this means.

"In conversation with people who are still building, and in conversation with SHPD further understanding of how to implement Act 228 resulted in much change, and making sure that the problems that initially started, because of the way it was being interpreted, are no longer there. I've had architects come up to me and say that now things are whizzing through. It's okay.

"Number two, I think this was said in the *Honolulu Advertise*r by an architect, that it's hard when there's not a single photograph to even record the history of some of these buildings that are truly unique within the world, because they are a blend. That is again, our legacy. It's our blend. There is nowhere else in the world where you might find a complete blend. There is Japanese architecture in Japan, or European architecture in Europe. But nowhere else in the world is it the blend. It's kind of like our President. He's a blend. That's what makes him kind of intriguing too.

"So, the thing is, lastly, what was relayed to me was that the State of Hawaii is very remiss in what they call, surveying and having a record, as compared to other regions in the U.S. And that is one of the reasons why we cannot apply for certain grants, because we don't have this adequate inventory, and this would add to that. So, basically, we're saying 'no' to more money.

"So, with that, that's my final speech. Thank you."

Representative Cabanilla rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. I believe that Act 228 could have been amended to just limit it to significant historical buildings, as opposed to a total repeal. I'm passionate about keeping the Act, because I have a historical district. I hope that when we bring this matter back again, that we could put in the right language, so we can go on with historical preservation. Thank you, Mr. Speaker."

Representative Rhoads rose to speak in opposition to the measure, stating:

"In opposition. Just wanted to explain my 'no' vote briefly. I think we lose a lot by not taking photographs of older buildings that we're knocking down, for one reason or another. I think we're 'throwing the baby out with the bathwater.' The original bill did have serious flaws, but considering the ease with which you can take pictures now with digital cameras and the importance of remembering our heritage through architecture, as well as in other ways, I think we would have been better off just amending, as opposed to repealing it completely. Mahalo."

The motion was put to vote by the Chair and carried, and H.B. No. 520, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO

BUILDINGS," passed Final Reading by a vote of 43 ayes to 3 noes, with Representatives Cabanilla, Ching and Rhoads voting no, and with Representatives Awana, Keith-Agaran, McKelvey, Nishimoto and Takai being excused.

At 1:10 o'clock p.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 520, HD 1, SD 1

At 1:10 o'clock p.m. Representative Carroll 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 this time Representative Carroll moved to suspend the rules to recall S.B. No. 1085, SD 2, HD 1, seconded by Representative Shimabukuro.

At 1:11 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:16 o'clock p.m.

At this time, the Chair stated:

"Prior to the recess, Members of the House, there was a motion that was to suspend the rules to recall a measure out of a particular Committee. So, the main motion before this Body is to suspend the rules, which is a non-debatable procedural motion.

"I shared with the Majority Caucus and the Minority Caucus, that we will be doing a roll call vote on this, so we don't have to do a division of the House. This is not going to be a voice vote. So, for those who support the suspension of the rules, you will vote 'aye.' For those who do not support the suspension, vote 'nay.'

"So, Representative Aquino, being the first Member that will be called upon, you know the script. I just want to make sure you are awake. You're awake. So, Madam Clerk, at this time, please call the roll."

At this time the Chair called for a roll call vote and the motion to suspend the rules to recall S.B. No. 1085, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CEDED LANDS," was put to vote by the Chair and failed to carry on the following show of Ayes and Noes:

Ayes: 15: Belatti, Berg, Bertram, Brower, Carroll, Ching, Coffman, Finnegan, Hanohano, C. Lee, Luke, Pine, Saiki, Shimabukuro and Thielen.

Noes: 28: Aquino, Cabanilla, Chong, Choy, Evans, Har, Ito, Karamatsu, M. Lee, Magaoay, Manahan, Marumoto, Mizuno, Morita, Nakashima, B. Oshiro, M. Oshiro, Rhoads, Sagum, Say, Souki, Takumi, Tokioka, Tsuji, Ward, Wooley, Yamane and Yamashita.

Excused: 8: Awana, Chang, Herkes, Keith-Agaran, McKelvey, Nishimoto, Takai and Wakai.

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, from time to time, I rise to bring some international event or news. As we know, President Obama is now in Europe, and tomorrow, the 4th of April marks Liberation Day for Hungary. Hungary, in 1945, was liberated from the Nazis.

"And, the other significant event is that Hungary led the fall of communism by opening its border with Austria, in 1989. The last thing that we should note is that Budapest is the 15th most popular destination in the world. Next to Hawaii, of course. There's no comparison, but it's a beautiful city. Thank you, Mr. Speaker."

Representative Brower: "Thank you, Mr. Speaker. I have an important birthday announcement for one of our Representatives today. I didn't want to make this announcement, because I would have to admit to being his friend, so I asked 49 other legislators, and they all turned me down, Mr. Speaker.

"This is a big birthday announcement. He's the Representative who put the letters ME in the word, 'metrosexual.' And he put the letters ME in the phrase, 'What's in it for me?' When he's not in the Chamber, he's upstairs sharing makeup tips with his staff. We're used to seeing this Representative in drag, and today he's wearing his favorite pink shirt and matching boxers. A big hand for Representative Scott Nishimoto, please."

Representative Morita: "Thank you, Mr. Speaker. I think lunch is still being served in Room 329. I'm not sure if the honorees are still there, but I think we have food. Thank you."

ADJOURNMENT

At 2:23 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, April 6, 2009. (Representatives Awana, Chang, Herkes, Keith-Agaran, McKelvey, Nishimoto, Takai and Wakai were excused.)

HOUSE COMMUNICATION

House Communication dated April 3, 2009, 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 Bill on Final Reading:

H.B. No. 520, HD 1, SD 1

FORTY-SECOND DAY

Monday, April 6, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:06 o'clock p.m., with the Speaker presiding.

The invocation was delivered in song by Ms. Tina Tap and Mr. Mike Hudgins of Celtic Pipes and Drums of Hawaii, after which the Roll was called showing all Members present with the exception of Representatives Takai and Ward, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-First Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 436 through 452) were received and announced by the Clerk:

Sen. Com. No. 436, transmitting H.B. No. 1186, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING DEVELOPMENT," which passed Third Reading in the Senate on April 3, 2009.

Sen. Com. No. 437, transmitting S.C.R. No. 27, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CENTERS FOR MEDICARE AND MEDICAID SERVICES TO CONSIDER RAISING THE MEDICARE FEE SCHEDULE PAYMENT AMOUNTS FOR PHYSICIANS RENDERING SERVICES IN HAWAII," which was adopted by the Senate on April 3, 2009.

Sen. Com. No. 438, transmitting S.C.R. No. 29, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES CONGRESS TO RAISE MEDICARE FEE SCHEDULE PAYMENT AMOUNTS FOR PHYSICIANS RENDERING SERVICES IN HAWAII," which was adopted by the Senate on April 3, 2009.

Sen. Com. No. 439, transmitting S.C.R. No. 50, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR THE ANE KEOHOKALOLE HIGHWAY EXTENSION, MID-LEVEL ROAD, IN THE COUNTY OF HAWAIʻI," which was adopted by the Senate on April 3, 2009.

Sen. Com. No. 440, transmitting S.C.R. No. 62, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAIʻI FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS," which was adopted by the Senate on April 3, 2009.

Sen. Com. No. 441, transmitting S.C.R. No. 80, entitled: "SENATE CONCURRENT RESOLUTION URGING NONPROFIT ORGANIZATIONS AND COMMUNITY GROUPS TO ESTABLISH SAFETY PROCEDURES FOR ROADSIDE SOLICITATION OF FUNDS AND DONATED GOODS," which was adopted by the Senate on April 3, 2009.

Sen. Com. No. 442, transmitting S.C.R. No. 81, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO REVIEW THE FEASIBILITY OF DEVELOPING SINGLE ROOM OCCUPANCY DWELLINGS IN TRANSIT ORIENTED DEVELOPMENT PROJECTS, TO ALLEVIATE THE AFFORDABLE HOUSING SHORTAGE," which was adopted by the Senate on April 3, 2009.

Sen. Com. No. 443, transmitting S.C.R. No. 86, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP AN INVENTORY OF ALL TEXTBOOKS FOR ALL PUBLIC SCHOOLS," which was adopted by the Senate on April 3, 2009.

Sen. Com. No. 444, transmitting S.C.R. No. 88, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO ESTABLISH A TRANSIT ORIENTED DEVELOPMENT TASK FORCE TO FACILITATE MIXED-INCOME AND AFFORDABLE HOUSING IN TRANSIT ORIENTED DEVELOPMENTS BY BETTER COORDINATING TRANSPORTATION AND HOUSING PLANNING AND PROGRAMS," which was adopted by the Senate on April 3, 2009.

Sen. Com. No. 445, transmitting S.C.R. No. 109, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A FERRY SYSTEM FROM THE HOAKALEI RESORT AND MARINA IN EWA BEACH TO DOWNTOWN HONOLULU," which was adopted by the Senate on April 3, 2009.

Sen. Com. No. 446, transmitting S.C.R. No. 119, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF BICYCLING," which was adopted by the Senate on April 3, 2009.

Sen. Com. No. 447, transmitting S.C.R. No. 127, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ADOPT THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES," which was adopted by the Senate on April 3, 2009.

Sen. Com. No. 448, transmitting S.C.R. No. 146, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII P-20 PARTNERSHIPS FOR EDUCATION TO CONVENE THE APPROPRIATE AGENCIES TO EXAMINE CURRENT AND EMERGING PROGRAMS SEEKING TO TRACK STUDENT PROGRESS AND DEVELOP A LONGITUDINAL DATA SYSTEM FOR STUDENTS BEGINNING IN EARLY CHILDHOOD PROGRAMS TO GRADE TWELVE, AND BEYOND TO HIGHER EDUCATION AND THE WORKFORCE," which was adopted by the Senate on April 3, 2009.

Sen. Com. No. 449, transmitting S.C.R. No. 149, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTS THE BOARD OF EDUCATION TO MODIFY PUBLIC HIGH SCHOOL GRADUATION REQUIREMENTS BY REQUIRING FIFTY HOURS OF COMMUNITY SERVICE FROM ALL STUDENTS AS PART OF THE DEPARTMENT OF EDUCATION'S CIVIC RESPONSIBILITY REQUIREMENT," which was adopted by the Senate on April 3, 2009.

Sen. Com. No. 450, transmitting S.C.R. No. 150, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE SUPERINTENDENT OF EDUCATION TO ESTABLISH AND FACILITATE A SPECIAL EDUCATION PRIVATE SCHOOL TASK FORCE TO ADVISE THE DEPARTMENT OF EDUCATION ON POLICIES OR PROCEDURES FOR OVERSIGHT AND MONITORING OF PRIVATE SCHOOL OR FACILITY PLACEMENTS," which was adopted by the Senate on April 3, 2009.

Sen. Com. No. 451, transmitting H.C.R No. 5, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING FAITH-BASED ORGANIZATIONS TO NETWORK AND COOPERATE TO SUPPORT FOSTER FAMILIES IN HAWAII," which was adopted by the Senate on April 3, 2009.

Sen. Com. No. 452, transmitting H.C.R No. 39, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE MONTH OF MAY AS "FOSTER CARE AWARENESS MONTH", A TIME TO EDUCATE THE PUBLIC ABOUT THE VARIOUS COMPONENTS OF FOSTER CARE, INCLUDING FOSTER PARENTS, CHILDREN, AND FAMILIES," which was adopted by the Senate on April 3, 2009.

INTRODUCTION

The following introduction was made to the Members of the House:

Representative Mizuno introduced Mr. Cliff Sawyer, Executive Director of Soka Gakkai International USA; Ms. Diane Landsberg, Executive Director of Non-Violence Project USA; and Mr. Daniel Hall, National Coordinator of the Victory Over Violence Initiative.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.R. Nos.	Re-referred to:
17	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
88	Committee on Health, then to the Committee on Consumer Protection & Commerce

H.C.R. Nos.	Re-referred to:
13	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
97	Committee on Health, then to the Committee on Consumer Protection & Commerce
109	Committee on Health, then to the Committee on Consumer Protection & Commerce
128	Committee on Health, then to the Committee on Finance

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 301) was announced by the Clerk and the following action taken:

H.R. No. 301, entitled: "HOUSE RESOLUTION HONORING THE SISTERS OF THE SACRED HEARTS ON THE OCCASION OF THEIR SESQUICENTENNIAL ANNIVERSARY," was jointly offered by Representatives Nishimoto and Marumoto.

Representative Nishimoto moved that H.R. No. 301 be adopted, seconded by Representative Marumoto.

Representative Nishimoto recognized the contributions of the Sisters of the Sacred Hearts, and congratulated them on the 150th Anniversary of their arrival in Hawaii.

Representative Nishimoto also recognized the 100th Anniversary of both the St. Anthony Retreat and Conference Center formerly known as the Kalihi Orphanage and St. Anthony's Home; and the Sacred Hearts Academy.

Representative Marumoto then introduced honorees seated on the Floor of the House:

Sister Helen Wood, Provincial of the Sisters of the Sacred Hearts Pacific Province;
Sister Regina Mary Jenkins, Vice Provincial;
Sister Anne Claire DeCosta, Counselor;
Sister Irene Barboza, Counselor; and
Sister Rose Kathleen Lenchanko, Administrator, St. Anthony Retreat Center.

Representative Marumoto also introduced Sisters of the Sacred Hearts who were seated in the gallery:

Sister Julie Louise Thevenin;
Sister Lucia Iwata;
Sister Mary Dolorine Pires;
Sister Ivy Yim;
Sister Jessie Kai;
Sister Marie Christine Plateros;
Sister Heman Julia Aki;
Sister Grace Marie Tom;
Sister Jane Francis Leandro;
Sister Mary Josephine Araki;
Sister Anne-Marie Tamanaha;
Sister Dolores Marie Pavao;
Sister Dorothy Santos;
Sister Jeanne Cordeiro;
Sister Marie Therese Hickey; and
Sister Cecile Marie Duarte.

Representative Awana expressed her gratitude and aloha to the Sisters of the Sacred Hearts as an alumni of the Convent Campus.

The motion was put to vote by the Chair and carried, and H.R. No. 301 was adopted with Representative Takai being excused.

The following resolution (H.R. No. 302) was announced by the Clerk and the following action taken:

H.R. No. 302, entitled: "HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING PAPAKOLEA HAWAIIAN HOMESTEAD UPON ITS 75TH ANNIVERSARY CELEBRATION," was jointly offered by Representatives Belatti, Awana, Berg, Brower, Carroll, Hanohano, C. Lee, Luke, Morita, and M. Oshiro.

Representative Belatti moved that H.R. No. 302 be adopted, seconded by Representative Luke.

Representative Belatti congratulated and honored the Papakolea Hawaiian Homestead on its 75th Anniversary, and introduced the honorees seated on the Floor of the House:

Mr. Lionel Wright, President of the Papakolea Community Association;
Ms. Annie AuHoon, President of the Kewalo Hawaiian Homestead Community;
Ms. Denise Ka'a'a, President of the Kalawahine Streamside Association;
Ms. Aloha Kaikaina, Director of the Kula no na Po'e Hawaii;
Mr. Harold Johnston, President of the Papakolea Community Development Corporation; and
Uncle Bob Freitas, long-time Papakolea resident and kupuna.

Representative Luke then introduced friends, family and community supporters seated in the gallery:

Ms. Emma Wright, Ms. Puni Kekauoha, Ms. Adrienne Dillard, Mr. Richard Soo, Ms. Kaapuni Asaivao, Mr. Kana'i Contemplo, Mr. Dirk Soma and Mr. Stephen and Mrs. Arlette Aki.

Representative Luke also introduced members of the Office of Hawaiian Affairs:

Chairperson, Ms. Haunani Apoliona; and Trustees, Mr. Robert Lindsey, Mr. Oswald Stender and Mr. Boyd Mossman; and staffmember, Mr. Kama Hopkins.

The motion was put to vote by the Chair and carried, and H.R. No. 302 was adopted with Representative Takai being excused.

At 12:33 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., with Vice Speaker Magaoay presiding.

At this time, the Chair announced:

"Members, please note that H.C.R. No. 60 has been rereferred solely to the Committee on Water, Land, & Ocean Resources per Committee Referral Sheet No. 47. The Committee on Higher Education 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 B. Oshiro, seconded by Representative Evans and carried, to rules were suspended to reconsider action previously taken on H.C.R. No. 60. (Representatives Belatti, Luke and Takai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 1375, recommending referral to the Committee on Higher Education, seconded by Representative Evans and carried. (Representatives Belatti, Luke and Takai were excused.)

UNFINISHED BUSINESS

H.C.R. No. 60:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 60, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AT MANOA, COLLEGE OF SOCIAL SCIENCES, PUBLIC POLICY CENTER AND SPARK M. MATSUNAGA INSTITUTE FOR PEACE AND CONFLICT RESOLUTION TO CONVENE A WORKING GROUP TO EXPLORE THE SAFE USE OF HUNTING DOGS ON PUBLIC HIKING TRAILS," was adopted, with Representatives Belatti, Luke and Takai being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain Senate bills for Third Reading by consent calendar. (Representatives Belatti, Luke and Takai were excused.)

UNFINISHED BUSINESS

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1425) recommending that S.B. No. 203, SD 2, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 203, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Har rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I get a ruling on a potential conflict, please? At my law firm, I represent contractors. Thank you," and the Chair ruled, "no conflict."

Representative Thielen rose to disclose a potential conflict of interest, stating:

"A potential conflict, Mr. Speaker. I have contractors in my family," 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. 203, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Third Reading by a vote of 48 ayes, with Representatives Belatti, Luke and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1426) recommending that S.B. No. 848, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 848, HD 1, entitled: "A BILL FOR AN ACT RELATING TO METAL," passed Third Reading by a vote of 48 ayes, with Representatives Belatti, Luke and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1427) recommending that S.B. No. 1195, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1195, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ECONOMY," passed Third Reading by a vote of 48 ayes, with Representatives Belatti, Luke and Takai being excused.

At 1:01 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 203, SD 2, HD 1
S.B. No. 848, HD 1
S.B. No. 1195, SD 1, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1456) recommending that S.B. No. 1677, SD 1, HD 1, as amended in HD 2, pass Third Reading.

The Chair then announced:

"Members, please note that this measure will be deferred for one legislative day."

By unanimous consent, action on Stand. Com. Rep. No. 1456 and S.B. No. 1677, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," was deferred one legislative day.

STANDING COMMITTEE REPORTS

Representative Cabanilla, for the Committee on Housing presented two reports:

(Stand. Com. Rep. No. 1457), recommending that H.R. No. 254, as amended in HD 1, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1458), recommending that H.C.R. No. 282, as amended in HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 254, HD 1, and H.C.R. No. 282, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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 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 Committee were adopted and H.R. No. 254, HD 1, entitled: "HOUSE RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO INCREASE THE MINIMUM RENT SCHEDULE," was referred to the Committee on Finance, with Representative Takai being excused; and

H.C.R. No. 282, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO INCREASE THE MINIMUM RENT SCHEDULE," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Cabanilla, for the Committee on Housing presented two reports:

(Stand. Com. Rep. No. 1459), recommending that H.R. No. 255, as amended in HD 1, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1460), recommending that H.C.R. No. 283, as amended in HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 255, HD 1, and H.C.R. No. 283, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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 McKelvey rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Har 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. 255, HD 1, entitled: "HOUSE RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO INSTITUTE A FIVE YEAR MAXIMUM STAY FOR PUBLIC HOUSING," was referred to the Committee on Finance, with Representative Takai being excused; and

H.C.R. No. 283, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO INSTITUTE A FIVE YEAR MAXIMUM STAY FOR PUBLIC HOUSING," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1461), recommending that H.R. No. 101, be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 101, entitled: "HOUSE RESOLUTION ACKNOWLEDGING THE UNIVERSITY OF HAWAII AT MANOA COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES HISTORIC COSTUME COLLECTION AS A STATE TREASURE OF NATIONAL IMPORTANCE AND ENCOURAGING THE ESTABLISHMENT OF A MUSEUM FOR ITS PRESERVATION," was referred to the Committee on Higher Education, with Representative Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1462), recommending that H.C.R. No. 122, be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 122, entitled: "HOUSE CONCURRENT RESOLUTION ACKNOWLEDGING THE UNIVERSITY OF HAWAII AT MANOA COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES HISTORIC COSTUME COLLECTION AS A STATE TREASURE OF NATIONAL IMPORTANCE AND ENCOURAGING THE ESTABLISHMENT OF A MUSEUM FOR ITS PRESERVATION," was referred to the Committee on Higher Education, with Representative Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented two reports:

(Stand. Com. Rep. No. 1463), recommending that H.R. No. 126, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1464), recommending that H.C.R. No. 158, be referred to the Committee on Finance.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 126, and H.C.R. No. 158, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ward rose in support of both measures 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 support for HCR 158/HR126, which will strongly urge the United States Congress and the Department of Interior to provide additional federal aid to migrants from the Compact of Free Association nations. It should be noted that migrants from the Compact of Free Association nations are currently proportionally over-represented in the population of persons who receive various State social services in Hawaii. It has been estimated that social, educational and health services for Micronesians in Hawaii cost the State approximately $90 million, but only about $10 million of this is presently reimbursed by the federal government. In order to more adequately provide funding for these migrants, I support HR 126 and HCR 158 which urges the passing of federal legislation to amend the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to allow the Compact of Free Association migrants to once again receive federally funded financial and medical assistance.

"It is my belief that the passing of federal legislation to provide federal funded social services and medical services for these migrants provides a more equitable and stable distribution of the financial responsibility for social services provided in the State of Hawaii. 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 reports of the Committee were adopted and H.R. No. 126, entitled: "HOUSE RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAII FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS," was referred to the Committee on Finance, with Representative Takai being excused; and

H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAII FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1465),

recommending that H.R. No. 150, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 150, entitled: "HOUSE RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO INVENTORY AND REPORT TO THE LEGISLATURE OF THE VALUE OF ALL STATE-OWNED ARTWORK ON DISPLAY AND IN STORAGE," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1466), recommending that H.C.R. No. 186, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 186, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO INVENTORY AND REPORT TO THE LEGISLATURE OF THE VALUE OF ALL STATE-OWNED ARTWORK ON DISPLAY AND IN STORAGE," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1467), recommending that H.R. No. 194, as amended in HD 1, be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 194, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONVENE A WORKING GROUP TO REVIEW THE SYSTEM AND PROCEDURES FOR THE REVIEW OF NATIVE HAWAIIAN BURIAL SITES," was referred to the Committee on Water, Land, & Ocean Resources, with Representative Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1468), recommending that H.C.R. No. 226, as amended in HD 1, be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 226, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONVENE A WORKING GROUP TO REVIEW THE SYSTEM AND PROCEDURES FOR THE REVIEW OF NATIVE HAWAIIAN BURIAL SITES," was referred to the Committee on Water, Land, & Ocean Resources, with Representative Takai being excused.

Representatives Carroll and Mizuno, for the Committee on Hawaiian Affairs and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1469), recommending that H.R. No. 27, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 27, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ADOPT, AMEND, OR REPEAL RULES IN ORDER TO RECOGNIZE AND RESPECT THE HAWAIIAN SYSTEM OF HANAI DURING THE LICENSING OF FOSTER PARENTS," was referred to the Committee on Judiciary, with Representative Takai being excused.

Representatives Carroll and Mizuno, for the Committee on Hawaiian Affairs and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1470), recommending that H.C.R. No. 25, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 25, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ADOPT, AMEND, OR REPEAL RULES IN ORDER TO RECOGNIZE AND RESPECT THE HAWAIIAN SYSTEM OF HANAI DURING THE LICENSING OF FOSTER PARENTS," was referred to the Committee on Judiciary, with Representative Takai being excused.

Representatives Carroll and Ito, for the Committee on Hawaiian Affairs and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1471), recommending that H.C.R. No. 28, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 28, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE CARE GIVEN TO AREAS OF STATE PARKS THAT CONTAIN HEIAU AND OTHER SACRED SITES, AND A PLAN TO SOLVE CARETAKING PROBLEMS BY EXPANDING AND AUGMENTING COMMUNITY-BASED CARETAKING AND EDUCATIONAL PROGRAMS," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1472), recommending that H.C.R. No. 243, as amended in HD 1, be referred to the Committee on Public Safety.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 243, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ACCEPTING THE GIFT OF THE NON-VIOLENCE SCULPTURE FROM SOKA GAKKAI INTERNATIONAL – USA," was referred to the Committee on Public Safety, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1473), recommending that H.R. No. 214, as amended in HD 1, be referred to the Committee on Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 214, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH A TASK FORCE TO DEVELOP A POLICY AGAINST TEEN DATING VIOLENCE AND ABUSE," was referred to the Committee on Education, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1474), recommending that H.C.R. No. 246, as amended in HD 1, be referred to the Committee on Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 246, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH A TASK FORCE TO DEVELOP A POLICY AGAINST TEEN DATING VIOLENCE AND ABUSE," was referred to the Committee on Education, with Representative Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1475), recommending that H.R. No. 198, be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 198, entitled: "HOUSE RESOLUTION URGING THE COUNTIES TO ADOPT MEASURES THAT PROVIDE REAL PROPERTY TAX RELIEF FOR OWNERS OF KULEANA LANDS," was referred to the Committee on Water, Land, & Ocean Resources, with Representative Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1476), recommending that H.C.R. No. 229, be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 229, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTIES TO ADOPT MEASURES THAT PROVIDE REAL PROPERTY TAX RELIEF FOR OWNERS OF KULEANA LANDS," was referred to the Committee on Water, Land, & Ocean Resources, with Representative Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1477), recommending that H.R. No. 147, as amended in HD 1, be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 147, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO REFRAIN FROM SELLING OR EXCHANGING LANDS IN THE PUBLIC LAND TRUST," was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, with Representative Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1478), recommending that H.C.R. No. 183, as amended in HD 1, be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 183, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO REFRAIN FROM SELLING OR EXCHANGING LANDS IN THE PUBLIC LAND TRUST," was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, with Representative Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1479), recommending that H.R. No. 241, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 241, HD 1, entitled: "HOUSE RESOLUTION URGING THE GOVERNOR AND THE LEGISLATURE TO REQUEST AND PROVIDE FOR SUFFICIENT FUNDING FOR THE DEPARTMENT OF HAWAIIAN HOME LANDS," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1480), recommending that H.C.R. No. 271, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 271, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR AND THE LEGISLATURE TO REQUEST AND PROVIDE FOR SUFFICIENT FUNDING FOR THE DEPARTMENT OF HAWAIIAN HOME LANDS," was referred to the Committee on Finance, with Representative Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented two reports:

(Stand. Com. Rep. No. 1481) recommending that H.R. No. 44, be adopted; and

(Stand. Com. Rep. No. 1482) recommending that H.C.R. No. 56, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 44, and H.C.R. No. 56, be adopted, seconded by Representative Evans.

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him 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. 44, entitled: "HOUSE RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES TO PROTECT WILDLIFE AND WILDERNESS BY OPPOSING OIL AND GAS EXPLORATION AND DEVELOPMENT IN THE ARCTIC NATIONAL WILDLIFE REFUGE AND ON THE OUTER CONTINENTAL SHELF AND SUPPORTING CLEAN, RENEWABLE ENERGY ALTERNATIVES," was adopted, with Representative Takai being excused; and

H.C.R. No. 56, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES TO PROTECT WILDLIFE AND WILDERNESS BY OPPOSING OIL AND GAS EXPLORATION AND DEVELOPMENT IN THE ARCTIC NATIONAL WILDLIFE REFUGE AND ON THE OUTER CONTINENTAL SHELF AND SUPPORTING CLEAN, RENEWABLE ENERGY ALTERNATIVES," was adopted, with Representative Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1483) recommending that H.R. No. 250, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 250, entitled: "HOUSE RESOLUTION REQUESTING THE MAYOR OF EACH COUNTY TO SUBMIT AN ARTWORK TO BE DISPLAYED AT THE STATE CAPITOL IN CELEBRATION OF THE 50TH ANNIVERSARY OF STATEHOOD," was adopted, with Representative Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1484) recommending that H.R. No. 45, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 45, entitled: "HOUSE RESOLUTION URGING THE ADOPTION OF THE UNITED NATIONS MILLENNIUM DEVELOPMENT GOALS," was adopted, with Representative Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1485) recommending that H.C.R. No. 57, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 57, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ADOPTION OF THE UNITED NATIONS MILLENNIUM DEVELOPMENT GOALS," was adopted, with Representative Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1486) recommending that H.R. No. 46, HD 1, as amended in HD 2, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 46, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF EDUCATION TO UNDERTAKE EFFORTS TO INTEGRATE ADDITIONAL INTERNATIONAL AFFAIRS AND GLOBAL EDUCATION COURSEWORK INTO ITS CURRICULUM," was adopted, with Representative Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1487) recommending that H.C.R. No. 58, HD 1, as amended in HD 2, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 58, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF EDUCATION TO UNDERTAKE EFFORTS TO INTEGRATE ADDITIONAL INTERNATIONAL AFFAIRS AND GLOBAL EDUCATION COURSEWORK INTO ITS CURRICULUM," was adopted, with Representative Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1488) recommending that H.R. No. 192, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 192, HD 1, entitled: "HOUSE RESOLUTION DECLARING APRIL 24 AS A DAY OF REMEMBRANCE IN RECOGNITION AND COMMEMORATION OF THE ARMENIAN GENOCIDE OF 1915," was adopted, with Representative Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1489) recommending that H.C.R. No. 224, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 224, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING APRIL 24 AS A DAY OF REMEMBRANCE IN RECOGNITION AND COMMEMORATION OF THE ARMENIAN GENOCIDE OF 1915," was adopted, with Representative Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1490) recommending that S.B. No. 940, SD 1, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 940, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

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:

"Testimony strongly opposing this measure was submitted by the Department of Commerce and Consumer Affairs and the Department of Human Services. They clearly outline the concerns that I have regarding SB 940 SD1 HD1. There are warnings that the bill, "…is disadvantageous to the establishment of any new health plans, including existing health care organizations that are interested in offering a plan in a different program. The result is decreased competition. Competition has been demonstrated to increase quality, which benefits clients, and increase value, which benefits taxpayers. This bill places special interests above those of vulnerable clients and Hawaii taxpayers." This is of great concern to me. This could easily spell further difficulty for people here in Hawaii who already face enormous challenges in regard to healthcare.

"The Department of Human Services further warns that, "In our most recent experience with QExA, hospitals were not willing to execute a contract until 11 months after the health plans were awarded the contract from the State. Had this bill been in effect, the QExA program would not have been able to be implemented and have further caused our most vulnerable low-income population to continue to fall through the cracks of a fragmented fee-for-service program." I believe that we should make accurate assessments that particularly ensure that the most vulnerable of our communities are not placed under greater stress or laden with heavier burdens. In this light I have reservations about the passing of this measure."

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 to S.B. 940 – which Requires direct payment for the provision of pre-hospital ambulance treatment and transport services. The measure requires insurance entities contracting with the State to provide Medicaid coverage to enter into written contracts with a minimum of 50 percent of hospitals and providers in their coverage area.

"I have concerns that this bill might cause the State to take on new costs and that the State would end up involved in private sector negations. The Department of Human Services states in their testimony, "Part II of this bill would result in State interference in private sector negations and decrease healthy competition resulting in decreased quality of care for clients and decreased value to Hawaii taxpayers." 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. 940, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1491) recommending that S.B. No. 58, SD 2, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committees be adopted, and that S.B. No. 58, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Takumi rose to speak in support of the measure with reservations, stating:

"With reservations, Mr. Speaker. In testimony, the State Insurance Commissioner said that this measure will increase the number of uninsured drivers.

"I am with reservations only because it's a work in progress, and I was assured by the Transportation Committee Chair that it only takes effect in 2050, so we've got a little while to work on it. But, it seems to me that any measure we pass out of here, one of its goals should be to decrease the number of uninsured drivers, not increase 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. 58, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

At 1:07 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 940, SD 1, HD 1
S.B. No. 58, SD 2, HD 1

The Chair then announced:

"Members, please note the 48-hour notice for Stand. Com. Rep. No. 1492."

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1492) recommending that S.B. No. 113, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1492 on S.B. No. 113, 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. 113, HD 1, were made available to the Members of the House.

ANNOUNCEMENTS

Representative M. Lee: "Thank you, Mr. Speaker. This is another reminder about the Annual Easter Basket Project, and to remind you that IHS will be here to pick up the baskets on Thursday, April 9th, 2009, at 1:30 p.m. That will be at the turnaround area of the Chamber level of the State Capitol.

"If you cannot be there for their arrival, you can drop off the baskets at my office, Room 434; Rep. Belatti's office in Room 331; Rep. Har's office in Room 438; or Senator Suzanne Chun Oakland's office in Room 226. And we thank you in advance for your generosity and participating in the project. Thank you."

Representative Karamatsu, for the Committee on Judiciary requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing S.B. No. 1183, SD 2, HD 1, Relating to Discriminatory Practices, to be heard on Tuesday, April 7th at 2:00 p.m. in Room 325, and the Chair "so ordered."

Representative Luke: "Thank you, Mr. Speaker. We would like to invite the Members of the Legislature and their staff to join the residents of Papakolea for a luncheon in Room 329. Thank you."

ADJOURNMENT

At 1:09 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, April 7, 2009. (Representative Takai was excused.)

FORTY-THIRD DAY

Tuesday, April 7, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:05 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 Brower, M. Oshiro, Takai and Ward, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Second Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 453 through 464) were received and announced by the Clerk:

Sen. Com. No. 453, transmitting S.C.R. No. 45, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF PROFESSIONAL EMPLOYER ORGANIZATIONS," which was adopted by the Senate on April 6, 2009.

Sen. Com. No. 454, transmitting S.C.R. No. 72, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF AGRICULTURE AND THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO COLLABORATE AND SHARE INFORMATION WITH THE DEPARTMENT OF AGRICULTURE TO PREVENT INVASIVE SPECIES FROM ENTERING THE STATE OF HAWAII," which was adopted by the Senate on April 6, 2009.

Sen. Com. No. 455, transmitting S.C.R. No. 73, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE UNIVERSITY OF HAWAII TO CONVENE MEETINGS WITH STAKEHOLDERS TO ADDRESS STEWARDSHIP ISSUES AND AFFIRM THE STATE'S COMMITMENT TO A COOPERATIVE RELATIONSHIP WITH THE VARIED MEMBERS OF THE COMMUNITY INTERESTED IN MAUNA KEA AND ITS UNIQUE SPIRITUAL, CULTURAL, HISTORICAL, AND NATURAL RESOURCES," which was adopted by the Senate on April 6, 2009.

Sen. Com. No. 456, transmitting S.C.R. No. 74, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OBAMA ADMINISTRATION TO HOST A UNITED NATIONS CLIMATE CHANGE CONFERENCE IN HAWAII IN 2010," which was adopted by the Senate on April 6, 2009.

Sen. Com. No. 457, transmitting S.C.R. No. 126, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE ELECTRIFICATION OF ENERGY EFFICIENT TRANSPORTATION SYSTEMS IN HAWAII," which was adopted by the Senate on April 6, 2009.

Sen. Com. No. 458, transmitting H.C.R No. 32, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING INTERNATIONAL WHITE RIBBON CAMPAIGNS TO END MEN'S VIOLENCE AGAINST WOMEN AND ENCOURAGING THE ESTABLISHMENT OF A WHITE RIBBON CAMPAIGN ORGANIZATION IN HAWAII," which was adopted by the Senate on April 6, 2009.

Sen. Com. No. 459, transmitting H.C.R No. 46, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO PRESERVE FUNDING AND MAINTAIN PROGRAMS, LAWS, REGULATIONS, AND POLICIES THAT ASSIST VICTIMS OF DOMESTIC VIOLENCE," which was adopted by the Senate on April 6, 2009.

Sen. Com. No. 460, transmitting H.B. No. 632, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICY ADVISORY BOARD ON VETERANS' SERVICES," which passed Third Reading in the Senate on April 6, 2009.

Sen. Com. No. 461, transmitting H.B. No. 1061, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," which passed Third Reading in the Senate on April 6, 2009.

Sen. Com. No. 462, transmitting H.B. No. 1075, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on April 6, 2009.

Sen. Com. No. 463, informing the House that the Senate has disagreed to the amendments proposed by the House on the following Senate Bills:

S.B. No. 715, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

S.B. No. 823, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE."

Sen. Com. No. 464, informing the House that the Senate has disagreed to the amendments proposed by the House on the following Senate Concurrent Resolution:

S.C.R. No. 15, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION DESIGNATING THE FIRST WEEK IN FEBRUARY AS HAWAII TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK."

Representative B. Oshiro moved to disagree to the amendments made by the Senate to the following House bills, seconded by Representative Evans and carried: (Representatives Brower, Luke, Nishimoto, M. Oshiro, Saiki, Takai and Ward were excused.)

H.B. No. 632, HD 1, (SD 1)
H.B. No. 1061, HD 1, (SD 1)
H.B. No. 1075, (SD 1)

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Manahan introduced World War II Filipino veterans:

Ms. Fausta Manglinong, Ms. Adelina Noces, Ms. Adelaida Juanatez, Mr. Salome Calderon, Mr. Leon Tabalyog, Mr. Eduardo Subrepena, Mr. Matias Dumot, Mr. Agustin Agno and Mr. Art Caleda.

Representative Cabanilla introduced members of the Visayan community and pioneer families who were celebrating the 100 year anniversary of the arrival of the Visayan in Hawaii:

Mr. Serafin Jun Calmenares, Executive Vice President for the Congress of Visayan Organizations (COVO);

Representing the Magpiong family: Ms. Nancy Magpiong Ward; and

Representing the Yorong family: Mr. Marcelino Yorong and his wife, Mrs. Julia Yorong, Mr. Julian Yorong, Ms. Catherine Yorong, and Ms. Lelepali Sandra Yorong.

Representative Mizuno introduced other members of the Visayan community:

Ms. Corazon Nelson, President of Dabawenyos of Hawaii;
Ms. Esther Domingcil, Dabawenyos of Hawaii;
Ms. Rosita Tingkang;

Ms. Lilian Takata;
Mr. Erwin Gabrillo, Former President of Balaan Catalina Society of Hawai and member of COVO; and
Mr. Rezalde Sadaya, Balaan Catalina Society of Hawaii.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

S.C.R. Nos.	Referred to:
27, SD1	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
29, SD1	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
50	Committee on Transportation, then to the Committee on Finance
62, SD1	Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance
80	Committee on Human Services, then to the Committee on Transportation
81	Committee on Housing, then to the Committee on Transportation
86	Committee on Education, then to the Committee on Finance
88, SD1	Committee on Housing, then to the Committee on Transportation
109	Committee on Transportation, then to the Committee on Finance
119	Committee on Transportation
127	Committee on Hawaiian Affairs, then to the Committee on Tourism, Culture, & International Affairs
146	Committee on Education, then to the Committee on Finance
149, SD1	Committee on Education, then to the Committee on Finance
150, SD1	Committee on Education, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.R. Nos.	Re-referred to:
58	Committee on Energy & Environmental Protection
112	Committee on Health
259, HD1	Committee on Energy & Environmental Protection

H.C.R. Nos.	Re-referred to:
36	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
142	Committee on Health
223	Committee on Health, then to the Committee on Finance
251	Committee on Water, Land, & Ocean Resources
287, HD1	Committee on Energy & Environmental Protection

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 303) was announced by the Clerk and the following action taken:

H.R. No. 303, entitled: "HOUSE RESOLUTION CONGRATULATING THE UNITED FILIPINO COUNCIL OF HAWAII ON RECEIVING THE 2008 BANAAG PRESIDENTIAL AWARD FOR FILIPINO INDIVIDUALS AND ORGANIZATIONS OVERSEAS," was jointly offered by Representatives Pine and Cabanilla.

Representative Pine moved that H.R. No. 303 be adopted, seconded by Representative Cabanilla.

Representative Pine congratulated the United Filipino Council of Hawaii for being presented the 2008 Banaag Presidential Award by Philippine President Gloria Arroyo for their service to the Filipino community overseas.

Representative Pine then introduced the honorees representing the United Filipino Council of Hawaii who were seated on the Floor of the House:

Mr. Eddie Agas, President;
Ms. Dolly Ortal, Board of Governors who was represented by Ms. Emmie Anderson;
Mr. Don Alvarez, Past President and long-time Council Member;
Mr. Bryan Andaya, Past President and Legal Counsel; and
Ms. Chulet Paco, Treasurer.

Representative Cabanilla also congratulated the Council on receiving the prestigious Banaag Award and world-wide recognition by the Commission on Filipinos Overseas.

Representative Pine also introduced members of the Council who were seated n the gallery:

Ms. Edna Ballesteros, Mr. Philip Alcain, and Ms. Acela Garcia Agas.

Representative Finnegan conveyed her gratitude and appreciation for the work of the United Filipino Council in fostering cultural connection.

The motion was put to vote by the Chair and carried, and H.R. No. 303 was adopted with Representatives Luke, M. Oshiro, Saiki, Takai and Takumi being excused.

The following resolution (H.R. No. 304) was announced by the Clerk and the following action taken:

H.R. No. 304, entitled: "HOUSE RESOLUTION HONORING AND COMMENDING ARIEL Y. ABADILLA CONSULATE GENERAL OF HONOLULU, HAWAII FOR HIS TIRELESS AND DEDICATED WORK AND COMMITMENT ON BEHALF OF THE FILIPINO COMMUNITY," was jointly offered by Representatives Magaoay, Aquino, Awana, Finnegan and Keith-Agaran.

Representative Magaoay moved that H.R. No. 304 be adopted, seconded by Representative Finnegan.

Representative Magaoay commended and thanked Philippine Consul General Ariel Y. Abadilla for his dedicated service to the Filipino community in Hawaii and abroad, and extended best wishes on his new assignment in Ireland.

Representative Magaoay then introduced members of the Philippine Consulate staff who were seated in the gallery:

Ms. Lourdes Tabamo, Mr. Ramon Cortez, Ms. Lolita Capco and Ms. Sheila Tarrosa, photographer.

Representative Ching also conveyed her gratitude to Mr. Abadilla for his work with the Filipino community.

The motion was put to vote by the Chair and carried, and H.R. No. 304 was adopted with Representatives Luke, M. Oshiro, Saiki, Takai and Takumi being excused.

At 12:40 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:50 o'clock p.m., with Vice Speaker Magaoay presiding.

STANDING COMMITTEE REPORTS

At this time, the Chair stated:

"Members, Standing Committee Report No. 1456 will be deferred one legislative day."

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1456) recommending that S.B. No. 1677, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1456 and S.B. No. 1677, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," was deferred one legislative day.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1493), recommending that H.R. No. 262, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 262, entitled: "HOUSE RESOLUTION COMMENDING THE ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES FOR ITS RECOMMENDATION TO IMMUNIZE ALL CHILDREN AGES SIX MONTHS THROUGH AGE EIGHTEEN BEGINNING JULY 1, 2009," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1494), recommending that H.C.R. No. 290, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 290, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING THE ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES FOR ITS RECOMMENDATION TO IMMUNIZE ALL CHILDREN AGES SIX MONTHS THROUGH AGE EIGHTEEN BEGINNING JULY 1, 2009," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1495), recommending that H.R. No. 163, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 163, entitled: "HOUSE RESOLUTION URGING THE UNIVERSITY OF HAWAII ADMINISTRATION TO SUPPORT THE CENTER ON AGING AND TO RE-OPEN THE GERONTOLOGY CERTIFICATE PROGRAMS," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1496), recommending that H.C.R. No. 201, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 201, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII ADMINISTRATION TO SUPPORT THE CENTER ON AGING AND TO RE-OPEN THE GERONTOLOGY CERTIFICATE PROGRAMS," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Yamane, for the Committee on Health presented two reports:

(Stand. Com. Rep. No. 1497), recommending that H.R. No. 97, be referred jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization, Business, & Military Affairs; and

(Stand. Com. Rep. No. 1498), recommending that H.C.R. No. 120, be referred jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization, Business, & Military Affairs.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 97, and H.C.R. No. 120, be referred jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization, Business, & Military Affairs, seconded by Representative Evans.

Representative M. Lee rose in support of both measures, stating:

"Mr. Speaker, I am in strong support."

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 URGING THE MEMBERS OF THE LEGISLATURE AND THE HAWAII BUSINESS COMMUNITY TO SUPPORT THE ESTABLISHMENT OF PAID FAMILY LEAVE IN HAWAII," was referred jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Luke, Mizuno, Saiki and Takai being excused; and

H.C.R. No. 120, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE MEMBERS OF THE LEGISLATURE AND THE HAWAII BUSINESS COMMUNITY TO SUPPORT THE ESTABLISHMENT OF PAID FAMILY LEAVE IN HAWAII," was referred jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Yamane, for the Committee on Health presented two reports:

(Stand. Com. Rep. No. 1499), recommending that H.R. No. 98, be referred to the Committee on Judiciary; and

(Stand. Com. Rep. No. 1500), recommending that H.C.R. No. 121, be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 98, and H.C.R. No. 121, be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Finnegan rose and asked that the Clerk record a no vote for her on both measures, and the Chair "so ordered."

Representative M. Lee rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, with strong support for HCR 121 and HR 98.

"These Resolutions urge emergency rooms at each and every hospital in the Islands to adhere to the same, basic standard of care for victims of sexual assault, and to not deny women who have been raped, the treatment of emergency contraception. All this asks for is hospital care for these women at the standard set by the American College of Obstetricians and Gynecologists and other professional medical groups.

"Emergency contraception does not induce abortion, it just prevents pregnancy if a women has been raped. EC in the ER is not a political, ideological or religious issue, its just good public health policy.

"Mr. Speaker, all hospitals should, in good conscience, have the responsibility to provide emergency care to sexual assault survivors with written and oral information that is medically and factually accurate. And it is the right of every woman who has been sexually assaulted to have the option of receiving emergency contraception. Thank you."

Representative Ching 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 a no vote for her on both measures, and the Chair "so ordered."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him 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. 98, entitled: "HOUSE RESOLUTION URGING ALL HOSPITAL EMERGENCY ROOMS IN THE STATE TO PROVIDE EMERGENCY CONTRACEPTION ON DEMAND TO VICTIMS OF SEXUAL ASSAULT OR RAPE," was referred to the Committee on Judiciary with Representatives Ching, Finnegan and Pine voting no, and with Representatives Luke, Mizuno, Saiki and Takai being excused; and

H.C.R. No. 121, entitled: "HOUSE CONCURRENT RESOLUTION URGING ALL HOSPITAL EMERGENCY ROOMS IN THE STATE TO PROVIDE EMERGENCY CONTRACEPTION ON DEMAND TO VICTIMS OF SEXUAL ASSAULT OR RAPE," was referred to the Committee on Judiciary with Representatives Ching, Finnegan and Pine voting no, and with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1501), recommending that H.R. No. 107, be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 107, entitled: "HOUSE RESOLUTION URGING MEDICAL AND PROFESSIONAL ORGANIZATIONS THAT PROVIDE REPRODUCTIVE AND FERTILITY TREATMENTS TO DEVELOP ETHICAL STANDARDS AND PROFESSIONAL GUIDELINES FOR EMBRYO IMPLANTATION," was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1502), recommending that H.C.R. No. 130, be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 130, entitled: "HOUSE CONCURRENT RESOLUTION URGING MEDICAL AND PROFESSIONAL ORGANIZATIONS THAT PROVIDE REPRODUCTIVE AND FERTILITY TREATMENTS TO DEVELOP ETHICAL STANDARDS AND PROFESSIONAL GUIDELINES FOR EMBRYO IMPLANTATION," was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1503), recommending that H.C.R. No. 97, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 97, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE A MEASURE TO REGULATE RESPIRATORY CARE PRACTITIONERS," was referred to the Committee on Consumer Protection & Commerce with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1504), recommending that H.C.R. No. 223, be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 223, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A COMPARATIVE FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF HEALTH'S COMMUNITY MENTAL HEALTH CENTER AND WAI`ANAE'S INDEPENDENTLY OPERATED COMMUNITY MENTAL HEALTH CENTER," was referred to the Committee on Legislative Management with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1505), recommending that H.R. No. 133, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 133, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS WITH THE ASSISTANCE OF THE BERNICE PAUAHI BISHOP MUSEUM TO DEVELOP A PLAN TO IMPLEMENT REPLICAS OF HAWAIIAN HALE ON THE STATE CAPITOL LAWN SURROUNDED BY TROPICAL FOLIAGE FOR REST AREAS," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1506), recommending that H.C.R. No. 166, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 166, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS WITH THE ASSISTANCE OF THE BERNICE PAUAHI BISHOP MUSEUM TO DEVELOP A PLAN TO IMPLEMENT REPLICAS OF HAWAIIAN HALE ON THE STATE CAPITOL LAWN SURROUNDED BY TROPICAL FOLIAGE FOR REST AREAS," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1507), recommending that H.R. No. 134, as amended in HD 1, be referred to the Committee on Agriculture.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 134, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES AT THE UNIVERSITY OF HAWAII TO STUDY THE FEASIBILITY OF PLANTING NON-GENETICALLY MODIFIED KALO IN THE REFLECTING POOL THAT SURROUNDS THE STATE CAPITOL BUILDING," was referred to the Committee on Agriculture with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1508), recommending that H.C.R. No. 167, as amended in HD 1, be referred to the Committee on Agriculture.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 167, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES AT THE UNIVERSITY OF HAWAII TO STUDY THE FEASIBILITY OF PLANTING NON-GENETICALLY MODIFIED KALO IN THE REFLECTING POOL THAT SURROUNDS THE STATE CAPITOL BUILDING," was referred to the Committee on Agriculture with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1509), recommending that H.R. No. 103, be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 103, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII'S PUBLIC POLICY CENTER TO MEET WITH, AND ADOPT THE RECOMMENDATIONS OF THE KANAKA MAOLI COMMITTEE WITH RESPECT TO THE CENTER'S REVIEW OF THE 2050 SUSTAINABILITY PLAN," was referred to the Committee on Higher Education with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1510), recommending that H.C.R. No. 125, be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 125, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII'S PUBLIC POLICY CENTER TO MEET WITH, AND ADOPT THE RECOMMENDATIONS OF THE KANAKA MAOLI COMMITTEE WITH RESPECT TO THE CENTER'S REVIEW OF THE 2050 SUSTAINABILITY PLAN," was referred to the Committee on Higher Education with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1511), recommending that H.R. No. 104, as amended in HD 1, be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 104, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE EDUCATION DIVISION OF THE OFFICE OF HAWAIIAN AFFAIRS TO WORK WITH THE HAWAIʻINUIĀKEA SCHOOL OF HAWAIIAN KNOWLEDGE OF THE UNIVERSITY OF HAWAII TO DEVELOP A KUPUNA HONORARY DEGREE PROGRAM," was referred to the Committee on Higher Education with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1512), recommending that H.C.R. No. 126, as amended in HD 1, be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 126, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EDUCATION DIVISION OF THE OFFICE OF HAWAIIAN AFFAIRS TO WORK WITH THE HAWAIʻINUIĀKEA SCHOOL OF HAWAIIAN KNOWLEDGE OF THE UNIVERSITY OF HAWAII TO DEVELOP A KUPUNA HONORARY DEGREE PROGRAM," was referred to the Committee on Higher Education with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented two reports:

(Stand. Com. Rep. No. 1513), recommending that H.R. No. 183, be referred to the Committee on Water, Land, & Ocean Resources; and

(Stand. Com. Rep. No. 1514), recommending that H.C.R. No. 213, be referred to the Committee on Water, Land, & Ocean Resources.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 183, and H.C.R. No. 213, be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

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 Bertram rose and asked that the Clerk record a no vote for him on both measures, and the Chair "so ordered."

Representative Ching rose to speak in opposition to both measures, stating:

"Thank you, Mr. Speaker. I rise in opposition to these measures. The Hawaii Capital National Heritage Area will help to tell the story of the people who lived and contributed to our multi-cultural history. It will help to tell the story of unique and important Hawaiian cultural and historical sites, and bring much needed funds for a worthy and deserving area that started the Democrat Party of Hawaii, has the first L&L, and is the birthplace of *saimin*.

"And, it will help to educate our young people to appreciate their past, to have pride in their heritage, to preserve, enhance, and to interpret important sites for them. And, as stated in the *Honolulu Advertiser*, this cultural district official says, 'It will trigger a stream of federal and private funds.'

"With the current economic situation we face, we hope to have the area designated. Thank you."

Representative Marumoto rose to speak in opposition to both measures, stating:

"Mr. Speaker, I am in opposition to these Resolutions. The Resolutions would ask the Hawaii Congressional Delegation to withdraw its support for the Hawaii Capital National Heritage Area, and I am fearful that this may jeopardize the designation of the beautiful Nuuanu *ahapua'a*, as a national heritage area.

"I speak with some experience of the difficulty in obtaining this particular designation. I was involved with the San Francisco Japantown community who has been trying for many years to obtain this particular designation. And, they are one of the last three Japantowns left in the U.S., and they have not yet been able to secure this honor and its benefits.

"I would assume that the Commission that is looking at these nominations would look at this: whether or not the Legislature supports this designation. And if not, we may seriously jeopardize its chances. Thank you."

Representative Belatti rose to speak in support of both measures with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations and would like to make just a few comments. Thank you, Mr. Speaker. As a Representative of an area that is going to fall within this designated area, I ask the Members' indulgence to let these Resolutions move forward. I do think that there are many constituents who were not aware of this process, and who can be brought around to understanding the importance of this process. But, because they have not been consulted, and because this process initially started at looking at a very limited area for designation, that I think what these Resolutions have done, is brought attention to the matter, and will now allow the community to engage more fully.

"So, as a Representative of the area that is directly impacted by this designation, I urge moving this forward so that there can be further discussions. Thank you, Mr. Speaker."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him 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 a no vote 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. 183, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION WITHDRAW ITS SUPPORT FOR THE HAWAII CAPITAL NATIONAL HERITAGE AREA," was referred to the Committee on Water, Land, & Ocean Resources with Representatives Bertram, Ching, Finnegan and Marumoto voting no, and with Representatives Luke, Mizuno, Saiki and Takai being excused; and

H.C.R. No. 213, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION WITHDRAW ITS SUPPORT FOR THE HAWAII CAPITAL NATIONAL HERITAGE AREA," was referred to the Committee on Water, Land, & Ocean Resources with Representatives Bertram, Ching, Finnegan and Marumoto voting no, and with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1515), recommending that H.R. No. 124, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 124, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO REVIEW ITS EFFORTS OF PROVIDING REENTRY SERVICES TO ALL INMATES RELEASED FROM CUSTODY," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1516), recommending that H.C.R. No. 154, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 154, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO REVIEW ITS EFFORTS OF PROVIDING REENTRY SERVICES TO ALL INMATES RELEASED FROM CUSTODY," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1517), recommending that H.R. No. 186, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 186, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO UNDERTAKE A FEASIBILITY STUDY RELATED TO INMATE RE-INTEGRATION," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1518), recommending that H.C.R. No. 216, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO UNDERTAKE A FEASIBILITY STUDY RELATED TO INMATE RE-INTEGRATION," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1519), recommending that H.R. No. 221, be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 221, entitled: "HOUSE RESOLUTION REQUESTING THE STATE AUDITOR TO EXAMINE THE RATIONALE AND MANAGEMENT OF THE HAWAII PAROLING AUTHORITY," was referred to the Committee on Legislative Management with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1520), recommending that H.C.R. No. 252, be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 252, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO EXAMINE THE RATIONALE AND MANAGEMENT OF THE HAWAII PAROLING AUTHORITY," was referred to the Committee on Legislative Management with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1521), recommending that H.C.R. No. 139, be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 139, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON INMATE REENTRY PROGRAMS THAT HAVE BEEN OR ARE PLANNED TO BE IMPLEMENTED BY THE DEPARTMENT OF PUBLIC SAFETY IN ACCORDANCE WITH THE COMMUNITY SAFETY ACT OF 2007," was referred to the Committee on Legislative Management with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1522), recommending that H.C.R. No. 140, be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 140, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO

CONDUCT A STUDY ON THE COSTS AND BENEFITS OF BUILDING AN INTAKE CORRECTIONAL FACILITY IN THE DISTRICT OF NORTH OR SOUTH KONA ON THE ISLAND OF HAWAII," was referred to the Committee on Legislative Management with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1523), recommending that H.R. No. 113, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 113, entitled: "HOUSE RESOLUTION URGING THE JUDICIARY, DEPARTMENT OF PUBLIC SAFETY, AND THE COUNTY POLICE DEPARTMENTS TO WORK IN A COORDINATED EFFORT TO DETERMINE A COMPREHENSIVE PLAN TO PERMANENTLY ALLEVIATE THE PROBLEM OF A BACKLOG IN UNSERVED ARREST WARRANTS THAT GOES BEYOND ONLY FISCAL AND BUDGETARY DISCUSSIONS OR SOLUTIONS," was referred to the Committee on Judiciary with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1524), recommending that H.C.R. No. 143, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 143, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE JUDICIARY, DEPARTMENT OF PUBLIC SAFETY, AND THE COUNTY POLICE DEPARTMENTS TO WORK IN A COORDINATED EFFORT TO DETERMINE A COMPREHENSIVE PLAN TO PERMANENTLY ALLEVIATE THE PROBLEM OF A BACKLOG IN UNSERVED ARREST WARRANTS THAT GOES BEYOND ONLY FISCAL AND BUDGETARY DISCUSSIONS OR SOLUTIONS," was referred to the Committee on Judiciary with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented two reports:

(Stand. Com. Rep. No. 1525), recommending that H.R. No. 90, as amended in HD 1, be referred to the Committee on Judiciary; and

(Stand. Com. Rep. No. 1526), recommending that H.C.R. No. 111, as amended in HD 1, be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 90, HD 1, and H.C.R. No. 111, HD 1, be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Bertram rose to speak in support of both measures, stating:

"Mr. Speaker, on Stand. Com. 1525, in strong support."

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 a no vote for her on both measures, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record a no vote for her on both measures, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Tokioka rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Har rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Manahan rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Yamane rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Bertram rose to speak in support of both measures, stating:

"I only spoke on Stand. Com. 1525, so to clarify, on 1526, also strong support, and just a few words. One of the things that people have faced in trying to live within the law that has been providing medicine for people here in this State, is the fact that they can't even take it from island to island. This really prevents people from going to visit relatives or from traveling to get to friends. And it's basically a misinterpretation of FAA rules, which actually allows for transport on planes of these things, if allowed by state statute. And yet, TSA does not recognize these rules.

"The thing is, if we're going to make a medicine, and say that you can have this medicine, but you can't take it with you, it's just cruel. It's not right, and I'm in strong support of this measure."

Representative Cabanilla rose to speak in support of the both measures, stating:

"On both measures, Mr. Speaker, I'm in strong support, and I ask that the words of the Representative from Maui be adopted as my own. 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. 90, HD 1, entitled: "HOUSE RESOLUTION REQUESTING CONGRESS TO ENACT NECESSARY LEGISLATION TO ALLOW QUALIFIED PATIENTS TO TRANSPORT MEDICAL MARIJUANA AND PARAPHERNALIA FOR PERSONAL USE WHEN TRAVELING INTRASTATE OR INTERSTATE," was referred to the Committee on Judiciary with Representatives Ching and Finnegan voting no, and with Representatives Luke, Mizuno, Saiki and Takai being excused; and

H.C.R. No. 111, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO ENACT NECESSARY LEGISLATION TO ALLOW QUALIFIED PATIENTS TO TRANSPORT MEDICAL MARIJUANA AND PARAPHERNALIA FOR PERSONAL USE WHEN TRAVELING INTRASTATE OR INTERSTATE," was referred to the Committee on Judiciary with Representatives Ching and Finnegan voting no, and with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representatives Hanohano and Tokioka, for the Committee on Public Safety and the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1527), recommending that H.R. No. 162, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 162, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF PUBLIC SAFETY TO INCLUDE PROVISIONS IN NEW CONTRACTS WITH PRIVATE OR OUT-OF-STATE PRISON FACILITIES THAT INMATE COMPLAINTS ARE SUBJECT TO

INVESTIGATION BY THE OMBUDSMAN AND TO RENEGOTIATE EXISTING CONTRACTS TO ALLOW THE OMBUDSMAN TO INVESTIGATE INMATE COMPLAINTS," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representatives Hanohano and Tokioka, for the Committee on Public Safety and the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1528), recommending that H.C.R. No. 200, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 200, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF PUBLIC SAFETY TO INCLUDE PROVISIONS IN NEW CONTRACTS WITH PRIVATE OR OUT-OF-STATE PRISON FACILITIES THAT INMATE COMPLAINTS ARE SUBJECT TO INVESTIGATION BY THE OMBUDSMAN AND TO RENEGOTIATE EXISTING CONTRACTS TO ALLOW THE OMBUDSMAN TO INVESTIGATE INMATE COMPLAINTS," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representatives Hanohano and Tokioka, for the Committee on Public Safety and the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1529), recommending that H.C.R. No. 199, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committees be adopted, and that H.C.R. No. 199, be referred to the Committee on Finance, seconded by Representative Evans.

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.C.R. No. 199, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PRIVATE PRISON PERFORMANCE AUDIT OF SAGUARO CORRECTIONAL CENTER," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1530), recommending that H.C.R. No. 76, as amended in HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 76, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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 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.C.R. No. 76, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR NOT TO ADDRESS THE 2009 FISCAL YEAR BUDGET SHORTFALL BY REDUCING OR RESTRICTING THE DEPARTMENT OF EDUCATION'S AND UNIVERSITY OF HAWAII'S CURRENT APPROPRIATIONS," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1531), recommending that S.C.R. No. 30, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 30, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A FEASIBILITY STUDY ON CONVERTING HARD COVER TEXT BOOKS TO E-BOOKS FOR USE IN PUBLIC SCHOOLS," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1532), recommending that S.C.R. No. 52, SD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.C.R. No. 52, SD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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 to speak in strong support of Senate Concurrent Resolution 52, which calls for reports to the Legislature on collaborative and innovative efforts by the Ho'okako'o Corporation, three Conversion Charter Schools, and our State Department of Education. The Resolution is a companion to HCR 89, which was adopted unanimously by this Body on March 24.

"I am proud to report that one of the three Charter Schools, Kamaile Academy, is located in my Wai'anae district. I's principal, Glen Kila—along with the other two principals, the Executive Director of Ho'okako'o, and Superintendent Pat Hamamoto—presented compelling testimony to our Committee on Education last week. All agree that the time is right to implement models of Expanded Learning Time (ELT), which demands the complete redesign of a school's educational program in a way that combines academics with enrichment for a well-rounded student experience.

"Kamaile Academy plans to begin implementation in the fall of this year—the first Conversion Charter School in Hawaii to pilot an ELT model that supports teacher professionalism and fills systemic gaps nececessary to improve learning and achievement, especially for at-risk children in high-poverty areas such at the Wai'anae Coast. Kamaile's success in this endeavor will encourage other Charter Schools—and other schools throughout our public system—to follow its example and demonstrate needed growth in academic achievement.

"I urge my colleagues to join me in supporting this Concurrent Resolution."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 52, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE HOOKAKOO CORPORATION REPORT ON THE PROGRESS AND IMPACTS OF THE MODELS FOR EXPANDED LEARNING TIME BEING PILOTED BY THE HOOKAKOO CORPORATION'S PARTNER CONVERSION CHARTER SCHOOLS," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1533), recommending that H.R. No. 171, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No.

171, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE FORMATION OF A JOINT LEGISLATIVE PROCUREMENT WORKING GROUP TO EVALUATE THE STATE PROCUREMENT CODE AND RECOMMEND IMPROVEMENTS," was referred to the Committee on Legislative Management with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1534), recommending that H.C.R. No. 210, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 210, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A JOINT LEGISLATIVE PROCUREMENT WORKING GROUP TO EVALUATE THE STATE PROCUREMENT CODE AND RECOMMEND IMPROVEMENTS," was referred to the Committee on Legislative Management with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1535), recommending that H.C.R. No. 206, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 206, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY RECENT INTERIM AMENDMENTS TO HAWAII ADMINISTRATIVE RULES RELATING TO CONSTRUCTION CONTRACTS UNDER THE HAWAII PUBLIC PROCUREMENT CODE TO DETERMINE WHETHER THOSE AMENDMENTS ARE CONTRARY TO THE LETTER OR SPIRIT OF THE PROCUREMENT CODE," was referred to the Committee on Legislative Management with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1536), recommending that H.C.R. No. 124, as amended in HD 1, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 124, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE PROPER INTERPRETATION AND APPLICATION OF THE PHRASE "INCIDENTAL AND SUPPLEMENTAL" WITH REGARD TO THE CONTRACTING BUSINESS," was referred to the Committee on Consumer Protection & Commerce with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented two reports:

(Stand. Com. Rep. No. 1537), recommending that H.R. No. 253, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1538), recommending that H.C.R. No. 281, be referred to the Committee on Finance.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 253, and H.C.R. No. 281, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Thielen rose to speak in support of both measures with reservations, stating:

"Mr. Speaker, I have serious reservations on both."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him 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."

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 Committee were adopted and H.R. No. 253, entitled: "HOUSE RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO PROVIDE FAIR AND EQUAL ACCESS TO PUBLIC HOUSING BY REMOVING PREFERENCES IN THE APPLICATION PROCESS," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused; and

H.C.R. No. 281, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO PROVIDE FAIR AND EQUAL ACCESS TO PUBLIC HOUSING BY REMOVING PREFERENCES IN THE APPLICATION PROCESS," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1539), recommending that H.R. No. 118, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 118, entitled: "HOUSE RESOLUTION REQUESTING AN INCREASE IN THE FEDERAL MEDICAL ASSISTANCE PERCENTAGE FOR HAWAII," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1540), recommending that H.C.R. No. 147, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 147, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN INCREASE IN THE FEDERAL MEDICAL ASSISTANCE PERCENTAGE FOR HAWAII," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1541), recommending that H.R. No. 167, HD 1, be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 167, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DISSEMINATION OF INFORMATION TO THE PUBLIC ABOUT THE VETERANS PREFERENCE FOR TENANT SELECTION IN STATE LOW-INCOME HOUSING PROJECTS," was referred to the Committee on Legislative Management with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1542), recommending that H.C.R. No. 205, HD 1, be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 205, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION

REQUESTING THE DISSEMINATION OF INFORMATION TO THE PUBLIC ABOUT THE VETERANS PREFERENCE FOR TENANT SELECTION IN STATE LOW-INCOME HOUSING PROJECTS," was referred to the Committee on Legislative Management with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1543), recommending that H.R. No. 238, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 238, entitled: "HOUSE RESOLUTION URGING CONGRESS TO OPPOSE THE PROPOSED RULE AMENDMENTS PUBLISHED ON APRIL 10, 2008 IN THE FEDERAL REGISTER (73 FED. REG. 19708) THAT IMPLEMENT THE DEVELOPMENTAL DISABILITIES ASSISTANCE AND BILL OF RIGHTS ACT OF 2000, AND TO SUPPORT NEW SECTIONS IN THE UPCOMING REAUTHORIZATION," was referred to the Committee on Judiciary with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1544), recommending that H.C.R. No. 268, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 268, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO OPPOSE THE PROPOSED RULE AMENDMENTS PUBLISHED ON APRIL 10, 2008 IN THE FEDERAL REGISTER (73 FED. REG. 19708) THAT IMPLEMENT THE DEVELOPMENTAL DISABILITIES ASSISTANCE AND BILL OF RIGHTS ACT OF 2000, AND TO SUPPORT NEW SECTIONS IN THE UPCOMING REAUTHORIZATION," was referred to the Committee on Judiciary with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1545), recommending that H.C.R. No. 54, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 54, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN INCREASE FOR MEDICARE REIMBURSEMENT IN HAWAII," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1546), recommending that H.R. No. 138, be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 138, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A WORKING GROUP TO INVESTIGATE THE FEASIBILITY OF CREATING A MARKET IN THE TOURISM INDUSTRY FOR RIFLERY, ARCHERY, AND HUNTING ACTIVITIES," was referred to the Committee on Water, Land, & Ocean Resources with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1547), recommending that H.C.R. No. 174, be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 174, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A WORKING GROUP TO INVESTIGATE THE FEASIBILITY OF CREATING A MARKET IN THE TOURISM INDUSTRY FOR RIFLERY, ARCHERY, AND HUNTING ACTIVITIES," was referred to the Committee on Water, Land, & Ocean Resources with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented two reports:

(Stand. Com. Rep. No. 1548), recommending that H.R. No. 268, be referred to the Committee on Water, Land, & Ocean Resources; and

(Stand. Com. Rep. No. 1549), recommending that H.C.R. No. 296, be referred to the Committee on Water, Land, & Ocean Resources.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 268, and H.C.R. No. 296, be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

Representative Marumoto rose to speak in opposition to both measures, stating:

"Mr. Speaker, I will rise to speak against these Resolutions. Yes, I feel that we haven't had enough information on it to make up our minds. If the information is forthcoming, I may very happily change my vote. But, I am a big fan of historic preservation, a member of Historic Hawaii Foundation, Charter Member. My husband was President. I'm a proud member of the Preservation Caucus, and support legislation to benefit us keeping historic and significant remnants of our past.

"But my vote on these Resolutions would change if we had more information. It was lacking at yesterday's hearing. For instance, there was no testimony from the owner, and the Historic Hawaii Foundation pointed that out.

"So, not knowing the owner's intent, these Resolutions may be premature. The Tourism, Culture, & International Affairs Committee did not have information as to whether the building was owned in entirety, or whether it was a condominium. That might have made a difference to me.

"Finally, there was no explanation why there was no recommendation for the State Register of Historic Places. So, just because of all the unanswered questions, I cast a 'no' vote to flag out this lack. Thank you, very much."

Representative Brower rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. In support of Standing Committee Report Number 1548 and 1549. To address any questions Members might have, this issue has been discussed in the media, it's on the front page of today's *Star Bulletin*, and in the A Section of today's *Advertiser*, and was on three different network TV stations in the last four days. And, the owners are aware, and they are in support of considering this to be placed on the National Historic Registry.

"There have been other comments made, that I think this is a good measure that we show our support, and then let the public decide, as well as the owners, what the future of that building should be. But, I think this is an important statement that we as a Legislature make.

"All Presidents' homes are on the Historic Registry, nationally, and I would like to include President Obama's home also on that. Thank you."

Representative Ching rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. In support. As long as people are respected, I think that's what historic preservation's all about, is that we come together and we put our differences aside in support of what we love, which is the

State of Hawaii, our children, our people. And, I think the children have an opportunity to be inspired. We have our first President ever from Hawaii. And, I thank the Representative of Waikiki for introducing this measure.

"I personally, am a classmate, one year younger, of the current President, and we look forward to his many trips here. I think that he represents on a large scale, many good things. And, no matter what, goodness is what's important. Thank you."

Representative Belatti rose to speak in support of both measures with reservations, stating:

"Thank you, Mr. Speaker. With reservations, with a few short comments. The theme of today seems to be that everyone wants to come into my district and identify things of important historical significance. I know that my district is the home to many historic places, but my reservations are based on the fact that I don't believe that the residents of the building have been consulted, and so, I would actually like to go to them and see what their views are. Perhaps, what is the impact of the identification as placement on the National Register. Because, if it does have impact on things that can be done at the building, I think those residents should be made aware of that. Then the choice can be made whether designation is appropriate or not. So, thank you, Mr. Speaker."

Representative Ward rose to speak in support of both measures, stating:

"Mr. Speaker, I rise with support, and with a footnote, in that the Obama birthplace home resides in Hawaii Kai, in my colleague Lyla Berg's district, and my own. And that is now being vetted and researched, and I'm sure that you will hear from her and myself at a later point. But, that was the one where when he was born at the hospital, that was the address that was used. Thank you."

Representative Cabanilla rose to speak in support of both measures with reservations, stating:

"Yes, Mr. Speaker. I rise with reservations on the matter. Yes, I am very proud that we have a President from these islands. And yes, I acknowledge that the birthplaces of Presidents are historically registered.

"But, my reservation is that he just started as a President a few months ago, and think it's kind of premature about that. We should wait a couple of years and see how he does in the Office before we make those decisions. Thank you, Mr. Speaker."

Representative Brower rose to respond, stating:

"Thank you, Mr. Speaker. Still in strong support. To be placed on the National Historic Registry, one of the qualifications is, what would be most symbolic as a home to the President? And, President Obama was born in the same hospital that I, and many of us were born in, at Kapiolani Medical Center. Not in a home in Kahala. The location in question has, for all practical purposes, has become what we consider his home, and that he considers his home, where he visits and spent the most time in his formative years. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"I only want to say that the Representative from Waikiki knows that it's a house in Hawaii Kai, and not Kahala. Hawaii Kai. Kalanianaole Highway and Kuliouou Road. Thank you."

Representative McKelvey rose in support of both measures with reservations and asked that the remarks of Representative Belatti be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Manahan rose in support of both measures, and asked that the remarks of Representative Brower be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

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 support of H.C.R. 296 and H.R. 268 – Urging the Emma Kwock Chun Corporation, the State Historic Preservation Office, and the Historic Hawaii Foundation to Apply for Placement of President Barack Obama's Punahou Circle Apartment on the National Register of Historic Places. As founder of the Heritage Caucus, I believe this is a great opportunity, as long as it is respectful to the building's owners and residents, and that they have a chance to give their input on the matter.

"While the newspapers have said that this building is non-descript, I feel some of its unique architectural touches bring about a tropical feel. This building has the power to inspire the children of Hawaii. It shows them that they to can be the leaders of tomorrow. Putting President Barack Obama's home on the National Register of Historic Places will increase tourism, which in turn will increase revenue for the State. 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. 268, entitled: "HOUSE RESOLUTION URGING THE EMMA KWOCK CHUN CORPORATION, THE STATE HISTORIC PRESERVATION OFFICE, AND THE HISTORIC HAWAII FOUNDATION TO APPLY FOR PLACEMENT OF PRESIDENT BARACK OBAMA'S PUNAHOU CIRCLE APARTMENT ON THE NATIONAL REGISTER OF HISTORIC PLACES," was referred to the Committee on Water, Land, & Ocean Resources with Representative Marumoto voting no, and with Representatives Luke, Mizuno, Saiki and Takai being excused; and

H.C.R. No. 296, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE EMMA KWOCK CHUN CORPORATION, THE STATE HISTORIC PRESERVATION OFFICE, AND THE HISTORIC HAWAII FOUNDATION TO APPLY FOR PLACEMENT OF PRESIDENT BARACK OBAMA'S PUNAHOU CIRCLE APARTMENT ON THE NATIONAL REGISTER OF HISTORIC PLACES," was referred to the Committee on Water, Land, & Ocean Resources with Representative Marumoto voting no, and with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1550), recommending that H.R. No. 157, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 157, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY LANGUAGE ACCESSIBILITY WITHIN THE TOURISM INDUSTRY IN HAWAII," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1551), recommending that H.C.R. No. 194, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 194, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY LANGUAGE ACCESSIBILITY WITHIN THE TOURISM INDUSTRY IN HAWAII," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented two reports:

(Stand. Com. Rep. No. 1552), recommending that H.R. No. 210, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1553), recommending that H.C.R. No. 241, be referred to the Committee on Finance.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 210, and H.C.R. No. 241, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Finnegan rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. In strong support, with short comments in support. These Resolutions are declaring October 11th a State holiday in honor of the Blessed Damien. Thank you."

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 support of H.C.R. 241 and H.R. 210 – Declaring October 11th a State Holiday in Honor of Blessed Damien. As founder of the Heritage Caucus I believe it is important for people to know about our diverse and complex history. On October 11th of this year Father Damien will be declared a Saint by the Catholic Church in a ceremony to take place at the Vatican. Father Damien was a magnificent man with a caring heart and the world deserves to know his story. Thank you."

Representative McKelvey rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. In support. Just a real brief comment. Just for the Members' edification. This is a non-paid State holiday. Thank you very much."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 210, entitled: "HOUSE RESOLUTION DECLARING OCTOBER 11TH A STATE HOLIDAY IN HONOR OF BLESSED DAMIEN," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused; and

H.C.R. No. 241, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING OCTOBER 11TH A STATE HOLIDAY IN HONOR OF BLESSED DAMIEN," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented two reports:

(Stand. Com. Rep. No. 1554), recommending that H.R. No. 189, as amended in HD 1, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1555), recommending that H.C.R. No. 220, as amended in HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 189, HD 1, and H.C.R. No. 220, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Marumoto rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"October, 1944 saw fighting by the American Forces to liberate Bruyeres, Biffontaine, and Fremifontaine, France from the Nazi's. These towns are in the province of Lorraine, France. Our heroic 442nd Regimental Combat Team Nisei Veterans, many of them from Hawaii, as well as the internment camps on the mainland, were instrumental in liberating these towns. They also helped to rescue the Texas "Lost Battalion" in Biffontaine, France. As such, close ties were formed between the town of Bruyeres, France and Honolulu, Hawaii, such that Bruyeres and Honolulu have a sister-city relationship. Because of the ties between Hawaii and these towns in Lorraine, France and because we have many veterans still living in Honolulu as well as their relatives, I am in favor of HR 189 and HCR 220 calling for a sister-state/province relationship between Lorraine, France and the State of Hawaii."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 189, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE SISTER STATE COMMITTEE TO EVALUATE AND DEVELOP RECOMMENDATIONS FOR THE INITIATION OF A SISTER STATE OR PROVINCE RELATIONSHIP WITH LORRAINE, FRANCE," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused; and

H.C.R. No. 220, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SISTER STATE COMMITTEE TO EVALUATE AND DEVELOP RECOMMENDATIONS FOR THE INITIATION OF A SISTER STATE OR PROVINCE RELATIONSHIP WITH LORRAINE, FRANCE," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1556), recommending that H.R. No. 277, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 277, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AT MANOA TO ESTABLISH A MUSLIMS IN ASIA RESEARCH AND STUDIES INSTITUTE," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1557), recommending that H.C.R. No. 305, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 305, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AT MANOA TO ESTABLISH A MUSLIMS IN ASIA RESEARCH AND STUDIES INSTITUTE," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented two reports:

(Stand. Com. Rep. No. 1558), recommending that H.R. No. 123, be referred to the Committee on Legislative Management; and

(Stand. Com. Rep. No. 1559), recommending that H.C.R. No. 153, be referred to the Committee on Legislative Management.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 123, and H.C.R. No. 153, be referred to the Committee on Legislative Management, seconded by Representative Evans.

Representative B. Oshiro rose in opposition to both measures and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative B. Oshiro's written remarks are as follows:

"Mr. Speaker, I rise in opposition to HCR 153/HR 123, which requests a feasibility study of the construction of a prison at the current State quarantine station at Halawa.

"While I believe that our State must continue to facilitate the retrieval and re-entry of inmates currently serving the duration of their incarceration in U.S. mainland facilities, it is my firm conviction that an additional facility will not help the State achieve this goal.

"District 33 is already home to a considerable portion of our freeway, a stone quarry, an animal quarantine station, and an existing correctional facility. An additional prison will strain the current infrastructure of our community and will prove undesirable with the hardworking citizens of my district.

"During a hearing on the Resolution(s) by your Committee on Public Safety, the Director of the Department of Agriculture, Sandra Lee Kunimoto testified that any construction of a prison at the current quarantine site must include additional plans to relocate all current quarantine operations to a new location.

"The Director also disclaimed that the quarantine currently houses multiple federal and military agencies alongside those of the State. Therefore, I find that construction of a new prison in Halawa and the resulting relocation and construction of another quarantine facility will be costly and in these dire economic times, fiscally imprudent.

"In the interest of 'implementing the return and reentry provisions of Act 8, First Special Session Laws of Hawaii 2007' as stated in your Committee report, the Legislature should commission a study on a survey of a list of several possible sites for an additional prison instead.

"For these reasons Mr. Speaker, I must oppose HCR 153 and HR 123. Thank you, Mr. Speaker."

Representative Finnegan rose and asked that the Clerk record a no vote for her on both measures, and the Chair "so ordered."

Representative Ching rose in opposition to 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 opposition to H.C.R. 153 and H.R. 123 – Requesting the Legislative Reference Bureau to Study the Feasibility of Constructing a Prison at the State Quarantine Station at Halawa, Oahu. I am concerned that this measure might bring about an unnecessary cost to the State. Currently the Animal Quarantine Station resides on the proposed prison site and I don't feel it is cost effective to move the location of the Animal Quarantine Station at this time. Thank you."

Representative McKelvey rose and asked that the Clerk record a no vote for him 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. 123, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF CONSTRUCTING A PRISON AT THE STATE QUARANTINE STATION AT HALAWA, OAHU," was referred to the Committee on Legislative Management with Representatives Ching, Finnegan, McKelvey and B. Oshiro voting no, and with Representatives Luke, Mizuno, Saiki and Takai being excused; and

H.C.R. No. 153, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF CONSTRUCTING A PRISON AT THE STATE QUARANTINE STATION AT HALAWA, OAHU," was referred to the Committee on Legislative Management with Representatives Ching, Finnegan, McKelvey and B. Oshiro voting no, and with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented two reports:

(Stand. Com. Rep. No. 1560), recommending that H.R. No. 132, as amended in HD 1, be referred to the Committee on Health; and

(Stand. Com. Rep. No. 1561), recommending that H.C.R. No. 165, as amended in HD 1, be referred to the Committee on Health.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 132, HD 1, and H.C.R. No. 165, HD 1, be referred to the Committee on Health, seconded by Representative Evans.

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 Bertram rose in support of both measures and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Bertram's written remarks are as follows:

"In a town hall meeting in New Hampshire on June 2, 2007 then Senator Obama responded to a question asking if he would continue the federal raids on medical marijuana patients and their caregivers he responded:

"I don't think that should be a top priority of us, raiding people who are using…medical marijuana. With all the things we've got to worry about, and our Justice Department should be doing, that probably shouldn't be a high priority."

"On July 21, 2007 at a town hall meeting when asked if he would end raids, Senator Obama replied:

"The Justice Department going after sick individuals using this as a palliative instead of going after serious criminals makes no sense."

"Given this, the local drug enforcement agencies continue to raid and harass legitimate medical marijuana users."

Representative M. Lee rose and asked that the Clerk record a no vote for her on both measures, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record a no vote for her on both measures, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record a no vote for her on both measures, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record a no vote for her on both measures, and the Chair "so ordered."

Representative Tokioka rose and asked that the Clerk record a no vote for him on both measures, and the Chair "so ordered."

Representative Yamane rose and asked that the Clerk record a no vote for him on both measures, and the Chair "so ordered."

Representative Har rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Souki rose to speak in support of both measures, stating:

"With strong support."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 132, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE PRESIDENT AND UNITED STATES ATTORNEY GENERAL TO DIRECT THE DEPARTMENT OF JUSTICE'S DRUG ENFORCEMENT ADMINISTRATION TO STOP ENGAGING IN MEDICAL MARIJUANA RAIDS THAT CIRCUMVENT STATE LAWS PERMITTING MEDICAL USE OF MARIJUANA," was referred to the Committee on Health with Representatives Ching, Finnegan, M. Lee, Marumoto, Tokioka and Yamane voting no, and with Representatives Luke, Mizuno, Saiki and Takai being excused; and

H.C.R. No. 165, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT AND UNITED STATES ATTORNEY GENERAL TO DIRECT THE DEPARTMENT OF JUSTICE'S DRUG ENFORCEMENT ADMINISTRATION TO STOP ENGAGING IN MEDICAL MARIJUANA RAIDS THAT CIRCUMVENT STATE LAWS PERMITTING MEDICAL USE OF MARIJUANA," was referred to the Committee on Health with Representatives Ching, Finnegan, M. Lee, Marumoto, Tokioka and Yamane voting no, and with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representatives Hanohano and Tokioka, for the Committee on Public Safety and the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1562), recommending that H.R. No. 264, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 264, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE FEASIBILITY OF USING LUALUALEI NAVAL ROAD AS AN EVACUATION ROUTE IN THE EVENT OF AN EMERGENCY OR NATURAL DISASTER ON THE LEEWARD COAST," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representatives Hanohano and Tokioka, for the Committee on Public Safety and the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1563), recommending that H.C.R. No. 292, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 292, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE FEASIBILITY OF USING LUALUALEI NAVAL ROAD AS AN EVACUATION ROUTE IN THE EVENT OF AN EMERGENCY OR NATURAL DISASTER ON THE LEEWARD COAST," was referred to the Committee on Finance with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1564) recommending that S.C.R. No. 47, SD 1, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 47, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION PROCLAIMING 2009 AS THE YEAR OF THE NONCOMMISSIONED OFFICER CORPS OF THE UNITED STATES ARMY," was adopted, with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1565) recommending that S.B. No. 532, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 532, 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 Luke, Mizuno, Saiki and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1566) recommending that S.B. No. 1222, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1222, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HUMANE TREATMENT OF PET ANIMALS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1567) recommending that S.B. No. 55, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 55, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Choy rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like to ask for a ruling on a potential conflict for Standing Committee Report Number 1567. I am a CPA, and I do own a public accounting firm," and the Chair ruled, "no conflict."

Representative Choy than 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. 55, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Luke, Mizuno, Saiki and Takai being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain Senate bills for Third Reading by consent calendar. (Representatives Luke, Mizuno, Saiki and Takai were excused.)

STANDING COMMITTEE REPORTS

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1568) recommending that S.B. No. 886, SD 1, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 886, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Third Reading by a vote of 47 ayes, with Representatives Luke, Mizuno, Saiki and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1569) recommending that S.B. No. 1055, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1055, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran 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 Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak to express my reservations with SB 1055, HD1.

"As in the case of HB 1165, the Department of Transportation in SB 1055, HD1 is asking for authority to create rules for the various

commercial harbors, ostensibly based on the need to address safety concerns. I certainly understand the need for safety rules; however, the Maui community's long-established shared use of certain commercial harbors for recreational and cultural purposes should be recognized and preserved. The Department of Transportation's recent strained relations and record of indifference to local residents using Kahului Harbor for canoe racing and practices, and for fishing and surfing, raises some concern that perhaps the rules proposed ostensibly for safety are primarily aimed at limiting or even displacing longtime community use of our harbor and other nearshore waters for commercial interests. I certainly hope this is not the case and that this is not primarily another example of commercial and business interests trumping local community concerns.

"I believe appropriate safety rules can be crafted through creativity and improved strategic planning in the state's master plan, including the use of better technology for business and recreational activities that will foster rather than inhibit joint use of the available space. Existing residents who gather for traditional and cultural practices should be taken into consideration when planning for the future so that they may continue to carry out their customs. Access and use of our nearshore waters are an important aspect of the Public Trust. As this bill moves forward, I hope there will be practical, open and frank dialogue between traditional and cultural practitioners, government agencies and the business community about the goals of this bill.

"Please record my vote with reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1055, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Third Reading by a vote of 47 ayes, with Representatives Luke, Mizuno, Saiki and Takai being excused.

At 1:16 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 886, SD 1, HD 1
S.B. No. 1055, HD 1

At this time, the Chair stated:

"Please note the 48-hour notice for Standing Committee Report Nos. 1570 through 1578 as listed on pages 23 and 24."

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1570) recommending that S.B. No. 1073, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1570 on S.B. No. 1073, 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. 1073, SD 1, HD 2, were made available to the Members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1571) recommending that S.B. No. 281, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1571 on S.B. No. 281, 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. 281, HD 1, were made available to the Members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1572) recommending that S.B. No. 35, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1572 on S.B. No. 35, 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. 35, SD 1, HD 1, were made available to the Members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1573) recommending that S.B. No. 711, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1573 on S.B. No. 711, 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. 711, SD 1, HD 2, were made available to the Members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1574) recommending that S.B. No. 932, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1574 on S.B. No. 932, 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. 932, SD 2, HD 2, were made available to the Members of the House.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1575) recommending that S.B. No. 1066, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1575 on S.B. No. 1066, 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. 1066, SD 2, 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. 1576) recommending that S.B. No. 426, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1576 on S.B. No. 426, 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. 426, 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. 1577) recommending that S.B. No. 933, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1577 on S.B. No. 933, 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. 933, SD 2, HD 2, were made available to the Members of the House.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1578) recommending that S.B. No. 382, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1578 on S.B. No. 382, 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. 382, SD 1, HD 2, were made available to the Members of the House.

ANNOUNCEMENTS

Representative Rhoads: "Mr. Speaker, I just wanted to let everyone know that the Senate Committee on Labor, and the House Committee on Labor and Public Employment will be holding an informational briefing this afternoon at 2:45, in Room 329. Paul Brewbaker, the Chair of the Council on Revenues will be present to present his views on current and future economic outlook for the State. And, the Department of Labor and Industrializations will be there to brief the Joint Committee, in light of the ongoing rise in unemployment rates.

"The reason I bring this up is because there seems to have been some kind of 'snafu' with distributing the agenda on the House side, so if you haven't seen it, that's happening this afternoon at 2:45. Mahalo."

Representative Pine: "I just wanted to let everyone know that the Filipino Caucus is having a luncheon in Room 309, and you're all invited."

ADJOURNMENT

At 1:17 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, April 8, 2009. (Representatives Luke, Mizuno, Saiki and Takai were excused.)

HOUSE COMMUNICATION

House Communication dated April 7, 2009, 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. 632, HD 1, SD 1
H.B. No. 1061, HD 1, SD 1
H.B. No. 1075, SD 1

FORTY-FOURTH DAY

Wednesday, April 8, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:07 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Reverend John Heidel, PhD., President of Interfaith Alliance Hawaii, after which the Roll was called showing all Members present with the exception of Representatives Awana and Takai, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Third Day was deferred.

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 282) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 282, dated March 34, 2009, transmitting the report, Hydrogen Investment Capital Special Fund Fiscal Year 2008-2009: Measures Of Effectiveness Of The Renewable Hydrogen Program.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 465 through 475) were received and announced by the Clerk:

Sen. Com. No. 465, informing the House that the Senate has disagreed to the amendments proposed by the House on the following Senate Bill:

S.B. No. 1065, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY."

Sen. Com. No. 466, transmitting S.C.R. No. 37, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN FOR A STATE ORGANIC PROGRAM TO UNIFY THE STATE'S ORGANIC CERTIFICATION PRACTICES AND PROGRAMS," which was adopted by the Senate on April 7, 2009.

Sen. Com. No. 467, transmitting S.C.R. No. 38, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEVELOPMENT OF A PLAN FOR INCREASING AID AND ASSISTANCE TO ORGANIC FARMERS," which was adopted by the Senate on April 7, 2009.

Sen. Com. No. 468, transmitting S.C.R. No. 56, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO INCREASE EDUCATIONAL EFFORTS TO PREVENT AND ERADICATE CERVICAL CANCER," which was adopted by the Senate on April 7, 2009.

Sen. Com. No. 469, transmitting S.C.R. No. 57, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO MAKE IT A PRIORITY TO EDUCATE THE PUBLIC ON THE PROPER CLEANING OF PRODUCE," which was adopted by the Senate on April 7, 2009.

Sen. Com. No. 470, transmitting S.C.R. No. 63, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING ALL HOSPITAL EMERGENCY ROOMS IN THE STATE TO PROVIDE EMERGENCY CONTRACEPTION ON DEMAND TO VICTIMS OF SEXUAL ASSAULT OR RAPE," which was adopted by the Senate on April 7, 2009.

Sen. Com. No. 471, transmitting S.C.R. No. 69, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE UNITED STATES CONGRESS TO ENACT LEGISLATION REGULATING THE SALE AND MARKETING OF TOBACCO PRODUCTS," which was adopted by the Senate on April 7, 2009.

Sen. Com. No. 472, transmitting S.C.R. No. 77, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION PAYING TRIBUTE TO REPRESENTATIVE ROBERT H. "BOB" NAKASONE AND HIS LEGACY BY NAMING ONE OF THE MAUI MEDICAL FACILITIES IN HIS HONOR," which was adopted by the Senate on April 7, 2009.

Sen. Com. No. 473, transmitting S.C.R. No. 87, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO CONVENE A TASK FORCE TO REVIEW STATE AND COUNTY AFFORDABLE HOUSING APPROVAL REQUIREMENTS AND PROCEDURES," which was adopted by the Senate on April 7, 2009.

Sen. Com. No. 474, transmitting S.C.R. No. 102, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENSURING THAT ANY LEGISLATIVE EFFORT TO REPAIR THE HEALTHCARE SYSTEM IN HAWAII SHOULD INCORPORATE SUSTAINABLE WELLNESS PROGRAMS THAT ADDRESS THE UNDERLYING CAUSAL FACTORS ASSOCIATED WITH CHRONIC DISEASE," which was adopted by the Senate on April 7, 2009.

Sen. Com. No. 475, transmitting S.C.R. No. 121, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII, COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES, IN COOPERATION WITH THE DEPARTMENT OF AGRICULTURE, DEPARTMENT OF EDUCATION, AND THE HAWAII FARM BUREAU FEDERATION, TO CONVENE A WORKING GROUP OF STAKEHOLDERS TO CONSIDER THE FEASIBILITY OF ESTABLISHING A FARM TO SCHOOL PROGRAM IN HAWAII'S PUBLIC SCHOOLS," which was adopted by the Senate on April 7, 2009.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Hanohano, on behalf of the Big Island delegation, introduced students from the Big Island participating in the annual Hawaii State Science and Engineering Fair.

Representative Morita, on behalf of the Kauai delegation, introduced students and chaperones participating in the annual Hawaii State Science and Engineering Fair.

Kapaa High School – Nicole Isoda, KeriAnn Yatogo, Kara Dastrup and Dylan Cocerham, and chaperones, Mr. Jim Cox and Ms. Noe Isoda;

Kauai High School – Megan Walsh, and chaperones, Mr. Kevin Johnson and Ms. Barbara Baker;

Waimea High School – Kyle Flemming;

Waimea Canyon Middle School – Alexys Bermudez, Alex Hashimoto, Wendi Tokuuke, Bryson Cayaban, Joseph Tangalin, Alyssa Jardin, and chaperones, Mr. Justin Yamagata, Ms. Lisa Nishizuka and Ms. Susan Togioka; and

Kawaikini Public Charter School – Ku'uipo Rapozo, and chaperone, Ms. Debra Gochros.

Representative Berg introduced Ms. Betty Ishii, Ms. Susan Walker Kowen and the staff of the Hawaii Branch of the International Dyslexia Association and congratulated them on 25 yeas of service in Hawaii.

Representative Keith-Agaran, on behalf of the Maui delegation, introduced students from Maui participating in the annual Science and Engineering Fair.

Representative Nakashima introduced students from Paauilo Elementary and Intermediate School participating in the school's leadership program. They were accompanied by their advisor, Mr. Dean Alip.

Daisha Acorda, Sarah Akiona, Johnathan Ancheta, Cheynielle Pacheco, Alyssa McDaniel, Haley Valencia, Caitlyn Mendes, Briana Fiesta and Nathan Tabucbuc.

Representative C. Lee introduced students from Kailua Intermediate School participating in the annual Hawaii State Science and Engineering Fair. They were accompanied by their teacher, Mr. Derek Esibill.

Peyton Walker, Sari Foundas, Tiana Grant, Kiana Bowman, Sydney Forsyth, Kiana Ringuette and Raine Ikagawa.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

S.C.R. Nos.	Referred to:
45, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
72	Jointly to the Committee on Agriculture and the Committee on Economic Revitalization, Business, & Military Affairs
73	Committee on Water, Land, & Ocean Resources, then to the Committee on Higher Education, then to the Committee on Finance
74, SD1	Committee on Energy & Environmental Protection, then to the Committee on Tourism, Culture, & International Affairs
126, SD1	Jointly to the Committee on Energy & Environmental Protection and the Committee on Transportation, then to the Committee on Finance

At this time, the Chair announced:

"Members, on page 2 of the Order of the Day, Unfinished Business. Please note that H.R. No. 259, HD 1, and H.C.R. No. 287, HD 1, have been re-referred solely to the Committee on Energy & Environmental Protection per Referral Sheet No. 50. The Committee on Legislative Management waived its referral to these measures and therefore it is appropriate for the House to consider action for adoption."

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, to rules were suspended to reconsider action previously taken on H.R. No. 259, HD 1, and H.C.R. No. 287, HD 1. (Representative Takai was excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report Nos. 1390 and 1391, recommending referral to the Committee on Legislative Management, seconded by Representative Evans and carried. (Representative Takai was excused.)

At 12:16 o'clock p.m. Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:17 o'clock p.m.

UNFINISHED BUSINESS

H.R. No. 259, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.R. No. 259, HD 1, entitled: "HOUSE RESOLUTION REQUESTING REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO GATHER AND COMPILE INFORMATION ON DAYLIGHT SAVINGS AND ITS EFFECT ON CLIMATE CHANGE AND ENERGY-USE REDUCTION," was adopted, with Representative Takai being excused.

H.C.R. No. 287, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 287, HD 1, entitled: "HOUSE RESOLUTION REQUESTING REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO GATHER AND COMPILE INFORMATION ON DAYLIGHT SAVINGS AND ITS EFFECT ON CLIMATE CHANGE AND ENERGY-USE REDUCTION," was adopted, with Representative Takai being excused.

The Chair then announced:

"Members, Stand. Com. Rep. No. 1456 will be deferred one legislative day."

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1456) recommending that S.B. No. 1677, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1456 and S.B. No. 1677, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," was deferred one legislative day.

SUSPENSION OF RULES

Representative Evans moved to suspend the rules for the purpose of considering certain Senate bills for Third Reading by consent calendar, seconded by Representative Pine.

At 12:18 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 12:19 o'clock p.m.

At 12:19 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 12:20 o'clock p.m.

The motion was put to vote by the Chair and carried, and the rules were suspended for the purpose of considering certain Senate bills for Third Reading by consent calendar. (Representative Takai was excused.)

UNFINISHED BUSINESS

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1492) recommending that S.B. No. 113, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 113, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

At 12:21 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 113, HD 1

At 12:21 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 12:22 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Morita, for the Committee on Energy & Environmental Protection presented two reports:

(Stand. Com. Rep. No. 1579) recommending that H.R. No. 58, as amended in HD 1, be adopted; and

(Stand. Com. Rep. No. 1580) recommending that H.C.R. No. 65, as amended in HD 1, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 58, HD 1, and H.C.R. No. 65, HD 1, be adopted, seconded by Representative Evans.

Representative Ward rose to speak in support of both measures, stating:

"Mr. Speaker, I stand in strong support."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 58, HD 1, entitled: "HOUSE RESOLUTION REQUESTING HAWAII AMERICAN WATER COMPANY TO IMPLEMENT AN ODOR MITIGATION PLAN FOR ITS FACILITY IN HAWAII KAI," was adopted, with Representatives Souki and Takai being excused; and

H.C.R. No. 65, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII AMERICAN WATER COMPANY TO IMPLEMENT AN ODOR MITIGATION PLAN FOR ITS FACILITY IN HAWAII KAI," was adopted, with Representatives Souki and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1581) recommending that H.R. No. 102, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 102, entitled: "HOUSE RESOLUTION URGING NONPROFIT ORGANIZATIONS AND COMMUNITY GROUPS TO ESTABLISH SAFETY PROCEDURES FOR ROADSIDE SOLICITATION OF FUNDS AND DONATED GOODS," was adopted, with Representatives Souki and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1582) recommending that H.C.R. No. 123, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 123, entitled: "HOUSE CONCURRENT RESOLUTION URGING NONPROFIT ORGANIZATIONS AND COMMUNITY GROUPS TO ESTABLISH SAFETY PROCEDURES FOR ROADSIDE SOLICITATION OF FUNDS AND DONATED GOODS," was adopted, with Representatives Souki and Takai being excused.

Representative Souki, for the Committee on Transportation presented two reports:

(Stand. Com. Rep. No. 1583) recommending that H.R. No. 223, as amended in HD 1, be adopted; and

(Stand. Com. Rep. No. 1584) recommending that H.C.R. No. 254, as amended in HD 1, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 223, HD 1, and H.C.R. No. 254, HD 1, be adopted, seconded by Representative Evans.

Representative Ching rose to speak in support of both measures, stating:

"Mr. Speaker, in support of Stand. Com. Reports 1583 and 1584. Mr. Speaker, the Falls of Clyde is one of the few remaining man-built jewels of old Hawaii. She was launched in 1878 from Scotland, named after an actual waterfall in the river that runs from Glasgow, Scotland, where she was built. The ship serves as a reminder of all the great contributions the Scots have made in Hawaii since their arrival in the 1700s. The beautiful Princess Kaiulani was the *hapa haole* daughter of Scot, Mr. Archibald Cleghorn and Princess Likelike, and Kapiolani Park's ironwood trees in Ainahau are symbols of that devotion of Mr. Cleghorn for his daughter, Princess Kaiulani.

"In 1900, an act of Congress allowed the ship to fly both the U.S. and the Hawaiian flags, and the Falls of Clyde serviced the residents of Hawaii by carrying sugar from Hilo to San Francisco.

"In 1963, it was rescued and returned to Hawaii, with the help of *Honolulu Advertiser's* columnist Bob Krauss, the maritime community, Hawaii's school children, and the U.S. Navy. Over the years, tens of thousands of people have toured the Falls of Clyde. She was named a National Historic Monument.

"In 2008, the Friends of the Falls of Clyde formed a non-profit to save her. The Falls of Clyde, with a wrought-iron hull at 265 feet long, weighing more than a thousand tons, is the last, the only surviving, fully-rigged, four-mast sailing ship remaining in the world. And, this has taken interest from a lot of people, including the royalty of Great Britain.

"The Falls of Clyde has a rich history. I ask that my colleagues recognize its importance as a sailing jewel of Hawaii. Thank you."

Representative McKelvey rose to speak in support of both measures, stating:

"Mr. Speaker, I stand in strong support."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 223, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE STATE TO RECOGNIZE THE HISTORICAL SIGNIFICANCE OF THE FALLS OF CLYDE AS A SAILING JEWEL OF HAWAII," was adopted, with Representatives Souki and Takai being excused; and

H.C.R. No. 254, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE TO RECOGNIZE THE HISTORICAL SIGNIFICANCE OF THE FALLS OF CLYDE AS A SAILING JEWEL OF HAWAII," was adopted, with Representatives Souki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1585) recommending that H.C.R. No. 41, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 41, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE ANALYSIS OF LOCKSMITHS," was adopted, with Representatives Souki and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1586) recommending that S.B. No. 856, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 856, entitled: "A BILL FOR AN ACT RELATING TO IDENTIFICATION," passed Second Reading and was placed on the calendar for Third Reading with Representatives Souki and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1587) recommending that S.B. No. 350, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 350, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Luke rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise to speak in opposition to this bill. This bill started as, 'if somebody enters your home, and you feel threatened, you can kill them, dead.' But, it has expanded to, 'if you feel threatened anywhere, you can kill them, dead.'

"It's problematic, and because of that, even the law enforcement community, the police and the prosecutor came out in opposition. They don't want people going around shooting people who you feel would be a threat to you, even if they're not threatening you with deadly force. So, it's almost matching deadly force against what you think is dangerous.

"In fact, if you want to expand it, you can actually kill somebody dead, drag them onto your property, and say, 'Oh, the person was threatening me, and so I killed them dead.'

"So, because of those reasons, I rise to speak in opposition. Thank you."

Representative Morita rose in opposition to the measure and asked that the remarks of Representative Luke be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Hanohano 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 Belatti rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. Thank you. The effect of this bill is to essentially eliminate the duty to retreat. If that's the case, then we should just remove all of Section B. I'd also like to echo the words of the Representative from Pauoa, and register a strong opposition. Thank you."

The motion was put to vote by the Chair and carried, and report of the Committee was adopted and S.B. No. 350, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF FORCE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Belatti, Berg, Hanohano, Luke and Morita voting no, and with Representatives Souki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1588) recommending that S.B. No. 603, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 603, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Souki and Takai being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1589) recommending that S.B. No. 1676, SD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1676, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 49 ayes, with Representatives Souki and Takai being excused.

At 12:29 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 1676, SD 2

ANNOUNCEMENTS

Representative Thielen: "Thank you. Mr. Speaker, just a 'heads up' to, particularly for Neighbor Island Representatives. Aloha Friday, Natural Shirt Earth Day will be celebrated a week from Friday, April 17th. Thank you."

Representative Manahan for the Committee on Tourism, Culture, & International Affairs requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing two measures with decision-making to follow, and the Chair "so ordered."

HCR No. 100, and HR No. 79, Proclaiming November 21 as Islam Day; and,

HCR No. 225, HD 1, and HR No. 93, HD 1, Relating to Iolani Palace.

Representative M. Lee, for the Committee on Finance requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measures on Wednesday, April 8th, today at 4:30 p.m., in Conference Room 308, and the Chair "so ordered."

SB No. 464, SD 2, HD 1, 'Relating to Taxation,'
SB No. 1248, SD 1, HD 1, 'Relating to State Enterprise Zones,'
SB No. 1299, SD 1, HD 1, 'Relating to Advanced Flight Simulator Training,'
SB No. 242, SD 2, HD 1, 'Relating to Seawater Air Conditioning,'
SB No. 266, SD 2, HD 1, 'Relating to Global Warming,'
SB No. 695, SD 1, 'Relating to Workers' Compensation,'
SB No. 721, 'Relating to District-Wide Improvement Programs,'
SB No. 1096, SD 2, 'Relating to Technology Workforce and Development,' and
SB No. 1664, SD 2, HD 1, 'Relating To Employment Security.'

Representative M. Lee also requested a waiver for decision-making only for the following measures, and the Chair "so ordered."

SB No. 1665, SD 2, 'Relating to Higher Education,' and
SB No. 602, SD 2, HD 1, 'Relating to the Arts.'

Representative Yamashita: "Thank you very much, Mr. Speaker. Tomorrow, Thursday, April 9th, 2009, in Conference Room 325, Hawaii State Capitol, your Maui and Big Island delegations will be sponsoring the Annual Bizarre Bazaar. And, we invite everybody to come. There will be all kinds of stuff. Thank you, very much."

Representative Chong: "Thank you, Mr. Speaker. I'd just like to remind everybody that in Room 440 today, from 1:30 to 3:00, we will be having a

soda float fundraiser for the Hawaii Foodbank. Thank you. Root beer, orange, and coke floats. Thank you."

ADJOURNMENT

At 12:30 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, April 9, 2009. (Representatives Souki and Takai were excused.)

FORTY-FIFTH DAY

Thursday, April 9, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:04 o'clock p.m., with Vice Speaker Magaoay 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 Aquino, Berg, Herkes, Keith-Agaran, Marumoto, Morita, M. Oshiro and Takai, 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 MESSAGES

The following message from the Governor (Gov. Msg. Nos. 283 through 285) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 283, dated April 14, 2009 [*sic*], transmitting the Hawaii 3Rs Program and School Repair and Maintenance Fund report prepared by the Department of Education in response to HB 0500, HD 1, SD 1, CD 1, Section 81, Act 213 (SLH 2007) and Section 302A-1502.4.

Gov. Msg. No. 284, dated April 14, 2009 [*sic*], transmitting the March, 2009 Report On The Medicaid School-Based Claiming Program prepared by the Department of Education in response to SB 1394, Act 141 (SLH 2005).

Gov. Msg. No. dated April 7, 2009, transmitting the Department of Defense, Office of Veterans Services report on Adequacy of Services for Veterans, in accordance with Act 213, Session Laws of Hawaii 2007, pursuant to Act 231, Session Laws of Hawaii 2001.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 476 through 481) were received and announced by the Clerk:

Sen. Com. No. 476, informing the House that the Senate has disagreed to the amendments proposed by the House on the following Senate Bills:

S.B. No. 58, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

S.B. No. 203, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS."

S.B. No. 848, HD 1, entitled: "A BILL FOR AN ACT RELATING TO METAL."

S.B. No. 940, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE."

S.B. No. 1195, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ECONOMY."

Sen. Com. No. 477, transmitting S.C.R. No. 64, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING EACH JURISDICTION WITHIN THE STATE OF HAWAII TO SUBMIT PERIODIC REPRICING REVIEWS, AS REQUIRED UNDER SECTION 89-9, HAWAII REVISED STATUTES," which was adopted by the Senate on April 8, 2009.

Sen. Com. No. 478, transmitting S.C.R. No. 67, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HOUSE AND SENATE COMMITTEES ON LABOR TO CONDUCT JOINT HEARINGS TO ASSESS THE PERFORMANCE OF THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN AND PLAN ADMINISTRATORS, AND TO RECOMMEND APPROPRIATE MEANS TO RESOLVE COMPLAINTS BY PLAN MEMBERS," which was adopted by the Senate on April 8, 2009.

Sen. Com. No. 479, transmitting H.B. No. 593, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHORELINE SETBACKS," which passed Third Reading in the Senate on April 8, 2009.

Sen. Com. No. 480, transmitting H.B. No. 1141, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THRILL CRAFT OPERATION," which passed Third Reading in the Senate on April 8, 2009.

Sen. Com. No. 481, transmitting H.B. No. 1436, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on April 8, 2009.

Representative B. Oshiro moved to disagree to the amendments made by the Senate to the following House bills, seconded by Representative Evans and carried: (Representatives Aquino, Berg, Herkes, Keith-Agaran, Marumoto, Morita, M. Oshiro and Takai were excused.)

H.B. No. 593, HD 2, (SD 1)
H.B. No. 1141, HD 1, (SD 1)
H.B. No. 1436, HD 1, (SD 1)

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Chang introduced promoter, Mr. Tom Moffat, and his publicist, Ms. Tracy Laruya.

Representative Yamane introduced Ms. Regina Toguchi and Ms. Monica Toguchi from Highway Inn Restaurant.

Representative Tokioka introduced friends from Kauai, cancer patient volunteer, Aunty Annie Cabating; her daughters, Ms. Nalani Cabating and Ms. Merlinda Cabating; and friend, Ms. Joyce Kubota.

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 12:40 o'clock p.m.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

S.C.R. Nos.	Referred to:
37	Committee on Agriculture, then to the Committee on Finance
38, SD1	Committee on Agriculture, then to the Committee on Finance
56, SD1	Committee on Health, then to the Committee on Finance
57, SD1	Committee on Health, then to the Committee on Finance
63, SD1	Committee on Health, then to the Committee on Judiciary

69, SD1	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
77, SD1	Committee on Health
87, SD1	Committee on Housing
102, SD1	Committee on Health, then to the Committee on Finance
121, SD1	Committee on Agriculture, then jointly to the Committee on Higher Education and the Committee on Education

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.C.R. Nos.	**Re-referred to:**
206, HD1	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
221, HD1	Committee on Consumer Protection & Commerce

S.B. Nos.	**Re-referred to:**
438	Committee on Education
1108	Committee on Hawaiian Affairs

S.C.R. No.	**Re-referred to:**
126, SD1	Jointly to the Committee on Transportation and the Committee on Energy & Environmental Protection, then to the Committee on Finance

At this time, the Chair announced:

"Members, please note that S.B. No. 438 has been re-referred solely to the Committee on Education per Committee Referral Sheet No. 52 that was placed on your 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 on Third Reading."

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, to rules were suspended to reconsider action previously taken on S.B. No. 438. (Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 1119, recommending referral to the Committee on Judiciary, seconded by Representative Evans and carried. (Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka were excused.)

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering certain Senate bills for Third Reading by consent calendar. (Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka were excused.)

UNFINISHED BUSINESS

S.B. No. 438:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 438, entitled: "A BILL FOR AN ACT RELATING TO BOARD OF EDUCATION MEETINGS," passed Third Reading, with Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka being excused.

At 12:42 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 438

The Chair then announced:

"Members, Stand. Com. No. 1456 and S.B. No. 1677 will be deferred one legislative day."

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1456) recommending that S.B. No. 1677, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1456 and S.B. No. 1677, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," was deferred one legislative day.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1570) recommending that S.B. No. 1073, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1073, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," passed Third Reading by a vote of 46 ayes, with Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1571) recommending that S.B. No. 281, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 281, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," passed Third Reading by a vote of 46 ayes, with Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1572) recommending that S.B. No. 35, SD 1, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 35, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Choy rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I have a ruling on a potential conflict? I am a certified public accountant," 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. 35, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES," passed Third Reading by a vote of 46 ayes, with Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1573) recommending that S.B. No. 711, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 711, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Cabanilla rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with strong reservations on this measure. This calls for buses that are longer than what we have now. Three units, as a matter of fact. I would much rather see them come more frequently, than to invest $1.2 million in buses. At this point, I don't believe that the bus system has demonstrated that we need to have buses longer than what we have now. 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 to S.B. 711 – Relating to Transportation. I do support this bill for the fact that the 80 ft bus can carry 150 people at a time and provide traffic relief to Hawaii's congested roadways, but I also have some concerns on this bill. I am concerned about the visibility of the roadways and cross-walks for our seniors when there is an 80 ft bus in front of them. I also have concerns that many of the bus stops would have to be increased by 90 ft and doing so could take away a number of our already limited parking spaces.

"There is a trend of larger vehicles these days and we are experiencing problems in my district. This trend has resulted in my residence having to give up parking spots. I am a big believer in the concept of a walkable-livable community and I hope this bill does not increase the number of our already high pedestrian fatality rate. 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. 711, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 46 ayes, with Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1574) recommending that S.B. No. 932, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 932, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INFECTIOUS DISEASE TESTING," passed Third Reading by a vote of 46 ayes, with Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1575) recommending that S.B. No. 1066, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1066, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Third Reading by a vote of 46 ayes, with Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1576) recommending that S.B. No. 426, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 426, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed Third Reading by a vote of 46 ayes, with Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1577) recommending that S.B. No. 933, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 933, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY LICENSURE OF DENTISTS," passed Third Reading by a vote of 46 ayes, with Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1578) recommending that S.B. No. 382, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 382, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Ward 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 opposition to the measure, stating:

"Yes. In opposition. Yes, I am in opposition to this measure because it splits the authority to appoint members of this Board from the Governor. Many Governors in the past have had the full authority to appoint all members, and I think we continue to overstep the division of the different Branches by changing this."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I am also in opposition. I really feel that this bill moves the Legislative Branch into the Executive Branch. In other words, we'll be taking over some Executive functions. 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. 382, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY," passed Third Reading by a vote of 43 ayes to 3 noes, with Representatives Finnegan, Marumoto and Pine voting no, and with Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka being excused.

At 12:46 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1073, SD 1, HD 2
S.B. No. 281, HD 1
S.B. No. 35, SD 1, HD 1
S.B. No. 711, SD 1, HD 2
S.B. No. 932, SD 2, HD 2
S.B. No. 1066, SD 2, HD 1
S.B. No. 426, HD 2
S.B. No. 933, SD 2, HD 2

S.B. No. 382, SD 1, HD 2

STANDING COMMITTEE REPORTS

The Chair then announced:

"Members, please note the 48-hour notice for Stand. Com. Nos. 1590 through 1997."

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1590) recommending that S.B. No. 205, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1590 on S.B. No. 205, 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. 205, SD 1, HD 2, were made available to the Members of the House.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1591) recommending that S.B. No. 300, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1591 on S.B. No. 300, 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. 300, SD 2, HD 2, were made available to the Members of the House.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1592) recommending that S.B. No. 53, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1592 on S.B. No. 53, 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. 53, 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. 1593) recommending that S.B. No. 420, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1593 on S.B. No. 420, 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. 420, SD 2, HD 2, were made available to the Members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1594) recommending that S.B. No. 764, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1594 on S.B. No. 764, 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. 764, SD 2, HD 2, were made available to the Members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1595) recommending that S.B. No. 937, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1595 on S.B. No. 937, 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. 937, HD 1, were made available to the Members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1596) recommending that S.B. No. 1259, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1596 on S.B. No. 1259, 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. 1259, SD 2, HD 2, were made available to the Members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1597) recommending that S.B. No. 34, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1597 on S.B. No. 34, 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. 34, SD 1, HD 1, were made available to the Members of the House.

Representatives Ito and Cabanilla, for the Committee on Water, Land, & Ocean Resources and the Committee on Housing presented a report (Stand. Com. Rep. No. 1598) recommending that S.B. No. 1350, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1350, 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 Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1599) recommending that S.B. No. 292, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 292, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Coffman rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 292, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1600) recommending that S.B. No. 387, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 387, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations, with just a brief comment. This bill attempts to make the Governor subservient to the Legislature, by having to report what she is or is not doing with the money. And, I know somebody is going to say, 'No, no, no. This bill doesn't do that.' Well, why just now? And why just this Governor, is the question. Thank you."

Representative B. Oshiro rose to speak in support of the measure, stating:

"I rise in support. Very briefly. This isn't a matter of making anyone subservient to the Legislature. This is a matter of being accountable to the public. 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 Committee was adopted and S.B. No. 387, SD 1, 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 Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1601) recommending that S.B. No. 659, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 659, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1602) recommending that S.B. No. 917, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 917, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THIRD PARTY LIABILITY FOR MEDICAID," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1603) recommending that S.B. No. 1111, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1111, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Pine rose to speak in support of the measure with reservations, stating:

"Yes, on Stand. Com. Report 1603, I am in opposition. Yes, this would increase the Transient Accommodation Tax, and I think that in this economy, as we're trying to compete with other visitor destinations, it's important that we don't do anything that would increase the costs of people to come here. I think it would be devastating to our economy. And with that, the House Republican Caucus will be voting 'no' on this measure."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, as my colleague has just stated, and I'm standing in opposition. The Finance Committee, without even an iota of doubt, said, 'Don't do this. Don't do it now. It's going to hurt.' And the response is, 'Well, it's still blank.' Well, they're talking about 1%.

"The point is, the people of Hawaii, the industries of Hawaii, the small businesses of Hawaii are Taxed Enough Already. That stands for TEA, which on the 15th of this month, there is going to be a big rally, and this is probably one of the things that they're going to be upset with. This is not a good bill, Mr. Speaker. Thank you."

Representative Evans rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Mr. Speaker, I travel throughout the United States, like many of us as legislators do. We go into towns, we pay our hotel, and we pay our transient taxes. I think you'll find that they vary significantly. In many, many places, they charge a whole lot more than us. And I think keeping this alive, keeping the debate going, and knowing where we fit overall across the United States, is a good thing.

"We love our visitors. We want them to come. But also, we need to know where we fit elsewhere, and it may be appropriate to take a look. So, I think we should keep the discussion going. Thank you."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this bill. I'd like the words of the Representative from Ewa Beach entered as my own.

"It's easy to tax tourists. It seems like it's not us, so, why don't we load up on taxes against the tourists. But, tourists are our lifeblood. And whether we like it or not, tourism still is our number one industry. It is most important to our economy. It pays for our education and health services, and we need those revenues very much, especially in these days.

"Other towns may have a heavier tourist tax, but they may be an hour away, or a three hour's driving distance, or five hours. It's hard for people to get to Hawaii, and so I think we have to be very vigilant about not scaring away our tourists. I think at present, they're paying 11.5%. The tourist tax, the hotel tax, plus the general excise tax, which on Oahu is a half percent higher than the Neighbor Islands.

"So, let's not overtax the tourists and our hotel industry. They're very important to us. Thank you."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker and Members, I wish to speak with reservations. In fact, with strong reservations. The money from this, the increase, of course are planned to go into the general fund. And, we need the money to balance the budget. But, I don't think we should be attaching some of the special funds, especially in a very competitive tourism market, where we have an unprecedented downfall in the hotels. This certainly would not help.

"We need money. There is no doubt. If we really need money, then we shouldn't be taking it from our employees. We shouldn't be taking it out of exempt employees. Or possibly raising the personal income tax, which will affect each of us, individually. Let's look at raising the excise tax. I know it's a bad thing, but you need to have a balanced approach, rather than a piecemeal approach, which I don't even know what is going to balance the budget. And, this is my concern.

"Hopefully in the end, everything is going to be balanced, and there will be some satisfaction as we move on. But, I would prefer to have an excise tax increase of a half percent or so, rather than nickel-and-diming and everything. Thank you."

Representative Brower 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 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 opposition to S.B. 1111 – Relating to Taxation. This bill will have a negative impact on our already struggling economy. Tourism is our number one source of revenue and currently the number of tourists coming to visit Hawaii is dropping. The *Star-Bulletin* and *The Honolulu Advertiser* both recently did front page articles on the lack of visitors coming to Hawaii and how economic recovery is tied to tourism. The headline in the *Honolulu Advertiser* read "Recovery tied to tourism" and the headline in the *Star-Bulletin* read "Visitor arrivals plummet 12.7%." The States Tourism Liaison says "Hawai'i ended 2008 with a 10.8% decrease in visitor arrivals and a 9.9% decrease in visitor spending ($1.2 billion). Visitor arrivals in January were down 12.5% and visitor expenditures decreased 13.6%, or $149 million." and "Now is not the time to increase the transient accommodations tax. Our visitor industry is having a difficult time as it is convincing visitors to come. Further decreases in visitors will result in more of our residents being laid off. We need to bolster the visitor industry so that we can keep our residents employed, not tax it further."

"We must do everything we can to attract visitors here. Raising the transient accommodations tax just might be enough to keep people from coming to visit Hawaii. Tourism is vital to this State's economy and we must protect it, not go out of our way to hurt it. Outrigger Enterprises Group states, "The balancing act we are currently dealing with is the maintaining of a decent occupancy rate, but with low room rates. While this is not the ideal situation, it is keeping our heads above water. Some employees are still working, the hotels are still in business and the State is receiving revenue," and "This bill can very well tip that balance were the cost of a room will deter a traveler from coming, which is the formula for disaster, resulting in low room occupancy and low room rates."

"This bill will harm Hawaii's economy and it concerns me that the Legislature can pass this bill so easily while ignoring the impact this bill will have on tourism and the economy. The Department of Taxation states, "Recent studies and data show that Hawaii's tourism industry is hurting badly. Increasing the tax on this industry, thus making Hawaii more expensive and a less favorable destination, could force Hawaii's economy into further disarray." This is some compelling testimony and I implore the Legislature to heed their warning. Thank you."

Representative McKelvey rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. A 'no' vote, please. And, may I have the comments of the speaker from Wailuku entered into the record as if they were my own, except the portion about the general excise tax.

"And, let me just note one thing. In the newspaper about a week ago, there were big headlines that said tourism is our biggest industry. And that, when you look at stimulus, that the State needs to focus on that. And that is a pretty pressing tale to tell. We want to diversify our economy, but until we actually get there, this is our 'bread and butter.' So, that is a very serious concern of mine. Thank you."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Just short comments in opposition. Thank you. Aside from all the other concerns that were brought up today, I also did want to mention that some of these hotels, in fact most of these hotels, are dropping their rates at this point in time to incentivize people to come here. And, what we do when we increase that, it's like we're taking right out from under the noses of these people who have jobs here at the hotels.

"And so, if you have a district that employs a lot of people at these hotels, we're doing absolutely the opposite thing of what these hotels are trying to do, which is bring people to Hawaii. They're lowering the cost. They're trying to make sure that we have jobs in our hotel industry. And we're going right back and saying we're going to increase the tax. I think that's not a good idea. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, just a footnote to my previous opposition. In this room, there are probably those who are doubting the price sensitivity to tourism. And, I would only add to look at the Japan visitor record. Each year, the slippage of 10 percentage points, even double-digit figures and beyond, have been visiting us for the last 10 years. Each year, we slip a little bit more. I had the opportunity to go with the Governor with her delegation to Japan. We sat around with all the airlines, with all the hotels, all the big tour agencies, and they basically said there are places that are more competitive. They cost less. They're as beautiful as Hawaii. Well, they didn't say as beautiful as Hawaii, but they're cheaper, quicker in access than other markets and destinations that people have.

"So, the sensitivity, and, particularly I emphasize again, that there was not one person in the Finance Committee who even suggested that the industry here could afford an increase in the taxes. Mr. Speaker, I trust those who've been in this business, their families for decades, for 50, 60, 70, 100 years. They should know better than us. I know it's our responsibility, but it's our responsibility to listen to those who are in the know. Those of the 'Delphi Oracle,' those who know what's going on. It's our job to implement that. Thank you."

Representative Manahan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm standing in support of this measure. Hawaii's still, as far as a visitor destination and to the visitor, I think we're still one of the most tax-friendly states. Not to mention, this would also bring added revenue for marketing, which would drive an increase in visitors. Thank you."

Representative C. Lee rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I just rise with reservations, and I just want to note that I don't think it's anybody's intent to unnecessarily increase taxes on anyone. But we are chasing a nearly $2 billion shortfall this year. Thank you."

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. 1111, 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 Brower, Ching, Finnegan, Marumoto, Pine, Thielen and Ward voting no, and with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1604) recommending that S.B. No. 1206, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1206, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1605) recommending that S.B. No. 1327, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1327, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO

THE RATE OF INTEREST APPLICABLE TO OVERPAYMENTS OF TAX," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1606) recommending that S.B. No. 1343, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1343, SD 2, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, in opposition. What this bill does is, it removes the administrative agency's authority to establish fees, and it instead replaces them through statute. And, as busy as the Finance Committee has been lately, I would much rather a department take care of that little piece of the pie, than us debating a fee for a small, little area in a department. Thanks."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm also standing in opposition. As previously, I think we have to trust our directors. They know they're on the front lines. They're the ones who know what these fees should, or should not be. And, I think we should be listening closer to them. Thank you."

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition to S.B. 1343 – Relating to Fees and Other Assessments. In a slumping economic environment broad strokes aren't always the best answer. My concern is that this bill does not allow for the State to adjust to the ebb and flow of the economy. The Department of Transportation says, "The bill takes a one size fits all circumstances approach which fails to realize the complex mixture of uses, tenants, customers and regulations which make up the airports system."

"Certain State agencies need to adjust their fees for various reasons and this bill hamstrings them from doing so and as result the citizens of Hawaii will be the ones who get punished. The Hawaii Housing and Finance and Development Corporation states in their testimony, "As a special-funded agency, the ability to establish and revise fees and service charges through the administrative rulemaking process will ensure that administrative expenses are covered and a larger portion of the HHFDC's special funds are devoted to housing finance and development assistance. We would prefer to maintain the authority to set our own service fee schedule via administrative rulemaking processes." The University of Hawaii shares a similar concern as HHFCD and UH states in their testimony that, "The necessity to establish and revise fees related to the many programs and services only through statute would be impractical and unwieldy and would likely result in fees that are not commensurate with costs and expenses." 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. 1343, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES AND OTHER ASSESSMENTS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Finnegan, Pine and Ward voting no, and with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1607) recommending that S.B. No. 1461, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1461, SD 2, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm casting a 'no' vote on this, and I'd like to explain why. I've heard from a number of small businesses that this bill is going to have a bad impact on them. And, in fact, one company said, it's going to be like having another noose around their necks in these bad, slow economic times.

"What it does is, it accelerates the deadline and payment date for paying general excise tax, and other fees and taxes. And it's a short term way to get some money. And it's a big hit on the businesses, by making them do these payments that soon. Many of them don't have the data that they need, and the reconciliation that they need in order to do it.

"So, I think it's a foolish way to grab a little bit of money -- one time only, and then put this noose around small businesses' necks. So, I have a very decided, loud, and emphatic 'no' on this measure."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, the previous speaker said it all. The State will gain one time by having a higher balance on June 30th, but small business will be paying the price for it. It's a lot of work for this, every single month. So, I would also be voting 'no' on Second Reading. Thank you."

Representative Ching rose in opposition to the measure and asked that he 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 opposition to S.B. 1461 – Relating to Taxation. I am concerned that this bill might have a negative impact on small business. In these economic times we need to make things easier for small businesses not harder. The Retail Merchants of Hawaii states in their testimony, "Of great concern is that accelerating the filling and payment due dates most surely will have a negative impact on our hundreds of small businesses." Thank You."

Representative McKelvey rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. It's with regret that I vote in opposition. And, I wrestled with this one, Members, because I was thinking, 'Well, let's go with reservations.' But as the Chair of the Business Committee, my conscience could not allow me to do anything but vote 'no.'

"As I've been going up to all the districts in Honolulu, Maui, and elsewhere, talking to small businesses, this is the reality: they're behind. A lot of them are behind. This would have the effect of pretty much, a nuclear weapon being detonated on a small business community. You will have layoffs, Mr. Speaker. You will have job closings, and you will have a detrimental hit. Maybe you'll get a one-time spike, but when you look at the unemployment rolls increasing, and the tax-base shrinking, it's going to be a net loss.

"This is not going to only be on corporate. We're talking about the little guys. The little guys, the people who we recognized today in the gallery, families, small business, they are the biggest portion of our economy.

"So therefore, I know we're trying to search for all these ways to balance the budget, but I really think, I would just advise everybody to look at the net effect. Because I can tell you, businesses, because of what happened with oil and the economy this summer, fell behind, and they're playing

'catch up.' And this would be basically killing them. Killing them, Mr. Speaker.

"I just hope that we can put the brainpower of this institution together to come up with other ideas than this one. Thank you, very much."

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Choy rose to speak in support of the measure, stating:

"Mr. Speaker, it's only 10 days earlier. Thank you."

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I'm rising in strong support. I will keep the bulk of my comments for Third Reading, but just a couple of points. The contents of this bill, Senate Bill 1461, is the same as the House Bill just passed, nearly unanimously by this very Body on Third Reading, on March 6th, 2009.

"The second point I need to make is that this has the strong endorsement of the Governor of the State of Hawaii, and is in fact, a part of her financial plan for the biennium. There is a revenue gain of about $20 million in the fiscal years '10 and '11. Thank you."

Representative Thielen rose to respond, stating:

"I'm rising again in opposition, Mr. Speaker. Thank you. I appreciated the comments of the Chair of Finance, but the point is, many people in this Body have never been small business people. Some Members in the Body never were in business, or in anything other than government work from the very beginning.

"The reality is, for the small business people, this is a burden. It's going to be harmful to them, and they're the very people that we need to continue to stay afloat and to stay alive. It's a cheap-shot, and a one-shot only at getting money from them, and leaving them with a burden of that early reporting, where their reconciliation and other figures are not available to them. So, why on earth do we do that?

"If we were going to gain millions and millions of dollars, there could be some justification. It's a one-shot only, and it makes no sense, and we're hurting the very people that we need to protect the most.

"And, I would also like the comments of the Maui Representative entered into the Journal as if they were my own," and the Chair, "so ordered." (By reference only.)

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. 1461, 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 Ching, Finnegan, Marumoto, Pine and Thielen voting no, and with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1608) recommending that S.B. No. 199, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 199, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Pine 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 with reservations, stating:

"I Also would like to note my reservations. And what we've just said about the previous bill on business, and the impact really goes to this one also, because we're kind of doing a wholesale hatchet, rather than a scalpel.

"For example, the important ag. lands that has been worked on for 30 years, which we finally passed. That one gets blown out of the water with this thing. Some of them have to go of course, but some of them need to stay, which are very, very important. 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. 199, 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 Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1609) recommending that S.B. No. 972, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 972, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1610) recommending that S.B. No. 1678, SD 3, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1678, SD 3, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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 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."

Representative Marumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1678, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading, and was placed on the calendar for Third Reading with Representative Marumoto voting no, and with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1611) recommending that S.B. No. 21, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 21, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1612) recommending that S.B. No. 971, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 971, SD 2, 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 Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1613) recommending that S.B. No. 1271, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1271, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

At 1:07 o'clock p.m. Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:08 o'clock p.m.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1271, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1614) recommending that S.B. No. 294, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 294, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE DEPARTMENTS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1615) recommending that S.B. No. 884, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 884, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1616) recommending that H.R. No. 121, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 121, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ADOPT THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES," was adopted, with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1617) recommending that H.C.R. No. 150, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 150, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ADOPT THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES," was adopted, with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1618) recommending that H.R. No. 214, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 214, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH A TASK FORCE TO DEVELOP A POLICY AGAINST TEEN DATING VIOLENCE AND ABUSE," was adopted, with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1619) recommending that H.C.R. No. 246, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 246, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH A TASK FORCE TO DEVELOP A POLICY AGAINST TEEN DATING VIOLENCE AND ABUSE," was adopted, with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

THIRD READING

S.B. No. 532, SD 1, HD 1:

Representative B. Oshiro moved that S.B. No. 532, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Shimabukuro rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and S.B. No. 532, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITING CIVIL LIABILITY," passed Third Reading by a vote of 36 ayes, with Representatives Brower, Hanohano, C. Lee, Luke, Nishimoto, Saiki and Takumi voting no, and with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

S.B. No. 1222, SD 1, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 1222, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HUMANE TREATMENT OF PET ANIMALS," passed Third Reading by a vote of 43 ayes, with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

S.B. No. 55, SD 1, HD 1:

Representative B. Oshiro moved that S.B. No. 55, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Choy rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I have a ruling on a potential conflict? I own a public accounting firm," and the Chair ruled, "no conflict."

Representative Choy then 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. 55, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Third Reading by a vote of 43 ayes, with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

S.B. No. 856:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 856, entitled: "A BILL FOR AN ACT RELATING TO IDENTIFICATION," passed Third Reading by a vote of 43 ayes, with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

At 1:11 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 532, SD 1, HD 1
S.B. No. 1222, SD 1, HD 1
S.B. No. 55, SD 1, HD 1
S.B. No. 856

SUPPLEMENTAL CALENDAR # 1

STANDING COMMITTEE REPORT

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1620) recommending that S.B. No. 638, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 638, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

At this time, Representative Evans 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 Pine and carried. (Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka were excused.)

At 1:13 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 1:13 o'clock p.m.

ANNOUNCEMENTS

Representative M. Lee: "Thank you, Mr. Speaker. I wanted to remind everyone that at 1:30, we'll be distributing the Easter baskets to IHS, and you're all invited to come to help send them on their way to IHS. We'll be in the Rotunda. Thank you.

"And for all those who contributed, thank you very, very much. It's highly appreciated by the people at IHS. On behalf of the Women's Caucus, we especially want to thank all the men who participated."

Representative Chong: "Thank you, Mr. Speaker. I'd just like to thank everybody who showed up, participated and donated their money at yesterday's root beer, Coke, and orange float. My apologies for running out. We thought we had enough, and there was overwhelming support. Thank you all."

RECESS

At 1:14 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives stood in recess until 9:00 o'clock a.m., Tuesday, April 14, 2009. (Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka were excused.)

STANDING COMMITTEE REPORTS

In accordance with the motion made, the following Standing Committee Reports (Stand. Com. Nos. 1621 through 1737) were received by the Clerk prior to 10:00 p.m. this legislative day, and the following action taken:

Stand. Com. Rep. No. 1621 (JUD) and S.B. No. 979, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1622 (JUD) and S.B. No. 1, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO OPIHI," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1623 (JUD) and S.B. No. 931, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1624 (FIN) and S.B. No. 119, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM FOREIGN-COUNTRY MONEY JUDGMENTS RECOGNITION ACT," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1625 (FIN) and S.B. No. 862, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1626 (FIN) and S.B. No. 878, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF HEARING NOTICES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1627 (FIN) and S.B. No. 880, entitled: "A BILL FOR AN ACT RELATING TO GAS PIPELINE SYSTEMS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1628 (FIN) and S.B. No. 947, SD 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT CONTRIBUTION RATES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1629 (FIN) and S.B. No. 39, entitled: "A BILL FOR AN ACT RELATING TO REPORTS ON THE HAWAII CANCER RESEARCH SPECIAL FUND," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1630 (FIN) and S.B. No. 160, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL MEALS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1631 (FIN) and S.B. No. 162, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1632 (FIN) and S.B. No. 163, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1633 (FIN) and S.B. No. 164, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL GRANTS SEARCH, DEVELOPMENT, AND APPLICATION REVOLVING FUND," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1634 (FIN) and S.B. No. 1250, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1635 (FIN) and S.B. No. 528, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1636 (FIN) and S.B. No. 166, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1637 (FIN) and S.B. No. 568, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PRESCRIPTIONS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1638 (FIN) and S.B. No. 585, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1639 (FIN) and S.B. No. 777, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE SEXUALITY HEALTH EDUCATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1640 (FIN) and S.B. No. 843, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1641 (FIN) and S.B. No. 896, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1642 (FIN) and S.B. No. 378, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1643 (FIN) and S.B. No. 1167, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1644 (FIN) and S.B. No. 91, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1645 (FIN) and S.B. No. 523, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1646 (FIN) and S.B. No. 537, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1647 (FIN) and S.B. No. 161, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1648 (FIN) and S.B. No. 178, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1649 (FIN) and S.B. No. 501, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TEACHER EDUCATION COORDINATING COMMITTEE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1650 (FIN) and S.B. No. 1164, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1651 (FIN) and S.B. No. 1329, 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 14, 2009.

Stand. Com. Rep. No. 1652 (FIN) and S.B. No. 470, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1653 (FIN) and S.B. No. 887, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1654 (FIN) and S.B. No. 892, SD 1, 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 14, 2009.

Stand. Com. Rep. No. 1655 (FIN) and S.B. No. 1107, SD 2, 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 April 14, 2009.

Stand. Com. Rep. No. 1656 (FIN) and S.B. No. 1218, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATORS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1657 (FIN) and S.B. No. 43, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN WORKFORCE ASSESSMENT," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1658 (FIN) and S.B. No. 423, 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 14, 2009.

Stand. Com. Rep. No. 1659 (FIN) and S.B. No. 427, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1660 (FIN) and S.B. No. 1140, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1661 (FIN) and S.B. No. 1205, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1662 (FIN) and S.B. No. 1263, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1663 (FIN) and S.B. No. 512, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1664 (FIN) and S.B. No. 1046, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PROFESSIONAL EDUCATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1665 (FIN) and S.B. No. 1674, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1666 (FIN) and S.B. No. 718, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1667 (FIN) and S.B. No. 1224, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1668 (FIN) and S.B. No. 642, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1669 (FIN) and S.B. No. 1568, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1670 (FIN) and S.B. No. 210, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1671 (FIN) and S.B. No. 309, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1672 (FIN) and S.B. No. 539, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1673 (FIN) and S.B. No. 540, 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 14, 2009.

Stand. Com. Rep. No. 1674 (FIN) and S.B. No. 564, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1675 (FIN) and S.B. No. 967, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1676 (FIN) and S.B. No. 190, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY CARE FOSTER FAMILY HOME," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1677 (FIN) and S.B. No. 415, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1678 (FIN) and S.B. No. 851, SD 1, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1679 (FIN) and S.B. No. 912, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PERMANENCY HEARINGS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1680 (FIN) and S.B. No. 914, SD 2, 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 April 14, 2009.

Stand. Com. Rep. No. 1681 (FIN) and S.B. No. 1344, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1682 (FIN) and S.B. No. 1679, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1683 (FIN) and S.B. No. 521, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1684 (FIN) and S.B. No. 522, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1685 (FIN) and S.B. No. 1345, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1686 (JUD) and S.B. No. 468, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1687 (JUD) and S.B. No. 714, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1688 (JUD) and S.B. No. 1005, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1689 (JUD) and S.B. No. 1056, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1690 (JUD) and S.B. No. 1183, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRACTICES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1691 (FIN) and S.B. No. 301, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGISTERED AGENTS ACT," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1692 (FIN) and S.B. No. 389, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1693 (FIN) and S.B. No. 496, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1694 (FIN) and S.B. No. 1223, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MADE PRODUCTS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1695 (FIN) and S.B. No. 109, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR JUVENILES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1696 (FIN) and S.B. No. 1060, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1697 (FIN) and S.B. No. 605, SD 1, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO NOISE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1698 (FIN) and S.B. No. 868, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1699 (FIN) and S.B. No. 1173, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1700 (FIN) and S.B. No. 1202, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION ENERGY INITIATIVES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1701 (FIN) and S.B. No. 1258, SD 2, 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 April 14, 2009.

Stand. Com. Rep. No. 1702 (FIN) and S.B. No. 1260, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION FEES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1703 (FIN) and S.B. No. 1118, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1704 (FIN) and S.B. No. 1160, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1705 (FIN) and S.B. No. 19, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1706 (FIN) and S.B. No. 876, 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 14, 2009.

Stand. Com. Rep. No. 1707 (FIN) and S.B. No. 1122, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1708 (FIN) and S.B. No. 169, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH CORPS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1709 (FIN) and S.B. No. 1142, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1710 (FIN) and S.B. No. 1673, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1711 (FIN) and S.B. No. 1058, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1712 (FIN) and S.B. No. 1611, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1713 (FIN) and S.B. No. 50, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY PRODUCERS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1714 (FIN) and S.B. No. 636, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1715 (FIN) and S.B. No. 44, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1716 (FIN) and S.B. No. 995, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1717 (FIN) and S.B. No. 721, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT-WIDE IMPROVEMENT PROGRAMS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1718 (FIN) and S.B. No. 1069, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1719 (FIN) and S.B. No. 602, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ARTS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1720 (FIN) and S.B. No. 1096, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE AND DEVELOPMENT," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1721 (FIN) and S.B. No. 1665, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1722 (FIN) and S.B. No. 266, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GLOBAL WARMING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1723 (FIN) and S.B. No. 464, 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 14, 2009.

Stand. Com. Rep. No. 1724 (FIN) and S.B. No. 713, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EMERGENCY ENVIRONMENTAL WORKFORCE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1725 (FIN) and S.B. No. 1338, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSEHOLD ENERGY DEMAND," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1726 (FIN) and S.B. No. 62, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1727 (FIN) and S.B. No. 695, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1728 (FIN) and S.B. No. 536, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STARLIGHT RESERVE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1729 (FIN) and S.B. No. 1268, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1730 (FIN) and S.B. No. 1248, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1731 (FIN) and S.B. No. 1299, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED FLIGHT SIMULATOR TRAINING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1732 (FIN) and S.B. No. 1137, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1733 (FIN) and S.B. No. 1664, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1734 (FIN) and S.B. No. 1621, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1735 (FIN) and S.B. No. 242, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1736 (FIN) and S.B. No. 1008, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY STANDARDS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1737 (FIN) and S.B. No. 1352, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO BUREAU OF CONVEYANCES," were placed on the calendar for Third Reading on April 14, 2009.

ADJOURNMENT

At 10:00 o'clock p.m., the House of Representatives adjourned until 9:00 o'clock a.m., Tuesday, April 14, 2009.

HOUSE COMMUNICATION

House Communication dated April 9, 2009, 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. 593, HD 2, SD 1
H.B. No. 1141, HD 1, SD 1
H.B. No. 1436, HD 1, SD 1

FORTY-SIXTH DAY

Tuesday, April 14, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 9:06 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Mr. Ryan Kalei Tsuji, son of Representative Clift Tsuji, after which the Roll was called showing all Members present with the exception of Representatives Bertram, Morita and Takai, 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 MESSAGE

The following message from the Governor (Gov. Msg. No. 286) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 286, informing the House that on April 9, 2009, the following bill was signed into law:

H.B. No. 442, entitled: "A BILL FOR AN ACT RELATING TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD." (ACT 003)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 482 and 483) were received and announced by the Clerk:

Sen. Com. No. 482, transmitting S.C.R. No. 89, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CLEAN UP AND INVESTIGATION OF ILLEGAL DUMPING AND ILLEGAL STRUCTURES AT LAUMAILE STREET IN KALIHI AND THE DEVELOPMENT AND IMPLEMENTATION OF MEASURES TO PREVENT ILLEGAL DUMPING AND ILLEGAL STRUCTURES IN THE AREA," which was adopted by the Senate on April 9, 2009.

Sen. Com. No. 483, dated April 9, 2009, 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:

S.B. No. 58, SD2, HD1	Baker, Chair; Taniguchi, Co-Chair; Hemmings
S.B. No. 203, SD2, HD1	Baker, Chair; Taniguchi, Co-Chair; Hemmings
S.B. No. 440, SD2, HD1	Sakamoto, Chair; English, Co-Chair; Kidani, Hemmings
S.B. No. 823, SD1, HD1	Takamine, Chair; Taniguchi, Slom
S.B. No. 940, SD1, HD1	Ige, Chair; Baker, Co-Chair; Green, Hemmings
S.B. No. 1065, SD2, HD1	Gabbard, Chair; Fukunaga/Baker, Co-Chairs; Green, Hemmings
S.B. No. 1195, SD1, HD2	Fukunaga, Chair; Hee, Co-Chair; Hemmings

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Finnegan introduced 9th grade students from Assets High School and their teachers Mr. Jason Wagner, Ms. Aina Badua and Mr. Miles Yamamoto.

Representative M. Lee introduced Ms. Bree Davis, a member of her legislative staff and the U.S. Air Force Reserve who was leaving for service in Iraq. She was accompanied by her legislative staff, Mr. Lloyd Nakahara, Mr. Shawn Leavey and Office Manager, Ms. Ann Thornock.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

S.C.R. Nos.	Referred to:
64, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
67, SD1	Committee on Labor & Public Employment, then to the Committee on Finance

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain Senate bills for Third Reading by consent calendar. (Representatives Morita and Takai were excused.)

CONSENT CALENDAR

UNFINISHED BUSINESS

At this time, the Chair stated:

"Members, at this time we will be taking up all the items on the Consent Calendar that are listed on pages 2 through 10. Members, at this time there will be no discussion, as these items are agreed upon by the Body for placement on the Consent Calendar."

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1591) recommending that S.B. No. 300, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 300, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1595) recommending that S.B. No. 937, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 937, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1596) recommending that S.B. No. 1259, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1259, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1621) recommending that S.B. No. 979, SD 2, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 979, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1623) recommending that S.B. No. 931, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 931, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1624) recommending that S.B. No. 119, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 119, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM FOREIGN-COUNTRY MONEY JUDGMENTS RECOGNITION ACT," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1625) recommending that S.B. No. 862, SD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 862, SD 2, pass Third Reading, seconded by Representative Evans.

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in strong support of Standing Committee Report No. 1625, Senate Bill 862, Senate Draft 2, Relating to Housing. SB862 is the companion bill to HB1044, which I also supported. SB 862, SD2 enables HHFDC to more easily collect the value of shared appreciation equity (SAE) and other restrictions when an affordable housing property is publicly sold through a foreclosure. It also requires written notification of intent to foreclose on properties encumbered by such priority liens.

"Passage of this bill will allow the HHFDC and county housing agencies to avoid costly litigation when enforcing their claims on affordable for-sale homes undergoing foreclosure. The sale of affordable housing properties sponsored or assisted by the HHFDC is subject to a buyback restriction and a shared appreciation equity (SAE) lien. The HHFDC has provided deferred sales price liens to assist low or moderate income homebuyers in purchasing a first home. Upon the sale or transfer of an HHFDC-assisted home, the SAE is collected and deposited into the Dwelling Unit Revolving Fund, where it can be used to support the development of additional affordable housing projects.

"Recently, the HHFDC has not been receiving sufficient prior notice of foreclosure proceedings on HHFDC-assisted properties. The lack of sufficient advance notice makes it difficult for HHFDC to prepare to bid at foreclosure sales. This measure would afford the HHFDC with notice of intent to foreclose forty-five days before commencement of the foreclosure. This notice period would allow HHFDC sufficient time to conduct due diligence and, when appropriate, to prepare to bid at the foreclosure sale.

"Additionally, because this clarifies that SAE or other government entity liens are priority liens, a mortgagee pursuing foreclosure must satisfy the amount due to the HHFDC before claiming a property at auction. The HHFDC has had to intervene in over 50 bankruptcy and foreclosure actions and litigate to assert their rights as a priority lien holder. This bill will protect HHFDC's lien rights in the event of foreclosure, and enable them to recover funds to support the development of additional housing. For these reasons, I strongly 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 S.B. No. 862, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1627) recommending that S.B. No. 880, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 880, entitled: "A BILL FOR AN ACT RELATING TO GAS PIPELINE SYSTEMS," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1628) recommending that S.B. No. 947, SD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 947, SD 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT CONTRIBUTION RATES," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1629) recommending that S.B. No. 39, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 39, entitled: "A BILL FOR AN ACT RELATING TO REPORTS ON THE HAWAII CANCER RESEARCH SPECIAL FUND," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1630) recommending that S.B. No. 160, SD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 160, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL MEALS," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1631) recommending that S.B. No. 162, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 162, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1632) recommending that S.B. No. 163, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 163, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1634) recommending that S.B. No. 1250, SD 1, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1250, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1635) recommending that S.B. No. 528, SD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 528, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1638) recommending that S.B. No. 585, SD 2, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 585, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support SB 585, SD2 HD 1 which will ensure access to prescription medications in rural and underserved areas. This measure allows remote dispensing pharmacies in health maintenance organization facilities, or in areas that are at least five miles from another pharmacy.

"This bill will alleviate hardships for a segment of our population who do not have convenient access to a pharmacy near their home or where the clinic does not have a pharmacist. The Island of Lanai, for example, will benefit from the enactment of this bill. Lanai is a community particularly affected by its remoteness and is an underserved population. Lanai has no pharmacy. Its residents have to travel to Oahu or Maui in order to obtain their medication. Passage of this bill will allow Lanai residents to obtain their medications from a remote dispensing pharmacy kiosk located in a clinic such as Lanai Community Health Center.

"This bill also benefits those who are members of Health Maintenance Organizations (HMO) that have clinics in rural areas, but have no pharmacist in the clinic. The HMOs, however, do have pharmacists in the hospital who can supervise the remote dispensing of medications in the clinic.

"I urge my colleagues to vote in favor of the bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 585, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1640) recommending that S.B. No. 843, SD 1, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 843, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1641) recommending that S.B. No. 896, SD 1, HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 896, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1644) recommending that S.B. No. 91, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 91, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1645) recommending that S.B. No. 523, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 523, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Magaoay's written remarks are as follows:

"Thank you, Mr. Speaker. Mr. Speaker, I rise in support of Senate Bill 523, S.D. 2, H.D. 2. Mr. Speaker, this piece of legislation amends the High Technology Research and Development loan and grant program allowing the State to catch up to increased federal award amounts.

"This bill proposes a modification to HRS Section 206M-15, which defines how the High Technology Development Corporation may grant funds to Hawaii companies that have been awarded federal Small Business Innovation Research Phase I awards and federal Small Business Technology Transfer Phase I awards.

"The Hawaii Matching Grant Program helps support Hawaii companies by matching federal awards at 50 per cent, but not to exceed $25,000. This matching formula was created when the maximum Phase I federal award was $50,000. This measure would remove this cap and the Hawaii matching grant would be at 50 per cent of the federal award. This is a vital improvement as the present Phase I federal average award is $100,000 or more.

"The current $25,000 Hawaii match has not kept up with the increased federal funding levels and this amendment would remedy the imbalance. 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. 523, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1647) recommending that S.B. No. 161, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 161, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1649) recommending that S.B. No. 501, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 501, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TEACHER EDUCATION COORDINATING COMMITTEE," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1651) recommending that S.B. No. 1329, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1329, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1653) recommending that S.B. No. 887, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 887, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1654) recommending that S.B. No. 892, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 892, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1655) recommending that S.B. No. 1107, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1107, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1658) recommending that S.B. No. 423, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 423, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Magaoay's written remarks are as follows:

"Thank you, Mr. Speaker. Mr. Speaker, I rise in support of Senate Bill 423, S.D. 1, H.D. 2. The measure we have before us appropriates money to match federal funds for Medicaid.

"Mr. Speaker, Hawaii has a population of low-income citizens with limited healthcare options. Among them are our low-income elderly who are disproportionately affected by the rising costs of healthcare and other daily expenses.

"This measure provides an appropriation, enabling Hawaii to become eligible to receive Disproportionate Share Hospital Program funding from the federal government in the amount of $12,500,000. Congress established the Disproportionate Share Hospital Program in 1981 to help ensure that states provide adequate financial support to hospitals that serve a significant number of low-income patients with special needs. Since 1993, as part of the agreement when Med-Quest was established, Hawaii did not qualify for Disproportionate Share Hospital dollars. This bill would authorize $10,181,909 as the State's matching share.

"The real problem facing all Hawaii Hospitals is inadequate reimbursement by Medicaid and Medicare for medical services. On average, Hawaii hospitals lose 20 cents on every $1.00 spent to provide care for a Med-QUEST patient and 21 cents on every Medicare patient. Hawaii Pacific Health provides care for thirty six percent (36%) of the total State Medicaid/QUEST discharges and loses tens of millions of dollars each year in order to provide care for these patients.

"The status quo of inadequate reimbursement by government payers is unsustainable. As cumulative losses to Hawaii hospitals continue to grow, the real costs to the community of inadequate reimbursement are physician attrition, patient access to specialty care, and compromised quality of care. The only way to maintain the level of healthcare Hawaii's residents deserve is to ensure that the State pays its fair share of Medicaid costs.

"Mr. Speaker, our Congressional representatives worked hard to ensure that Hawaii be eligible for receiving adequate Disproportionate Share Hospital Program funds this fiscal year. SB 423 would be a significant step in helping to address the current healthcare crisis by ensuring that adequate resources are made available to cover the true costs of providing care. 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. 423, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1659) recommending that S.B. No. 427, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 427, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1662) recommending that S.B. No. 1263, SD 2, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1263, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1664) recommending that S.B. No. 1046, SD 1, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1046, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Magaoay's written remarks are as follows:

"Mr. Speaker, I rise in strong support of Senate Bill 1046. Mr. Speaker, the passage of SB1046 is essential because it is a road through which we are able to provide health care to the most rural areas of Hawaii. These are the areas that currently receive little or no medical assistance. In this day and age, it is essential to be innovative in creating ways to provide health services to all members of our State. SB1046 is one of these innovative ways.

"This bill will fund students of the Quentin Burdick Rural Health Interdisciplinary Training Program (QB), giving them an opportunity to work in rural areas of Hawaii and service the people who live there. While this bill will not solve the recruitment and sustainment of the health workforce in rural areas, it does provide a constant flow of healthcare students to these areas. It also gives students exposure to the needs of rural areas and the job opportunities that are available, with some of these students taking the opportunity to work these areas.

"Some of the programs and initiatives that have been set through the 10-year relationship of between QB students and our rural areas include advanced directives for *kupuna*, programs that help rural residents apply and prepare for college, and many other programs. As mentioned before, this program has been in effect for 10 years. By not providing more funding to this program, we will be removing an integral part of the health care system in rural areas. It is because of this reason, that it is essential to pass SB1046 and provide continual support for this program.

"Thank you Mr. Speaker, and I am asking my colleagues to support me on 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. 1046, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PROFESSIONAL EDUCATION," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1665) recommending that S.B. No. 1674, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1674, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1666) recommending that S.B. No. 718, SD 1, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 718, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of SB718 SD1 HD1 to require the adoption of a statewide "complete streets" policy.

"This bill makes the modest requirement that all roads, streets and highways constructed or maintained by the State or counties make reasonable accommodation for convenient access and mobility for all users -- not just cars.

"While the Department of Transportation has testified that building complete streets would cost too much, sadly we see what it costs in terms of tragic pedestrian accidents, countless lost hours stuck in traffic, billions from the local economy thrown down the tube to foreign oil, and the marginalization of an estimated one third of the public that doesn't own a car. When we don't have complete streets, our streets are not safe for every user and our roads are not inviting to all modes of transportation.

"Contrary to DOT testimony, this is not a mandate without flexibility. SB718 includes reasonable exemptions for highways, for example, where bikes and pedestrians are prohibited, and for projects in sparsely populated areas that would cost too much for their low probable use.

"And the taskforce called for in the bill should help resolve some of the questions heard in the testimony and bring groups together.

"Mr. Speaker, I am very optimistic that complete streets will revitalize our communities simply because the policy requires we build what's missing, like street and sidewalk lighting, beautiful landscaping, feeder routes, and safe bikeways.

"Let's ensure our beautiful island towns and cities have complete streets. Through this simple policy, we will be improving safety, reducing car congestion, cutting the foreign oil habit and improving public health, just by encouraging walking and biking. I urge passage of SB718. Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 718, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1671) recommending that S.B. No. 309, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 309, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1674) recommending that S.B. No. 564, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 564, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1675) recommending that S.B. No. 967, SD 2, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 967, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1678) recommending that S.B. No. 851, SD 1, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 851, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1680) recommending that S.B. No. 914, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 914, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1683) recommending that S.B. No. 521, SD 2, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 521, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support SB 521, SD 2, HD 1, Relating to Real Property, which would provide the counties an image and index of all deeds and instruments filed or recorded with the assistant registrar within ten days free of charge.

"This bill will help all the counties make timely, cost-effective and accurate real property tax assessments while minimizing costs to all taxpayers.

"I urge my colleagues to vote in favor of the bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 521, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Finnegan voting no, and with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1684) recommending that S.B. No. 522, SD 2, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 522, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support SB 522, SD 2, HD 1, Relating to Land Court, which would provide the counties an image and index of all deeds and instruments filed or recorded with the assistant registrar within ten days free of charge.

"This bill will help all the counties make timely, cost-effective and accurate real property tax assessments while minimizing costs to all taxpayers.

"I urge my colleagues to vote in favor of the bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 522, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Finnegan voting no, and with Representatives Morita and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1687) recommending that S.B. No. 714, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 714, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Har's written remarks are as follows:

"Mr. Speaker, I stand in strong support of Standing Committee Report No. 1687, Senate Bill 714, Senate Draft 1, House Draft 2, Relating to High Occupancy Vehicle Lanes. This is the companion bill to House Bill 866, which I introduced. This bill would allow all motor vehicles, regardless of the number of persons on board, to use high occupancy vehicle lanes or zipper lanes when one or more lanes of traffic have been shut down by law enforcement officers or emergency services personnel. It would also allow the Director of Transportation to declare an emergency to open use of HOV and zipper lanes.

"As commuters from the Leeward side know, many long hours that could be better spent at work or with family are spent commuting. Adding to our commute time are accidents or other incidents on the freeway. For every minute that an incident (i.e. stall, blown-out tire, car accident) remains on the freeway, that incident causes 10 minutes of backlog in traffic adding more wasted time and gridlock to an already stressful commute. Currently, the HOV/zipper lanes are overly restrictive and underutilized. As such, there must be more flexible use of the HOV and zipper lanes, particularly when incidents cause a lane to be closed on the freeway. As Hawai`i already has limited lane miles, we must make full use of all lanes to mitigate traffic and reduce time on the road. For these reasons, Mr. Speaker, I 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. 714, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1688) recommending that S.B. No. 1005, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1005, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1689) recommending that S.B. No. 1056, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1056, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1690) recommending that S.B. No. 1183, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1183, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRACTICES," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1691) recommending that S.B. No. 301, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 301, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGISTERED AGENTS ACT," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1695) recommending that S.B. No. 109, SD 2, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 109, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR JUVENILES," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1698) recommending that S.B. No. 868, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 868, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1703) recommending that S.B. No. 1118, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that and S.B. No. 1118, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak to in support of SB 1118, SD 2, HD 2, Relating to Low-income Housing.

"These are challenging times. Throughout the State we have a growing need for affordable housing, while at the same time, the impact of the global economic crisis reaches its claws into the empty pockets of low-income and working class residents. Affordable rental housing projects, needed now more than ever, have been stalled. The increase in foreclosures in Hawaii further reflects on both the housing crisis and the glaring need for homes that our basic working families can afford.

"This bill makes better use of State monies to encourage affordable housing development by our building industry. Federal low-income housing tax credits will aid the high costs that families struggling to make ends meet are unable to pay.

"Through the changes proposed in this bill, we can increase the value of low income housing tax credits as a primary source of equity for financing of new developments and preserving existing affordable rental housing. This measure will also add an effective incentive to potential affordable rental housing developers.

"I urge my colleagues to vote in favor of the bill."

Representative Magaoay's written remarks are as follows:

"Mr. Speaker, I rise in strong support of Senate Bill 1118, S.D. 2, H.D. 2, Relating to Low-Income Housing, which reduces the period over which State low income housing tax credits are taken from 10 years to 5 years.

"Mr. Speaker this bill will provide flexibility needed to jump start affordable rental housing projects for families at or below 60 percent of the area median income. The low-income housing tax credit (LIHTC) program promotes the development and rehabilitation of low income rental housing through the use of federal and State LIHTCs.

"Under existing law, taxpayers may claim 50% of the aggregate federal low income housing tax credit equally over a 10-year period. This measure allows the taxpayer to claim 50% of the federal low income housing tax credit equally over a 5-year period. I support this provision because it is similar to the administration proposal and is already factored into the budget.

"Finally, amending the period over which State low income housing tax credits are taken from ten years to five years would increase the present value of the credits when sold to investors, allow taxpayers to claim larger tax credit amounts over a shorter period of time, and provide a more attractive financing incentive to potential developers of affordable rental housing.

"Thank you Mr. Speaker, and I ask my colleagues to support me on 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. 1118, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1706) recommending that S.B. No. 876, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 876, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1723) recommending that S.B. No. 464, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 464, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Magaoay's written remarks are as follows:

"Mr. Speaker, I rise in strong support of Senate Bill 464, SD 2, HD 2, Relating to Taxation (renewable energy technologies, and income tax credit).

"Mr. Speaker I support the general intent of this bill and its intent to establish energy efficient initiatives. This bill will help to accelerate the investment in Hawaii's clean energy future by encouraging more private investment in solar thermal and wind energy technologies.

"By making the Renewable Energy Technologies Income Tax Credit (RETITC) refundable at a reduced level, SB464, SD 2, HD 2 will enable the solar industry in Hawaii to expand its role as an engine of economic stimulus and job creation in the current recessionary environment. Hawaii would further benefit in the long term because renewable energy finance companies would immediately move in to propose agreements offering immediate and long term savings to the State with no capital investment required.

"Finally, RETITC is necessary for a recessionary environment when State resources are low and there are limited opportunities from stimulus activities. As fossil fuel and petroleum prices become more volatile, Hawaii's ability to generate its own energy from home will make the State more secure and less reliant on others."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 464, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1732) recommending that S.B. No. 1137, SD 2, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1137, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1737) recommending that S.B. No. 1352, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1352, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support SB 1352, SD 2, HD 2, which would allow an owner to opt out of the Land Court system and which transfers recording of time share fee interest to the regular system. It further establishes a pilot program to implement electronic recording of fee time share interests.

"The Land Court system was originally designed to handle the recording of individually owned properties. No one denies the value and security of the Torrens system with its careful, technical and concentrated review of every document presented for inclusion in the certificate of title. But Hawaii's property law has evolved to recognize and create additional forms of ownership or right to the use of a property which may involve large multiples of owners or interest holders. The rather cumbersome review in the Land Court system was neither designed to handle, nor does handle, the volume of routine and uncontroversial transfers and transactions in an efficient and effective manner.

"This bill authorizes streamlining an important tool in our economy – the timely recording of transactions involving timeshares on Land Court system property. Bringing our real property recording system into the modern world is long overdue.

"I urge my colleagues to vote in favor of the bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1352, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BUREAU OF CONVEYANCES," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

THIRD READING

S.B. No. 387, SD 1, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 387, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Thielen voting no, and with Representatives Morita and Takai being excused.

S.B. No. 917, SD 2, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 917, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THIRD PARTY LIABILITY FOR MEDICAID," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

S.B. No. 1206, SD 1, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 1206, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

S.B. No. 1327, SD 1, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 1327, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RATE OF INTEREST APPLICABLE TO OVERPAYMENTS OF TAX," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

At 9:17 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 300, SD 2, HD 2
S.B. No. 937, HD 1
S.B. No. 1259, SD 2, HD 2
S.B. No. 979, SD 2, HD 1
S.B. No. 931, SD 1, HD 1
S.B. No. 119
S.B. No. 862, SD 2
S.B. No. 880
S.B. No. 947, SD 1
S.B. No. 39
S.B. No. 160, SD 2
S.B. No. 162
S.B. No. 163
S.B. No. 1250, SD 1, HD 1
S.B. No. 528, SD 1
S.B. No. 585, SD 2, HD 1
S.B. No. 843, SD 1, HD 1
S.B. No. 896, SD 1, HD 2
S.B. No. 91, SD 2, HD 2
S.B. No. 523, SD 2, HD 2
S.B. No. 161, HD 1
S.B. No. 501, HD 1
S.B. No. 1329, SD 2, HD 2
S.B. No. 887, SD 1, HD 2
S.B. No. 892, SD 1, HD 2
S.B. No. 1107, SD 2, HD 2
S.B. No. 423, SD 1, HD 2
S.B. No. 427, HD 1
S.B. No. 1263, SD 2, HD 3
S.B. No. 1046, SD 1, HD 1
S.B. No. 1674, SD 2, HD 2
S.B. No. 718, SD 1, HD 1
S.B. No. 309, HD 1
S.B. No. 564, SD 2, HD 1
S.B. No. 967, SD 2, HD 3
S.B. No. 851, SD 1, HD 3
S.B. No. 914, SD 2, HD 2
S.B. No. 521, SD 2, HD 1
S.B. No. 522, SD 2, HD 1
S.B. No. 714, SD 1, HD 2
S.B. No. 1005, SD 2, HD 2
S.B. No. 1056, SD 2, HD 2
S.B. No. 1183, SD 2, HD 2
S.B. No. 301, SD 2, HD 1
S.B. No. 109, SD 2, HD 3
S.B. No. 868, SD 2, HD 2
S.B. No. 1118, SD 2, HD 2
S.B. No. 876, SD 2, HD 2
S.B. No. 464, SD 2, HD 2
S.B. No. 1137, SD 2, HD 3
S.B. No. 1352, SD 2, HD 2
S.B. No. 387, SD 1, HD 1
S.B. No. 917, SD 2, HD 1
S.B. No. 1206, SD 1, HD 1
S.B. No. 1327, SD 1, HD 1

At this time, the Chair stated:

"Members at this time, please remember to submit to the Clerk the list of Senate Bills on the Consent Calendar for which you will be inserting written comments, in support or in opposition, into the Journal. For all of you, this must be done before the adjournment of today's Floor session."

At 9:17 o'clock a.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:33 o'clock a.m.

ORDINARY CALENDAR

At this time, the Chair stated:

"Members, at this time we will be taking up the items on the Ordinary Calendar. Members of the House, let me state for the record that we will have lunch at 12:00 noon. Lunch will be for half an hour, so that we can get through by 1:00. There are a lot of events this evening, so can we push for 1:00 as our goal and objective.

"At this time Members, on page 10, the Unfinished Business, Members please note that S.B. No. 1108 has been re-referred solely to the Committee on Hawaiian Affairs per Committee Referral Sheet Number 53. The Committees on Water, Land, & Ocean Resources and Finance waived

their referral to this measure, and therefore it is appropriate for the House to consider action for passage on Third Reading."

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, to rules were suspended to reconsider action previously taken on S.B. No. 1108. (Representatives Cabanilla, Morita and Takai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 1068, recommending referral to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans and carried. (Representatives Cabanilla, Morita and Takai were excused.)

UNFINISHED BUSINESS

S.B. No. 1108

Representative B. Oshiro moved that S.B. No. 1108, pass Third Reading, seconded by Representative Evans.

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. I would like permission to add comments into the Journal on SB 1108.

"Mr. Speaker, the `Aha Kiole Advisory Committee was established in 2007 with the purpose of fostering understanding and practical use of knowledge, including native Hawaiian methodology and expertise, to assure responsible stewardship and awareness of the interconnectedness of the clouds, forests, valleys, land, streams, fishponds, and sea.

"The `Aha Moku System has allowed for those who are directly knowledgeable in the care and protection of our natural and cultural resources to assist policy makers in sustaining these natural resources. The `Aha Kiole Advisory Committee has been able to communicate to lawmakers, State departments and the administration on this system, which is based on the indigenous resource management practices of traditional *moku* boundaries that acknowledge the natural contours of land and the specific resources and methodology and resources necessary for the community.

"The current members of the Committee are all native Hawaiian practitioners and have established a strong rapport with *moku* representatives and *ahupua'a* communities.

"In the *mokus*, we are taking a grassroots approach and gathering data from the community on what is the best way to structure the `Aha Moku Councils. The extension of the sunset date through Senate Bill 1108 will allow time for the `Aha Kiole Advisory Committee to bring forth the information to the Legislature and implement the process. It is essential that we allow them the time to finish this process.

"Mr. Speaker and Members of this Body, I urge you to please support this measure and allow for the `Aha Kiole Advisory Committee to continue their work by voting 'yes' on SB 1108. Thank you."

The motion was put to vote by the Chair and carried, and S.B. No. 1108, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Third Reading with Representatives Cabanilla, Morita and Takai being excused.

At 9:35 o'clock a.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 1108

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1456) recommending that S.B. No. 1677, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1677, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Carroll rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On Standing Committee Report 1456, I stand in support with reservations and have just a few comments. As we all know, I've been in support of a full moratorium. I have been around the State, consulting with many Native Hawaiians and non-Hawaiians on this issue.

"As we all know, in our process there's much discussion and consideration, and because there's some unresolved issues, I'd like to support this measure, and help it to move forward in the discussion. I still stand strong on legislation or a policy with some sort of a full moratorium. Mr. Speaker, could I also offer comments to the Journal?"

Representative Carroll's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of SB 1677, SD1, HD2, but have reservations. You all know that I am and still stand in support of a full moratorium. However, I am still going to support this measure because it is the only one that we have left to set a policy. And because there are so many unresolved issues, I feel that we need to amend this bill later in Conference to a full moratorium.

"I also believe that it is in the best interest of all of Hawai‘i's people that the language of SB 1677, SD1, HD2, be amended from putting forward a disapproval process of public lands to establishing a full moratorium or a limited number of years whether it be a one, two, three, or five year moratorium on the sale and transfer and/or exchange on these lands. The reason that I feel we should amend this bill is mainly to protect the corpus of the trust and to give this Body some time to discuss further a policy that is appropriate and with integrity.

"SB 1677, SD1, HD2, requires the majority vote of House and Senate to disapprove the sale or exchange of State-held lands to non-State entities or persons. This process doesn’t protect the corpus of the Trust, it allows for the State to sell and exchange these lands easily.

"The language of the original bill called for an approval process of two-thirds majority vote in both houses through a concurrent resolution. Granted, it is not easy to get two-thirds majority vote in both houses. But then again, it shouldn’t be easy to sell or transfer public lands, either. There should always be a process in place which is transparent and has integrity. Such lands should never be easy to sell or transfer. We must have checks and balances as well as accountability.

"A disapproval process is saying that the State agrees that this sale or transfer should take place until the Legislature disapproves of it. I think we have it backwards. Public lands should not be easily sold or exchanged.

"Furthermore, in December 1986 a Final Report on the Public Land Trust was completed by the Legislative Auditor, in which the report was made to the Legislature of the State of Hawaii. In this Final Report on the Public Land Trust, Chapter 4 reported on the inventory of the public lands. In this chapter it states that the Department of Land and Natural Resources is responsible for all public lands used by or under the management control of all agencies, except the University of Hawaii and the Hawaii Housing Authority.

"For many years there was no inventory of public lands. However, in September 1981, the DLNR, through its Division of Land Management, completed an inventory of all State-owned public lands for which the Department is accountable. The inventory lists approximately 1,271,652 acres. Also excluded from the inventory are all lands defined as "available lands" by the Hawaiian Homes Commission Act, except those encumbered by a lease to a State agency. In addition, State highways and roads are excluded. About 14,656 acres are set aside to the Department of Transportation for airport and harbor purposes and about 2,240 acres are used by the Department of Education for school and library purposes. These numbers were noted in this 1986 report. The number of acres may have changed over the years.

"Later in chapter 4, the report talks about the problems with the inventory. The inventory was done by the DLNR and they were the first to admit that the inventory contains inaccuracies. The inaccuracies are in the classification of land as ceded or non-ceded and as trust land or non-trust land and in the acreages of parcels. For many different reasons, DLNR was challenged with trying to accomplish the task of completing an inventory of the public land trust. And while they have done their best with what resources they had to work with, the inventory is still not accurate or complete.

"My point is that until a complete accurate inventory is completed, I don't feel that the State should be selling ceded lands. I reiterate that we need to protect the corpus of the Trust.

"From a monetary standpoint, a moratorium would help the State to secure its bond rating, which will be necessary getting through these difficult economic times, while also preserving the lands for the reconciliation process to come to fruition.

"Another concern that I have that leads me to being in favor of a full moratorium is the State Admission Act, section 5(f). As I read section 5(f), it states: The lands granted to the State of Hawaii by subsection (b) of this section and public lands retained by the United States under subsections (c) and (d) and later conveyed to the State under subsection (e), together with the proceeds from the sale or other disposition of any such lands and the income there from, shall be held by said State as a public trust for the support of the public schools and other public educational institutions, for the betterment of the conditions of native Hawaiians, as defined in the Hawaiian Homes Commission Act, 1920, as amended, for the development of farm and home ownership on as widespread a basis as possible for the making of public improvements, and for the provision of lands for public use. Such lands, proceeds, and income shall be managed and disposed of for one or more of the foregoing purposes in such manner as the constitution and laws of said State may provide, and their use for any other object shall constitute a breach of trust for which suit may be brought by the United States. The schools and other educational institutions supported, in whole or in part out of such public trust shall forever remain under the exclusive control of said State; and no part of the proceeds or income from the lands granted under this Act shall be used for the support of any sectarian or denominational school, college, or university.

"Even the State Admission Act acknowledges the Native Hawaiians' connection to its lands by adding in section 5(f) language which states that one of the five purposes these lands can be used for is for the betterment of native Hawaiians.

"In addition, there are the Hawaii Legislative Acts: Act 354 (1993) Relating to Hawaiian Sovereignty, which provides funding to develop programs and curriculum to educate the general public about Hawaiian Sovereignty. After reviewing some of the facts surrounding the overthrow of the Hawaiian government, the Legislature acknowledged that many native Hawaiians believe that the lands taken without their consent should be returned and if not, monetary compensation made and that they should have the right to sovereignty, or the right to self-determination and self-government as do other native American people.

"Another piece of legislation: Act 359 (1993) Relating to Hawaiian Sovereignty established the Hawaiian Sovereignty Advisory Commission to advise the Legislature on a voting process to determine the will of the native Hawaiian people regarding a convention.

"Act 340 Relating to the Island of Kahoʻolawe affirms that Kahoʻolawe resources and waters are to be held as part of the public land trust. It also provides that the State shall transfer management and control of the island and its waters to the sovereign native Hawaiian entity upon its recognition by the United States and the State of Hawaii.

"And lastly, Act 329, Relating to the Public Land Trust which responded to controversies over the revenue due to the Office of Hawaiian Affairs from the public land trust, where this act established an interim revenue amount due to OHA, sets up a committee to make recommendations on issues related to the public land trust, and requires the Department of Land and Natural Resources to complete an inventory of the public land trust. In the finding section of this act, it states: "The legislature finds that the events of history relating to Hawaiians and Native Hawaiians, continue to contribute today to a deep sense of injustice among native Hawaiians and others. The legislature recognizes that the lasting reconciliation so desired by all people of Hawaii is possible only if it fairly acknowledges the past while moving into Hawaii's future."

"In closing, we have heard so many versions and interpretations of why or why not a moratorium should or shouldn't be imposed. The U.S. Supreme Court's ruling stated that they have no authority to decide questions of Hawaiian law or to provide redress for the past wrongs except as provided for by federal law. The judgment of the Hawaii Supreme Court is reversed, and the case has been remanded for further proceedings not inconsistent with this opinion.

"By providing a policy of a moratorium, it allows the Legislature more time to discuss further a policy that is appropriate and fair. And it also protects the corpus of the trust while these unresolved issues such as a complete inventory of the public land trust, native Hawaiians relinquishing their claims and beginning their reconciliation process are addressed.

"Mr. Speaker, I support SB 1677 with reservations, and would like to see this measure move forward as we discuss further the issue of the policy on selling, exchanging and/or transferring ceded lands. Mahalo."

Representative Sagum rose in support of the measure with reservations, and asked that the remarks of Representative Carroll be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Shimabukuro rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I just rise with some reservations. I'm very concerned about the implications of this bill. The current draft allows for sales and transfers of ceded land via a disapproval process. What this means is that one Chair can kill the disapproval Resolution, and the sale or transfer will go through without the rest of us knowing about it. The process has already been used to transfer 547 acres of ceded land to Maui Land and Pineapple, and the Boy Scouts, in return for 2.6 acres of land.

"Although this measure went through the disapproval process in 2004, I was not aware of that until this year, when discussions regarding ceded lands came up as a result of the Governor's appeal to the U.S. Supreme Court. And, like the Representative from Maui, I do know that this bill has a lot more discussion to go, and I appreciate that. So I look forward to working on this bill in Conference."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations, and may I have the words, the eloquent words of the previous speaker from the Waianae Coast entered into the Journal as if they were my own? Thank you, very much."

Representative Awana rose in support of the measure with reservations and asked that the remarks of Representatives Shimabukuro and Carroll be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Bertram rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Just very briefly, I wanted to clarify that under our House Rules, 11.3, the Chair does not have unilateral discretion in terms of refusing to hear a bill or resolution. Ultimately, it lies upon the majority of the Committee, if they want to have a bill and/or resolution heard, they need to follow the procedures set forth in rule 11.3. That's the way we've always had it in our House Rules. The majority of the Committee still has that power, and so it is not a unilateral discretion of the Chair. Thank you."

Representative Wooley 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 Wooley's written remarks are as follows:

"So far, the only bill providing oversight or potential limits to the sale of State land (including ceded lands) is SB 1677. This bill requires that the State Executive (through the agency administering the proposed sale) submit a Resolution to the Legislature prior to the sale of the public land, and the sale may move forward if the Senate and House approve of it by a 2/3 vote. Existing law allows for the exchange of public lands (i.e., public land in exchange for private land) by an agency if, after submitting a Resolution to the Legislature, the Legislature does not disapprove of the sale.

"I am concerned that if this bill passes and a proposed sale or exchange of ceded lands moves forward, litigation will ensue and any legislation relating to a specific land sale or exchange will be found unconstitutional. In addition, the current disapproval process for land exchanges may not only result in litigation, but will also for the exchange of a land deal to close without the envisioned legislative oversight because of the Committee hearing process (i.e., the Chair of any single Committee could defer the action and prevent it from moving forward to the floor for a vote). Despite these problems, I support the idea that the Legislature should play a role in the sale of public land and SB 1677 will add a legislative step to the process that will, hopefully, ensure the public interest is served."

Representative Luke rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Strong reservations."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. With support, and very slight reservations. The reservation I have is that this measure includes all public land, including ceded land, and that could provide some problems in the future. I hope that the Conference Committee would look at that particular area. Thank you, very much."

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:

"Mr. Speaker, I rise with reservations, only because I believe a full moratorium on the sale, exchange, or transfer of ceded lands is a better policy to follow. This branch of government rightfully possesses the authority to set policy over the management of the State's 1.2 million acres of ceded lands. As the United States Supreme Court acknowledged in its recent opinion in Hawaii, et. al v. Office of Hawaiian Affairs, (Slip Opinion, March 31, 2009), the question of how the state should manage the ceded lands trust is up to "the citizens of Hawaii . . . to resolve," because it is one "of great importance to the people of the State." Insofar as it is this branch of government's duty to legislate, make laws and set policy for the State as elected representatives of the people of this State, we have the authority to enact a moratorium as a policy that benefits all the people of the State.

"Under the terms of the Admissions Act, the State must use the land and any proceeds from the land, not just for the betterment of the conditions of native Hawaiians, but also to support public education, to provide farm and home ownership on as widespread a basis as possible, and to provide lands for public use. These "other" trust objectives benefit all of us. As trustee, the State of Hawaii owes a fiduciary duty to all of the people of Hawaii to prudently manage the trust.

"When a situation like the one we face arises, where one set of beneficiaries may have unrelinquished claims to the trust property, the trustee is obligated to preserve the trust corpus until the matter is resolved. This is not possible when there exists the possibility that the trustee could sell, exchange, or transfer the trust corpus. The trustee can effectively and properly administer the trust only when it has a clear sense of what all of the beneficiaries are entitled to.

"Another reason to support a moratorium is that in these uncertain times, the prudent action that the State should take, as trustee of 1.2 million acres of ceded lands, is to preserve the corpus of lands as a long-term strategy and to continue leasing these lands for income. The sale of land during this time of economic recession would very likely result in prices lower than those that could be realized in a more robust economy. A full moratorium on the transfer of ceded lands would merely reinforce the fiduciary duty the State already knows it has. Thank you, Mr. Speaker."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Coffman 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 Coffman's written remarks are as follows:

"Disapproval is a negative option process that requires no action for approval and the process will confuse the public."

Representative Saiki 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 S.B. No. 1677, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed Third Reading by a vote of 46 ayes to 2 noes, with Representatives Berg and Hanohano voting no, and with Representatives Cabanilla, Morita and Takai being excused.

At 9:42 o'clock a.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 1677, SD 1, HD 2

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1590) recommending that S.B. No. 205, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 205, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. First of all, I'd like to disclose a potential conflict. My family members are contractors," and the Chair ruled, "no conflict."

Representative Thielen continued in support of the measure with reservations, stating:

"Thank you. Mr. Speaker, I'm rising with some reservations on this measure. What it's trying to do is cut down on owner-builders that aren't really operating as owner-builders. But the thing is, if someone is actually building their own home, they act as their own general contractor. That person, she or he, would very unlikely carry workers' compensation insurance. The other thing is, they might find it a little difficult to get the federal tax clearance. We know you can get a state tax clearance, that's quite easy. Going to the federal building and trying to track down how to get a federal tax clearance could be a little bit more onerous and time-consuming.

"So, I would like to have the Conference Committee take a look at that. If we're really talking about true owner-builder, she or he would not necessarily have the workers' comp insurance, and do we need to make that a requirement? Thank you."

Representative Har rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I get a ruling on a potential conflict? At my law firm, I represent owners, builders, and contractors. 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. 205, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OWNER-BUILDERS," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1592) recommending that S.B. No. 53, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 53, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise with short comments in opposition. Thank you, Mr. Speaker. This bill has to do with life settlements Model Act, the stranger-originated life insurance.

"Basically, my opposition is just wanting to give it a chance to see how it works. This particular bill was amended in the last Committee, and that kind of changes the whole model part of the Act. It takes out the transparency part of it. So with that, I just wanted to see how the existing law works before we make any changes for consumer protection. 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. 53, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives Ching, Finnegan and Pine voting no, and with Representatives Cabanilla, Morita and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1593) recommending that S.B. No. 420, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 420, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHIC MEDICINE," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1594) recommending that S.B. No. 764, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 764, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising in strong support of this measure. Mr. Speaker, this is really wonderful, the way the legislative process worked, and the way the Mainland owner of this property paid attention to the concerns of the local tenants.

"It started out to be a Mainland owner who was going to deal with things from afar. They had put an absolute requirement in lease renegotiations that the tenants could not talk to each other about what each individual tenant was being asked to pay. So, this gag order was in place, and then the bill started its way through the proceeding.

"The Mainland owner listened at the hearings, their counsel was here listening, and I believe gave good advice to this Mainland owner. I have a letter from them saying, and this is to one of the tenants: 'I would like to inform you of two changes in our policies, regarding rent negotiations and comparable market data. We no longer require tenants or potential tenants in our Oahu industrial market to sign confidentiality agreements before entering negotiations for rent resets, lease renewals, or new leases.'

"So, that's a real positive thing. It was the tenants who were fighting for survival, and they couldn't even talk to each other, under the gag rule. So, the gag rule has been lifted. And, they're also saying, 'In going forward, we will release transaction comparables to commercial real estate brokers and appraisers upon request, when contractually permitted.'

"And, it's a much better situation, Mr. Speaker, because this bill is alive and moving, and I encourage everyone to keep the bill going forward. Thank you.

"Mr. Speaker, thank you. If I may have permission to insert the letter in the Journal in its entirety, please. While blanking out the name of the tenant. Thank you."

Representative Thielen submitted the following letter:

"HRPT Properties Trust
400 Centre Street, Newton MA 02458-2076
tel: (617) 332-3990 fax: 617-332-2261

April 9, 2009

Dear :

I am the Chief Operating Officer and Senior Vice President of HRPT Properties Trust, and I would like to share with you some recent developments regarding HRPT and the Hawaii office of its affiliate and property manager Reit Management & Research LLC (RMR).

We have made a change in leadership, and for the interim Chris Woodward will be Acting Vice President in charge of our Hawaii office. Chris has been with HRPT and its affiliates for five years working in our headquarters office outside Boston and is highly respected throughout our organization. He has been on the ground in Honolulu for the past 10 weeks and is committed to remain in place until we fill the Hawaii Vice President role on a permanent basis. Chris can be reached by calling 808-599-5800 or via email at cwoodard@reitmr.com.

Our Honolulu office is fully committed to meeting its goal of responding to any tenant inquiry within one business day, and we are in

the process of increasing our staffing levels to achieve this. I would remind you that we have an emergency hotline for property management issues (808-945-1185). Resolution of our request might take longer than one business day; however, you will receive a timely return call or email to let you know that your issue is being addressed. In addition, if you have questions regarding any upcoming rent re-opening, I encourage you to call our Honolulu office to schedule a meeting.

I also would like to inform you of two changes in our policies regarding rent negotiations and comparable market data. We no longer require tenants or potential tenants in our Oahu industrial market to sign confidentiality agreements before entering negotiations for rent re-sets, lease renewals or new leases. In addition, going forward, we will release transaction comparables to commercial real estate brokers and appraisers upon request, when contractually permitted. It is our hope that these changes will help tenants make better informed decisions and result in a smoother renegotiation process for all parties.

For our James Campbell Industrial Park tenants, we will be opening an onsite office and establishing regular business hours there. We will notify you when the office opens and of its hours of operations in a subsequent letter.

We remain committed to supporting our Hawaii tenants and thank you for the opportunity to strengthen our relationship.

Best regards,
/s/
David M. Lepore
Senior Vice President and Chief Operating Officer
HRPT Properties Trust"

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 of Senate Bill 764, Senate Draft 2, House Draft 2, Relating to Real Property. Small businesses and farms are an essential element in strengthening and diversifying Hawaii's economy and creating jobs for our people and despite their contribution to Hawaii's economy, small businesses and farms are at a disadvantage in terms of land ownership. The commercial, industrial, and farm properties that exist within the State's districts are primarily owned by a few landowners. These landowners control large tracts of land and retain their ownership by means of leases to small businesses and farms, which in turn supply services and products for our community.

"The purpose of the first part of this bill is to stabilize Hawaii's economy by addressing some of the burdensome or vague provisions of existing commercial and industrial leases of certain lands within urban districts by clarifying provisions in long-term commercial and industrial ground leases, without substantial reduction in the economic benefit to the landowners or impact on their ownership of the land, without impairing their lease contracts, and without the taking of any property rights without due process of law.

"Senate Bill 764 explains that notwithstanding any other law to the contrary and unless expressly stated to the contrary in the lease, any lease of commercial or industrial leasehold property shall be subject to the following terms and conditions:

1) Whenever a lease existing on July 1, 2009, or entered into thereafter, provides for the renegotiation of the rental amount or other recompense during the term of the lease and the renegotiated rental amount or other recompense is based, according to the terms of the lease, in whole or in part on a fair and reasonable annual rent as of the commencement of the term, that provision shall:

(A) Be construed to require that the rent shall be fair and reasonable to both the lessor and the lessee to the lease; and

(B) Take into account any and all relevant attendant circumstances relating to the lease, including:

(i) Past renegotiation practices and policies throughout the previously renegotiated lease rents;

(ii) The uses and intensity of the use of the leased property during the term of the lease approved by the lessor;

(iii) The surface and subsurface characteristics of the leased property and the surrounding neighborhood of the leased property on the renegotiated date; and

(iv) The gross income generated by the lessee on the renegotiated date.

"In the second part of this bill, the purpose is to carry out the mandate of Article XI, section 3, of the Hawaii Constitution to conserve and protect agricultural lands and assure availability of agriculturally suitable lands.

"The legislature finds that the land use law was enacted to "preserve and protect land best suited for . . . agricultural purposes and to facilitate sound and economical urban development" (Senate Standing Committee Report Number 580; 1961 Senate Journal). Since that time, however, lands classified by the land study bureau as class A and class B lands, the lands most suited for intensive agricultural use, have declined from three hundred fifty-nine thousand six hundred ninety acres (Class A, one hundred twenty-five thousand one hundred sixty acres; class B, two hundred thirty-four thousand five hundred thirty acres) in 1960 to one hundred seventy-two thousand ninety-four acres (Class A, fifty-six thousand six hundred fifty-three acres; Class B, one hundred fifteen thousand four hundred forty-one acres) in 2007. These agricultural lands are a resource that cannot be replaced once they are lost to development.

"The inventory of lands that are suitable for agriculture is essentially fixed. Unlike other agricultural inputs, agricultural lands cannot be manufactured when the demand for them increases. In 1960, the land study bureau estimated that there were nearly three hundred sixty thousand acres of class A and B lands on the six major islands. These were the lands upon which the State depended for profitable, competitive agricultural production. By 2007, the inventory of class A and B lands had declined to slightly more than one hundred seventy-two thousand acres, making it more important than ever to conserve Hawaii's most productive agricultural lands, especially in counties with a population of over five hundred thousand residents.

"Part two of this bill provides that whenever any agreement or document for the lease of private agricultural lands with soil classified by the land study bureau's detailed land classification as overall (master) productivity rating class A or B for agricultural use in counties with populations of over five hundred thousand provides for the renegotiation of the rental amount and the term of the lease, and the lessee has made improvements or is seeking to make improvements on the land, the renegotiated term of the lease shall include an extension of the lease for a period of not less than seventy-five per cent of the original term of the lease.

"Further, the measure requires that for a boundary amendment for agricultural lands with soil classified by the land study bureau's detailed land classification as overall (master) productivity rating class A or B, no amendment of a land use district boundary shall be approved in counties with a population of over five hundred thousand where:

(1) A farming operation as defined in Hawaii Revised Statutes section 165-2 is being conducted on the land;

(2) The land is important for agriculture based on the stock of similarly suited lands in the area;

(3) The district boundary amendment will harm the productivity or viability of existing agricultural activity in the area; and

(4) The district boundary amendment will cause fragmentation of or intrusion of nonagricultural uses into largely intact areas of

agricultural lands with soil classified by the land study bureau's detailed land classification as overall (master) productivity rating class A or B.

"These requirements will help to protect some of our most valuable and productive agricultural lands. Thank you."

Representative Choy rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Wooley rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

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:

"Mr. Speaker, I rise with reservations. Senate Bill 764 sets forth statutory factors for determining what is fair and reasonable rent for long-term commercial and ground leases. While I am very sympathetic to lessees, many of whom may be small businesses providing valuable services and employment to Hawaii's people, who are struggling during these difficult economic times and who are affected by the vague terms the Legislature now seeks to define, I am not certain that passing SB 764 is the appropriate solution. This bill rides a fine line between general and special legislation. This bill also poses other problems. Its provisions may invite litigation under the contracts clause of the U.S. Constitution. Some of the testifiers concluded that a constitutional challenge would fail because this bill, if passed into law, would easily survive judicial scrutiny under the rational basis test. Because of these uncertainties, please note my reservations with 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. 764, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Third Reading by a vote of 40 ayes to 8 noes, with Representatives Berg, Hanohano, Keith-Agaran, C. Lee, Luke, Saiki, Shimabukuro and Takumi voting no, and with Representatives Cabanilla, Morita and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1597) recommending that S.B. No. 34, SD 1, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 34, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

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 with reservations concerning SB 34, which excludes real estate brokers and salespersons from the definition of distressed property consultants. The bill also prohibits certain conduct relating to the acquisition of an ownership interest in distressed property by licensed real estate brokers and salespersons.

"The bill seeks to amend Act 137—the Mortgage Foreclosure Rescue Fraud Prevention Act—which became law less than a year ago. It was designed to protect consumers from foreclosure rescue scams and fraudulent distressed property consultants who offer so-called "help" to homeowners who are in arrears or foreclosure.

"This "help" usually comes in the form of scam artists who take a fee for negotiating with a distressed homeowner's mortgage company. Frequently, this results in the homeowner getting little or nothing for their fee and the consultant disappearing with the money. An even more insidious form of the scheme involves the consultant taking title to the property … and the homeowner staying on as a renter in an often futile attempt to buy it back over the next few years.

"While I appreciate the challenges Act 137 presents for real estate brokers and salespersons, I do not believe a wholesale exemption of the industry is the appropriate way to deal with the existing situation. If Act 137 is causing problems for the real estate industry, this bill in its present form is not the best way to solve them. My inclination is to vote 'no' on this bill. For now, I express my reservations in the hope that a better bill might emerge from Conference Committee … or even next year."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 34, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1622) recommending that S.B. No. 1, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Can I note my reservations on this, and just give quick comments with reservations. It's just very difficult to be able to monitor this: when the *opihi* is above the waterline or below the waterline. I think that it's going to just be problematic. 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 to speak in support of the measure with reservations, stating:

"Yes, I share the reservations of the Minority Leader. I'm voting with reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OPIHI," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

At 9:49 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 205, SD 1, HD 2
S.B. No. 53, HD 1
S.B. No. 420, SD 2, HD 2
S.B. No. 764, SD 2, HD 2
S.B. No. 34, SD 1, HD 1
S.B. No. 1, SD 1, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1626) recommending that S.B. No. 878, SD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 878, SD 1, pass Third Reading, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support for this cost-saving measure. Thank you. This bill saves money by allowing the PUC to provide hearing notices to only the islands affected by a public utility proposal for change in utility rates and rate making procedures.

"Present State law requires the PUC to provide three statewide notices of a public hearing regarding such items as a proposed change or modification in rate. And these notices must be published statewide, even if the public utility, which the notice pertains, and the customers who may be affected reside in another county and are not statewide.

"By amending this law to provide that notices be published only in the counties served by the utility seeking the proposed change, the PUC's publication cost could be reduced as much as 50% per fiscal year. For instance, had this proposed change been in effect in fiscal year '06-'07, the PUC would have reduced its advertising expense by $74,000.

"Affected customers will still receive direct and adequate notice of public hearings on rate changes. The PUC will regularly post notices of public hearings on its website to keep the general public informed. But, I think this is a great cost-saving measure, and promotes efficiency in government. 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. 878, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF HEARING NOTICES," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1633) recommending that S.B. No. 164, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 164, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL GRANTS SEARCH, DEVELOPMENT, AND APPLICATION REVOLVING FUND," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1636) recommending that S.B. No. 166, SD 1, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 166, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of the measure.

"Cancer drugs constitute the second biggest category of drugs in the United State behind cholesterol-lowering medicines and account for $18 billion in sales. Oral chemotherapy drugs can be used to treat many cancers including; breast, ovarian, colorectal, prostate, lung, and leukemia.

"For patients, the advantages are many. Oral drugs offer a targeted approach, attacking the cancer cells directly, and they produce fewer nasty side effects, such as gastrointestinal problems and hair loss. They also reduce the amount of time patients must stay in the hospital; even in an outpatient setting, IV chemotherapy can last up to 6 hours. Because we are an island state, they reduce travel time and cost. They also eliminate nursing and physician cost as there is no need to insert an IV port or intravenous catheter, which can remain in place for weeks. Needless to say IV chemotherapy is not pleasant and there is always a risk of infection, especially in the immunocompromised patient.

"During hearings on this bill, the vast majority of the testimony reflected support; this included oncology physicians, nurses, and patients. There was opposition from the health insurance carriers. Their point was that oral chemotherapy drugs are covered by their prescription plan. This is partly true. Yes, they do cover a limited number of oral cancer therapy drugs, but there are many newer more effective drugs that they don't cover. For example, Avastin, is one of the many new oral chemotherapy drugs, but it is only covered for IV use and is not on the prescription drug formulary of a major insurer.

"SB166, is a good bill, it will do three important things. It requires health insurance carriers to provide coverage for all chemotherapy treatment, including orally administered drugs under the same terms and conditions and payment rate and reimbursement as that of intravenously administered drugs. Next, it should reduce the out-of-pocked financial burden that is associated with cancer. It is not uncommon for families to sell their homes to pay for treatment, and it is not unusual for treatment cost to exceed $100,000. Finally, this bill gives cancer patients another treatment option, and reduces the time they must spend traveling and receiving IV treatment. Our Neighbor Island residents will not need to travel to Honolulu as frequently, for treatment.

"For these reasons, I strongly support the passage of SB 166 and 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. 166, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1637) recommending that S.B. No. 568, SD 2, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 568, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure, stating:

"Mr. Speaker, thank you. Mr. Speaker, rising in strong support of 1637. Mr. Speaker, I'm in support of this measure, because it establishes a task force for electronic prescription to develop a plan to implement electronic prescription drug programs. And, the health information technology is an essential component for improving quality of care. Quality of care would be improved by the use of registries for proactive care, and patient safety will be improved, as well as avoiding the incorrect filling of some ineligible handwritten prescriptions. Efficiency will be improved by not needing to spend time locating or filing paper charts.

"This is a good bill. It's something that, I think a number of the hospitals and the medical centers have wanted for a while. And, the American Recovery and Reinvestment Act of 2009 will provide funding to support implementation of this, maximizing this funding, and it will require more expediency. 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. 568, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PRESCRIPTIONS," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1639) recommending that S.B. No. 777, SD 1, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 777, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to this bill. Thank you, Mr. Speaker. This is Senate Bill 777, SD 1, HD 1. The description of this bill states that it requires any recipient of State funding to provide medically accurate sexuality education, and I believe that it's misleading, Mr. Speaker. I say this because this bill would prevent programs, like the

Catholic Charities of Hawaii's successful, currently federally-funded program that is a medically accurate abstinence-only program from receiving State funds in the future. SB 777 is an unnecessarily punitive measure, which targets successful local abstinence programs for Hawaii's youth.

"Mr. Speaker, I think a lot of the presenters who present the comprehensive, medically accurate sex-education programs currently, many don't believe that people, in general, can actually accomplish no sex before marriage. So, to have them teach a part of it that talks about abstinence, as you talk to kids, they don't believe it. They don't believe that it can be done, because it's taught by people who don't believe that it can be done.

"Requiring abstinence only and comprehensive sexual education to be taught at the same time, is similar to the principle underlining the controversial needle-exchange program. And, what I mean by this is, someone standing in front of kids and telling them, 'Don't use drugs. But if you use drugs, use a clean needle, and we'll give it to you.' Mr. Speaker, you have kids. Many of us have kids, and they don't quite get that, when you tell them, 'No, don't do this. However, we're going to show you how to do it, and how to do it safely.' I'm not saying that you don't teach the other side. I'm just saying that you don't force the people who say they are going to teach one particular thing to teach all aspects of what is considered comprehensive, medically accurate sex education.

"Mr. Speaker, of course we want our children to have that proper information, but at some times, what these programs are teaching are displays of sexual promiscuity. It is hard enough for parents to teach their child sexual morality when television and movies promote anything but that. And, it makes it much more difficult when adults come into our schools and make sexual promiscuity look cool.

"In actuality, this bill is an effort to stamp out abstinence-only programs. Just by reading the purpose clause, anyone can see the hostility that some have toward abstinence programs. The purpose clause implies that abstinence-only groups provide inaccurate information. What groups like Planned Parenthood don't like is how abstinence groups tell the truth about the failure rate of condoms. How the only 100% effective birth control method is abstinence. And how sex is closely linked to emotions, therefore has been one of the causes of teen depression, Mr. Speaker.

"Let me just tell you, because most parents, when I talk about this, they're pretty shocked. Most parents, they don't know what's happening in our education system. So, I'm just going to go ahead and read from a couple of the articles from last year. This is a *Honolulu Advertiser* article, and it's entitled, Kalani Sex Education Program Blasted.

> 'We sat there for five minutes listening to a young man tell us how he used his finger to have sex with his girlfriend,' said this parent. 'A female student had to read off a cue card about how to have hand sex with a person who has HIV, and how to get his penis erect. They had a dildo stuck to the board. There it hung, flaccid.'

"And it also says in here, in another article,

> 'The State's Board of Education requires public schools to follow an abstinence-based education policy promoting it in health classes as the surest and most responsible way to prevent unintended pregnancies, STDs, and emotional distress. However, the schools are also expected to teach other forms of protection from the 5th grade on.'

"So, what is that protection, Mr. Speaker? At Kahuku High School and Intermediate School, and another at Kalani High School, have focused no attention on the programs, especially the use of sex toys, demonstrations about how to use male and female condoms, and the discussion of oral sex.

"Mr. Speaker, remember now, in regards to parental choice on whether or not this is acceptable to the parent, my understanding on how it exists today, from the Education Committee, is that the form is given to the child, whether it be from 5th grade to the 12th grade. Then, if they don't receive the form back, then that means the parents are ok with this being taught in their health education class."

Representative Pine rose to yield her time, and the Chair "so ordered."

Representative Finnegan continued, stating:

"I'm almost done, Mr. Speaker. But, how many high school kids actually give their forms home to their parents. Sometimes you have kids who don't even send their report cards home, and you have to mail it home so that their parents see them.

"Mr. Speaker, I just think that what you have here is a situation that sets it up where parents do not have the choice on whether or not their kids have the choice of what kind of sex education class they are going to be given.

"The other thing is, if you talk to some of the teachers, the health education teachers from across Oahu, because this is where the Try Wait! Catholic Charities Program works in, you'll find testimony from these teachers that are saying, no other group, no other person is giving this kind of information about abstinence-only, and helping them to understand that there is another choice, and that they're very thankful. These educators are very thankful that there is another message aside from, 'it's ok to sleep around.'

"Mr. Speaker, I just feel really strongly about this, because there are many parents that feel that this is not the place to have this kind of say about sex education in such a broad way. Thank you."

Representative Ching rose in opposition to the measure and asked that the remarks of Representative Finnegan be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Evans rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Well, first of all, I want to make some comments about a few of the statements the previous speaker gave. One, she mentioned that she believed that people who were teaching sex education in schools did not believe in abstinence, and so, when they were teaching, they really weren't teaching that as an alternative. I think that was really such a general statement. I believe in my heart that people who do teach, understand abstinence is a good thing, but the reality of the world we live in today is, it's really changed.

"I'm always shocked when I go with my niece and nephew to some of these movies that we have that are still rated PG. There was one in particular that I remember where you hear the baby speaking in a voice. I can't remember what the name of the movie was, but at the beginning of the movie, this woman was having sex with her boss, and then she ended up getting pregnant, telling him she didn't want to get married to him. I don't know if it was John Travolta, but it was a big, major movie that parents thought was really great. But, at the beginning of the movie, she was having sex with a married man, and I'm thinking, where are the moral values here? What's wrong with the messages we're sending?

"So, I think the reality is, we've shifted consciousness. When I was 12 years old, we learned about sex, abstinence, what it was all about, all the toys, all that stuff, but we talked story with each other. We didn't know if we were accurate in what we were talking about, but we were talking at 12 years old about what's going on, and what do our parents do, what we're seeing. Some people were getting magazines, going to the grocery store, and looking things up, because we were curious. We wanted to know about this. We knew it was going on around us. And when we talk today, and when I talk to gals my age, and I'm 56 years old, they're saying, 'Why didn't they teach us all that stuff? Why did we have to go around and sneak about it, and try to figure it out?' We really didn't know what was going on.

"I think what's happened is we now have to address sexually transmitted diseases. It's huge now. It's major. In my generation, we weren't talking about sexually transmitted diseases. But now the world's changed. Now there's sexually transmitted diseases, and there's a lot of television and movies. If you want to talk about getting things correct, that's where we

should head. The reality is, we have a responsibility to children. Responsibility to educate them.

"And, if you want to talk about drugs, like the previous speaker, we want to teach kids to make smart choices. The reality is television ads, and stuff in magazines are all about taking drugs. You take drugs for everything now in our society. Headaches, sex, you can't sleep, you want to lose weight, whatever it is, there's drugs for absolutely everything. Depression. It just goes on and on.

"And so, I think what we're trying to teach children is that you've got to make smart choices. You have to know there are good choices, and that people out there may be leading you the wrong way. It's up to adults, it's up to parents, and some parents are so busy that they're not seeing that their kids are being exposed to some of these things.

"So, I think that what's coming about is the fact that our society is changing, and this really is helping our children make good choices. So I really encourage us to keep this discussion going. Thank you."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Just very briefly. I do recognize the concerns that have been brought up, but I think overall, what we need to do is look at the evidence, because we want to make evidence-based policies. I just wanted to cite four reports.

"The first one is by Douglas Kirby, a PhD who published a study in November of 2007. It clearly shows that comprehensive sex education, abstinence-only, as well as explaining the true risks, and potential benefits, and everything else about sexual behavior, about how to use contraceptives effectively to prevent pregnancy and sexually transmitted infections, can help teens make healthy and responsible life decisions.

"The second study is one by Pamela Kohler in Spring of 2008. This was a nationwide study of 15 to 19 year-olds, that found that teens who participated, again, in comprehensive sex education, abstinence-only, as well as how to use contraceptives were significantly less likely to report teen pregnancies than those who received either no sex education or attended abstinence-only until marriage programs.

"The third one is a report by Douglas Kirby, a PhD who I talked about earlier. This is a report, again from him. November, 2007, a review of 115 sex education programs found that, again, the comprehensive sex education approach can significantly delay the initiation of sex, reduce the frequency of sex, reduce the number of sexual partners, and increase condom or contraceptive use amongst teens.

"And the last one is by the Centers for Disease Control and Prevention, which noted, 'research has clearly shown that the most effective programs are comprehensive ones that include a focus on delaying sexual behavior, and provide information on how sexually active young people can protect themselves.'

"So, while I recognize that there may be a lot of fear out there by parents, based off this anecdotal evidence that they've heard, we in this Body need to make decisions based on policy. I think the overwhelming evidence shows that comprehensive sex education is something that is valuable and is something that is necessary. Because, despite how we may want to shelter children, and how we believe that, at the end of the day, parents can protect them against everything, unfortunately, that's not true. And there are forces out there that need to be reckoned with, and these studies show how we can do it in the best, and most reasonable way. Thank you."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. I do have comments in rebuttal. Mr. Speaker, I'm not sure what the former speaker was talking about, the anecdotal evidence having to do with a parent's responsibility, or a parent's experience. What I was commenting on, in regards to the articles, was actually a parent sitting in on one of these comprehensive sex education classes. So, it's not anecdotal about their fears. He was just explaining what he observed in this particular article.

"The problem that I have is, you have different audiences when you go as a presenter to these kids. You have audiences that are active in sex, and then you have audience members who aren't active, and some on the verge of being active. And, I understand. When I was younger, my parents just told me a certain way. They didn't teach me about sex. I'm very open with my kids in teaching them about sex.

"So, I'm not necessarily against teaching some of these things that are in comprehensive sex education. What I am against is the mandate of saying that if you want State funds, you have to teach both by the same group, or the same person, in the same presentation. That is what I'm against.

"And, I want to make it clear for these people to understand what they're doing is taking people who say that, 'I might not be able to teach about having a condom stuck in front of me, or some dildo stuck in front of me, in front of a class. I may not be able to teach that with my program, but I can teach about the ineffective rates of a condom. I can teach about sexually transmitted diseases without having these sex toys in front of me. And, I can teach about how you deal with the pressures of having sex in high school. I can teach about all of these kinds of things, just don't make me teach about dildos and sex toys.'

"Mr. Speaker, like I said about the audience, you have different kinds of kids in the audience when you're teaching. And for some people like me who are responsible parents, who want to go in and not shelter my kids, but teach them in the way that I feel is appropriate for their maturity and their age. I don't shelter my kids.

"This makes me very upset, Mr. Speaker, because the comments are made to sound like we're oblivious to what's happening in the world. This is undermining the responsible parent that has a child in the school that is trying to teach their kid, according to their maturity, and according to their level of age-appropriateness. Thank you, Mr. Speaker."

Representative Ching rose to speak in opposition to the measure, stating:

"I just wanted to also add, still in opposition, that it's about balance and it's about parental choice. I ask also that the additional comments made by the Minority Leader be entered as my own," and the Chair "so ordered." (By reference only.)

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, in opposition. I just wanted to make clear that my opposition is the fact that I believe that this discriminates against religious families who want to have that option to be taught just abstinence-only education, so that the school can be consistent with what they're being taught at home.

"The Majority Leader talked about the importance of data in this discussion. A great author once said, 'There's truth, lies, and then there's data.' And data can usually be used in any way that you want it to be used. So, I'd like to give some data as well.

"According to a report to Congress, that was required by Congress to be given to them, it states, 'Abstinence is the only 100% effective method to prevent pregnancy and STDs. The greatest risk factors for teen pregnancy and transmission of STDs are the age at first onset, with a multiple number of partners. Abstinence education serves to help teens delay the onset of sexual activity, and reduce the number of sexual partners they have through education, monitoring, counseling, and peer report.' And that is a report to Congress by the U.S. Department of Health and Human Services. It's right here if anybody wants to read that data.

"Also, in another report, by Jones and Toffler, and it states the declines in adolescent pregnancy, birth, and abortion rates in the 1990s. This study, which was done by several different doctors, reported that abstinence and decreased sexual activity amongst sexually active adolescents are primarily responsible for the decline during the 1990s in adolescent pregnancy, birth and abortion rates.

"In another institute, the Medical Institute for Health says, 'Abstinence-only education teaches core ethical values that are held more or less universally. Most appropriate for schools to target those core ethical values of responsibility, self-discipline, self-control, integrity, honesty, fairness and kindness. And these can be objectives for a curricular development.'

"Another report, back to the Congressional report, expressed some concerns over the inconsistency in the promotion of a health curricula. Comprehensive-based sex education has an innate inconsistency with the health curricula, the study states. Students are taught to say 'no' to tobacco, alcohol, drugs, gun-use, drunk driving, but when it comes to the potential dangers that come to sexual activity, the message is just practice safe sex if you're going to do it.

"So, it's a very confusing and a dangerous message to our *keiki*. And that's all the data that I have for today."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I have a very brief comment with reservations. As a matter of fact, there are three kinds of lies that Mark Twain said: 'There are lies, damn lies, and statistics.' The fact of the matter is both sides of this argument need to be heard. Where the rub is, Mr. Speaker, if you're good at teaching evolution, you would not be very good at teaching creationism. I think that's where the Minority Leader is coming from. Let's not force the same to have to do both of those, because they would do a very poor job. Let them both do what they do very well, and let's get on with it. So, let's get the birds and the bees, and beyond where we are for 20 minutes here. Thank you."

Representative Marumoto rose to speak in support of the measure, stating:

"Mr. Speaker, in favor. The Minority Leader mentioned Kalani High School, so I think I should relate the experience at that high school, if I may. Thank you.

"At Kalani High School, they do have a medically accurate, age-appropriate program that was funded, and there was a newspaper report about very graphic programs, as mentioned by the Minority Leader. I phoned up the principal and asked whether he had received any calls on this graphic program, and he said 'no.' He had not gotten any. He had not received any complaints about their program, which they had for many years. I expected to receive some negative calls against the program, and I did not receive any.

"So, I urge you to vote for this bill. I think the people who are for it are not against abstinence. They are only opposed to a federally funded abstinence-only program that hasn't worked, because pregnancy numbers have gone up, sexually transmitted diseases have increased. So, programs that teach abstinence-only are not effective. So, we must go back to our medically accurate, age-appropriate programs that also teach abstinence. Thank you."

Representative Aquino 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 Aquino's written remarks are as follows:

"The bill's intention is to ensure that abstinence-only education, as well as comprehensive sex education, is taught at the same time. This would undermine the message of abstinence-only programs, who in fact, teach alternatives to abstinence, but at different times of the curriculum. The bill's language prior to the House draft would force organizations, like Catholic Charities Hawaii, with successful federally funded abstinence-only programs, to choose between the loss of those federal dollars or the loss of State funding for other non-sex education programs.

"I support the House amendments made in SB 777, SD1, HD 1, which would prevent the loss of funding and employment of people hired by Catholic Charities Hawaii to conduct abstinence-only programs. However, the notion that abstinence-only curriculums are ineffective or inaccurate can be disputed."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 777, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE SEXUALITY HEALTH EDUCATION," passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives Ching, Finnegan and Pine voting no, and with Representatives Cabanilla, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1642) recommending that S.B. No. 378, SD 1, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 378, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ito rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ito's written remarks are as follows:

"Mr. Speaker, I rise in support of Stand. Com. Report No. 1642, SB378, SD1, HD1.

"Mr. Speaker, during the hearing before your House Committee on Water, Land, and Ocean Resources on March 9, 2009, the Department of Land and Natural Resources presented testimony which stated, "The Department is currently conducting statewide public meetings on many marine species in need of further conservation, including the species in this bill. At these meetings, fishers are being asked for their input on a variety of management options including: minimum sizes, bag limits, restriction on take based on commercial or non-commercial purposes, open and closed seasons." It is my understanding that since January 2009 the Department of Land and Natural Resources has been holding public informational meetings throughout the State. These meetings were held to gather public input to regulate the Parrotfish and Goatfish through size limit, bag limit, seasonal closure, etc.

"The first meeting was held on Maui on January 14, 2009, at the Maui Waena Elementary School with the last being held on March 5, 2009, at the Lanai Public Library. Granted, the Legislature has the authority to enact any legislation which it deems necessary to manage Hawaii's marine resources. However, to do so at this time would only detract from the Department's ability to formulate proper and effective Administrative Rules. We must permit the Department of Land and Natural Resources to continue with their rule making process without any interference from an outside agency. It is the Department of Land and Natural Resources that has the expertise to determine how best to manage Hawaii's marine resources. If I may remind my colleagues that the 2002 Legislature passed HB2552, which was enacted into law as Act 151, Session Laws of Hawaii 2002. This measure amended Act 85, Session Laws of Hawaii 1999, by repealing the sunset date and transferring many of the marine life regulations from statues to the Department of Land and Natural Resources' Administrative Rules. The 2002 Legislature agreed with the Department of Land and Natural Resources that the creation of regulations for such matters as minimum sizes, seasonal closure, bag limits, etc. were better handled through the Administrative Rules process.

"Mr. Speaker, when SB378, SD1 crossed over to this Chamber it set minimum sizes and bag limits on the Parrotfish and Goatfish, the very thing that the Department of Land and Natural Resources is responsible for. As I stated before, the Legislature gave that authority to the Department of Land and Natural Resources. Additionally, fishermen have always stated that Administrative Rules should not be formulated based on public opinion alone, they should be based on available data with public input. To support the Department of Land and Natural Resources continued effort to formulate Administrative Rules to regulate the taking of the Parrotfish and Goatfish and to take note of fishermen concerns SB 378, SD1 is amended in its entirety. Section 2 of SB378, SD1, HD1 reflects this Chamber's intent as follows:

1. The Department of Land and Natural Resources shall continue to hold public informational meetings to hear the concerns and suggestions from the public regarding the taking and protection of Uhu, Weke/Moana Kali, and Ulua/Papio.

"Mr. Speaker, the intent of this section is to encourage the Department to continue with holding public informational meetings. Gathering such public input will enhance the Department's ability to better formulate statewide, as well as regional (island by island), rules.

2. Use and present all available data to support the basis for any rule proposed based on public input, and if no data is available , use all available means to gather the necessary data.

"Mr. Speaker, this section only reinforces what is required of DLNR as stated in statues. HRS Section 187A-2 "Powers and duties of department" states in subsection (6): "The department shall – gather and compile information and statistics concerning the habitat and character of, and increase and decrease in, aquatic resources in the State, including the care and propagation of aquatic resources for protective, productive, and aesthetic purposes, and other useful information, which the department deems proper." Nowhere is this measure does it require scientific justification, as stated by the Department of Land and Natural Resources in their testimony before the House Committee on Finance on April 6, 2009.

"Presently the Department has some available data for the taking of the Parrotfish and Goatfish. The only data have come from licensed commercial fishermen. Commercial fishermen, licensed in the State of Hawaii, are required to submit monthly reports to the department for all of their catches, including the Parrotfish and Goatfish. What the Department lacks is the data from recreational fishermen catches. Presently recreational fishermen are not required to possess a saltwater fishing permit nor submit monthly catch reports. In the State of Hawaii there are, presently, 4,000 licensed commercial fishermen and, at a minimum, an estimated 100,000 recreational fishermen. It can only be assumed that with such a large number the recreational fishermen can catch more of a specific fish then the commercial fishermen.

"Case in point: if 100 recreational fishermen on the Island of Maui caught two Parrotfish each month in 2008, this will result in a total catch of 2,400 Parrotfish for the whole year. This is nearly as many as the 2,851 Parrotfish reportedly caught by commercial fishermen in the waters of Maui in 2008. Without catch reports from recreational fishermen it is difficult for the Department to properly assess the Parrotfish stock, or even the Goatfish stock. This only indicates that the Department of Land and Natural Resources must make a better effort to obtain the necessary catch reports from both recreational and commercial fishermen.

3. Develop a monitoring and evaluation program to determine the effects that runoff, sedimentation, pollution, lack or profusion of fresh water intrusion into the marine ecosystem, and the introduction of invasive species have on the ecosystem that affects the habitat and forage of Uhu, Weke/Moana Kali, and Ulua/Papio.

"Mr. Speaker, it is my understanding that presently, the Department of Land and Natural Resources does not have a monitoring or evaluation program to determine the effects runoff, sedimentation, lack or profusion of fresh water intrusion into the marine ecosystem, invasive species, and the introduction of alien species have on Hawaii's marine ecosystem, mainly the marine fish life. Without such a program it will be quite difficult for the Department to determine whether overfishing or the effects of runoff, sedimentation, lack or profusion of fresh water intrusion into the marine ecosystem, invasive species, or the introduction of alien species may be causing a decline in the population of a certain species of fish.

4. Develop a monitoring and evaluation program to determine the outcomes to be achieved by the implementation of any proposed rule and estimate the timeframes through which the outcomes will be achieved.

"Mr. Speaker, whenever the Department establishes any new Administrative Rule, a monitoring and evaluation program need also be developed in order to determine what outcomes are to be achieved and whether these outcomes have been achieved. All too often the Department has established Administrative Rules without any indication as to what outcome is to be achieved or even if the outcome has been achieved, resulting in Administrative Rules being on the books for years with no recourse. Such a monitoring and evaluation program will go a long way when the Department revisits the rules in future years and needs to determine if the rules can be lessened or made more restrictive.

"The federal government, NOAA in particular, has such a monitoring and evaluation program. In 2007, NOAA set a maximum take limit of 170,000 pounds for the seven bottom fishes; Opakapaka, Onaga, Lehi, Ehu, Gindai, Kalekale, and Hapuupuu, within the main Hawaiian Islands for the 2007 – 2008 fishing season. Subsequently, NOAA conferred with fishermen to fully understand how the fishery works. Scientist learned how the fishery has evolved historically with the introduction of new technologies that have helped fishermen; such as GPS, color recorders, power reels, etc. All this information was factored in by scientists to more accurately analyze the commercial marine landing data. This helped scientists to build a better population model, which gave a much more accurate assessment of the bottom fish population. With this evaluation and monitoring program NOAA increased the taking of the seven bottom fishes by 70,000 pounds for the 2008 – 2009 fishing season.

"Mr. Speaker, I do want to commend the Department of Land and Natural Resources, Division of Aquatics Resources, for taking the time to conduct community informational meetings to gather public input on possible new regulations for Uhu, Weke and Ulua/Papio. However, gathering public input alone is not enough. The Department must take a more active, as well as proactive, role in conserving Hawaii's marine resources. The Department must actively educate the public on Hawaii's fishing regulations, including seasonal closures and the effects that land-generated pollution, siltation and run-off have on the marine ecosystem. They should initiate working with other departmental agencies to assess the possible impacts on the marine resources and to offer mitigating measures when any type of development—land or ocean based, could adversely affect Hawaii's endemic marine species and unique marine ecosystem.

"As with the National Oceanic and Atmospheric Administration (NOAA), the Department must constantly confer with Hawaii's commercial fishermen to learn of advances in fishing technology and of Hawaii's unique style of fishing for various species of fish. Hawaii's commercial fishermen are already regulated by law and via other means, including market demand, weather conditions, competition, and user conflicts. These fishermen possess the knowledge of fishing habitats and impact upon the habitats and are regarded as the caretakers of the resources. Using the resources responsibly today is the only way to allow for continued use tomorrow and ensure their survival. To impose regulations on any commercial fisherman based on opinions gathered from recreational fishermen is just not proper. The DLNR should seriously consider conferring with NOAA and examine their model to help provide for a more accurate assessment of fish populations and to properly craft enforceable regulations, only as necessary.

"Mr. Speaker, there is nothing wrong with fishermen wanting the freedom to fish responsibly. The acts of catching fish and eating fish are important to our island lifestyle. My family, constituents and I enjoy eating fresh locally caught fish and support continued responsible fishing practices—and I'm sure my colleagues share this sentiment—therefore, I urge my colleagues to join me in supporting Stand. Com. Report No. 1642, SB 378 SD1, HD1. Let us give the Department of Land and Natural Resources, Division of Aquatic Resources, our full support in their efforts to responsibly and reasonably evaluate, assess and monitor the resources and work on establishing fair and equitable fishing rules to conserve Hawaii's precious marine resources for future use."

Representative Keith-Agaran 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 Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support of SB 378, SD 1, HD 1, Relating to Fishing, with reservations.

"*Uhu, weke/moana kali*, and *ulua/papio* species unquestionably show a decline in population with fewer fish in our reefs. These fish play a critical role within Hawaii's unique reef ecosystem. We must make a move to balance the downward slope of our fish and build on what we have now. The bag limits proposed in earlier versions of this bill and similar bills this Session would have effectively maintained these important nearshore resources in an easily enforceable fashion, but I will grant that allowing the Department of Land and Natural Resources ("DLNR") to pursue its information gathering may result in effective management as well.

"I must agree that the wisdom handed down from people who know our nearshore waters can provide valuable insights into effective management. Fishing in Hawaii is a tradition that existed hand-in-hand with sustainability. Hawaiian customs taught the island communities to maintain a balance of their resources to ensure generations to come would live in a sustainable environment.

"There is certainly value in having DLNR consider sedimentation, pollution, lack or profusion of fresh water intrusion into the marine ecosystem and the introduction of invasive species have on the habitat and forage of *uhu, weke/moana kali*, and *ulua/papio*. Public input should always be welcomed to illuminate the best available data produced by sound science to shape management decisions. When the public acknowledges participation in shaping an effective regulation, the community – including the nearshore fishers – will take responsibility for these conservation efforts.

"But as I said with regard to the similar bill HB 1712, HD 2, the precautionary doctrine suggests that the stewards of these Public Trust resources should manage our fisheries with sustainability in mind. With the State facing budget challenges, I'm concerned about further impairing DLNR's ability to protect our nearshore stocks.

"The most recent data from scientific surveys in the Main Hawaiian Islands indicates that human impacts are a primary cause of impaired fisheries. See Williams, I. D., et al (2008) *Environmental Conservatism: Assessing the Importance of Fishing Impacts on Hawaiian Coral Reef Fish Assemblages Along Regional-Scale Human Population Gradients*: 261, 270, 271. The proponents of good management must agree with Williams and other scientists that, "an essential first step towards developing effective management responses is to determine the importance of the various factors contributing to degradation in any particular situation. In particular, it is likely to be difficult to build support for appropriate remedial action if it is not possible to reach a consensus on the underlying cause(s) of resource declines. . . ." The anecdotal information provided by fisherman is particularly useful to perhaps explain problems with what the plain data indicates. In the Williams study, "it did not seem that proximity to high human population density was by itself associated with fish population declines, but rather that the crucial factor was proximity to human populations who were able to readily access, and therefore fish, nearshore waters." But William must conclude, based on the information collected, that "[his] data set provides clear evidence that stocks of target and vulnerable taxa are severely depleted around accessible and populous locations in the MHI, and a number of lines of evidence indicate that fishing is the prime cause."

"With this up-to-date data and information in-hand, DLNR can properly assess the received wisdom of the fishers and other users of the nearshore Main Hawaiian Islands to assist in fashioning the best management practices that will benefit all our people. Again, I can understand and recognize the frustration and perception of water people and fishers who believe the DLNR aquatic biologists are ignoring their experience and knowledge. I think fishers can contribute great value to proper management of our resources.

"But when we are striving for sustainability, I would suggest that leaning on the conservative end may be the best policy rather than continuing unregulated takes. I would be concerned about adding requirements that effectively place a moratorium on any management actions related to marine fish stocks for the better part of the next several decades. As the proverb states, 'the medicine prescribed for the patient's ailments may be worse than the cure.'

"Please record my vote with reservations, but with confidence that in Conference an effective bill will be produced.

"I urge my colleagues to vote in favor of the bill."

Representative Wooley 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 Wooley's written remarks are as follows:

"I support the intent of this bill, but I am concerned that the Department of Land and Natural Resources will not be able to meet the mandate, and our fishery resources may suffer as a result.

"While it is clear that the Department must make a better effort to hear and work with our local fishermen, this bill may tie DLNR's hands to such an extent that it will be difficult or impossible for the agency to ever make decisions or impose restrictions to protect our fish stock from crashing dramatically.

"Our local fishermen need support, and our fishery resources need protection. This bill may not help either, despite its intent. For these reasons, I am voting for this bill with serious reservations."

Representative Coffman 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 Coffman's written remarks are as follows:

"DLNR wants to establish "bag limits" based upon existing data. I do not believe that we should delay their approach by the approach taken in this legislation."

Representative C. Lee rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Choy rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition, just quickly. It sounds like throughout the testimony that DLNR is doing a pretty good job, and so, I am in opposition. Thank you."

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:

"In opposition to SB 378, SD1, HD1, Relating to Fishing Regulations/DLNR.

"This measure instructs DLNR to continue gathering information and monitoring certain fish populations (*uhu, weke/moana kali*, and *ulua/papio* or parrotfish, goatfish and jacks) before any rules are made.

"It mandates DLNR to develop a rigorous monitoring and evaluation program that will study various intrusions on the habitats of these populations as well as the outcomes to be achieved by implementing regulations.

"It has constraints that are too restrictive and that would be difficult if not impossible to meet, especially under an unfunded mandate.

"It would take years of research to accomplish these tasks.

"And it effectively places a lengthy moratorium on the regulation of these fish populations.

"And finally the measure would benefit a particular group of people who do not want to see restrictions or limits placed on their fishing activities regardless of how necessary these regulations may be for the protection of our ocean resources."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 378, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," passed Third Reading by a vote of 37 ayes to 11 noes, with Representatives Belatti, Berg, Finnegan, Hanohano, Herkes, C. Lee, Luke, Marumoto, Pine, Saiki and Thielen voting no, and with Representatives Cabanilla, Morita and Takai being excused.

At 10:20 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 878, SD 1
S.B. No. 164
S.B. No. 166, SD 1, HD 1
S.B. No. 568, SD 2, HD 1
S.B. No. 777, SD 1, HD 1
S.B. No. 378, SD 1, HD 1

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1643) recommending that S.B. No. 1167, SD 2, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1167, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations on Stand. Com. No. 1643. I have three concerns about the bill. This is the bill that I consider downgrading or weakening of the Hawaii Tourism Authority, at a time when we need tourism to be strong, and to be an over-comer in this trying economic time.

"I think it lowers the stature, particularly in the eyes of those visitors from Asia, if you have an Executive Director of the Hawaii Tourism, which this bill makes it, versus the President of the Tourism Authority. I think that lowers it a bit.

"Secondly, I think the fact that they have to go through the State procurement process. Tourism, like the private sector, has to be quick, agile, adjust to situations. There's no more of a volatile industry than the tourism industry. One incident, as we know from 9/11, we know from earthquakes, we know from Bali and its bombing. You've got to be really quick. Our procurement process is more adjudicated for fairness and balance and keeping corruption out, but we also have to be agile. And my fear is that this bill doesn't give us the agility.

"And lastly, Mr. Speaker, my concern is, even though he's a former Senator, I wish him the best to make lemonade out of what otherwise is a bit of a souring of the tourism agency. 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. 1167, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Third Reading by a vote of 46 ayes to 1 no, with Representative Bertram voting no, and with Representatives Cabanilla, Morita, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1646) recommending that S.B. No. 537, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 537, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support for Stand. Com. No. 1646. Mr. Speaker, this is just the opposite. This is about the future. This is about the stimulating, if you will, of our economy. Because of what this Committee will do, is to focus on aerospace. This is the new frontier, the one that we haven't really put ourselves fully to the fore with. It will be a systematic way of capturing our potential in space tourism. You know the rocket planes that we're talking about bringing to the International Airport. If we can get licensed with the transportation authority, those rocket planes will go up two miles, shoot a rocket, and then within a matter of five miles, cut their engines and then coast down weightless. That is the second generation of tourism for this State, Mr. Speaker.

"The other is, the rocket plane goes up two miles, shoots its rockets, a normal takeoff and landing, but when it gets up two miles, it shoots its rockets, and it will be in Hokkaido in 45 minutes. Again, the future prospect of tourism.

"The other is what's going on at Pisces at UH Hilo for the Mauna Kea simulation of a moon landing, a permanent station, as well as making oxygen and other minerals out of the rocks on Mauna Kea.

"Lastly, the bill is about stimulating other small businesses that are ancillary to these. Otherwise, Mr. Speaker, it's future-looking. It's space. It's the new frontier. It's a bill that I hope has many, many returns 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 S.B. No. 537, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE," passed Third Reading by a vote of 47 ayes, with Representatives Cabanilla, Morita, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1648) recommending that S.B. No. 178, SD 1, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 178, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With all due respect to the Chair of Education, I'm rising with reservations on this measure. Mr. Speaker, it will set up a food waste recycling program in a school using new money from the general fund for a new program. And, I'm just wondering, Mr. Speaker, if this idea is so good, why it couldn't be done by the Department of Education under a public-private partnership, using existing DOE money, rather than tapping out of the general fund in this tough time? Thank you."

Representative Finnegan rose in support of the measure with reservations and asked that the remarks of Representative Thielen be entered into 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. 178, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING," passed Third Reading by a vote of 47 ayes, with Representatives Cabanilla, Morita, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1650) recommending that S.B. No. 1164, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1164, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Nishimoto rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Nishimoto's written remarks are as follows:

"Mr. Speaker, I speak in support of this measure.

"I wanted to take this opportunity to acknowledge and thank Representative K. Mark Takai and Lisa Vargas for their commitment and tireless efforts to improve the quality of education for military children transitioning to and from the State of Hawaii.

"Since the 2008 Legislative Session, Representative Takai and Ms. Vargas worked with numerous organizations and individuals to analyze how Hawaii supports children who frequently move into and out of our education system.

"The Council of State Governments was charged by the US DOD with creating model legislation to remove educational barriers faced by children of military families due to frequent moves and deployment of military parents.

"Representative Takai has worked hard over the past 10 years to build a comprehensive partnership between the military and our school system to understand and recognize the unique challenges facing military children and their families. He understood that passage of this bill provides Hawaii and our schools the recognition that we deserve and tells people throughout the military circles that Hawaii's public schools are extremely supportive of our military children and their families.

"As you are aware, Representative Takai is currently Major Takai serving our country and state in the Middle East. Major Takai is serving as the Officer-in-Charge of the Camp Command for Camp Patriot, Kuwait. Despite his current duties, Major Takai continued to orchestrate and mobilize the effort to pass this bill. I want to thank Representative Takai/Major Takai for his tireless efforts in support of our nation and our State.

"With the passage of SB1164, Hawaii will join 11 other states that are part of this compact. These states include Arizona, Colorado, Connecticut, Delaware, Florida, Kansas, Kentucky, Michigan, Missouri, North Carolina and Oklahoma. Thank you."

Representative Takumi rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. For those who may not be familiar with this, Interstate Compact on Educational Opportunity for Military Children, it merely helps when military dependents enter our public schools. This will help them transition much better before they get here, while they're here, and also when they leave to their next school, wherever their parents are assigned.

"Just based upon the work that has been done by the Joint Venture Education Forum. Mr. Speaker, I'd also like to mention the work that Representative Mark Takai did on this effort over the past three years to ensure that the interest of our school system, and the interest of the military dependents are well served. Thank you very much."

Representative Finnegan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Thank you, Mr. Speaker. This is a very important bill that the military community needs, as the former speaker, the Chair of Education just mentioned. These military kids, a lot of them in my district do have that instability and need help with the transition, coming in and out of Hawaii. But, I would also like to say that there are a couple of ways that I think that maybe the bill could be improved.

"One is that we have such a strong military presence here, that I don't believe that we should put a sunset date on this. As well as the second thing that I think can be improved is more active participation and say from the military community. I believe they have one representative, and then you have a lot of the Board of Education and the Department of Education making up, or having control over this particular Commission. And those are my two suggestions for improvements. Thank you."

Representative M. Oshiro rose in support of the measure and asked that the remarks of Representative Takumi be entered into the Journal as his own, and the chair "so ordered." (By reference only.)

Representative Manahan rose in support of the measure and asked that the remarks of Representative Takumi be entered into the Journal as his own, and the chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1164, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN," passed Third Reading by a vote of 47 ayes, with Representatives Cabanilla, Morita, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1652) recommending that S.B. No. 470, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 470, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, in opposition, Mr. Speaker. What this bill does is, it makes revisions to various liquor licenses and tax laws. Included in these revisions is a provision that allows liquor licensees who have an agreement to repay delinquent taxes on payment plan, and who are applying for a liquor license. Basically overriding AG Op. 95-1.

"DOTAX in Committee, warned that this provision defeats the purpose of the tax clearance mandate, which is to ensure that all liquor sellers are current with their taxes to enjoy the benefit and the privilege to sell liquor. The provision no longer ensures a guaranteed flow of tax revenue, as the licensee can extend their tax obligations over time and still obtain a temporary license if they enter a payment plan. So, why even make this rule to begin with if people are going to get away with it.

"It seems like we're making special interest legislation, just for people who sell liquor. Now, are we going to then come back next Session and do this for people who sell burgers? Are we going to do this for those small businesses that are really hurting in this economy, and have back taxes and they sell clothes? So, I think it really sends a very bad message to the people of Hawaii, that we're making this special interest legislation just for those people who sell a liquor license.

"And so DOTAX, of course in Committee was definitely against this bill, and that is why I am too."

Representative Evans rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Not too long ago, I was in a meeting with the Retailers' Association, and they were talking about the struggle that restaurants are having right now, with the slowing of the economy and tourism and people tightening up their belts and not going out to dinner as much. So, I think we're in a really tough time right now, and I think that this legislation is a really good way of saying to the greater community and the restaurateurs that we understand that times are tough. Maybe you did get behind, but let's work with you on an installment plan.

"If these people don't meet their payments on this installment plan, they're going to get shut down. So, I think we're not going to have tax flow, we're not going to have money coming in if we don't keep these businesses going. And so I think this is a really good measure during a real tough time. Thank you."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. This is a small business protection bill."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In support, and may I have the brief, but eloquent words of the previous speaker entered into the record as if they were my own? And, if I had my druthers Mr. Speaker, yes, we would have bills for this kind of thing for burger joints, for small businesses, for car people, whatever. But you know what? We've got to basically work with the tools that are given to us.

"So, this is a bill in which we can extend relief, and it's a small business bill. And, I think it's important to listen to them, instead of the Department of Taxation. Thank you very much."

Representative Pine rose to respond, stating:

"Just in rebuttal. You know, I actually agree with all the previous speakers. I think it's very compassionate to think about these businesses who are suffering. But, I don't think we should have selected compassion. We need to have uniformity in our tax laws, and we're going to have a bill that's going to talk about that. And so, let's talk about making this bill uniform.

"We can't say, 'Oh gosh, we've got to just deal with what was given to us in these final bills that are left.' I mean, we really are sending a message here to the people. If you sell liquor, hey, the Legislature is going to help you out when you're suffering. And, I just think that's a very bad social message to be sending from a very prestigious body as this."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. In this economy, Mr. Speaker, it's all about jobs, and I think it's not been said any better than by the Representative from Maui, who I request his words become mine in the Journal. Giving every small business a chance to survive, to keep their employees. That's what the next three years are going to be about. Thank you."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition, and just ask that the words of the Representative from Ewa Beach be entered in the Journal as my own. I'm all for small businesses, but again, the message, when we are number one in the nation for some fatalities, and there's some definite controversy on liquor in Hawaii to have chosen this particular way to help this particular sector. It's a bad message."

Representative Finnegan rose in opposition to the measure and asked that the remarks of Representative Pine be entered into 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. 470, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Third Reading by a vote of 40 ayes to 7 noes, with Representatives Bertram, Ching, Choy, Finnegan, C. Lee, Pine and Wooley voting no, and with Representatives Cabanilla, Morita, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1656) recommending that S.B. No. 1218, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1218, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Shimabukuro rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1218, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATORS," passed Third Reading by a vote of 47 ayes, with Representatives Cabanilla, Morita, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1657) recommending that S.B. No. 43, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 43, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure.

"It is no secret that we have a shortage of doctors in the State of Hawaii. We actually don't even know how bad the situation is because we do not have a system to monitor our healthcare workforce. The Department of Commerce and Consumer Affairs collects mailing addresses and information on physician competence, however they currently do not collect demographic information, work location information, services provided or future practice plans. As a result, nobody knows how many physicians are actually practicing medicine in Hawaii, or what services are available in which communities. Although 8,000 physicians are licensed in Hawaii, it is assumed that less than half are actually practicing, but it is hard to know the who, what and where of the shortages because there is no data collected.

"The best and cheapest way to obtain this data would be by expanding the questions asked of the practicing physicians themselves at relicensure. Every physician who provides care to patients in Hawaii must be licensed, therefore asking the questions at relicensure allows us to obtain new information every two years in a cost effective way.

"Mr. Speaker this measure would not increase costs to the taxpayers of Hawaii, but the funding for collecting the data would come from increasing the physicians licensing fees by $30. This increase would only increase the relicensure fee to $150 which would still keep Hawaii's physicians' relicensure fees well under the national average of $250. This small increase allows us to obtain the necessary information to address the physician shortfall in the State of Hawaii at a small cost. I note that a number of physicians supported the bill in Committee.

"For all these reasons I urge the Members support."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In regards to Standing Committee Report 1657, with reservations. It's very honorable what we're trying to do for this Physician Workforce Assessment and Planning Program. I just had some concerns because it's very similar to the situation with the nurses, where the doctors are saying, 'You're taxing or increasing a fee for us so that we can provide this,' and for them, they had some concerns as well."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you. Again, I rise in opposition, Mr. Speaker. Just a few sentences and I will submit the rest in written comments. It's just that this particular bill does establish a fee and it will ask the physicians to foot the

bill for this fee. And, the bill did not receive support from the Physicians of Hawaii. They don't want it. And so, I feel, and a number of doctors that I've spoken to, is that it's creating a more expensive licensing fee, and the timing of this bill is bad. So, I please encourage everyone to consider its harmful effects."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition to S.B. 43 – Relating to Physician Workforce Assessment. I intended to vote 'no' on this bill, but due to a mix-up on the Floor, a vote of no will not be reflected in the record. I believe this measure is unfair to our doctors. This bill proposes to raise physician licensing fees when physicians are already having financial burdens due to high medical malpractice insurance and low reimbursements. It is unfair to raise fees on the doctors to fund this study. The Hawaii Medical Association states the following: "The issue is continued rising costs with prohibitions against passing those costs on to patients and customers. Physicians are taking their own actions to solve this dilemma in their own way. This includes

- Leaving to greener pastures where they can better provide for themselves and their families, and where the cost of living is far less;
- Closing their practices as a means of preserving financial security, and either retiring or finding a job that avoids the pitfalls that exist in being a private practice physician."

"Thank You."

Representative Marumoto rose in support of the measure with reservations and asked that the remarks of Representative Ching be entered into 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. 43, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN WORKFORCE ASSESSMENT," passed Third Reading by a vote of 47 ayes, with Representatives Cabanilla, Morita, Souki and Takai being excused.

At 10:36 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1167, SD 2, HD 1
S.B. No. 537, SD 2, HD 2
S.B. No. 178, SD 1, HD 1
S.B. No. 1164, SD 2, HD 2
S.B. No. 470, HD 1
S.B. No. 1218, SD 2, HD 2
S.B. No. 43, SD 2, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1660) recommending that S.B. No. 1140, SD 2, HD 2, as amended in HD 3, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1140, SD 2, HD 3, pass Third Reading, seconded by Representative Evans.

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. 1140, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1661) recommending that S.B. No. 1205, SD 2, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1205, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1663) recommending that S.B. No. 512, SD 2, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 512, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Choy rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative C. Lee 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. Just with reservations. I just have a slight $7 million reservation on this bill."

Representative Carroll rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Choy 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 Choy's written remarks are as follows:

"I am rising with reservations. This bill will inflict $8 million in tax expenditures in the State financial plan for each fiscal year, 2010 and 2011. The industry will not utilize this expenditure in these years; therefore will have a negative impact at a time when every dollar will count."

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. 512, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1667) recommending that S.B. No. 1224, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1224, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

At 10:37 o'clock a.m. Representative Pine requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:40 o'clock a.m., with Vice Speaker Magaoay presiding.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you. Mr. Speaker, I'm rising to speak against the bill, relating to giving rent reduction to airport concessionaires. Thank you. Mr. Speaker, a lot of people in today's economy are suffering. I'm not against rent concessions, but I am against them when they only single out one group of tenants of the State.

"The bill starts off with saying 'The legislature finds that the State of Hawaii, along with the rest of the nation, is facing an economic recession that is sudden, extraordinary, and severe and one that may result in greater hardship and economic suffering than has ever been faced by the State.'

"In that instance, Mr. Speaker, we need to be extremely fair to the numerous small businesses that are tenants of this State, and instead we are only favoring one group. I can't cast a vote in favor of an unfair bill. Thank you."

Representative Herkes rose to speak in support of the measure, stating:

"In strong support. We should give the same support to any business where the federal government prevents people from going to that business, like they do with the airports."

Representative McKelvey rose in support of the measure and asked that the remarks of Representative Herkes be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Choy 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 Choy's written remarks are as follows:

"I am rising with reservation. Airport concessionaires must be prudent enough to survive within the constraints of the environment they work in. During testimony it was discovered that there are other potential concessionaires that are waiting to move into the concessions at the airport. I believe the natural selection process of business entrepreneurship should prevail in this case."

Representative Finnegan rose to speak in support of the measure, stating:

"Mr. Speaker, I do want to say that I'm in support of this bill, but I do also want to say just a short rebuttal in regards to the federal government not allowing people to go to that business on airport grounds, and that is that these businesses knew about that when they did their negotiating for their leases. So, I just wanted to add that. Thank you."

Representative Awana rose in support of the measure and asked that the remarks of Representative Herkes be entered into the Journal as her own, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered." (By reference only.)

Representative Awana's written remarks are as follows:

"Thank you Mr. Speaker, I stand in strong support. This measure assists those businesses who have been adversely impacted by the decline due to the international economic downturn. Air travel has been impaired to a point where those businesses providing services and goods to travelers have been faced with large financial burdens. We must support this measure as it will allow these vendors and their employees to continue to operate. They will continue to pay leases, but at a rate which is beneficial to both our Department of Transportation and our airport concessionaries. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Mr. Speaker, after 50 years of being a retailer in Waikiki, no small business, no business in Hawaii is really in business for themselves, they're in business with their landlord. Any way we can give a break, whether it's State, federal, etc., is good for business because outside of government, basically it's an oligopoly. The land is controlled by a handful of individuals, and the rents are usually non-negotiable. We are at least giving them an option to do something at the airport. But to turn them over to the oligopoly is unthinkable. So, if we're going to treat them across the board, we've got to do more than just what we're proposing here. 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. 1224, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONS," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Thielen voting no, and with Representatives Cabanilla, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1668) recommending that S.B. No. 642, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 642, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1669) recommending that S.B. No. 1568, SD 2, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1568, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative M. Lee rose to speak in support of the measure, stating:

"Mr. Speaker, I am in support and would like to submit written comments; particularly the section about domestic violence. Thank you."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, speaking in strong support of SB1568 SD2 HD1, Relating to Unemployment Insurance.

"SB1568 is the Senate's unemployment insurance omnibus bill, and Mr. Speaker, there are a lot of people out there right now who really need this lifeline to keep from going under.

"The amendments which I am speaking in support of strengthen the language of SB 1568 for victims of domestic and sexual violence. The HD1 incorporates the language of HB332, a measure introduced by the Women's Caucus, which provides an expanded safety net for victims of stalking and sexual assault, in addition to domestic violence.

"In this House Draft, the conditions for qualifying and documenting victims of domestic violence, sexual assault, or stalking are clarified. And last, there is provision to insure that these victims are not required to accept offers of employment that pose the same dangers as those causing the victim to leave work in the first place.

"In short, Mr. Speaker, this is a very important bill for many of our people who could really use the help right now. Our job as public servants is being fulfilled by passing it now. Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1568, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1670) recommending that S.B. No. 210, SD 2, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 210, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Pine rose to speak in support of the measure with reservations, stating:

"I rise with support, but with some reservations. A few comments. Basically, what this does is it changes the criteria from moving prisoners from the Mainland to Hawaii, and I just believe that there's been a lot of bills that really micromanages the Department of Public Safety, which is something that if we think something needs to be done, we'll pass legislation to do so. But the Department really is being stretched thin with other things that we've mandated them to do. This would really hinder some of their operations. And with that, I'll put the rest of my speech in written comments."

Representative Pine's written remarks are as follows:

"Mr. Speaker, I rise with reservations on SB 210 SD2 HD1, Relating to Corrections.

"This bill specifies criteria that must be considered in deciding whether to transfer inmates between correctional facilities located in Hawaii and correctional facilities located outside of Hawaii.

"This measure is unnecessary as the Public Safety Department has established open and public standards used to assist in identifying and determining the transfer of inmates using a "sequential phasing" process.

"If enacted, this measure would hinder legitimate government operations and would place staff and the public at risk as it is already difficult to manage the inmate population while addressing inmates who need protective custody, issues relating to inmate gangs and other security threat groups. Appropriate levels of security and facility overcrowding will also need to be addressed.

"This measure would also add to the already over burdensome administrative requirements and responsibilities of institutional case managers and correctional supervisors and managers.

"To permit the individual desire of the inmate to be a significant factor in determining where an inmate is held, will make effective population management unachievable. The Paroling Authority is confident that instead of saving the state money, this bill might actually increase costs because some facilities may not have sufficient resources while other facilities which have more resources may be underutilized.

"Mr. Speaker, thank you for allowing me to rise with reservations on SB 210 SD2 HD1, Relating to Corrections."

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 support of the measure with reservations, stating:

"With reservations, please. And I believe, on Stand. Com. No. 1670, that the Paroling Authority said that it was difficult to do for them. So, that's all."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 210, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

At 10:47 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1140, SD 2, HD 3
S.B. No. 1205, SD 2, HD 3
S.B. No. 512, SD 2, HD 1
S.B. No. 1224, SD 1, HD 2
S.B. No. 642, SD 2, HD 2
S.B. No. 1568, SD 2, HD 1
S.B. No. 210, SD 2, HD 1

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1672) recommending that S.B. No. 539, SD 1, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 539, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

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. 539, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1673) recommending that S.B. No. 540, SD 2, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 540, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

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:

"In opposition to SB540, SD2, HD1.

"PSD already operates a work furlough program at OCCC.

"OCCC currently houses 142 offenders who have completed the appropriate level of in-facility substance abuse treatment.

"The measure risks public safety, and cannot be accomplished without substantial funding for additional full-time staff to both provide security in communities and administer the program

"And finally, additional resources are needed to include certified substance abuse counselors, correctional staff and administrative and clerical support personnel."

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. 540, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives Ching, Finnegan and Pine voting no, and with Representatives Cabanilla, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1676) recommending that S.B. No. 190, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 190, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support for Stand. Comm. Report No. 1676. Thank you, Mr. Speaker. It's not too often that we're able to place a face and a family to a bill. In this case, we are. If I can, I'd like to

explain to you the genesis of the bill and how we crafted this. Terry Kaide, an 86 year-old who retired after 30 years of public service with the 3rd Circuit Court in Hilo as their Clerk. Her husband, Sidney is 89 years-old and he's a retired general contractor, having built many homes in Hilo.

"The Kaides have been married for 63 years. This is the problem, Mr. Speaker: they both reside in foster care homes, but in separate foster care homes. They're just asking that they could live together. Now, the problem stems from a current law that only allows one private pay and two Medicaid patients per home.

"Now, the rationale is actually a good rationale. It allows two Medicaid clients an opportunity to reside in a home setting and receive standardized health care. I'm not against the rationale, but the problem lies with the married couple. They're not being able to reside together. Notwithstanding their marriage.

"The problem is that we have to change the rule, and that's where the Department of Human Services, the Attorney General's office, as well as the Kaide family came. We collaborated, we crafted a measure, which will address this problem in a demonstration project. It's a two year demonstration project, Mr. Speaker.

"And the bill will also open up, not only for married couples, but reciprocal beneficiaries, siblings, a parent and a child, this will now allow two private-pay clients in a foster home. That's the big reason for the bill. Now, if I can point to two important reasons why we need to pass this bill, Mr. Speaker. First, time is of the essence. According to Terry Kaide, these are her words: 'I want to live with my husband before the Lord takes us home. We don't have too much time left. Please don't rob me of the one joy in my life. Our lives are short, and I pray that you pass this bill as soon as possible.'

"Terry Kaide is 86, and her husband is 89. They may not have much time. There is an urgency. We have to pass this bill. We have to pass it now.

"The second reason, Mr. Speaker. This represents an established principle that marriage is a fundamental right. Even Terry Kaide, being a retired Clerk of the Circuit Court knows how important marriage is. She states: 'Why can't the law recognize and honor our marriage, as husband and wife. In my silence, I am suffering from hurt, guilt, confusion, and the injustice to my marriage.' For 30 years, she worked in the Judicial Branch, and in 2009 she came and is working in the Legislative Branch, helping move this by Senate Bill 190.

"My last comment. I promised Terry Kaide I would say this. She wanted to thank the Legislature, and these are her words:

> 'I sincerely thank my God, for I know he has answered our prayers, and I will be together with my husband very soon. It's been a long and painstaking journey. However, being near to my husband is what I most desire. I feel so blessed that my husband is still alive, and that I am still alive also. I look forward to the day that I can move into his community care foster home and never have to be separated from my husband, until we go home to be with our Lord. I am overjoyed that I will be able to enjoy whatever days we have left together. I am ever so grateful to all our legislators for understanding our plight, and working hard to help pass Senate Bill 190, in order that married couples like myself can live together in their golden years.'

"Mr. Speaker, today the House of Representatives will decide if we can support a demonstration project to allow two private-pay clients to reside in community care foster homes, and thus allow marriage to become whole again. Mr. Speaker and Members, let's support this measure and participate in something special. Let's pass Senate Bill 190, SD 1, HD 2. Thank you."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, written comments for the Journal, please, including the words of the compassionate Chair of the Human Services Committee. And secondly, that from Charlotte Myoko Kaide, who felt that it was not only individual legislation, but she felt a passion, if you will, almost of suffering that they were doing this so others who are 86 or younger can have the same opportunity as they are having with this bill, if it proceeds.

"And the second is a letter from the Governor I'd like to submit into the Journal that says she is ready to sign it when we are ready to pass it.

"Mr. Speaker, only one regret. Last week, this month, was her 86th birthday, and I know the Chair of Human Services had said that if we could, we could get it passed by her birthday as a birthday gift. But, as long as it goes through, she's going to be happy, but we didn't make that one. Thank you."

Representative Ward submitted the following:

"April 13, 2009

To: Rep. John Mizuno
From: Charlotte Miyoko Kaide

After reading the front page cover story of the Hawaii Tribune Herald on March 11, tears welled up in my eyes as the Lord spoke to me. I began to understand that behind all the heartbreaks, sorrow and frustration of Mom not being able to live together with her husband for the past two years had a deeper meaning to this heart-wrenching story of a "forced separation."

The lord impressed upon my heart that it was all in God's plan that DHS did not grant us a waiver but denied our three insistent requests for Mom to move into Dad's community care foster family home and occupy the vacant bed two years ago. He directed me to share with my parents and sisters that He had chosen my mother and father to be the privileged couple to suffer along with their family that others may not have to experience this same painful dilemma.

Therefore Senate Bill 190 was drafted by Senator Suzanne Chun Oakland to offer a beacon of hope not only for my parent's however, for everyone in the State of Hawaii. We thank God and we are honored to be able to bless our community by ushering this bill through the Senate and the House standing up for what we believe. This has been a priceless experience to work with our legislators to bring about changes in our laws that will benefit everyone.

Rep. Mizuno, your guidance and support through this all has been outstanding and we want to express our gratitude for having the faith to believe with us that together we can make a difference and touch many lives through our united efforts.

Senate Bill 190 would have never been birthed if a waiver would have been granted to Mom to live with Dad in his community care foster home early on. We have faith to believe that soon Senate Bill 190 will be signed into law by our Governor Linda Lingle and that Mom will be able to live with her husband happily ever after.

We highly commend our awesome lawmakers who joined us in our plight to change the present law to bring justice to a fundamental right of a husband and wife wanting to live out their lives together and fulfill their marriage vows for marriage as a sacred union.

What a blessing to see this love story have a happy ending and that everyone in our Hawaii Nei can benefit from this compassionate compelling historical epic."

"February 18,2009

Ms. Charlotte Kaide
Ms. Gale Sakaguchi

Aloha Ms. Kaide and Ms. Sakaguchi,

Mahalo for writing me regarding your mother's request to join your father in an adult community care foster home. I understand that your

father is too frail to move into another facility at this time. I regret that the current law does not enable me to give you the result you seek.

As you may know, the State Department of Human Services licenses and regulates adult foster homes so low-income Medicaid clients can receive long-term care in family-like residential settings, as opposed to institutional hospitals and nursing homes.

Because there is a significant shortage of adult foster homes for Medicaid recipients, the law stipulates that no more than one private pay client can live in these two- or three-bed facilities.

Under Senate Bill 190, however, a couple who are private pay clients could live together in an adult foster home under certain conditions. My Administration opposed the original version of this bill, but is now working with the State Legislature on modifications that would apply to your situation.

If the House and Senate approve the amended bill in a timely manner, my policy advisors and I will give it careful consideration and I could sign it into law as early as April.

I hope this information is helpful. I also wish you and your family all the best as you strive to find a long-term care solution for your parents.

Sincerely,
/s/
LINDA LINGLE"

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 S.B. 190 – Relating to Community Care Foster Family Home. I believe this measure will result in a more comfortable and stable living environment for those that need care and meet the requirements specified in S.B. 190. The Hawaii Coalition of Caregivers states in their testimony that, "HCCG believes that allowing married couples to live together in the same home will result in better health and well-being, physically and emotionally, for residents. Indeed, preserving one's personal relationship, especially a close relationship one has with a spouse, is central to one's sense of independence, self-worth, and dignity. This sense of independence results in better quality of life for our residents." Thank You."

Representative Tsuji rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support and short comments. Mr. Speaker, throughout this Session, we've heard a lot of bills and legislation being commented on, on behalf of various individuals and entities, but this is really a feel-good bill. I'd like to refer to this, if I may, with your kind permission as the 'Terry and Sidney Kaide Legislation.'

"This is about love, marriage and companionship. This is about a journey, not only a journey, but a never-ending journey. There are no buffer zones. There are no moratoriums. This is a complete testimony of husband and wife, until the maker calls. Further written testimony will be provided for Journal entry. Thank you."

Representative Tsuji's written remarks are as follows:

"Mr. Speaker, I am in strong support of SB190 SD1 HD2, Relating to Community Care Foster Family Homes. I am a Hilo resident and friend of Mr. and Mrs. Sidney Kaide who are the inspiration for this measure. I sympathize and understand their plight as a married couple unable to live in the same community care foster family home because of the current law. The merits of this bill are many, especially with the recent House amendments. I urge this Body to support the measure to fulfill Mr. and Mrs. Kaide's wish to spend their golden years together under the same roof."

Representative Finnegan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Just strong support and very short comments. Thank you. Although we may think that this had come about with this particular couple, I have been told that in my own district there have been several situations where couples aren't able to live together in their end of life.

"So, I just wanted to thank the Chair of Human Services for taking action on this particular 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. 190, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY CARE FOSTER FAMILY HOME," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1677) recommending that S.B. No. 415, SD 2, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 415, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support.

"Home care is a rapidly growing sector of the health care continuum. It is a cost-effective service for many individuals who are recuperating from a hospital stay and also for many who, because of a functional or cognitive disability, are unable to take care of themselves. As more elderly and disabled individuals require such care, the need becomes more urgent for the monitoring of the agencies and individuals providing such care.

"Elderly and disabled people increasingly prefer to remain at home rather than being institutionalized. Home care reinforces and supplements care provided in the home by family members and friends, maintaining the recipient's dignity and independence. Unfortunately, home care is often confused with other types of health care. Home health agencies are currently licensed by the Department of Health. Home health is directed by a physician and focuses on services provided by licensed professionals, such as registered nurses, physical and occupational therapists, and speech therapists.

"Home care may be provided by professionals as well as ancillary personnel and homemakers. Currently, many families using the services of home care agencies no doubt think that the industry is regulated, but it is not. Without licensure, the safety of those who receive home care is at risk, especially since home care is provided to frail and elderly consumers in many cases. The measure would also benefit the family caregiver who use home care services such as respite and homemaker services. Licensure of the agencies would give them peace of mind.

"The State has an obligation to protect consumers from improper care, exploitation, and abuse. At a minimum, the competence of home care agency employees should be established, and criminal background checks should be performed.

"The mandatory licensure of home care agencies is designed to assure the public that the services provided by such agencies comply with appropriate standards. Without mandatory licensure, these assurances cannot be given."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I just rise with reservations. I want to remain consistent on this particular bill. And, just a reminder that the Auditor did

a report that said that we didn't need it for this particular group. 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. 415, 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 Cabanilla, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1679) recommending that S.B. No. 912, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 912, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PERMANENCY HEARINGS," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1681) recommending that S.B. No. 1344, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1344, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"On Stand. Com. No. 1681, with reservations. Mr. Speaker, this is the bill that has to do with QUEST and the QUEST Expanded Access recipients. I do understand the issue having to do with this, and maybe there is some disruption and care of some of the people who are members of these programs.

"I would also like to somehow speak in favor though of the mind-frame in which the DHS was moving forward with the pro-business type of legislation, and maybe talk about some of the positive things of QUEST Expanded and how they do this positive enrollment. This requires insurance entities contracting to provide Medicaid services to enter into written contracts with at least 50% of hospitals and providers in their coverage area.

"Positive enrollment is a 60-day period, during which clients can select a health plan, and it occurs only when a new round of contracts has been awarded. The 10-day period stated in the Preamble of this bill is actually incorrect. During the last positive enrollment, 83% of clients selected a health plan. This has been documented as the best response of Medicaid clients nationwide selecting their health plans.

"Following the initial 60-day plan selection period, clients are allowed 90-days to change health plans. During this transition period, the new health plan will pay for care, delivered by the patient's usual provider, even if that provider is not participating in the new health plan.

"DHS awarded these Medicaid contracts in a fair, open and transparent process, upheld by the independent State Procurement Office and two federal judges. The selection of the providers was based on who had the highest qualifications of the five competing bidders.

"Mr. Speaker, as this bill moves forward, and like I had said earlier, that I understand that there are some issues with the bill. I would just want to remind people that this does save money for the State, and the more money that we can save for the State, I believe that we can help more people. Thank you."

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representative Finnegan be entered into 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:

"I stand in strong support for SB No. 1344 and quote from testimony submitted by AlohaCare:

AlohaCare initiated this measure in order to put an end the Hawaii Department of Human Services (DHS) policy of positive enrollment, which has disrupted the delivery of medical and related services to the enrollees of the State of Hawaii QUEST Program. As you know, Hawaii's QUEST and QUEST Expanded Programs represent some of Hawaii's most medically fragile and vulnerable residents, including low-income families, the aged, the disabled and many other groups.

Positive enrollment is a policy whereby QUEST recipients are involuntarily dis-enrolled from their health care plan and consequently from their Primary Care Provider (PCP). QUEST recipients then must select a plan and PCP, either their former plan and PCP or new ones. Those who do not select a health plan are automatically assigned one by DHS, which can be a different plan. At our request, the HD1 version of the bill applies to the QUEST and QUEST Expanded Program due to our concern that positive enrollment will be applied to that program as well. DHS supports positive enrollment because their goal is to encourage competition among health plans. DHS opposes S81344, HD1.

In 2006, DHS implemented positive enrollment and caused unnecessary confusion among QUEST beneficiaries and providers, delays in necessary medical care, disruption to case management, loss of contact between enrollees and their primary care providers and unnecessary expense for all involved. S81344 will ensure that this disruptive practice will not occur again.

On March 23, the House Human Services/Health Committees made the following substantive amendments, improving the bill by eliminating rather than just modifying positive enrollment:

- Removed language that details limitations on the positive enrollment policy;
- Adds a provision that prohibits DHS from requiring a QUEST or QUEST Expanded Care recipient to re-enroll in a health plan unless their chosen plan no longer actively provides services and coverage;
- Requires insurance entities contracting with the State to provide Medicaid coverage to enter into written contracts with a minimum of 50 percent of hospitals and providers in their coverage area; and
- Changes the effective date to January 1, 2050, to encourage further discussion.

AlohaCare supports the elimination of positive enrollment, despite the fact that we benefited from the 2006 auto assignment of approximately 20,000 enrollees who did not select a health plan as a result of positive enrollment. These enrollees were assigned to AlohaCare because we were the lowest bidder. As the result of our low bid, AlohaCare will save the State of Hawaii approximately $23 million over the current four year contracted period.

It is important to note that the elimination of positive enrollment does not prevent QUEST enrollees from changing health plans under the QUEST Program. Annually, as does any Hawaii health plan, including employer purchased and State employee plans, QUEST beneficiaries have the right to stay in their current plan or choose a new one. In addition, as a matter of policy, AlohaCare assists enrollees to change to alternative plans anytime of year, above and beyond the annual open enrollment period required by QUEST. We do this because we believe that offering QUEST enrollees a choice of health plans that best meet their individual needs is optimal. Thus, positive enrollment is not needed.

Again, our goal is to prevent positive enrollment from jeopardizing the care of some of Hawaii's most vulnerable and medically fragile population. AlohaCare is a non-profit health insurance company, founded in 1994 by Hawaii's community health centers, to serve the needy. Serving the healthcare needs of the people of Hawaii with aloha is our mission. AlohaCare has more than 60,000 health plan members, of which 1,200 Medicare members."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1344, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1682) recommending that S.B. No. 1679, SD 2, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1679, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

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:

"Mr. Speaker, I rise in strong support of Senate Bill 1679, House Draft 1. This bill sets aside funding for important State safety net programs. In these difficult economic times, it is the State's duty to protect the most vulnerable among us: the poor, disabled, young, elderly, mentally ill, uninsured, and victims of abuse and domestic violence--those least able to lobby the Legislature to protect their interests. Reduction or elimination of services to these populations could be catastrophic; people who are struggling to feed themselves, keep a roof over their heads, and stay healthy and productive may find themselves a step away from homelessness. The Emergency and Budget Reserve Fund was intended to be used precisely in these circumstances and specifically for these populations. Ensuring funding for safety net programs also keeps our government social services and non-profit agency employees working at a time when their expertise is critical. Saving the safety net is not just for the vulnerable and those who serve them—it is a reflection of the State's commitment to all of its people. 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. 1679, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

At 11:02 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 539, SD 1, HD 1
S.B. No. 540, SD 2, HD 1
S.B. No. 190, SD 1, HD 2
S.B. No. 415, SD 2, HD 1
S.B. No. 912, SD 2, HD 2
S.B. No. 1344, HD 2
S.B. No. 1679, SD 2, HD 1

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1685) recommending that S.B. No. 1345, SD 1, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1345, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Berg and Thielen voting no, and with Representatives Morita and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1686) recommending that S.B. No. 468, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 468, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Wooley 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 Wooley's written remarks are as follows:

"The goals of this bill may be well-intentioned. However, I have serious concerns about this draft, which provides an exception for Waikiki and potentially allows for construction along the shoreline with no public review process."

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I have reservations on Standing Committee Report 1686, and Mr. Speaker, my reservations relate to a firsthand experience on Kailua Beach. What this bill would do is, it would allow a beachfront owner to apply for an emergency permit in the special management area to put up either a revetment wall, or some sort of temporary structure at that person's home. The difficulty is there is a particular house on Kailua Beach that has been built out so far, it's on sand area that used to be underwater within the last 20 years. Those of us that have walked the beach during that period of time were aware of that, as the water lapped up that far. This would mean that, that owner, as the sea level rises, that that owner is going to be able to go to the permitting authority, request an emergency permit to put up a shoreline structure, or temporary structure, which could begin to erode away Kailua Beach.

"There won't be any public hearing under this bill. Now, the bill can go forward without this provision, and I would encourage those people that are on Conference Committee to look at that, and don't exempt that kind of a structure, or that kind of a situation from a public hearing.

"The public hearing is where you get your shoreline experts to be able to come in and say to the permitting authority, 'Wait a minute, don't allow that owner to do X, Y and Z, because here's going to be the result.' You're going to start an erosion pattern that would turn Kailua Beach into what has happened to Lanikai.

"And so, I think that this bill should really have a hard look, and have that provision taken out. It doesn't need that provision in it to go forward. Thank you."

Representative C. Lee rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I rise in opposition to this bill. Mr. Speaker, this bill will allow for better management practices to protect our beachfront homes in many areas and properties today, and safeguard and preserve our beaches and natural shoreline habitats for many future generations to come.

"However, I'm voting against this bill, as drafted, because for those beachfront properties covered by the Waikiki Beach Reclamation Agreement of 1928, which includes all the beachfront properties from Ala Wai Canal to the police station on Kalakaua Avenue, and beyond.

"This bill unnecessarily eliminates all State and county building setbacks. While current State law allows for the counties' expanded discretion to sit greater than the 20-foot State minimum setback, these provisions, as written, prohibit the county from exercising any authority in

Waikiki. And it will go further and prohibit the minimum 20-foot State setback as well.

"So, while throughout the rest of the State, this bill provides for greater setbacks, as deemed appropriate. In Waikiki, at our premier beach, we have eliminated setbacks altogether.

"Mr. Speaker, it is our obligation to protect and preserve Waikiki Beach as an important destination for both locals and tourists alike; an icon of our State, that we must not allow to disappear beneath concrete foundations, or beneath the waves. Thank you."

Representative Choy 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 Bertram rose and asked that the Clerk record an aye vote with reservations for him, 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 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:

"Mr. Speaker, I rise with reservations on Senate Bill 468, House Draft 2. In its original form, this bill promised to establish safe and sensible shoreline setback requirements that would take into account global climate change, rising sea levels, erosion, and natural disasters. It reflected the smart long-term planning that we should be undertaking as an island state. As this bill moved through the House, however, its positive intent was distorted.

"Specifically, the twenty-foot shoreline setback requirement in Waikiki was eliminated. The reason given for this elimination is that a shoreline setback in Waikiki would violate the rights of property owners who were parties to the Waikiki Beach Reclamation Agreement of 1928. This Agreement, however, (a copy of which I attach here) merely stated that various property owners would agree to have the Territorial government of the state replenish the sand in the beach areas fronting their properties. In exchange, the property owners would own the sandy areas fronting their properties, subject to an easement for the public. Nothing in this Agreement appears to prevent this body from imposing a twenty-foot setback.

"Moreover, Waikiki, perhaps more than any other area of the State, must take into account how its built areas affect and are affected by shoreline changes. Development in this area must proceed with care. Waikiki is the engine that powers our economy. Waikiki Beach lures millions of visitors to the State each year. If thoughtless and short-sighted shoreline development is allowed to proceed, it may, in the long run, destroy the very resource that it was intended to exploit. Thank you, Mr. Speaker."

MAIN AGREEMENT

BETWEEN THE TERRITORY OF HAWAII AND PROPERTY OWNERS AT WAIKIKI FOR THE RECLAMATION OF WAIKIKI BEACH, DATED OCTOBER 19, 1928, RECORDED IN THE BUREAU OF CONVEYANCES AT HONOLULU IN BOOK 1047, PAGES 176-202.

Agreement made as of this 19th day of October, 1928, by and between The Territory of Hawaii, party of the first part, and the undersigned (other than said Territory), parties of the second part,

Witnesseth: Whereas, Act 273 of the Session Laws of Hawaii, 1927, authorized the building of a beach at Waikiki, Oahu, by or under the authority of the Board of Harbor Commissioners; and

Whereas, said Act provided that said Board shall not begin any construction work unless and until legal arrangements are made whereby the general public shall be assured of the right to use such portion of any beach built as lies within seventy-five (75) feet shoreward of the mean highwater mark; and

Whereas, said project if completed, will be a public benefit and of benefit to the property owners concerned.

Now, therefore, in consideration of the execution of this agreement by the parties of the second part, and of their covenants and agreements herein set forth, the party of the first part hereby covenants and agrees with the parties of the second part as follows:

1. That it will commence the work of building said proposed beach outward from the present line of mean highwater mark, as shown by the shoreward line of the area described in Exhibit A hereto attached and made a part hereof, not later than the first day of January, 1929, and will diligently prosecute said work so long as moneys therefor are available or until it shall have been demonstrated that the project is not practicable.

2. That it will not erect or place upon the beach any building, wharf, structure, machine or other obstruction of any kind, except such as may be necessary to be used in connection with such work of construction, and upon completion of the work, or on demonstration of the impracticability of the project it will remove all such obstructions, except such retaining walls, groins or other structures as may be necessary for the preservation of that part of the beach as may be deemed practicable within the meaning of this agreement, and, in case the project shall have been a success, will, subject to the above exception, forever thereafter keep the beach free and clear of obstructions and open for the use of the public as a bathing beach and for passing over and along the same on foot.

3. That such beach, while in the process of construction, and after completion of construction, or in case the impracticability of the project shall be shown, shall become and be deemed to be natural accretion attached to the abutting property, and title thereto shall immediately vest in the owner or owners of the property abutting thereon, in proportion to their sea-frontage, subject only to the easement in favor of the public as above stated.

4. That in case such project shall prove to be impracticable it will, at the request of any party of the second part, recommend to the Legislature that the necessary legislation be enacted for the removal of any retaining wall, groin or other structure which shall have been placed in front of his property in the attempt to build such beach.

In consideration of the foregoing covenants and agreements of the party of the first part, the parties of the second part hereby covenant and agree with the party of the first part as follows:

(A) That they do, and each of them does, hereby approve and consent to the building of a beach at Waikiki aforesaid, as authorized by said Act 273 of the Session Laws of 1927, and in furtherance of such approval and consent do hereby promise and agree to abstain from raising and/or making any protest, objection and/or complaint, in court or otherwise, against the same, and do further subject all their property within the area described in said Exhibit A, and all their right, title and interest in the beach which shall be built pursuant to the authority of said Act within such area, to the uses and purposes provided in said Act and in this agreement.

(B) That they will not erect or place on any part of such beach so to be constructed as aforesaid within seventy-five (75) feet of mean highwater mark of such beach as it may exist from time to time, any building, fence, wall or other structure or obstruction of any kind unless such mean highwater mark shall be more than seventy-five (75) feet from the present line of mean highwater mark as shown by the shoreward boundary of the area described in said Exhibit A, and in any case will not erect or place on such beach any such structure or obstruction other than portable fences and/or hedges for the purpose of marking the boundaries of their respective abutting properties, and such structures as shall be removable in nature, providing, however, that such fences, hedges and/or structures shall at no time be situated within the area reserved for the public as herein provided.

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abutting properties, and such structures as shall be removable in nature, providing, however, that such fences, hedges and/or structures shall at no time be situated within the area reserved for the public as herein provided.

(C) That in the event that said project shall prove successful they will at no time prevent such beach in front of their respective premises from being kept open for the use of the public as a bathing beach and for passing over and along the same on foot, provided that such open and unobstructed beach adjoining their respective properties need not exceed seventy-five (75) feet in width from mean highwater mark.

And it is hereby mutually understood and agreed by the parties hereto as follows:

I. That this agreement shall not be construed to be a recognition by the party of the first part of any right, title or interest on the part of any party of the second part in any property abutting on the present highwater mark at Waikiki, nor shall it give the party of the first part any right whatsoever to molest or hinder any party of the second part, in the possession of any such property now held by him, that is to say, all right, title, interest and possession, of each party of the second part, shall be and remain the same as though this agreement had not been executed; and provided that if deemed advisable and in furtherance of the purpose of the said project, and in the mutual interests of the public and of any party of the second part, and if mutually agreed by said Board of Harbor Commissioners and such party of the second part, the shore line along the property of such party as it is now or may hereafter be, may be moved seaward.

II. That said project shall be deemed to be impracticable within the meaning of this agreement if after the expenditure of a substantial amount of money thereon, and after reasonable efforts shall have been made to build such beach, a strip of an average width of less than ten (10) feet shall have been constructed within any one of the following described four natural sectors; then as to such sector the project shall be deemed to be impracticable:

1. Ala Wai to outer seaward boundary of Pierpoint Peninsula.

2. Thence to outer seaward boundary of that property known as the Young Property.

3. Thence to the westerly end of the Kalakaua Avenue Retaining Wall.

4. Thence to the Elks' Club.

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III. That the failure on the part of the party of the first part to comply with and perform any covenant herein contained on its part to be observed and performed shall render this agreement void and of no further force or effect as to any party of the second part at his election; provided, however, that title to so much beach as shall have been constructed shall remain vested in the owner of the abutting property adjoining which such beach shall have been constructed; and the failure of any party of the second part to comply with and perform any covenant herein contained and on his part to be observed and performed shall not avoid the same but the party of the first part may enforce the observance and performance of such covenant by any proper legal proceeding.

That this agreement shall be deemed a several and not joint agreement, and shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors and assigns, but the same shall not become effective for any purpose unless and until the United States of America by presidential proclamation or other lawful means, shall have transferred all its title in and to the area described in said Exhibit A to the party of the first part.

In witness whereof, the party of the first part has caused these presents to be executed on its behalf by C. T. Bailey, Commissioner of Public Lands of the Territory of Hawaii, and countersigned by W. R. Farrington, Governor of the Territory of Hawaii, and by Lyman H. Bigelow for and on behalf of the Board of Harbor Commissioners of the Territory of Hawaii, and the parties of the second part have caused these presents to be duly and properly executed as of this 19th day of October, 1928.

The Territory of Hawaii,

(Seal)

By C. T. Bailey,
Commissioner of Public Lands.

Countersigned:

W. R. Farrington
Governor.

Board of Harbor Commissioners

By Lyman H. Bigelow,
Chairman.

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The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 468, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Third Reading by a vote of 40 ayes to 9 noes, with Representatives Berg, Carroll, Hanohano, Keith-Agaran, C. Lee, Luke, Nishimoto, Shimabukuro and Takumi voting no, and with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1692) recommending that S.B. No. 389, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 389, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1693) recommending that S.B. No. 496, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 496, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to SB496, SD 2, HD 2. Thank you. This is relating to Charter Schools. This bill eliminates the per-pupil funding method and requires Charter Schools to follow the same budgetary request process as other State agencies. It also has several provisions giving the Department of Education and the Board of Education more control over Charter Schools.

"Charter schools, although they are public schools, have never received the same funding as Hawaii's traditional public schools. Currently, the law requires that Charter Schools receive a per-pupil amount, based on a funding formula. And, throughout the process of coming up with that number, there are many different levels that don't necessarily follow that formula.

"This year, Charter School students are receiving approximately 8.8% less per pupil than they did in 2007 and 2008 school year. And, under both the Governor's and House's version of the budget, Charter Schools will have a combined decrease of 17.7% per pupil. Keep in mind that this also means a lot of the other types of support that other schools get, like facilities' funding, is not in the Charter School amount that is in the budget bill right now.

"The Charter Schools also have lost what equates to millions of dollars of support for Charter Schools through some of the DOE cutbacks that they had done in submitting their budget. Clearly, there are problems with Charter School funding, but this bill is not the solution. Our Charter Schools are an effort to decentralize education and put decision-making authority as close to the classroom as possible.

"By allocating funds on a per-pupil basis, local school leaders are empowered to maximize their funds, using efficiency and thrift. Even the DOE Superintendant has said that she wants to go to a per-pupil formula for the traditional public schools. By requiring the Charter School Administrative Office to submit a budget request for all Charter Schools to B&F in requiring Charter Schools to comply with all BOE and DOE directives, this bill enables the Legislature and B&F to micromanage Charter Schools, deleting or approving programs on a line-by-line basis.

"This bill increases the procedural hoops and red tape that Charter Schools will have to go through, and ensnares them in the regulation and bureaucracy that typifies State-run education.

"Mr. Speaker, Charter Schools were meant to bring innovative ways of educating your child to the forefront, and in a lot of the Charter Schools, that has happened. And, what we're doing here is we're moving in an opposite direction. And, just to give you some behind the scenes type of information, the Charter Schools last year, after seeing some of the language having to do with DOE control and BOE control, they killed the bill on the Senate side, because they said, 'We don't want that. That's why we're Charter Schools.'

"And so this year, they've supported this measure and other measures moving forward, because they felt, 'Okay, maybe we were too knee-jerk reaction last year, and we killed the only avenue for any Charter School help.' So, they allowed it to go through Committees, and supported it with reservations and everything.

"At this point in the bill, the appropriation section was deleted, in which they were hoping to get a little bit more funding to help them survive these upcoming two years. Being that that was taken out, and the provisions are to be under the directives of the DOE and BOE, it just makes absolutely no sense for Charter Schools to support this legislation.

"I think the majority of us on this Floor have said that they're in support of Charter Schools, and I hope that you will vote 'no' on this piece of legislation, because it definitely is not in support of Charter Schools. Thank you."

Representative Bertram rose to speak in opposition to the measure, stating:

"Yes, also in opposition. Just some quick comments. As the Representative of a district that has one of the best Charter Schools in the State, and has been really exemplary in putting out great students and great results, I have seen the ups and downs that Charter Schools have gone through in trying to get equitable funding. As was suggested by the other speaker, this goes in the wrong direction. We need to be going in the opposite direction, and really giving much more independence to these schools, and the proper funding as well. Thank you."

Representative Coffman rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative C. Lee 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 support of the measure, stating:

"Thank you very much, Mr. Speaker. I don't have any prepared remarks. I am actually a bit baffled by the opposition on this bill, particularly from the Minority Leader, since she's a member of the Education Committee, and has never stated her concerns to me personally. And until she stood up at this moment, I was not aware that she had grave concerns about this measure.

"Let's look at what's in the bill, Mr. Speaker. As I always say, when in doubt, read the instructions. You know, for the Charter School community, it's been a very challenging journey to try to figure out what would be adequate funding. And let's be clear about this. I don't know of any agency, any department, any program in the State that believes they get adequate funding. So, Charter School community, join the parade, because everybody feels they don't have adequate funding.

"The question is, what should they be getting? This approach merely says that Charter Schools should be under the same budgeting process as every single program, department, branch, agency, service, in the State. They should not go with a per-pupil approach. And let me just say, with the Charter School community, it's very difficult. It's like what Woody Guthrie once said: 'If you want to know the working-class point of view, be sure you only have one worker in the room.' Well, if you want to know the Charter School point of view, be sure you only have one Charter School in the room, because there is not unanimity and consensus among the Charter School community, as well. And why should there be? They're made up of very diverse, disparate types of delivery systems and constituencies. So, you're going to have disagreement, even within the Charter School community.

"There are those who are in favor of this approach, Mr. Speaker. But, of course they have some trepidation. They have some concern whether or not, at the end of the day, they're going to actually end up with more money in their budgets than they currently have.

"With the per-pupil allocation, here is the dilemma. The Director of the Budget and Finance Department says she has funded the Charter Schools. She has given them what they should be getting, according to the formula. The Charter School community says, 'No, she did not.' And they go back and forth, and back and forth. Rather than getting engaged in that battle to determine what should be in the formula and what should not be, this approach, in my opinion, is a far cleaner approach.

"As far as the Board of Education being heavy handed, that's again, very ironic because the language that's in the bill was worked out between the Executive Director of the Charter School Administrative Office, and the Board of Education. There was an agreement that this language best conveyed the point of view of both parties. So, again, I'm a little surprised now to hear that some people are worried about that as well.

"It seems to me, Mr. Speaker, the only way we're going to get out of this is to keep this measure going forward, continue to have dialogue and try to figure out what's best for the Charter Schools, because I am a strong believer in Charter Schools. I believe they provide a valuable alternative for our students. And don't get me started about whether or not they achieve better or worse than the regular public schools, because the jury is still mixed on that. But, I still believe that this is an experiment that should go forward.

"But, I am a little dismayed when I hear that there's opposition to this bill, and without any prior discussions about what we could have done to make the bill better. Thank you, very much."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I'm still in opposition, and I do have to comment. The Education Chair has been quite helpful and quite supportive of moving pro-Charter School legislation forward and getting that discussion out there. And, he is correct in regards to me not bringing up some of these things in the past. In the Education Committee, I did talk about the language of Charter Schools following the directives of the BOE and DOE. I did have concerns about that, and language was being worked on. What this is, is it's a tilting point for the Charter Schools. Before, when there was a possibility of having additional funds, and maybe seeing the bill move forward and kind of leaving an open door for possible different ways of a funding mechanism.

"You've got to realize that the Charter Schools are survival type of schools. They come in, they don't have the kind of funding that other public schools get. So, when they have to cut, because the budget comes down and cuts, this goes down to classroom cuts. They don't have a central bureaucracy, or any other kinds of cuts like that to take. So, this is direct services to the classroom, that when they have cuts in the Charter School budget, it goes directly to the support of what each child gets.

"So, I do have to apologize to the Chair on that. This has been an ongoing conversation. It's the lessons that the Charter Schools have learned from last year, having to do with, do we kill a bill right after the first Committee, because we don't want to be another starting of a Department of Education? And like I said, they acted with a very knee-jerk reaction. 'We've got to kill this bill because we didn't like it.' This year they're trying to be a little bit more fluid, a little bit more open on how we might be able to address some of the issues.

"But I do have to say that the Hawaii Charter School Network, which is a combination, and if you look at the opponents of the bill, when they talk about the concerns that they have, whether it be the Hawaiian Charter Schools, or the Hawaii Charter School Network, the Chair is absolutely right that they come from different places, because they're all different innovation types of schools, and they believe differently. But the Hawaii

Charter School Network is a group where they've tried over and over again to bring their voices together in one voice, because they understand that that's the language of this Legislature. And that they have to come together and support something, and that's what they do here. They are basically saying that this is not the direction that they would want to go in. The appropriations section was in there, and now it isn't. So, this is why the strong opposition to it. Thank you."

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 support of the measure, stating:

"Thank you, Mr. Speaker. In support with just a few comments. Mr. Speaker, I appreciate the colloquy, this conversation that we are having between the Minority Leader and the Education Chair. I guess the comment that I would like to insert as this bill moves forward, is that we do, at the federal level have a President and Secretary of Education who are greatly in support, in favor of Charter Schools, and allowing Charter Schools to flourish and develop within all of our states.

"So, as this bill moves forward, I hope that that the parties can continue to negotiate, as has been described by both the Minority Leader and the Chair of Education. Thank you."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd just like to ask for a ruling on a potential conflict. At my law firm, I represent a couple of Charter Schools. 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. 496, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Third Reading by a vote of 41 ayes to 8 noes, with Representatives Bertram, Carroll, Ching, Finnegan, Marumoto, Pine, Thielen and Ward voting no, and with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1694) recommending that S.B. No. 1223, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1223, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Herkes rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with reservations. This bill is designed to protect locally-made crafts from unfair competition coming in. But the language is so broad, and we have to be very, very careful. If not, we're going to impact companies like Meadow Gold, Love's Bakery, Big Island Candies, which suddenly will find that they're no longer legal. Thank you."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. Thank you. While this measure may not be perfect, this bill that prohibits the use of the phrase, 'Made in Hawaii' from being used as an advertisement or media tool for any item that's not been manufactured, assembled, fabricated or produced in Hawaii, and which does not have 51% of its wholesale added. It will protect our local businesses. And we should promote our local businesses who make, assemble, and grow their products.

"And on the ag front, Mr. Speaker, on the agricultural front, it's not unusual to hear people talking about wine regions, the tastes of wine from particular areas or regions. And now coffee is often assessed by region, and companies that offer coffee exclusively from Hawaii. Kona coffee. This interest has also migrated to chocolate, and introducing the concept of single-origin chocolate, which is a $60 billion business worldwide.

"This bill has a potential to bring much value to Hawaii-made commodities, and so I hope this measure passes."

Representative Tsuji rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support, with a few comments, and acknowledging the comments of the Representative from the 5th District. In support. Thank you. Written comments to follow."

Representative Tsuji's written remarks are as follows:

"Mr. Speaker, I am in support of SB 1223 SD1 HD2. This measure seeks to preserve the integrity and credibility of products that have been labeled as "Made in Hawaii."

"At present, our local artisans and manufacturers are threatened by imports and other products that claim to have been Hawaii-made. It is not uncommon for their products to be lumped together with so-called "enhanced" imported items made elsewhere by those who may have little to no understanding of the cultural symbols associated with Hawaii.

"Accordingly, this measure would protect both producers and consumers from false or misleading advertising of such products by prohibiting the use of the phrase "Made in Hawaii" unless those items meet designated criteria.

"These efforts are essential if we are to support our local businesses and manufacturers while ensuring the integrity of the products they produce. I urge my colleagues to join me in support of this bill."

Representative Yamane rose in support of the measure with reservations and asked that the remarks of Representative Herkes be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1223, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MADE PRODUCTS," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1696) recommending that S.B. No. 1060, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1060, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. First, I want to say that I am against illegal or disrespectful use of fireworks. Fireworks were started over a millennium ago for sacred purposes, for purposes of faith and understanding and tradition.

"But this measure would impose a surcharge of 50% on the gross receipts of consumer fireworks sold at the retail level. This would only encourage, encourage, I repeat, Mr. Speaker, the 'black market,' specifically. It's unlikely to reduce the consumption, since people would just go to vendors with the cheaper prices, specifically the 'black market,' which is already, as you well know, in existence, as demonstrated by the number of illegal fireworks set off each year on New Year's Eve, Fourth of July, and on other days of the year, which have no holiday. And this will make the problem worse by driving people away from the legitimate retailers, who have at least some control over the types of fireworks sold.

"This bill would punish legitimate businesses that already play by the rules, by just adding more burdens. Burdens in the form of registration, which includes a $20 fee. It would do nothing to address the perpetrators, whose disrespectful actions of using illegal aerials on days other than specific holidays, and up into the ungodly hours of the night, which I've experienced where I live as well. These are the very ones who are

purchasing from illegal 'black market' vendors, and they will continue to do so, as long as it's available.

"But we shouldn't be driving legitimate businesses away because we'll, again, just be supporting the black market. This will have a negative effect from a cultural perspective. There are a number of cultural and sacred uses for fireworks, and we must teach our young people to remember that fireworks were once used for a sacred purpose. They still are, and abuse must come to an end. Thank you."

Representative Cabanilla rose in opposition to the measure and asked that the remarks of Representative Ching be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Awana rose in opposition to 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 opposition. In regards to this matter, I am concerned with unintentional consequences which may result if we were to place a tax on legal fireworks vendors, and I believe the measure will not address the overall issue of illegal fireworks. The description of this bill is to 'reduce the use of consumer fireworks." The vast majority of fireworks seen during the holiday seasons are attributed to illegal fireworks.

"As a member on the House Finance Committee, I asked the Honolulu Fire Department how many cases were brought to trial. They stated that there were only two cases and one had gone to court. But as we could see on the Island of Oahu especially on New Year's Eve, there were thousands of illegal aerial fireworks from one end of the island to the other.

"As a matter of fact Mr. Speaker, I believe this measure will further entice consumers to purchase illegal fireworks over paying an increased fee and then have to purchase fireworks at an increased price. The vendors will also be taxed and costs will be passed down to consumers. For these reasons, I am in opposition. Thank you, Mr. Speaker."

Representative Tsuji rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Choy rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Coffman 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 Coffman's written remarks are as follows:

"A surcharge is another form of taxation on a limited set of the public with the intent to reduce sales. It may create more 'black-market' sales. If we want to limit the use of private fireworks displays, we should prohibit the sale of fireworks."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations 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 Wooley 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 Wooley's written remarks are as follows:

"Currently, there are serious concerns about the effects of fireworks on human health, safety, the environment, and animals. Rather than ban fireworks, this bill imposes a significant tax on fireworks. I am opposed to taxes that hurt our low- and middle-income workers and our local businesses in particular, but the intent of this tax on fireworks is to discourage people from buying them (and raise revenues to pay for government services).

"I'm comfortable discouraging the use of fireworks by taxing them rather than banning them. However, I have a couple of concerns. There are some types of fireworks, such as sparklers, that have minimal health or environmental impacts, and the cost for these products will go up. Second, it is important to increase revenues to the general fund in these tough economic times, but I would like to be sure that some of the money raised by this tax will be used to enforce the laws against the use of illegal fireworks.

"All that said, I'm hopeful that the increase in cost will reduce the health, safety, and environmental impacts of fireworks while also increasing revenues to help balance the budget."

Representative Takumi rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. With reservations. Actually, as you well know, I'm in favor for a total ban of fireworks in our State, except for professional displays. And so, I think it's just gotten way out of hand as the years have gone by. I introduced a bill to do that. It started off as a bang. This is a whimper in my opinion. And, here is the rub with this bill that's problematic. With that surcharge of 50%, those dollars go into the general fund.

"I would be far more open to supporting this bill if that 50% surcharge went to increased enforcement. By saying that 50% surcharge really goes back into the general fund, I believe that we will have no more additional enforcement of those who are using illegal fireworks, and also those who do use legal fireworks, but in an unsafe and inappropriate manner. Thank you, very much."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations and want to reinforce the previous speaker's note on we're singling out the wrong people. Not the ones who are legitimately selling fireworks, but the enforcement of those who are doing illegal fireworks. The bangs, the booms, the rockets, the great glare. We had a discussion in the Finance Committee. We asked the Fire Chief, 'Well how many people got investigated, or how much of the enforcement took place?' They said, 'Two.' And one was still pending.

"So, there's literally no enforcement, so we can add law after law and pile it on, if we don't get any enforcement. Punishing these guys who are legitimately selling fireworks, and increasing the price to our constituents, this doesn't make sense. You don't have be a psychiatrist or a motivational rocket scientist to know that the structure of the incentives in this business are all wrong. Entirely wrong. It's this poor policy. It's just not the right way to go. Thank you."

Representative M. Lee rose to speak in support of the measure, stating:

"I rise in support. Mr. Speaker, first let me say I am for a total ban on fireworks. Let there be no mistake about that. The proliferation of fireworks at both New Year's and July 4th has escalated into an increasingly serious public health and safety problem. Legal fireworks, like fountain torches, sparklers and red devil firecrackers spout a great deal of noxious smoke. The air in my community becomes polluted and the noise creates needless emotional distress in young children and pets.

"At least three times a year, fireworks cause fires to break out everywhere, in trashcans, on the street, and in dry brush. Warnings of caution during periods of drought do no good. In Mililani two years ago, these incendiary devices even engulfed a storm drain in flames. Hundreds of small fireworks-related blazes are started from fireworks every year, and they cause injuries too. The required overtime of police officers and firefighters overextends their resources, to say the least. To compound the problem, the deafening, concussion-blast of illegal fireworks absolutely terrifies animals and has the potential to damage the hearing of children. Illegal aerials also greatly increase the risk of fire and personal injury, as

they are designed for professional use only; not the reckless thrill-seeking of judgment-impaired lawbreakers.

"Mr. Speaker, I fully support this bill becoming law. A new surcharge on the sale of consumer fireworks would be a lot more effective than an increase in permit fees. A surcharge would likely decrease the amount of fireworks purchased and increase reporting requirements. This would allow government to keep an eye on quantity sold and imported.

"If this were just an increase in the permit fee, we would merely be encouraging illegal sales. If the price goes up, less will be sold. That's the bottom line. Just like we saw with the price of gasoline a few months ago. It's a classic. Fireworks surcharge funds could be used to tighten inspections of imported goods, including legal and illegal fireworks. It's time for the Legislature to take some action on the fireworks problem. This is the last vehicle we have.

"Quite frankly, I support a total ban, but this is a start to decrease use and monitor importation in sales. Thank you, very much."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Finnegan later rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'd like to change my reservations vote on Stand. Com. No. 1696 to a 'no' vote. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1060, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Third Reading by a vote of 38 ayes to 11 noes, with Representatives Awana, Cabanilla, Chang, Ching, Finnegan, Marumoto, Nakashima, Pine, Sagum, Souki and Tokioka voting no, and with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1697) recommending that S.B. No. 605, SD 1, HD 2, as amended in HD 3, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 605, SD 1, HD 3, pass Third Reading, seconded by Representative Evans.

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 S.B. No. 605, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

At 11:33 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1345, SD 1, HD 1
S.B. No. 468, SD 1, HD 2
S.B. No. 389, SD 1, HD 2
S.B. No. 496, SD 2, HD 2
S.B. No. 1223, SD 1, HD 2
S.B. No. 1060, SD 1, HD 2
S.B. No. 605, SD 1, HD 3

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1699) recommending that S.B. No. 1173, SD 2, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1173, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1700) recommending that S.B. No. 1202, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1202, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION ENERGY INITIATIVES," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1701) recommending that S.B. No. 1258, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1258, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising in support of Standing Committee Report 1701 and Senate Bill 1258, Relating to Renewable Energy. Mr. Speaker, I would like to request that I'd be permitted to enter some brief comments in support by the Sierra Club, because I think they say it very well. Thank you."

Representative Thielen submitted the following comments from the Sierra Club, in support:

"This bill clarifies that Hawai'i's energy objectives (our renewable energy portfolio standards) should be met with only clean, indigenous, renewable sources of electricity. Energy efficiency – a wonderful concept – should be encouraged independently of our efforts to develop renewable energy. What is the background on this measure? Hawaii is the most dependent state in the nation on imported oil. Some 50 million barrels are imported annually, nearly 80% of which originate from foreign sources. In addition, over 805,000 tons of coal are imported into our state. These sources provide power for over 92% of Hawaii's electricity generation. The combustion of these resources also contributes of 23 million tons of climate changing greenhouse gas into our atmosphere annually.

"The Sierra Club supports this measure, but suggests we can be more aggressive in our goals. 20% of net electricity sales should be renewable by 2015; 30% by 2020; 40% by 2025; and 50% by 2030."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1258, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1702) recommending that S.B. No. 1260, SD 1, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1260, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise to speak with reservations on SB1260, SD1, HD1, Stand. Com. No. 1702, Relating to Air Pollution Fees. Thank you, Mr. Speaker. This bill removes the cap for air pollution emissions in excess of 4,000 tons annually from covered sources. Records have indicated that at most times, only the HECO Kahe generating station would be affected by the removal of the emissions cap. Kahe's fees would then increase about 45%, approximately 510,000 to 740,000 per year.

"Mr. Speaker, the fee program was established in 1992 to support air program activities pursuant to the Title V of the Clean Air Act. The emissions cap was an option that Title V made available to states in designing their fee program, to lessen the annual fee burden on the very large sources. Retaining the cap provides continued relief for the electric generating facilities, and also their customers, for which increased fees are ultimately charged.

"Mr. Speaker, what happens with this is that you're basically going to basically pass on that increase in fees onto the consumers, and I know that that is something we do not need in this time; increasing any kinds of fees, especially for consumers of this electricity. Thank you."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I also rise on this measure with reservations. I'm for cleaning up air pollution. But on the other hand, I feel that this is the real anti-business measure, as so many of these bills before us today are. It's also an anti-consumer, because they will simply pass on the increased fees to all of us who use the services of electricity. So, I am voting for this, but I have serious reservations. I think the increase is much too high. Thank you."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support. A couple of short points. Number one. At the hearing, there was a representative of Hawaiian Electric present in the room. They did not provide any testimony in support or in opposition. Number two, in the Committee Report, you should read it. There is an indication that this Legislature would not want those particular increases to be passed on to the consumers or rate payers. Thank you."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, on this measure, I'd like to ask for a ruling on a potential conflict. At my law firm, I represent Hawaiian Electric, but only in matters related to labor standards and OSHA. Nothing related to this. Thank you," and the Chair ruled, "no conflict."

Representative Coffman rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support. Just a quick comment. It makes no sense in this time to allow the largest polluters to continue polluting our air. We are all aware of the climate change problems. And that's all I want to say. 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. 1260, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION FEES," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1704) recommending that S.B. No. 1160, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1160, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I am in favor of this bill with reservations. Senate Bill 1160. It's meant to make the administration of housing projects by HPHA more efficient, and was amended by adding a Part II, which requires legislative approval, prior to the sale or lease of any public housing project.

"The legislative approval does not make the administration of HPHA Housing Projects more efficient. In fact, it does the exact opposite, adding additional bureaucratic red tape to wade through. The bill was supposed to alleviate the 9,000 person waiting list for public housing. However, the addition of Part II will only make this problem worse, by inhibiting mixed use developments, which are an important piece of solving the affordable housing puzzle by creating more hoops to jump through in order to sell or lease HPHA public housing projects. This bill will discourage much need housing developments and stifle any attempt at alleviating the housing problems facing Hawaii's people.

"This is government at its worst. Why unnecessarily slow down government? It's slow enough as it is. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support of the first part of this bill, but I do have the same types of reservations as the previous speaker. So, with reservations. Thank you."

Representative Cabanilla rose to speak in support of the measure, stating:

"In support of Part II and in support of the bill, Mr. Speaker. And, I would just like to rise to explain why this piece needs to be included in this legislation. First of all, I'm in support of those 14,000 people waiting to go into public housing, and the additional people that need to get on this list for public housing.

"I think it's important that since the Legislature funded this public housing, it needs to be discussed more. There has to be more openness, rather than a group of nine members that make this decision. The public housing projects that we have are key components to solving affordable housing and homelessness in Hawaii. And I'm not saying that the initiative to sell them and make them mixed use is a bad thing, Mr. Speaker, but I think it needs to be discussed more. And rather than going through it without 'sunshine' in the process, I think the Legislature needs to discuss it.

"These are major real estate projects that the State owns. So, I just thought we need to discuss it more. Mixed use is not bad, but again, on the other hand we have 14,000 people waiting to go into low income housing, in which they want to change it just .5%. I think we need to discuss it. Thank you."

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:

"I have reservations on SB 1160 and I quote from The Legal Aid Society of Hawaii's testimony:

356D- Assessments for common area expenses:
Public Housing Authorities and project owners faced with increasing costs and sometimes inadequate subsidies often look for ways to collect extra revenues from tenants. Tenants in state-assisted housing have current rental agreements. This agreement is binding upon both parties. The current rental agreement includes a procedure which must be followed before a PHA can make future changes. Additional charges plus the proposed rent increase, may result in many tenants being unable to remain in state-assisted housing.

356D-91 Eliminating most procedural requirements for evictions.
Federal statute and case law stress the seriousness of eviction for a public housing tenant. Most serious of these consequences is a life-time ban from public housing. Because of the seriousness of eviction, federal law and regulations require that the public housing agency may not terminate the tenancy except for serious or repeated violation of the terms or conditions of the lease or for other good cause. 42 U.S.C.A. §1473d(l)(4).

The statutory language implemented by HUD regulations provide that: the PHA may terminate the tenancy only for serious or repeated violation of material terms of the lease, such as failure to make payments due under the lease or. ...other good cause. 24C.F.R. §966.4(l)(1).

It is well-established that unexcused and unjustified chronic nonpayment of rent is good cause for eviction. There are however, many situations in which a tenant may not have paid the rent that is allegedly due, but that fact alone will not constitute good cause to evict:

(1) rent has been improperly calculated,

(2) the tenant has lost income and the rent should have been reduced,

(3) the tenant should have been provided additional subsidies that would have avoided the nonpayment,

(4) the sums paid are not rent, but some other charges,

(5) the amount that the tenant has failed to pay is too small to justify eviction,

(6) the nonpayment ha been caused by factors beyond the tenant's control, and

(7) the nonpayment has occurred only once.

The current procedure of informal contact between a tenant and management prior to an eviction hearing provides a means to determine whether one of the above situations is responsible for nonpayment. The informal process is a means to resolve a non-payment issue without the expense and trouble of an eviction hearing. Tenants facing eviction from HUD-subsidized housing have numerous federal procedural rights in addition to the basic substantive protection of good cause for eviction. The Due Process clause of both the state and federal constitutions apply to the procedures that must be followed to evict a tenant.

Federa11aw mandates that the Grievance Procedure be attached as an addendum to the rental agreement. Current leases contain the Grievance Procedure promulgated in July 2006. Currently Section D of the grievance procedure covers delinquency in rent. HPHA must follow strict procedures to inform tenants of any changes to the grievance procedure. The current proposed bill makes no allowance for these required procedures.

Elimination of nearly all procedural protections for evictions due to failure to pay rent, will result in no unwarranted evictions and more frequent Chapter 91 Administrative Appeals. Modifying the procedures would be considerably more effective than total elimination.

§356-92 Section 4: Elimination of Eviction Board
Currently there is one appointed hearings officer in Honolulu. This hearings officer conducts formal eviction hearings. However, the Eviction Board is the final arbiter in a tenant's eviction. Under federal law, PHA may appoint a hearings officer, rather than a eviction board. However, PHA needs to appoint someone who has knowledge of the applicable laws and regulations.

Failure, to do this will result in appeal of decisions."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1160, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Bertram voting no, and with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1705) recommending that S.B. No. 19, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 19, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Just a comment with reservations. This is like many of the other and some of the preceding bills that are going to hurt small business. This punishes the small guys because they don't have apprenticeship programs. That stunts them from growing bigger. Mr. Speaker, my sense is it would be better to have an apprenticeship tax credit, than a 5% penalty when they're bidding for various work here. Thank you."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. I just wanted to point out, a comment was made that the apprenticeship bill, Stand. Com. Report Number 1705, SB 19 would hurt the little guy. It won't hurt the really little guy because they're excluded. Any contract of a value of less than $250,000 is excluded. In the long run, it helps big guys too, because it wasn't that long ago when the economy was going well, that we were very concerned that we didn't have enough of the right kind of skilled workers. We need to prepare for the future, which, economically is much brighter than our present. So, that's the reasons for my support. Mahalo."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On Stand. Com. No. 1705, with reservations and some short comments. The reason why I have concerns over this bill, Mr. Speaker, is it gives significant competitive advantage in the public works bidding process to employers who are able to participate in the apprenticeship programs, at the expense of those who cannot.

"Mr. Speaker, the outcome of this bill is that the reward or preferences based on the affiliation with a registered apprenticeship program. This places an additional requirement on bidders and results in an uneven bidding situation for contractors who are affiliated with unions, and those who are not. 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. 19, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1707) recommending that S.B. No. 1122, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1122, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Belatti rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. During these difficult economic times, balancing the State budget has proven itself to be a monumental task. This Body and the Finance Committee in particular, has dedicated itself to exploring a multitude of options for reducing State expenditures. One idea that has come up is the furlough of State employees, a proposal that we all know has to be implemented by the Executive.

"Our State employees provide valuable services to our citizens. They've already traded off the salaries that they might earn in the private sector, for attractive benefits packages. Reducing State employees' salaries through furloughs requires them to make a further sacrifice. In exchange, however, this bill will ensure that furloughs, if they are implemented, will neither constitute breaks in employees' employment, or negatively impact calculation of employees' benefits.

"On balance, furloughs coupled with the preservation of benefits is a far better solution than furloughs coupled with reduction of benefits, or even worse, layoffs and the complete loss of benefits. For these reasons, I support this bill. Thank you, Mr. Speaker."

Representative Choy 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 Choy's written remarks are as follows:

"I am rising with reservations. The public workers union testified in opposition, and the public teachers union is hesitantly in support of this measure, which is actually confusing since this measure is presented to help them both. The unions have indicated to us that these items presented in this measure should be negotiated between our Republican Governor and the unions. I would like to respect their request and stay out of the negotiations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1122, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

At 11:46 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1173, SD 2, HD 3
S.B. No. 1202, SD 2, HD 2
S.B. No. 1258, SD 2, HD 2
S.B. No. 1260, SD 1, HD 1
S.B. No. 1160, SD 2, HD 2
S.B. No. 19, SD 1, HD 2
S.B. No. 1122, SD 2, HD 2

LATE INTRODUCTION

The following late introduction was made to the Members of the House:

Representative Mizuno introduced Mrs. Terry Kaide from Hilo, and her daughter, Ms. Gale Sakaguchi.

UNFINISHED BUSINESS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1708) recommending that S.B. No. 169, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 169, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative M. Lee rose to speak in support of the measure, stating:

"Mr. Speaker, in support of this measure, but I just wanted to refer back to Senate Bill 43, that we passed early on, and basically that is an assessment of the workforce needs of the State. I think before we implement this Health Corps program, it would be really important that we do have the data that it calls for in Senate Bill 43. So, I just wanted to say I'm in support of this, but we need to have good data before we implement 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. 169, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH CORPS," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1709) recommending that S.B. No. 1142, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1142, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1710) recommending that S.B. No. 1673, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1673, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this bill. Mr. Speaker, I think we can do much better than pass a bill that basically shuts down the health system of the State of Hawaii; at least that which is under the wing of the HHSC. I think it's a step forward to some, but for me, it's a step backwards, 17 steps. You go forward one and you go back 17, you lose 16. The fact is, we have 13 hospitals that are in the lurch right now. Those 13 hospitals are going to be transferred back into what we said we were not going to do in 1996, and that is to keep them bureaucratic and under the Department of Health, and under government control, which is inefficient, ineffective. And, in fact, they were going to 'crash and burn' in 1996, and the great hope was to put them in this quasi public-private HHSC.

"Mr. Speaker, this bill reverts back to what we learned in the '80s and the '90s, that the Department of Health controlling this doesn't work. Why are we doing this? This is one of the worst pieces of policy that I can imagine that we would be doing. And, if I was on the Neighbor Island, and I knew that I was imminently jeopardizing the people of my district, I would stand up and shout.

"Now, I know there are some people who say, 'Well, really this is just a shot across the bough,' because the taxi that we're driving in is not going into the direction we want it to go. But, instead of changing the driver, we're changing the taxi. We think we're going to get a new model by restructuring it. It's not only taking the chairs on the Titanic and rearranging them, it's saying that we want to change the ship. Let's make up our mind. Let's be policy-makers, Mr. Speaker. We can do much better than this piece of legislation in solving the problem regarding the health of the people of Hawaii. Thank you."

Representative Sagum rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Herkes rose to speak in support of the measure, stating:

"In support. I'd like to quote from the Attorney General. He stated that HHSC doesn't work. We need to get rid of it. We need to get rid of the Regional Boards. We need to get rid of the Corporation. We need to send them back to the Department of Health. We need to hire a 'czar' to manage the Hospital System. We don't even know what the indebtedness of the Hospital System is now. I have two hospitals in my district. I'm in strong support of this bill."

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, in opposition. The Director of Health is normally a very quiet person, but she could not withhold her emotion against this measure. And as someone who's very experienced in the medical field, she explained to us and tried to help us legislators who don't work in the hospitals to understand how grave a job that they're doing with the very little money that we give them. Over $100 million for multiple hospitals. She said in the private sector, you would need several hundred million for the same amount of hospitals.

"She said that this bill basically obliterates the whole system, and I understand that some people want to do that because it's a very emotional issue for them, but to think things more clearly and thoroughly is more important I think, in this situation. She really believes that it would really collapse the whole Hospital System for the State.

"For this measure, there will be a transition period of only 90 days to do the transfer. And during that time, none of the hospitals may bill for services rendered to Medicare or Medicaid patients. This puts the hospitals at immediate risk for financial collapse, which places Neighbor Island residents, who depend on these hospitals for emergency hospital and skilled nursing care, in jeopardy of losing care completely.

"This bill could potentially result in suffering and death of individuals. A transition of HHSC will need to occur in a span, Director Fukino says, of at least three to five years. Not just 90 days. This bill just simply is not the answer to the situation. Thank you."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Very briefly, I think, again, what I like to do is, I like to look at where we've been in the past. And, for me, one of the most compelling pieces of evidence was Auditor's Report No. 08-08. There she found that there were material financial weaknesses in HHSC. It wasn't just reportable weaknesses. These are material financial weaknesses. Let me just quote what she says:

> With respect to the Corporation's internal control over financial reporting operations, we found three material weaknesses. The first one had to do with the Corporation's inability to follow the Procurement Code and its asset management policies and practices do not comply with applicable State laws. As a result, we find several specific violations of State laws governing procurement and asset management. The second material weakness is that the Corporation's inattention to information technology exposes that sensitive information to unnecessary risk.

"I think, what the Auditor did in her report 08-08 was really point out that what we need is some degree of accountability and transparency. And that is why this measure brings back HHSC under the Department of Health. Currently, I think, as the other speakers have stated, we don't know what their indebtedness is. We don't know what they're doing. We don't know where they're going. And those are material problems that will continue to plague this Corporation and this System, unless we are able to find a way to bring it back under control.

"I think the overall idea is that we have a transition, and we don't exactly know what that transition will take us, and where the end game will be. But, we need to bring them back under that transparency and accountability. Otherwise, we can continue to have the Auditor issue her financial reports in her audits every other year, because we continue to hear of all the problems. We can continue to put those audit reports back on the shelf and let them continue to collect dust. Or, we can take a serious look at what needs to be done, and finally step up to the plate and do it. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations. I'd like to make some comments with reservations, but I'd also like to just make a rebuttal to the previous speaker. We have so many Auditor's reports having to do with the Department of Education, and we do allow that to sit with us. I don't see anything moving forward in regards to identifying some of those things that need to be redone.

"But, Mr. Speaker, let's get back to this particular bill. This bill allows Maui Regional Health Care System to defect from the HHSC. And on top of that, the opponents of this bill, there's HHSC …"

Representative B. Oshiro rose to a point of order, stating:

"A point of order, Mr. Speaker. I don't believe that is the measure that's before us right now."

At 11:55 o'clock a.m. Representative Pine requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:56 o'clock a.m.

Representative Finnegan continued, stating:

"Thank you, Mr. Speaker. Thank you to the Majority Leader for correcting me on that. It was a related bill and I often mistake the two. Being that we have multiple bills having to address this particular problem, I will save my comments on the bill that I am supposed to speak on. Thank you."

Representative Pine rose to respond, stating:

"Yes, just in rebuttal. Things will continue to be the same if we don't change some things. But completely tearing up the Hospital System is not going to guarantee the result that we want. Of course, if we continue to underfund the System, no matter where you put which hospital, or which department you put it under, it's not going to succeed. The Auditor's report had a lot of truth in it, but it talked only about the problems. So, if there were material financial weaknesses in the system, the better question than, 'Oh let's just have someone else look over it and fire everybody that's at the top,' would be, 'Let's ask, are we funding them in the right way, and with enough money to ensure that they no longer have material financial weaknesses?'

"If we feel that they don't have enough accountability, putting them under a particular department is not going to be helpful, especially when you have the Director herself is saying, 'You want me to do that in addition to my job?' We asked that of her in the Finance Committee. 'Can you run these hospitals?' She said 'No. Not at the same time while I'm the Director of the Department.'

"So, I just think that we really need to definitely look over the Auditor's report, point by point, and that with each point, find a specific answer. Not just throw things all over the place."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Just in opposition, and I ask that the words of the Representative of Ewa Beach be entered as my own, and some additional comments. I think it's so important. A number of us, we may have people who want to ask us about how it is to be a legislator, or a police officer, or a firefighter, but there's something to be said for being the person who's in those shoes, right? In other words, the front lines man. The front lines man in this case is Dr. Fukino, head of the Department of Health. And, as the Representative from Ewa Beach mentioned, Dr. Fukino was staunchly against this.

"So, to me, in our good intentions to want to solve problems, the key is not to have rash decision-making. And so, that is my concern, as I do have some hospitals in my district. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, three points in rebuttal …"

Representative Souki: "Mr. Speaker, recess, please."

Representative Ward: "The rules say you can't, while somebody is speaking, say, 'Recess.'"

Representative Souki: "Mr. Speaker, there's a gentleman in the back there who has been raising his hand for the last half hour. Maybe he's a little too short and you can't see him."

Representative Ward: "Mr. Speaker, I yield the Floor to the Representative who has been standing up and not been recognized."

Vice Speaker Magaoay: "Representative Ward, please continue. I recognized you."

Representative Ward continued, stating:

"Will the gentleman who has not been recognized be allowing me to speak? Or you can have the Floor if you want it.

"Mr. Speaker, a brief rebuttal. Number one, we are in the midst of great irony on this Floor today. We have in the budget that this Body passed, a decimation of a department of 400 employees of a budget untoward, and untold of the amounts. And now we're going to say, you take on this $450 million enterprise called HHSC.

"Dr. Fukino, who as previously noted, is a very sedate, quiet, not usually given to emotion, but she said, 'You are lucky that this thing is still afloat.' The $50 million that they are indebted to is small compared to what it was in '96, and the indebtedness that was growing.

"But lastly, Mr. Speaker, let us not be deceived. We have been warned for 13 years that this is not going to work, unless we, the Body here, change how their operating procedures are. They said, 'Under the Procurement Code, we are stifled. Under the civil service rules, we are stifled. We can't operate like that.' So we created Community Boards. We created Advisory Boards. They told us the same thing over and over again. We should not be surprised at anything the Auditor says, or anything that any of the Corporate officers say. We have been warned, and now we're going to take a step back, or 17 steps, and say we're going to put it back into the government. That is not good policy.

"What the Minority Leader was called out of order for is actually part of this whole argument, and that is the model of what we envisioned in 1996. It was a spinoff like the bill that we are going to talk about for Maui. I know we're not talking about that bill, but it's part of the whole package. If that bill wasn't there, this bill would even be worse. So, at least there's some shining hope for the County of Maui. Having said that, Mr. Speaker, I think we really have to rethink this one. Thank you."

Representative Yamane rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm standing in strong support. I'm getting leg cramps from trying to keep standing up, trying to get your attention. Mr. Speaker, in regards to the numerous comments made before I was allowed to speak in rebuttal. A couple things that I would like to point out, regarding this measure. One of the previous speakers mentioned the fact that this would be implemented July 1st of this year. I think they were looking at an older version. In Finance, it was amended to offer a one year transition period, in which they would give more time for contracts with CMS, DHHS, and the federal government to be worked under.

"Also Mr. Speaker, as we all know, a famous tagline: 'It's a new beginning,' regarding the Department of Health. I guess I'm quite disappointed that, for example, for myself as Chair, I have the confidence in our Director and her staff, as well as this Administration to be able to do the job.

"Mr. Speaker, I am very confident, and I understand the pressure that Dr. Fukino is under, regarding taking on this huge responsibility. However, this is the perspective that we're looking at to address this huge need. Year after year, HHSC has come to this Body to ask for emergency appropriations to fill the existing needs of the people on our Neighbor Islands. People have used terms like, 'people will die.' Mr. Speaker, we are charged in this Body by our obligation to the State, and the people of Hawaii to do what is best in the direction of healthcare.

"So, let's talk about some of the issues. Again, as noted by the Majority Leader regarding the Auditor's report. The Auditor made comments like, 'This corporation has violated the Procurement Code.' And for those who want to read this, you can get it. It's the fiscal review of the Hawaii Health Systems Corporation, by the Auditor. Report No. 08-08, done April 2008. If you go through this, and if you have any concern about the healthcare of the people of this State, and the people of your community, this should raise enough concern for you to look at it and say, that the current management model is not working. And if we do not do something while we have this opportunity to do something, then we have not charged our duties as designated.

"Mr. Speaker, in a time in which we are looking at businesses failing, and discussing reorganization, corporate greed and waste. This is the appropriate time that we all need to look at ourselves and say, 'Does a different model need to be evaluated?'

"Mr. Speaker, we talk about how, yes, this was under the Department of Health previously, and do we go back to that model? If you read the bill, this is a temporary transition, in order for all of us here, all of us who were elected by our constituents, on their behalf, to reevaluate and ask, 'Is this the best model? Or is there a way to modify this model to provide the best care to the people of this State?' Mr. Speaker, if you go through that and if you see what's going on on Kauai, Maui, the Big Island, and also in your district of Kahuku, is there something better, and should we strive for better, for the people of this State? And I say, yes. And fortunately, I do have the confidence that the Department of Health and members of her Cabinet can do the job. Thank you, Mr. Speaker."

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. I wish to speak very strongly in favor, and as the hour is about now that we should be having lunch, I'll make it very short. I'm going to incorporate the remarks of the Chairman of Health and the Majority Leader as my own. And Mr. Speaker, if you just could be patient for a couple minutes, I just want to say that this was not done in a cavalier fashion.

"We met with the Governor's office, and with her staff. We had representatives from the House, representatives from the Senate, and I think the conclusion was that we should be looking at a transition, possibly a year or two transition. The leadership met constantly on this particular issue. They met with the representatives of four of the Neighbor Islands, as to what they think would be best for them. And the general agreement in the end was that we would need a transition period, and look for something better than what we have now. Thank you very much, Mr. Speaker."

Representative Herkes rose to respond, stating:

"Again, in support. The previous speaker talked about the hours and hours and hours that we have spent looking into the operation of HHSC. It's not the hospitals that are the problem. It's the Corporation that is the problem. Year after year after year, Mr. Driskill and his cronies have come into the Finance Committee and said, 'Well, if you bail us out, everything is going to be fine.' We don't have any more money. We can't do that anymore.

"I'm not sure the Minority has any idea of what happened in Kauai. They went out and sold a $10 million loan. They've encumbered and put at risk a hospital on Kauai. And the Administration knew nothing about it. Nothing about it. We knew nothing about it.

"On Maui, they sold bonds to Wells Fargo. They encumbered Maui Memorial; the receivables on Maui Memorial, Lanai Hospital, Kula Hospital, putting them all at risk. Putting them at risk. I resent the Minority threatening the people in my district, that they might be hurt on healthcare issues."

Representative Choy rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Choy's written remarks are as follows:

"I am rising in strong support. The Majority Leader rose to speak of the material weaknesses cited in the Auditor's report of the Hawaii Health System Corporation. It is my opinion that a material weakness comment in the Auditor's report is very substantial and should be explained further.

The definition of material weakness is, "When one or more of a company's internal controls, put in place to prevent significant financial statement irregularities, is considered to be ineffective. If a deficiency in an internal control is thought to be of material weakness, this means that it could lead to a material misstatement in a company's financial statements."

"The Hawaii Health System Corporation is having severe financial difficulties. It does not help to have nonexistent or inaccurate financial statements."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. I am still with reservations on this bill. Just taking a look at this, we understand that there are issues having to do with HHSC. It's a matter of how do you solve those issues, and how do you move forward? This is one idea. The bill that we're going to be addressing a little bit later on in the agenda is another idea. And, that's why the previous speaker from Hawaii Kai mentioned that he liked the other idea better.

"The opponents on this bill, I'm just taking a look at who showed up to testify. Mr. Speaker, in support, you had ILWU, HGEA, and UPW. I'm guessing that's good for labor, because those are the three in support. It's good for labor at the hospitals, and that's great. Well, let's look at the opponents, so we're talking about what's best for the people of Hawaii. These hospitals, East Hawaii Region of HHSC, Maui Memorial Medical Center, Kona Community Hospital, Leahi Hospital, Ka'u Hospital, Maui Medical Group, Maui Memorial Medical Center Foundation, Valley Isle Kidney Disease, and even the Kona/Kohala Chamber of Commerce, and 26 individuals came to speak in opposition to this bill. I would say that that's more representative of the people of Hawaii, than the supporters of this particular bill, having to do with healthcare.

"Mr. Speaker, if you have the hospitals saying, whether or not they agree if the leadership is bad or good or whatever, but if they state, these hospitals are stating, 'We don't want to go there. We don't want to become a part of the State Department of Health.' I think that should give us a red flag, that maybe we shouldn't be heading in that direction. And that's my point. Thank you."

Representative Yamane rose to respond, stating:

"Mr. Speaker, I offer a rebuttal. Thank you, Mr. Speaker. The previous speaker, she has my highest respect, as a member of my Committee. However, she refers to some of the testimony, and she highlights from the regions of Hawaii Health Systems. Mr. Speaker, when I read those comments and I understand their background, this is business as usual. That's what they want. Business as usual.

"Change is tough, Mr. Speaker. Change takes courage. Change takes looking at something outside the box. If you look at some of these entities that don't want change, is the question, 'Is this what the people want?' Or rather, 'Is this what those people want?'

"Mr. Speaker, unions, ILWU, UPW, HGEA, represent hundreds of people. When I've met with them, their concern is not just the members of their union, but the members' families, members' communities, their members' workplace, Mr. Speaker.

"When I look at some of the feedback on the opposition of the bill, regarding a volunteer Board Directors, or since its inception as offered by these comments that I have before me. Mr. Speaker, are these the true representatives of the people of those districts? No. We are charged again, during tough times to make tough decisions.

"Now, if we are standing here today to say, 'Business as usual. Let's not change it.' And, let's also look at the adage, 'If it's broken, we need to fix it.' So, if we don't fix it, then we're saying it's not broken. Thank you, Mr. Speaker."

At 12:14 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 12:14 o'clock p.m.

Representative Finnegan rose, stating:

"Thank you, Mr. Speaker. I ask for your patience. In my confusion of the two bills, I believe I mentioned on both times that I spoke, that I was with reservations. Both times, I am a 'no' on this bill. Thank you."

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 what this body needs to realize is that the HHSC business model is not viable – whether it's a part of the Department of Health or not. We are deluding ourselves to think that putting the 13 hospitals back into government is going to improve the health of the HHSC System and the health of the people of Hawaii."

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 SB 1673 SD2HD2, which transfers the current HHSC hospitals to the DOH effective July 1, 2009, through June 30, 2011. In this transfer, HHSC and its regional boards would be abolished.

"According to Director Fukino, the implications of this bill could be catastrophic. It could potentially result in a collapse of the entire hospital system.

"There will be a transition period of a minimum of 90 days to do this transfer. During this time, none of the hospitals may bill for services rendered to Medicare and/or Medicaid patients.

"This puts the hospitals at immediate risk for financial collapse which places neighbor island residents who depend on these hospitals for emergency, hospital and skilled nursing care in jeopardy of losing care completely.

"This bill could potentially result in the suffering and death of individuals in need of health care. Do not pass this bill.

"A transition of HHSC will need to occur in a span of 3 – 5 years, not as little as 90 days as this bill proposes.

"This bill will simply will not work, and it does not serve the people of Hawaii."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1673, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Third Reading by a vote of 43 ayes to 6 noes, with Representatives Ching, Finnegan, Marumoto, Pine, Thielen and Ward voting no, and with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1711) recommending that S.B. No. 1058, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1058, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Bertram rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. With reservations. Basically, the first part of this bill was eliminated, which is regretful. It was to have the Attorney

General do a study of low level offenses, drug offenses, especially, to see if there were other ways that we could handle this problem, other than imprisonment. And that's the way we need to go. If we're really talking all this Session about the budget, one of the biggest drains is putting people into prison. They shouldn't be there.

"The second part, setting up a Task Force for medical cannabis. One of the things we found is that a task force run by an agency that's been against this program from the beginning, which is the Department of Public Safety, that isn't a good way to go. The 2006 Task Force didn't accomplish anything, and part of the reason was, it was run by Public Safety.

"So, I got some testimony here, basically saying that we could do with just a few things. Number one, just to change the 3, 4 designation to just a straight across designation. It makes it easier, both on the patients and on law enforcement; and that the one-to-one caregiver can go to one caregiver to every five patients. These are small changes we can make in our current law that will allow patients access to this medicine right now.

"We've even been talking with the Chair of the Health Committee. He was also disturbed that this task force really puts the weight on the law enforcement and other agencies that really have no interest, or any knowledge of the medical use of cannabis. So, I'm hoping we can put a good CD 1 in for Conference, but I encourage the Members to take a look at this particular bill and see how we can make changes to do what we really need to do, which is to allow quicker, safer, more reliable access to this medicine that we promised 10 years ago. Thank you."

Representative Ward 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:

"Thank you, Mr. Speaker. Rising with reservations on this measure. Members, I just wanted to note that this measure refers to medical marijuana throughout this bill. It talks about a task force and has members look at the issues regarding medical cannabis. However, this bill, and the language never went through our Health Committee to look at that. Also Mr. Speaker, some of the questions regarding the makeup and the issues relating to the medical use of cannabis are not reflective of all the members, or those who should be members on this task force. And so, I just wanted to raise my concerns again, that the Health Committee wasn't able to weigh in on the measure at all. Thank you."

Representative Marumoto rose to speak in support of the measure, stating:

"Mr. Speaker, after all the discussion of the Medical Marijuana Task Force, I think had better reiterate the need for a Salvia Divinorum Task Force. It is a new hallucinogen, which is not yet on the controlled substance list of the Narcotics Enforcement Division. It has been trying to place it on such a list, but it needs a little bit more study.

"However, this is a hallucinogen, which is available legally in local head shops for $75 an ounce. And, it is used recreationally to get a real rush and a high. It's a temporary effect, and we don't know if it has adverse health implications or beneficial uses, even. But nevertheless, at least a dozen states and many countries have already put restrictions on this hallucinogen. I think we should take a good look at it to consider what we should do with it, before it becomes exceedingly popular among people in our State. Especially our young people, who I don't believe should be allowed to purchase and use it.

"So, I have this concern. This is why Part II of the bill is there. I ask that you consider keeping this portion of the bill, since I seem to have a vested interest in it. Thank you very much."

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representative Yamane be entered into 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. On that same measure, I'm going to go 'no' on this particular bill, and the main reason is because I'm hearing from the Representative from Maui, that this task force has already been done. We've gone through it with a PSD at the helm, and it's gotten nowhere, according to what movement forward that the medical marijuana community wanted. And so, in this time, when everyone's crunched for time and efficiency, and the use of time management in all our departments, including PSD. I don't think that we should go through that over again.

"So, I'm going in opposition. I would be more open to go head to head with the suggestions that the Representative from Maui had put forward on medical marijuana, and then we just vote 'yes' or 'no,' instead of going through another delayed task force that he doesn't think, from what I gathered from his words, would actually accomplish something. 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. 1058, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Third Reading by a vote of 46 ayes to 3 noes, with Representatives Choy, Finnegan and Tokioka voting no, and with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1712) recommending that S.B. No. 1611, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1611, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Cabanilla rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations on this matter. I do appreciate the intent of this bill, because the revenues collected from this measure will modernize our highways, and I believe that our highways need modernization.

"But, my reservations come from the fact that it raises 10 cents per gallon for the liquid fuel tax, and that would penalize people who live in outlaying areas who have to fill up their tanks more.

"So, although I support the intent, there should be another way to make it more fair and equitable in coming up with this funding for our highways. Thank you, Mr. Speaker."

Representative Har rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. Thank you, Mr. Speaker. I rise in opposition to Standing Committee Report Number 1712, Senate Bill 1611, Senate Draft 2, House Draft 2.

"Mr. Speaker, before I get started, I'd like to first recognize and thank the Chairs of Transportation and Finance, because I do believe that they did mitigate many of the ramifications of this bill.

"But my opposition is based on several things. This is the Administration's or the Executive Branch's proposal, known as the Highway Modernization Plan, which proposes to increase the fuel tax, the vehicle registration fee, the vehicle weight fee, and rental motor vehicle surcharges for a purported safety and capacity improvements on, among other things, our freeways and roadways.

"Mr. Speaker, my opposition goes to the fact that the timing of this measure is just not appropriate. While I want to thank the Finance Chair for changing the effective date to October 1, 2009, the fact of the matter is this. If this measure is to go forward, our constituents currently pay 17 cents a gallon on the fuel tax. If this measure is to go forward, all of our

constituents will now be required to pay 27 cents on each gallon of fuel they purchase.

"Secondly, our constituents pay $25 per vehicle for the registration fee. Should this measure go forward, our constituents will now be required to pay $45 per vehicle.

"Thirdly, our constituents currently pay 75 cents a pound per vehicle, up to 4,000 pounds. If this measure goes forward, they will now be required to pay $2.75 per pound.

"Finally, this measure does make permanent the vehicle rental surcharge from $2 to $3.

"Mr. Speaker, again, I appreciate the intent of this measure. We all recognize that the State highway funds are drying up. The Administration knew that the State highway funds were drying up. They had six years to propose this measure, and yet, they did not do so. To pass this measure during these tough economic times is not the best thing to do for our constituents. I absolutely recognize the need to enhance our infrastructure system. As a resident of the West side, we continue to be stifled in traffic every day, and where is the relief coming from?

"So, we recognize the fact that we need to increase our vehicle weight taxes to at some point increase the infrastructure moneys. But at the end of the day, my problem with this measure is that it should not be implemented at this time. Something that resonates from me is the testimony of the Hawaii Transportation Association. They stated that no matter when the intended increases are implemented, it will have a huge impact. Implementing it during such bad economic times tremendously multiplies the impact.

"So, for these reasons, Mr. Speaker, I stand in opposition. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I also rise in opposition. Mr. Speaker, I agree with everything the previous speaker said, except for one thing. You give the impression that this was the Administration's plan, and this Body had nothing to do with it. There is a trigger missing, which she said, in better economic times, these things will kick in, which by the way, I wouldn't have voted for either. But the point is, it's this Body and the Senate that's going to raise the people's taxes. It's not the Governor's bill. She said, unequivocally, she is against this bill, and I want to go on record repeating that. Thank you."

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. I wish to speak very strongly in favor of this measure. You know, it's kind of interesting listening to the arguments that are brought forth. What's even more interesting is when they thank the Chair and they vote against this bill. But that's beside the point, thank you very much.

"Mr. Speaker, they talk about raising the rates and raising the taxes, if they would just take a look around, the harbor group, HUGS is increasing their tariff considerably, so that they can pay for the harbor improvements. The airlines have increased the landing fees, so that they can make the improvements in the airports. And now we want to make improvements in the highways.

"Christmas doesn't come around all the time. You can't do it for nothing. I think it was mentioned by the previous speaker, that they know that the highways need repair, and they know that at some point in time, the tax is going to be increased. There is no good time to raise taxes, but if you would look at the tradeoff, the tradeoff is for the first time in the history of Hawaii, we're going to have a $4 billion dollar highway improvement. And you can't tell me that our highways don't need any improvements.

"We're going to improve pedestrian safety. You're going to provide more safety areas, more ramps, new roads, better roads. All this for $4 billion dollars over a period of six years. These are going to provide jobs. This is going to provide improvements in highways. Yes, you're going to be paying for it. You don't get a free ride on the highways. Right now you're paying for being on highways. You're paying taxes. And you're worried about a 10 cent raise?

"When our good friends from Arabia raised the price of oil, you'd be paying up to a dollar more a gallon. Not too long ago, you were paying almost $5 a gallon. There was hardly a whimper. Now, with a 10 cent raise, we're crying like it's the end of the world.

"My friends, sometimes we've got to pay for something that's good. We want a safe highway. We want a modern highway. And this is what this bill will do. Thank you very much."

Representative C. Lee rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. It looks like the bid on this one is going to go on longer than the Energizer Bunny."

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 SB1611 SD2 HD2 for the following reasons.

"Our gasoline tax is already at a national high. Our constituents simply cannot afford another tax increase on gasoline. One constituent informed me that his business deploys a fleet of seventeen vans and that an increase in the vehicle registration fee on top of the gas tax would force him to terminate an employee to stay afloat.

"The business owner will also have to pay more under the bill's pilot program that implements a vehicle per miles traveled system. This system penalizes those that live furthest away from job centers. For the small business owner, the more his vehicles travel, the more he is to be taxed. This part of the measure will have an additional negative impact on the people of my district, many of whom are low income earners who could not afford to live in town.

"Mr. Speaker, we need to increase our roadway lane carrying capacity, but this measure is not the formula in which to accomplish that feat. For decades the State's Highway Trust Fund was used to balance the budget and now we are feeling the aftermath of that ill-advised maneuver. If those monies were restored Mr. Speaker, there would be no justification to pass this bill. For this reason, I cannot condone that action by voting for SB1611 which would excuse wayward spending and thrust forth a policy that places the burden of solvency on the backs of the working class."

Representative Awana rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in strong support, and ask that the words from the Representative from Maui be entered into the Journal as if they were my own. Thank you," and the Chair "so ordered." (By reference only.)

Representative Belatti rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support and just a few comments. I really want to thank the speaker from Maui because I think he said some very wise things in his comments. And while I do agree that there is never a good time to tax, I do think that this bill represents an investment in our future.

"I'd also like to point out to Members that there is something else that's very forward-thinking in this bill. There's a section here that encourages and requires, I believe the Department of Transportation to institute a Vehicle Miles Traveled Pilot Program. I think this is something that is going to be positive. I know other jurisdictions in our nation are moving towards this method of replacing, hopefully, the gas tax with the Vehicle Miles Traveled Fee System. There are many issues that are going to be

coming up with this pilot program, but I think that the fact that it's embedded in this bill is a good thing, and I support this bill for that reason. Thank you very much, Mr. Speaker."

Representative Har rose to respond, stating:

"Thank you, Mr. Speaker, a brief rebuttal. Mr. Speaker, regarding the Vehicles Miles Traveled Pilot Program. The Vehicles Miles Traveled Pilot Program charges drivers a fee based on the number of vehicle miles used. While I recognize that the speaker from Makiki might support such a bill, because her constituents don't have to drive as far to get into town, for those of us living farther away, this is a regressive tax.

"Mr. Speaker, on the Mainland, the Vehicle Miles Traveled Program works, because, think about this logically. You have people with higher income brackets living outside of the urban core. They live out in suburbia, because they can afford to live out in suburbia. Again, Hawaii is different. In Hawaii, we have to live further out from the urban core, because that's where the affordable housing was. So, for us to have to be subjected to a vehicle miles traveled program, really is a regressive tax towards those living on the Leeward side, or living on the North Shore, or further away from town. I think that this is not a good idea, quite frankly. Again, we're always trying to apply things that work on the Mainland, without recognizing that Hawaii is different from the Mainland.

"To penalize us, particularly residents of the West side who are already having to endure traffic with something like a Vehicle Mileage Plot Program would continue to be inequitable. For these reasons, I continue to stand in opposition. Thank you, Mr. Speaker."

Representative Belatti rose to respond, stating:

"Thank you, Mr. Speaker. Not so much in rebuttal, but in response to the previous speaker. Thank you. Precisely because of the reason that she described about how this could penalize people who live further away from the urban core, I know that there are reservations for this Vehicle Miles Pilot Program. But the reality is that this kind of program is necessary because as we move forward with vehicles that are more fuel efficient, our revenues from the gas taxes will decline. Precisely because of the kinds of concerns raised by the Representative from Kapolei, when we implement this Vehicle Miles Traveled Program, we need to look at what other states are doing.

"Oregon, again has struggled with this problem, with this program since 2001. They have a very detailed report about some of the issues that they work through. I do think that not everything from the Mainland obviously works here in Hawaii, but certainly, as we move forward with this new kind of taxing system, that we can make it fair to all of our residents. Urban, rural, Neighbor Islands, Oahu. Thank you, Mr. Speaker."

Representative Pine rose to speak in opposition to the measure, stating:

"I'm sorry. I changed my mind. Can I speak in opposition, please? For this Legislature, this will be one of the biggest tax increases on the people of Hawaii, that we're going to decide on. And, I think it's important, as we start talking about tax increases, we should maybe observe how tax increases or tax cuts have affected other states.

"In the '90s, if you look at the top ten states that decreased taxes, their budget reserves increased. All the top ten states that increased taxes, their budget reserves fell significantly. All the top ten states that decreased taxes, their bond ratings improved, and that's just the opposite for the ten states that increased taxes.

"Unemployment went up in all the ten states that increased taxes. And the opposite for the decreasing of the taxes. Personal income went up for all the top ten states that decreased taxes. Personal income went down for all the top ten states that increased taxes.

"You know, Hawaii residents are already paying some of the highest taxes for just about everything in the nation. And this bill certainly does not help. I mean, when does it stop? A lot of these other states that are doing so much better, they have better roads than us, yet their residents are paying less taxes. So maybe we should analyze those other states that are somehow paying a lot less taxes than us, yet they still have these wonderful roads and the infrastructure that the speaker from Maui talked about.

"So, I think we really need to take a pause, and before we make the people of Hawaii suffer more, we should really think about that."

Representative Ching rose to speak in opposition to the measure, stating:

"In opposition, and I would like to ask that the words, again, of the Ewa Beach Representative be entered as my own. And I wanted to add, in agreement with the Representative from Kapolei, that this is a regressive tax. That this is punitive, and actually, it's punitive to some of the small businesses, so many of who are the museums that are in town. Because if you increase your miles tax of gasoline, what are you doing? You're basically, as we all know from Economics 101, affecting behavior by saying, 'Well, you know what? I guess I'm not going to take that Sunday trip into town. I guess I won't take my kids to the Bishop Museum. I guess I won't take them to whatever have you, in town.'

"We know that the more you raise prices, it's the simplest, number one concept of economics, the law of supply and demand. Demand, as price increases, demand goes down. So, you're not going to want to travel as much. I think that we need to think of it in terms of how we all interact together and support each other's districts. Thank you."

Representative Cabanilla rose to respond, stating:

"Still with reservations, Mr. Speaker. Let me just reiterate that roads are never free. We pay for it one way or the other. And my reservation is that I want that increase in tax to be more fair and equitable to everybody. And this way, with the 10 cents, I think penalizes, like I said earlier, the people who live in further away places.

"I think a better way, a more equitable way, would be increasing the weight tax. Because right now with this bill, it only increases the vehicle weight tax one tenth of a cent, and I think if we want to be fair to everybody, we should tax all people who own cars equally. Thank you, Mr. Speaker."

Representative M. Oshiro rose to speak in support of the measure, stating:

"I rise in support. I'd just like to add a couple of things. When we first heard the House draft of this bill, I was really impressed with the DOT, because besides the usual reasons for raising a tax to alleviate congestion, to fix a pothole, to build the infrastructure on which commerce moves, they also focused upon something that we tend to overlook, and that is highway safety. And I really appreciate it, because the Administration took the position that this tax will not only improve our highways, but save lives. And, I was really impressed by that.

"When I look at this bill here, it talks about the goals of this modernization effort. For example, they would inspect all 760 bridges in the Statewide highway system, within two years, to ensure that our bridges are safe. And, they would address the top 15 sites identified in the rock-fall and slope stabilization programs that are the most critical routes, where the severest of accidents will have the greatest potential negative impact upon the communities. It would also address the top ten sites identified in the shoreline protection program that are the most critical routes where the severest of accidents will have the greatest potential negative impact. And get this, Mr. Vice Speaker, it would also bring 50 of the most deficient bridges up to current structural design standards. So, that alone, I appreciate the thought that went into this proposal.

"And finally, but certainly not least, we would reduce average number of lives lost on our state highway to 100 or less per year. Thank you."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Just really short comments in opposition. Overall, my opposition is to the tax increase, and yes, the timing does matter. But, I am equally impressed with this proposal by the DOT and some of the parts that they put into this. They put a lot of work and hard work into this particular plan, but the economy just cannot handle a tax increase at this time. Thank you."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. In support, but I do have some slight reservations, and I do have to express them verbally real quickly, in that the vehicle miles traveled does present a problem to me. I think it is a very regressive system. You look at the Neighbor Islands, especially the Big Island and Maui, you would be looking at the people on the western and eastern side of the Island being penalized the most, whereas people who happen to live in Central Maui, where everything is located, would see the most benefit.

"The gas tax in that effect is a very fair system, but I would hope that in Conference, I don't know if they can look at it, but in Virginia, they just didn't look at the traditional drivers. They looked at other things, like the tires and batteries to spread out the burden, so that it would be, basically a little bit here and there all across the board, so that it matters.

"But at the end of the day, I will continue to support discussion on this Administrative sponsored tax increase, because I think that the highway safety and transportation issues are quite critical. Thank you."

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support SB 1611, SD2 HD 2 which authorizes the Department of Transportation to pursue an overdue comprehensive six-year modernization program. The current House draft of this Administration proposal implements the program by providing the resources needed for actual implementation.

"As proposed by the Administration, the revenue required to fund the plan was largely illusory and speculative. It proposed raising the fuel tax, vehicle registration and weight fees, and making permanent the $3 rental vehicle tax surcharge when at some point in the future certain "triggers" were met for several years in a row. In other words, the so-called Modernization Plan was simply a nice public relations piece with some other Administration having to bear the brunt of any fallout from tax increases in the future. On Maui, where Territorial-style roads daily struggle to serve the rapid growth that took place post-Statehood, it makes far better sense to systematically address maintenance and safety needs in the near future rather than in some speculative Trigger Time. Repairs to our roads and highways simply become more expensive in the end when we delay the necessary periodic maintenance that these roads and bridges require. We also compromise our safety when the road we are driving on is in a state of neglect and disrepair.

"I'm not a spin doctor so I actually would not call it a Modernization Plan – this bill is Basic Infrastructure 101. Especially during these times of economic recession, we cannot afford putting off these safety changes in our critical infrastructure. For the Neighbor Islands especially, where plantation-era roadways are the backbone of infrastructure, bringing or replacing our central road network isn't "Modernization", it's Basic Infrastructure 101. The projects indentified in the plan have been discussed in the past and with the necessary resources in hand, can be put into place. As this Administration's Director of Transportation pointed out in his testimony, "a sound transportation infrastructure system provides for the safe and efficient movement of people, services and goods. It is the backbone of the economy and is essential to preserving our unique and precious quality of life." Without these tax and user fee increases, we make the untenable decision to accept business as usual, to accept our current safety records, to allow our transportation system to continue to deteriorate, and to accept ever greater and more widespread congestion on our roads.

"I am also in support of this bill because there is a logical nexus between the tax and the expenditures being made, namely that car owners and drivers benefit from the transportation improvements that are supported by these higher taxes and fees. It is also important to know that for each dollar of increased revenue from state monies deposited into the State Highway Fund, there is usually matching federal dollars for expenditures in highway improvement.

"Finally, the higher taxes and fees may result in fewer cars in our highways as our constituents downsize the number of cars per household to avoid the higher "overhead" cost per vehicle owned in the household. This in turn will result in less traffic congestion in our roads.

"I urge my colleagues to vote in favor of the bill."

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support.

"The projects in this bill and the accompanying fees are going to be necessary for our State to have a highway system that is ready for future growth.

"No one doubts that the Highway Fund is at risk for bankruptcy, and there are many demands being made on the dwindling reserve. Of course, communities with a long commute may look at the vehicles miles traveled (VMT) as a negative, however, there can be adjustments made to the rates for those who must drive long distances to work.

"The trigger placed in the original version of this Administration bill is a way to avoid doing the right thing, and to place blame. We should pass this bill now so that modernization of our highways is begun soonest. The economy will eventually rebound, but to wait several years to implement this bill is not prudent."

Representative Yamane rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, reservations. I think the Chair of Finance brought out the valuable points of this bill, and the Representative from Kapolei brought out some other areas that might need to be addressed in Conference. 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. 1611, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Third Reading by a vote of 32 ayes to 17 noes, with Representatives Berg, Brower, Ching, Coffman, Finnegan, Hanohano, Har, C. Lee, Luke, Marumoto, Nishimoto, Pine, Saiki, Thielen, Wakai, Ward and Wooley voting no, and with Representatives Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1713) recommending that S.B. No. 50, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 50, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I'm rising with reservations on this measure. Mr. Speaker, what this does is pits ranchers against renewables, and assuming the bill is going to go to Conference, I would hope Conferees would look at page six of the bill. It reads, or at least it's unclear, if a month-to-month rancher has

an existing lease, does that mean that the DLNR cannot let a renewable energy project go onto that land, and it's not clear about what trumps what.

"And, Mr. Speaker, what I'd like to suggest is, I believe that ranchers and renewables are compatible uses together. Wind farms and cattle or horses don't bother each other. Solar projects and the ranching operations don't bother each other. But, the language here is, I think going to lead ultimately to lawsuits, and we don't need to have that. It's just very unclear drafting. So, I hope the Conferees look at it, so we can move ahead with renewables and keep ranching operations going too. Thank you."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I am in opposition to this measure, and I have one quick paragraph to explain my opposition. According to this measure, a lease to a renewable energy producer would be subject to a public process that would include other interested renewable energy producers. And while a healthy level of competition is important to any industry, this competition will come at the worst possible time, after the energy producers seeking the lease has already expended large amounts of capital to create a business concept, land descriptions, financial plans, and more. Disclosure of these plans would be available, not only to the public, but to the competition as well. The competition perhaps could use this information to undermine or undercut the proposal. So, this is my opposition. Thank you."

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like a potential conflict ruling. My law firm represents a wind power company who is leasing land from the State," and the Chair ruled, "no conflict."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Mr. Speaker, we need renewable energy, but we also need cows. We need cattle. We can't let the cattle industry go the way that the chicken farms have gone out, or the milk and dairy farms have gone out. Just about everything in agriculture, which we give from the Constitution to this Body, very much lip service, but we haven't delivered. I think these two can live side by side, as the previous speaker from Kailua had mentioned.

"However, there was a bit of a hit on the Big Island, when basically cattle people were run out of town on their own land, and this piece of legislation may not be perfect, but it's a stance that the cattle have got to have a place to roam. We've got to keep that industry alive. We've got to keep it well. I think we've got enough vacant land, from the sugar and the pineapple fields to put enough energy in renewable, whether it's solar or otherwise together. At the same time, the cattlemen can have their space and their industry can survive. Thank you."

Representative Nakashima rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Nakashima's written remarks are as follows:

"Mr. Speaker, shortly after the elections and prior to the opening of the 25th Legislature, I became aware of a move by various renewable energy entities to "grab" state leases throughout the Hamakua area. At a hearing convened by the Senate Water Land Committee in December, it became painfully evident that neither the Department of Land and Natural Resources nor the Department of Business, Economic Development and Tourism had undertaken steps to adopt rules for the handling of renewable energy companies that had been given fast-track status by the Legislature.

"While the Legislature recognized the importance and need to provide favorable business opportunities to forward the State's interest in developing renewable energy resources, it is also the Legislature's expectation that the Executive Branch shall take the policy intent of the legislation and formulate rules and procedures to insure the proper implementation of those policies to the benefit of the people of Hawaii. This did not occur in this instance, Mr. Speaker.

"Senate Bill 50 seeks to address the lack of rules and procedure by the Board of Land and Natural Resources in their handling of leases sought by renewable energy producers late last year that caught many ranchers and other leaseholders by surprise when they read in public notices by the BLNR that their leases were being brought up for action without any forewarning. Among other things, this bill would require that hearings be held on the island which would be impacted by the decision so that stakeholders in these proceeding would have an opportunity to appear in person to comment on the proposed action and to create a greater level of transparency in government proceedings."

Representative McKelvey rose to speak in support of the measure, stating:

"In support, Mr. Speaker. This measure is important, and I hope that as it moves into Conference, both sides can look creatively at the issues. Maybe the answer is putting windmills on cows."

Representative Finnegan rose in support of the measure and asked that the remarks of Representative Marumoto be entered into 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. 50, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY PRODUCERS," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Marumoto voting no, and with Representatives Morita and Takai being excused.

At 12:49 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 169, SD 2, HD 2
S.B. No. 1142, SD 1, HD 1
S.B. No. 1673, SD 2, HD 2
S.B. No. 1058, SD 2, HD 2
S.B. No. 1611, SD 2, HD 2
S.B. No. 50, SD 1, HD 2

At 12:49 o'clock p.m. Representative M. Lee requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:49 o'clock p.m.

ANNOUNCEMENT

Representative M. Lee, for the Committee on Finance, requested a waiver of the 48-hour advanced notice requirement for the purpose of decision making on the following measures, tomorrow at 11:30 a.m. in Room 308, and the Chair, "so ordered."

HCR 76, HD1, Requesting the Governor Not to Address the 2009 Fiscal Year Budget Shortfall by Reducing or Restricting the Department of Education's and University of Hawaii's Current Appropriations; and

HR 169, Establishing Policies for the Legislative Broadcast Program's Cablecast of the House of Representatives Proceedings.

At 12:51 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:35 o'clock p.m., with the Speaker presiding.

UNFINISHED BUSINESS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1714) recommending that S.B. No. 636, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 636, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure, stating:

"In strong support."

Representative Luke rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Wooley rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative C. Lee 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. 636, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed Third Reading by a vote of 38 ayes to 6 noes, with Representatives Berg, Brower, Choy, Coffman, Hanohano and Nakashima voting no, and with Representatives Carroll, Chang, Mizuno, Morita, Sagum, Takai and Ward being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1715) recommending that S.B. No. 44, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 44, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations to SB 44, SD 2, HD 2. This bill authorizes the transfer of the Maui Regional Health Care System to a legally constituted entity under certain conditions. It also requires the Auditor to conduct an annual audit of the Hawaii Health Systems Corporation.

"This bill, which would allow only the Maui Regional Health Care System to defect from the HHSC does not seem fair to the other HHSC hospitals. Many of the HHSC hospitals are experiencing financial difficulties, which can no longer be a burden to the State. If there are options out there which can alleviate this burden and increase the quality of care at these hospitals, it should be available to all, not just one.

"Since HHSC has taken the position that the State can no longer financially underwrite the escalating costs of healthcare for communities they serve, it is essential that we look for new innovative ways to involve private partnerships in the provision of care. We must learn from the recent Kahuku Hospital model, which was a pro-business approach to saving a drowning hospital. I believe that they were folded into the HHSC, without the procurement or the civil service requirements.

"The HHSC Corporate Board and corporate management are committed to working collaboratively with each of its 5 regions when they are ready to ensure a smooth transitioning process for any facility or regional restructuring that may be undertaken. 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. 44, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Third Reading by a vote of 42 ayes to 2 noes, with Representatives Hanohano and Saiki voting no, and with Representatives Carroll, Chang, Mizuno, Morita, Sagum, Takai and Ward being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1716) recommending that S.B. No. 995, SD 2, HD 2, as amended in HD 3, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 995, SD 2, HD 3, pass Third Reading, seconded by Representative Evans.

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. 995, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Third Reading by a vote of 43 ayes to 1 no, with Representative Berg voting no, and with Representatives Carroll, Chang, Mizuno, Morita, Sagum, Takai and Ward being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1717) recommending that S.B. No. 721, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 721, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT-WIDE IMPROVEMENT PROGRAMS," passed Third Reading by a vote of 44 ayes, with Representatives Carroll, Chang, Mizuno, Morita, Sagum, Takai and Ward being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1718) recommending that S.B. No. 1069, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1069, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Third Reading by a vote of 44 ayes, with Representatives Carroll, Chang, Mizuno, Morita, Sagum, Takai and Ward being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1719) recommending that S.B. No. 602, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 602, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker, I have some remarks with reservations, I'd like to insert in the Journal, but just basically they pertain to a caution of using State Foundation on Culture and the Arts bond funds for operational expenses of other organizations. Thank you."

Representative Marumoto's written remarks are as follows:

"Mr. Speaker, I rise with reservations on SB 602 SD2 HD2, Relating to the Arts.

"This bill authorizes the use of funds from the Works of Art Special Fund for the acquisition, exhibition, preservation and upkeep of works of art, including live performances, in Bishop Museum and Iolani Palace.

"These funds are currently used to acquire contemporary art and support living local artists through the Art in Public Places Program and the Hawaii State Art Museum. Yet, this bill seeks to take monies from those programs to fund the operating expenses of Bishop Museum and Iolani Palace.

"Certainly, Bishop Museum and Iolani Palace are facing financial hardships and need support, but the Works of Art Special Fund was not created for this purpose.

"The Department of Budget and Finance gave testimony, stating that tax-exempt general obligation bond proceeds must be used to fund capital projects. Therefore, I must remind my colleagues that live performances, restoration of works of art and many of the other activities this bill seeks to fund are operational rather than capital expenditures. As such, funding these activities could be a misappropriation of the Works of Art Special Fund.

"Mr. Speaker, thank you for allowing me to rise in opposition to SB 602 SD2 HD2."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 602, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ARTS," passed Third Reading by a vote of 44 ayes, with Representatives Carroll, Chang, Mizuno, Morita, Sagum, Takai and Ward being excused.

At 1:41 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 636, SD 1, HD 2
S.B. No. 44, SD 2, HD 2
S.B. No. 995, SD 2, HD 3
S.B. No. 721, HD 1
S.B. No. 1069, SD 1, HD 2
S.B. No. 602, SD 2, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1720) recommending that S.B. No. 1096, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1096, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE AND DEVELOPMENT," passed Third Reading by a vote of 45 ayes, with Representatives Carroll, Chang, Mizuno, Morita, Sagum and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1721) recommending that S.B. No. 1665, SD 2, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1665, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker, I have reservations on this bill. SCR 1721, SB 1665, SD 2, HD 1. I rise with strong reservations on this bill. This bill appropriates Federal Reed Act funds to enable Hawaii's Community Colleges to establish a Skilled Worker and Business Development Center. The Center would provide workforce training to employers and their employees to adapt to changing times and new technology.

"This bill is a double negative. First, UH has not listed this Center as one of its priorities. In these tough economic times, why are we using these funds on a program that isn't essential? And you only think it's essential because we're talking about how we train people into a new job, or make that transition during these tough economic times. However Mr. Speaker, using the Federal Reed Act funds in this manner violates federal laws. This bill allows the Community Colleges to use the Reed Act funds, but only the Department of Labor and Industrial Relations, as the State agency for Unemployment Insurance Trust Funds, is allowed to expend those funds. In addition, Reed Act funds are only allowed to be used for administering either the State's unemployment insurance law, or its public employment offices.

"Federal staff has confirmed that these funds cannot be used for job training unless it is to train public employment office employees. During these challenging economic times, so many of our workers are being laid off, and the balance in the Unemployment Insurance Trust Fund continues to diminish. Any non-appropriated Reed Act funds should be preserved so that we can make future unemployment insurance payments. 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. 1665, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Third Reading by a vote of 45 ayes, with Representatives Carroll, Chang, Mizuno, Morita, Sagum and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1722) recommending that S.B. No. 266, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 266, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker. I rise to express a reservation on Senate Bill 266, the climate change measure. This bill establishes the Global Warming Task Force to assess impacts of global warming and climate change trends in the State. And I support the concept of this task force. We do face global warming. However, there is already a Greenhouse Gas Emissions Reduction Task Force, so any recommendations on global warming, including the matter on the prevention and mitigation of impacts, should come from the work of that task force. This could be a duplication of efforts.

"More importantly, this measure funds the task force by using monies from the Tourism Special Fund. If this measure does move forward, Mr. Speaker, I feel the funds should more appropriately be allocated out of the general fund, or an environmental fund, as the tourism industry, at this critical juncture in our economy, greatly needs The Tourism Special Fund for marketing purposes. Thank you."

Representative Finnegan rose in support of the measure with reservations and asked that the remarks of Representative Marumoto be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Coffman rose to speak in support of the measure, stating:

"Thank you Mr. Speaker, I rise in strong support. In testimony in regards to this Climate Change Task Force, the original Greenhouse group gave testimony that they're way too far into their project to add additional tasks, and they really are two separate missions. One is basically dealing with the pollution in our environment and the ozone layer. This group deals with the effects of that and the rising oceans. 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. 266, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GLOBAL WARMING," passed Third Reading by a vote of 45 ayes, with Representatives Carroll, Chang, Mizuno, Morita, Sagum and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1724) recommending that S.B. No. 713, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 713, SD 2, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EMERGENCY ENVIRONMENTAL WORKFORCE," passed Third Reading by a vote of 45 ayes, with

Representatives Carroll, Chang, Mizuno, Morita, Sagum and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1725) recommending that S.B. No. 1338, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1338, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSEHOLD ENERGY DEMAND," passed Third Reading by a vote of 45 ayes, with Representatives Carroll, Chang, Mizuno, Morita, Sagum and Takai being excused.

At 1:46 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 1:47 o'clock p.m.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1726) recommending that S.B. No. 62, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 62, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Third Reading by a vote of 40 ayes to 5 noes, with Representatives Ching, Finnegan, Marumoto, Pine and Thielen voting no, and with Representatives Carroll, Chang, Mizuno, Morita, Sagum and Takai being excused.

At 1:47 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1096, SD 2, HD 1
S.B. No. 1665, SD 2, HD 1
S.B. No. 266, SD 2, HD 2
S.B. No. 713, SD 2, HD 2
S.B. No. 1338, SD 2, HD 2
S.B. No. 62, SD 1, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1727) recommending that S.B. No. 695, SD 1, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 695, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Choy 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 rise in opposition to this bill. I think we've seen these bills in numerous iterations, in the House bills, Senate bills, over this Session, past Sessions, etc. I think we're sort of 'blue in the face' as to speaking in opposition, but I rise to say that, again, this is a situation where we are passing an anti-business measure, and I think it's not a good idea to hurt our economy at this time. We should do no harm.

"This bill requires the employer to continue medical service to an injured employee, even after the employee's doctor says this employee is ready to go back to work, even if there is a dispute over whether treatment should be continued. So you have to wait until the Director of the Department of Labor has a hearing, and then decides whether treatment should be continued. This could be weeks down the line, costing even more in terms of medical care.

"Here once again we have another anti-business measure. Passage of this bill could lead to abuse and cause unreasonable and unnecessary treatment for non-work related injuries. It could also prolong time off the job, even if the employee's doctor has deemed that the employee is ready to return to work. It's very difficult on fellow employees to cover the workload, and morale suffers as a result.

"The bill is particularly bothersome because at a time when businesses are struggling, it would burden them further by increasing the costs of workers comp and business.

"The Chamber of Commerce pointed to this problem in testimony, stating that these difficult times, further costs should not be imposed, particularly those affected by the proposed legislation. Implementing laws that will inflict further regulatory requirements will undermine efforts to keep business viable or even open during the volatile economic period. And we want to keep our jobs.

"It must also be pointed out that there is a significant cost component to this measure. DLIR estimated that it will require more hearings and more support personnel to conduct all the additional work to address treatment plans and continued medical care issues. The Department estimates that it will require an additional 6 hearing officers; 2 for Honolulu, and 1 each for Neighbor Island offices.

"In addition, they will need 5 clerk typists statewide to timely service additional hearings and decisions resulting from the passage of this measure. The estimated cost is about a half million dollars. We do not have the resources to pay for this. Thank you."

Representative Rhoads rose to speak in support of the measure, stating:

"Thank you Mr. Speaker, in support and just a quick rebuttal. Looking at the language of the bill, if the attending physician decides that an employee is ready to go back to work, they go back to work. This only kicks in if there's a dispute between the employer and the employee.

"The other argument that I've heard over and over again, as Chair of Labor is that this isn't a good time to institute any bills that are in any way pro-worker. I would say that that's exactly the same arguments that were made two years ago when the economy was going great guns. And I'd also point out that, just as in a national security crisis, that's the point in time when you're most likely to lose your civil liberties. When the economy is going badly, that's when workers are most likely to lose their rights. Mahalo."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you Mr. Speaker, in opposition to this bill and just short comments. Mr. Speaker, earlier on in this Session I remember sitting down with, I think there was a bunch of us going to the Chamber of Commerce. It was a whole bunch of businesses sitting down and talking about workers comp and other types of anti-business legislation. For the most part, our employers here in Hawaii understand that it's an interdependence that we share with workers, and that if you don't have businesses that are staying afloat, that you don't have jobs.

"So what they were saying in this is, 'Don't make it better for us at this time. We understand that you cannot do that in these tough economic times, but just don't make it worse. Keep everything the same. Give us some stability as to what's coming around the corner in regards to business expenses, but just don't make things worse for us, because we have to do the number crunching and make sure that we can stay afloat and keep people employed.' 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. 695, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Third Reading by a vote of 42 ayes to 5 noes, with Representatives Ching, Finnegan, Marumoto, Pine and Thielen voting no, and with Representatives McKelvey, Mizuno, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1728) recommending that S.B. No. 536, SD 1, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 536, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of Stand Com 1728. Just again, I know I have stood up for this issue before, but I did want to highlight that we get a lot of our State's income from the excellence that is Mauna Kea, from our Astronomy Department. We want to protect that. We want to protect all elements of excellence in Hawaii. The fact is that a lot of the light is traveling to create a glare and to diminish the ability to see the stars.

"But secondly, there have been a number of articles of late this year, one in *USA Today*, I believe, that talks about light pollution, and the fact that it disrupts circadian rhythm, that's your natural sleep, despite having curtains, etc. It's a growing concern, and it's getting more published, not to mention the effects on the natural life in animals. But I think this is something that we're doing that is starting to go in the right direction for this new issue."

Representative Ward rose to speak in support of the measure, stating:

"Thank you Mr. Speaker, I stand in strong support of this measure. This measure would basically tell us to save money by saving electricity, by saving the amount of light that enters the night sky. Because of what otherwise, the supreme observatories of the world on Mauna Kea and on Haleakala, they're getting distortion. This is a multi-million dollar and really futuristic venture that they're doing.

"In the commemoration of this bill there was some inspiration that came out of the Minority Caucus, Mr. Speaker, and if I may read the following:

Star light, star bright, cannot see because of city lights;
I wish I may, I wish I might, pass a bill to make this right.

"From the famous poet-lawyer, not yet poet-laureate, Boyd Akase. Thank you, Mr. Speaker."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Hawaii County addressed this issue for Mauna Kea years ago."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 536, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STARLIGHT RESERVE," passed Third Reading by a vote of 47 ayes, with Representatives McKelvey, Mizuno, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1729) recommending that S.B. No. 1268, SD 2, HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1268, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Wooley rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker, with reservations. I just want to thank the Representatives who have been working on this bill. I know it has some possibilities, but it needs a lot of work before it should move forward. There are a lot of concerns about the impact on DHHL lands."

Representative Choy rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Luke rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Keith-Agaran 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 Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support with reservations SB 1268, SD 2, HD 1 which authorizes statewide development of affordable housing units in a way that assists the Department of Hawaiian Homelands (DHHL). This proposal allows DHHL to assign, transfer and exchange county affordable housing tax credits with private developers of projects in the same county. This bill provides another tool for DHHL to get the resources to build the infrastructure and homes required for its beneficiaries.

"I am certainly cautious that the bill may have unintended consequences – that we will be reducing the total number of possible housing units since DHHL will need to build the units anyway and that we will be segregating communities. However, the bill does give counties approval of whether a proposed transfer should be allowed. The counties, at the local level, can address whether it's appropriate to allow, for example, a luxury project in Wailea to transfer its affordable housing obligations to DHHL on Molokai. The sunset provision of the bill also allows us to re-visit the effect of this bill in the future.

"While I have concerns, I believe in giving DHHL as many tools as possible to meet its mission of getting Native Hawaiians into homes. In summary, I would rather err on the side of giving DHHL an opportunity to succeed.

"I urge my colleagues to vote in favor of the bill."

Representative Saiki 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. 1268, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Third Reading by a vote of 45 ayes to 2 noes, with Representatives Berg and Hanohano voting no, and with Representatives McKelvey, Mizuno, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1730) recommending that S.B. No. 1248, SD 1, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1248, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," passed Third Reading by a vote of 47 ayes, with Representatives McKelvey, Mizuno, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1731) recommending that S.B. No. 1299, SD 1, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1299, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED FLIGHT SIMULATOR TRAINING," passed Third Reading by a vote of 47 ayes, with Representatives McKelvey, Mizuno, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1733) recommending that S.B. No. 1664, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1664, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Third Reading by a vote of 47 ayes, with Representatives McKelvey, Mizuno, Morita and Takai being excused.

At 1:57 o'clock p.m. Representative Marumoto 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 M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1734) recommending that S.B. No. 1621, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1621, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Thank you very much, Mr. Speaker. This is a card check bill, and I rise in opposition to this measure. We've heard this before, but it cannot be emphasized enough, this bill is very anti-business and eliminates the secret ballot.

"The secret ballot is a vital part of our democratic institution, and it shows that voters can make their choices free of intimidation or coercion. It's an argument that is not just limited to union elections, this principal extends to all elections, from Presidential to student council elections. The secret ballot represents the true feelings of a voter and must be preserved.

"This is a view that has been affirmed by the courts. The Supreme Court described the secret ballot as, 'the hard won right to vote one's conscience without fear of retaliation.' As it relates to union elections, the courts have consistently affirmed the superiority of the secret ballot.

"In 1969, the Supreme Court affirmed that cards are 'admittedly inferior to the election process.' The Second Circuit Court held that, 'It is beyond dispute that a secret election is a more accurate reflection of the employees' true desire than a check of authorization cards collected at the behest of a union organizer.'

"The Fourth Circuit held, 'It would be difficult to imagine a more unreliable method of ascertaining the real wishes of employees than a 'card check.' Unless it were an employer's request for an open show of hand, the one is no more reliable than the other.' The DC Circuit Court of Appeals stated in 1991, 'Freedom of choice is a matter at the very center of our national labor relations policy, and a secret election is the preferred method of gauging choice.'

"In the last month or so, these arguments have been echoed in the editorials of our local newspapers. The *Star-Bulletin* editorialized that this bill would, 'sidestep secret ballot elections, the trademark of democracy.' The *Advertiser* wrote that when it comes to union certification elections a, 'worker faced with this choice should make it with care, fully informed of the pros and cons, and without undue pressure from either side. In other words, in the same way we elect public officials: in the privacy of a voting booth.'

"A *West Hawaii Today* editorial wrote that, 'Doing away with the secret ballot strips privacy rights of workers, in the same way the card check mechanism strips right of employers to represent fairly their interests.'

"*The Garden Island* stated quite clearly, 'The private ballot election process is the most fair way to determine the collective will of a group of people.'

"Mr. Speaker, I am citing these quotes to demonstrate the widespread recognition of the unreliability of a card check system, and the superiority of secret ballot elections. We should defend the freedom to vote privately and vote this measure down. Thank you."

Representative Sagum 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 Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. I just wanted to address a couple of the points that were made earlier. First of all, this bill does not eliminate the secret ballot. It just gives workers a choice of which method to use. The current method is that you have to get signatures from 30% of the employees of a bargaining unit, or potential bargaining unit. And then you have the sacred, 'secret ballot election' that other speakers have spoken about. This would simply allow the workers to have two separate choices. If you could only get to 30%, then you could have a secret ballot. If you can get to 51% then it's over, as most elections are when you get to 51%.

"I should also point out that some companies already use card check to determine whether their employees wish to unionize or not. What this bill would do is simply give that choice that the employer already has, they can already use card check system if they choose to. This bill simply gives that choice to the employees.

"Also I would just say that, we have to remember too that this bill, as it is written now, affects very few people, very few companies. My understanding is it affects 5 companies, all in the agricultural sector, because the federal law is very broad and leaves very little state jurisdiction. It does not cover agricultural workers, and this bill as it stands would only affect companies that have more than 100 employees in the agricultural sector. Mahalo."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. Mr. Speaker, unions have done many great things in Hawaii, in the US and overseas. I was reminded as the speaker was talking, about when I worked at USAID Office of Democracy, it was Lech Wałęsa in the Gdańsk shipyards in Poland that brought about democracy in Poland. Freedom to speak out. Freedom to act. Freedom to initiate ones' choice.

"This one, Mr. Speaker, however, is a little bit beyond that. It has put shudders through the nation. It's putting shudders through the business community here, even including the former wife of one of the Governors. And it's going to scare, spook and otherwise shake an already shaky economy. Shaking an already shaking business community.

"Mr. Speaker, we want to do well for business. We want to do well for labor. This is one of the things that's going to start the hockey puck in the middle of the fight. This is going to begin it, and I'm not sure if it's going to be beneficial to anyone, particularly the people of Hawaii. Thank you."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you Mr. Speaker, I rise in opposition to this bill. Mr. Speaker, we want an open and fair democratic process. And that's why I oppose this bill. Much of the attention has been focused on how this measure robs employees of a private vote in a union certification election. But there's another focus. Another way that this bill weakens democratic institutions of voting. It does it by robbing employers of the opportunity to state their case in a certification campaign. Just as the secret ballot is essential to the sanctity of our elections, so is campaigning.

"A campaign ensures that voters have the opportunity to hear both sides of an argument. The bill accomplishes this by enabling only unions to organize without the employers even receiving notice that the campaign is underway. A union could be recognized by getting cards signed by over 50% of employees before the employer would even know what happened. And as a result, the employer would have no opportunity to state his or her case, or their case, to the workers. So equally troubling, is that this means that the employees would not be making a fully informed choice when they make their decision. And this is because the employees would have only heard one side, the unions accounts and the benefits of unionizing.

"This is just wrong, because employers also have the right to be guaranteed the opportunity to express their views. They're making the investment to establish, to create the jobs that their workers enjoy in the first place. No matter what, a union will still have substantial impact on how the business will be run, and employees need to know that impact before they decide.

"And now there are complaints that employers could abuse their position by threatening or even eliminating jobs of employees during an election campaign, and these are serious, these are valid concerns. However, there are strict laws against this practice. Under the national Labor Relations Act, the employer is forbidden from threatening to move or shut down if workers vote for a union. Nor can the employer promise higher wages if the workers don't organize. If these laws are violated, then the employer should be punished to the fullest extent of the law. But we must distinguish between what is an illegal practice, and what is simply free speech.

"Arguments against unionization are no less legitimate than pro-union arguments. Just because we don't like what one side has to say, doesn't meant that they don't have the right to say it. And after all, isn't this what happens during election campaigns? So Mr. Speaker, I ask that we stand up for a fair, equal, democratic process, and vote no. Thank you."

Representative Rhoads rose to respond, stating:

"Mr. Speaker, still in support. With respect to my colleague from the 27th district, I think there's a fundamental misunderstanding of what rights employees have when forming a union. For the employer to have any say in it is like the Senate telling us who to appoint as our Committee Chairs on this side. Yes, they have an interest in the outcome of who we name as our Committee Chairs on this side of the Legislature, but it's really none of their business.

"If the employees want to take a dart board and say, 'If the dart hits this sector then we're going to be organized be UPW. If the dart hits this sector we're going to be organized by ILWU.' They have every right to form their union on a totally random basis if they want to.

"This is a constitutional right to free association. They can associate with whoever they want, whenever they want, however they want, and the employer has no standing in it to determine what the union organization looks like. Mahalo."

Representative Marumoto rose to respond, stating:

"Thank you. In rebuttal to the Chairman of Labor, no one is taking away the workers' rights to organize and form a union. This is a very important right, and I've been a union member myself. It is just how they organize, and if there's any intimidation on the part of the employer or the union, then we should try and prevent it. But this simply may exacerbate the situation.

"The Chairman also said that this will deal with only agricultural workers and that may be the case according to federal law. On the other hand, it certainly doesn't put any restrictions on who it covers in State law, and it makes me very nervous. I remember reading about a month ago an article by the Farm Bureau Executive Director Alan Takemoto, who said the bill covered many, many entities, such as retail businesses and non-profits, medical facilities, private schools, banks, offices, manufacturing, so it made me quite nervous as to the scope of this bill. I would like to see some restrictions in our State law as to who this law covers.

"I am worried also as to the number, I believe it is restricted to organizations that have 100 or more employees, but we could always change that next year, it could slip to 50 or 25 or smaller. So I am very apprehensive about this measure. I don't know who is covered by this, but I feel like we're telling the businesses in town here, 'you may be next.' Thank you."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you Mr. Speaker, in opposition and I have really short comments. I think the bottom line with this is. I'm just going to pull back from memory, and I remember when former Majority Leader Kirk Caldwell had talked about back in plantation days, and there was like the voting booth and the *luna*. You had the pen, and it had the string attached to the pencil or pen, and you could tell from what side that string swung over to, who you voted for. And I remember when he was telling that story, and even though I hadn't heard it before, it touched me in a way that I said, 'That is unfair.'

"And that's what I get just plain and simple. That at one point in time, things were so unfair to organize in a union, and that the pendulum has swung, and now to preserve, I guess, union activity, we're going to go to making it a not secret ballot. And that's just the bottom line for me, and that's why I cannot vote yes on this. Thank you."

Representative Takumi rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative M. Lee rose to speak in support of the measure, stating:

"In support with written comments, and If I could have the words of the Chair of Labor also included as if they were my own," and the Chair "so ordered." (By reference only.)

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of SB1621 SD2 HD2.

"With the federal stimulus package underway, we need to focus on the rebuilding of our economy. Unions are one of the best tools for creating an economy that works for everyone.

"There is a disturbing trend in the country that has led to the erosion of health care coverage and pension security—coupled with rising food costs and foreclosure anxiety, a stable workforce is a formidable goal, and working people are bearing the brunt of today's troubled economy.

"Across the country, union membership has decreased, partly due to an election process that vests the majority of power in the employer and often opens the door to intimidation and threat of job loss. The law has always allowed the employer to accept the "card check" from a majority of employees and recognize a union as their bargaining agent, but very few do. This measure would give employees the option of holding either a secret ballot or card check decision.

"Too many employers illegally fire pro-union workers during organizing campaigns, threaten to close down the worksite, or hire anti-union consultants to help bust the efforts. It is not uncommon for newly unionized employees to lack a contract a full year after their vote for representation because employers regularly stall negotiations.

"This is not fair and it is not in good faith.

"SB 1621 is a way to restore a fair and equitable process for employers and employees, rebuild the labor unions, and in turn rebuild the middle class, because ultimately, unions are just as responsible as management for a business's ability to thrive in today's economy.

"It is only through the power of collective bargaining that unionized employees make an average of 28 percent more, and are 52 percent more likely to have company-paid health insurance and a retirement plan.

"The majority sign up process is not new. In fact a number of major companies such as AT&T Wireless and Kaiser Permanente have long recognized it as a fairer, less disruptive process to determine workers' will. It simply provides workers with another option to express their desire to self-organize.

"The growing inequality we see between employer and employee is a backward trend. It will take more than economic stimulus to address this. By passing this bill, we will level the playing field in a small degree by giving employees an option to form unions and bargain for fair wages and benefits. It is important to provide these means.

"This bill applies only to a small number of agricultural businesses in Hawaii, but has a strong symbolic meaning to those who value the place of unions in our workforce."

Representative Pine rose in opposition to the measure and asked that the remarks of Representative Finnegan be entered into 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. 1621, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Third Reading by a vote of 37 ayes to 10 noes, with Representatives Chang, Ching, Coffman, Finnegan, Har, Marumoto, Pine, Thielen, Tokioka and Ward voting no, and with Representatives McKelvey, Mizuno, Morita and Takai being excused.

At 2:14 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 695, SD 1, HD 1
S.B. No. 536, SD 1, HD 1
S.B. No. 1268, SD 2, HD 1
S.B. No. 1248, SD 1, HD 1
S.B. No. 1299, SD 1, HD 1
S.B. No. 1664, SD 2, HD 2
S.B. No. 1621, SD 2, HD 2

At 2:15 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 2:16 o'clock p.m.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1735) recommending that S.B. No. 242, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 242, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1736) recommending that S.B. No. 1008, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1008, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Wooley rose to speak in opposition to the measure, stating:

"Thank you Mr. Speaker, in opposition. My understanding is the genesis and the purpose of this bill is to save the county some money. So I don't actually believe it will save the county any money, and more importantly, I think it will result in the degradation of State waters, as well as get us involved in the business of what's supposed to be done by an agency with scientific expertise, in human health and animal health, as well as public review process.

"So as you think about this bill, I ask that you think about what it says that we as a Legislature stand for. So if you believe that our water quality is so good that we should lower the water quality standards, or if you believe that the county has done such a great job managing our waste water systems, then maybe you should support this bill. But I personally believe that by taking this step, we set a precedent that has never been taken before by any state. And we say to the world that, we can stand up and alter water quality standards without any health basis or health studies or public review.

"When I think about the potential impacts of this bill, I think about what I often tell my kids when it rains. And I tell them, they can't go in the water because it's so dirty, it's full of sewage, essentially. Just a short time ago, we had such a major catastrophe, when we had big rains and we had people getting sick because the water quality was so poor as a result of the inadequate wastewater treatment facilities.

"I also ask you to think about how this will look to our tourists and to people who come to visit the State. Because especially in these times, when we're still concerned about bringing people to Hawaii, if we stand up and say that we're okay with lowering our water quality standards, despite all the problems that we're having, and despite the fact that EPA has been constantly putting the City and County under compliance orders to try to get the water quality standards to improve, I think it could really discourage a lot of folks from coming.

"So I just want to ask you, as you cast your vote, to think about what you're also going to tell your kids, as well as your constituents, when we potentially decrease our water quality standards.

"I just want to add one other thing. There is, under the Federal Clean Water Act, very specific requirements for how a state is supposed to go about setting the water quality standards, and it includes the cities, and it includes a public review process. The EPA actually has to approve the water quality standards when they're changed. So in this instance, we may not be able to even set the water quality standards and we may end up resulting in potential litigation. Thank you."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you Mr. Speaker, in strong opposition to this measure. Mr. Speaker, I've seen what the County and the Mayor has done to the water quality in Kailua. Within the last year and a half or so, the Department of Health fined them for, again, not complying with the law. We've had sewage spills. We've had signs up on Kailua Beach, 'no swimming.' Now we have a bill before us which actually says it will reduce pollution standards to the lowest possible limit allowed under federal law, and it adopts the lowest standards permitted for recreational waters beyond 500 meters.

"Do any of you know, or have friends, constituents that go out 500 meters or more? I would say the answer would be yes, all of you would. This means that where they're going to be going is going to have much lower water quality.

"And then we're being asked with this bill, we're being assumed to be the scientists, the experts that have the expertise to pass this kind of a measure. Mr. Speaker, frankly, we don't. And it just doesn't make sense that we go ahead with this. I know the Mayor came over asking us to do it. He made his appearance and did it on the basis of cost. Well, I think the cost to Hawaii, both for our residents and for our visitors, is far higher when we lower the water quality standards. I think that the Mayor should do what is required under the law, and what is required under the court decision that's moving ahead, and not come to us to say, 'Wait, just shortcut it. Lower the water quality standards. Just close your eyes to the scientific evidence, and go ahead and do it because I need it.'

"Well I say to the Mayor, 'no.' And I say to the bill, 'no.'"

Representative C. Lee rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. It sounds like we've already had quite a few people speak who are concerned about the bill, so I won't take long. I just wanted to say that I do think that this presents a lot of issues, and if anything, science aside, this is actually just the wrong forum to be dealing with the issue.

"I'd like to see it go back into Administrative Rules and the realm of those best suited to deal with the problem. I would imagine that putting this sort of thing in the legislative process would only cause in years to come, if not next year, those of us who do care strongly about water quality and so forth, to simply submit bills that up it, either for our district or our Island, or statewide or what have you, and you'd have a real disparity there, and a great challenge before us. So I am in opposition. Thank you."

Representative Coffman rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. I think there is some exaggerating of issues here. First of all, all we're trying to do at this point is bring our standards in compliance with the federal standards as they are today. The real issue here in the Committee on Energy and Environmental Protection, basically realized that we don't want to take and put rules in the statutes. But based on briefings and hearings, the Department of Health refused to do their job. In additional to getting to current standards, there are typographical errors that have been in the statutes, in the rules for years, and they say they can't make the changes.

"So what this particular statute will do is cause them to put the current regulations in force, but they sunset in two years. We are going to force the Department of Health to do their job, and do rulemaking on each of these issues. These changes will go through EPA for approval, it just happens all at one time, and then the Department of Health will go back through them individually, as they're required to do. Thank you."

Representative McKelvey rose to speak in opposition to the measure, stating:

"Thank you Mr. Speaker, in opposition, and may I have the words of the good representative from Laie entered into the record as if they were my own. Just a brief little side note. Matching federal standards is fine, but one of the rules of federalism is that the states are free to go stronger than the federal requirements, just not weaker. And by adopting the federal standards, we in essence will be going weaker. Remember, these federal standards were basically promulgated through the EPA during the Bush years, so these are the rules that we're adopting. 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. At my law firm, I'm involved in some litigation representing the plaintiffs that have sued the City over the wastewater treatment violation," and the Chair ruled, "no conflict."

Representative Shimabukuro rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, just in opposition. This legislation devalues what makes Hawaii so special. When you see an advertisement for New York's New York, do they have clean, beautiful, blue waters and nice white sandy beaches? When you see an advertisement for Boston, do you see blue waters and white sandy beaches? I don't think I want to lower the standards to the federal standards. Thank you."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in strong support. Mr. Speaker, I'm not a scientist or know much about the water quality standards, so what I have to do at times is to rely upon the wisdom of the Committee process. It's my understanding, Mr. Speaker, that this measure, a similar one, passed through the House earlier this Session, and that was endorsed by the Chair of the Energy and Environmental Protection Committee. This is the same language you see here, as referred to by the Vice Chair this afternoon. So based upon those representations, I'll be supporting this measure. Thank you."

Representative Wooley rose to respond, stating:

"Thank you, Mr. Speaker. I just wanted to give some rebuttal to the Representative from Kona. I just wanted to let you know that I did talk to the Department of Health and the reason that they haven't promulgated the rules is they have lacked an employee that they need specifically with this expertise to pass the rules. But they are in the process of hiring, and they believe that they will be able to get those Rules started this year.

"I also just want to state that in terms of the process, sometimes people learn more information as time goes on, and I appreciate that we have this process so that maybe we can make the right decisions as we move forward. Mahalo."

Representative Finnegan 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, just a response to the Finance Committee Chair. When his hair starts glowing green, because he's a surfer and he spends a lot of time in the water, it may be because of the pesticides, heavy metals, bacteria, pathogens and particulates on not just the water and marine life, but also on the Finance Committee Chair's head and body. 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. 1008, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY STANDARDS," passed Third Reading by a vote of 34 ayes to 14 noes, with Representatives Berg, Carroll, Ching, Choy, Hanohano, C. Lee, M. Lee, McKelvey, Nishimoto, Pine, Saiki, Takumi, Thielen and Wooley voting no, and with Representatives Cabanilla, Morita and Takai being excused.

At 2:29 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 242, SD 2, HD 2
S.B. No. 1008, SD 1, HD 2

THIRD READING

S.B. No. 350, SD 1, HD 1:

Representative B. Oshiro moved that S.B. No. 350, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Belatti rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in strong opposition to this bill. Far too often we are motivated to enact laws to be tough on crime. I would like to add two new slogans to our language Mr. Speaker. let's be, 'Smart about crime,' and 'Smart about violence.' While this bill may arguably be a 'tough on crime' bill, it is simply a bad bill that is not supported by either the Honolulu Police Department or the Office of the Prosecuting Attorney.

"So what this bill does is, it expands and creates a dangerous exception from the statutory duty to retreat. It states that an actor is justified in using deadly force and has no duty to retreat if he is attacked in, "any other place in which the actor may lawfully be present." In other words, deadly force to meet deadly force would be allowed anywhere. On the street, at a place of business, at a shopping mall, at the park or at the beach.

"Mr. Speaker, it is striking to me that this seems to send a message different than what we tell our children to do when they may be confronted by a bully and goaded into engaging in a fight. We don't tell them to engage, we tell our children first, to walk away, find an adult, find another means other than violence to resolve a problem.

"Finally Mr. Speaker, proponents of this bill suggest that this policy can give ordinary citizens an increased sense of safety on the street. To the contrary, this bill increases the possibility that innocent bystanders could be injured or killed because of an actor's right to use deadly force wherever he may be. This is precisely the concern raised by the Honolulu Police Department when it states that this bill will, "result in violent confrontations that could have been avoided by retreating and requesting law enforcement intervention."

"This bill threatens to increase violence in our State, Mr. Speaker. Let's be smart about crime and smart about violence, and let's not let this bill be enacted. Thank you."

Representative Takumi rose to speak in opposition to the measure, stating:

"Thank you Mr. Speaker, in opposition. And I'd just like to have permission to insert an opinion piece written by Bob Herbert of the New York Times that addresses this issue about gun violence. Thank you."

Representative Takumi submitted the following opinion piece:

"Op-Ed Columnist
The American Way
By BOB HERBERT
New York Times
Published: April 13, 2009

Late in the afternoon on Good Friday, in a cold, steady rain, a gray-haired 60-year-old woman sat shivering and praying on a stone step outside of 1016 Fairfield St., which is where the terrible shooting had occurred. She read from a prayer book and from time to time would take a drag on a soggy Newport cigarette. A candle flickered beside her as she prayed.

Police officers in a squad car a half-block away were keeping a close eye on the woman and the house with the boarded-up windows behind her.

Reluctant to talk at first, the woman eventually whispered, "I'm the grandmother of the kid that killed those cops." She said her name was Catherine Scott and that she was praying for her grandson, Richard Poplawski, who is 22 and being held in the Allegheny County Jail, and for the three officers he is accused of gunning down: Stephen Mayhle, who was 29; Paul Sciullo II, 37; and Eric Kelly, 41.

The officers were killed a week and a half ago as they responded to a disturbance at the house. Police said they were met there by Poplawski, who was wearing a bulletproof vest and was armed with a variety of weapons, including an AK-47 assault rifle.

"My grandson did a terrible thing," said Ms. Scott. "There is no mercy for what he did."

Mercy or not, there is no end to the trauma and heartbreak caused by these horrifying, blood-drenched eruptions of gun violence, which are as common to the American scene as changes in the weather.

On the same day that the three Pittsburgh cops were murdered, a 34-year-old man in Graham, Wash., James Harrison, shot his five children to death and then killed himself. The children were identified by police as Maxine, 16, Samantha, 14, Jamie, 11, Heather, 8, and James, 7.

Just a day earlier, a man in Binghamton, N.Y., invaded a civic association and shot 17 people, 13 of them fatally, and then killed himself. On April 7, three days after the shootings in Pittsburgh and Graham, Wash., a man with a handgun in Priceville, Ala., murdered his wife, their 16-year-old daughter, his sister, and his sister's 11-year-old son, before killing himself.

More? There's always more. Four police officers in Oakland, Calif. — Dan Sakai, 35, Mark Dunakin, 40, John Hege, 41, and Ervin Romans, 43 — were shot to death last month by a 27-year-old parolee who was then shot to death by the police.

This is the American way. Since Sept. 11, 2001, when the country's attention understandably turned to terrorism, nearly 120,000 Americans have been killed in nonterror homicides, most of them committed with guns. Think about it — 120,000 dead. That's nearly 25 times the number of Americans killed in Iraq and Afghanistan.

For the most part, we pay no attention to this relentless carnage. The idea of doing something meaningful about the insane number of guns in circulation is a nonstarter. So what if eight kids are shot to death every day in America. So what if someone is killed by a gun every 17 minutes.

The goal of the National Rifle Association and a host of so-called conservative lawmakers is to get ever more guns into the hands of ever more people. Texas is one of a number of states considering bills to allow concealed guns on college campuses.

Supporters argue, among other things, that it will enable students and professors to defend themselves against mass murderers, like the deranged gunman who killed 32 people at Virginia Tech two years ago.

They'd like guns to be as ubiquitous as laptops or cellphones. One Texas lawmaker referred to unarmed people on campuses as "sitting ducks."

The police department in Pittsburgh has been convulsed with grief over the loss of the three officers. Hardened detectives walked around with stunned looks on their faces and tears in their eyes.

"They all had families," said Detective Antonio Ciummo, a father of four. "It's hard to describe the kind of pain their families are going through. And the rest of our families. They're upset. They're sad. They're scared. They know it could happen to anyone."

The front page of The Pittsburgh Tribune-Review carried a large photo of Officer Mayhle's sad and frightened 6-year-old daughter, Jennifer. She was clutching a rose and a teddy bear in a police officer's uniform. There was also a photo of Officer Kelly's widow, Marena, her eyes looking skyward, as if searching.

Murderous gunfire claims many more victims than those who are actually felled by the bullets. But all the expressions of horror at the violence and pity for the dead and those who loved them ring hollow in a society that is neither mature nor civilized enough to do anything about it."

Representative C. Lee rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative M. Oshiro rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Sagum 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 S.B. No. 350, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF FORCE," passed Third Reading by a vote of 30 ayes to 18 noes, with Representatives Aquino, Belatti, Berg, Bertram, Carroll, Choy, Coffman, Hanohano, Keith-Agaran, C. Lee, Luke, Nakashima, Nishimoto, Saiki, Shimabukuro, Takumi, Wakai and Wooley voting no, and with Representatives Cabanilla, Morita and Takai being excused.

S.B. No. 603, SD 1, HD 1:

Representative B. Oshiro moved that S.B. No. 603, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

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 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."

The motion was put to vote by the Chair and carried, and S.B. No. 603, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

S.B. No. 1350, SD 2, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 1350, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Takai being excused.

At 2:35 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 350, SD 1, HD 1
S.B. No. 603, SD 1, HD 1
S.B. No. 1350, SD 2, HD 1

S.B. No. 292, SD 1, HD 1:

Representative B. Oshiro moved that S.B. No. 292, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

At 2:35 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 2:36 o'clock p.m.

Representative C. Lee 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."

The motion was put to vote by the Chair and carried, and S.B. No. 292, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

S.B. No. 659, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 659, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

S.B. No. 1111, SD 1, HD 1:

Representative B. Oshiro moved that S.B. No. 1111, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Mr. Speaker, on this particular measure, Stand. Com. No. 1603, I'm in opposition. My comments will be short. We just discussed this I believe the other day. When we are looking at a downturn in our economy, and when tourism is having a very difficult time, we're talking now about how do we keep the industry afloat. I believe strongly that we don't do it on the backs of pushing away our tourists with increased expenses. Our tourist industry and our hotels are already trying to lessen their room rates to try and attract people to come to Hawaii. They're trying to put packages that lower costs to come to Hawaii and incentivize and motivate tourists to come to Hawaii.

"By doing this, I understand we need to balance the budget Mr. Speaker, but I think that on the backs of the tourist industry in such a depressed economy is not the way to do it. If we look at the supporters and the opponents of this particular bill, Mr. Speaker, it just shows the overwhelming opposition to wanting to increase the TAT. Thank you."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker, I have strong reservations. I believe that all revenue from the tax for the transient accommodations should be going toward marketing and should not be diverted. I agree with the former speaker that when times are rough, you need to market more and not less. I do understand, and the reason why I'm not voting no is because of the need for additional revenue to balance the budget. I can understand why the Finance Committee is doing that. But at the same time, I hope that as we go into Conference, you need to realize that Hawaii is in a global tourist economy. We need to market as much as we can, especially now when the hotels are down over 25%, and some are at 40%. So we need all the money that we can get for that, Mr. Speaker. Thank you, very much."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I am in opposition to this. I did voice my opposition on Second Reading, but I just want to point out again, this is another anti-business measure. I remind you that we're taxing hotels yet again. These are the only entities in the tourist industry that we do tax. We don't tax airlines or ground transportation, tourist activities, restaurants, bars, nightclubs. It's just the hotels that we're asking them to pay the full freight on this for the whole tourist industry. So just to remind you, please vote no."

Representative McKelvey rose to speak in opposition to the measure, stating:

"Thank you very much, Mr. Speaker. In opposition. I know I also gave comments on Second Reading, but if you could indulge me just briefly. First, may I have the words of the speaker from Wailuku entered into the record as if they were my own? And while I agree with him on the marketing, at the end of the day, coming from somebody who has been in the marketing business, you need to actually have a product to market.

"Here's the thing. We could be spending a lot of money on marketing, but if the net result is that our rooms are higher to stay at than the Caribbean, which is a big competitor now for visitor destination dollars, then they're going to choose the Caribbean. They're marketing just as hard, and the playing field of air travel has now been leveled with ticket prices the way they are. West Coast visitors are eyeing the Caribbean very aggressively. So this could have a very serious detrimental short term effect.

"I just would hope that Members would think about this. And if it does go to Conference, that the Conference Committee would really think twice about moving forward on this bill. Thank you."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker, in opposition. I know a lot of points have been made previously, so I won't go too long. But we must recall that we are the most distant place from any land mass in the world. Not Fiji, not Tahiti, but Hawaii. Hawaii is the most distant from any other land mass. So already, to come here, people have to spend a lot of money.

"I know that our newspapers, if you've been watching it, have been talking all about tourism. It is the number one thing we have to take care of, our number one industry. We're trying to diversify. It's still our number one industry, and we have to take care of it.

"So I think that we should be mindful. We've had the Lieutenant Governor on TV, on one of the main national channels, and we have to look at that. We cannot afford to do this now. Thank you, very much."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. Mr. Speaker, this bill is about asking the questions, Who do you trust? Do you trust the professionals in the industry, who, to each individual in the Finance Committee, said, 'Don't do it. It's not wise. It's not going to help. It's going to hurt. It's not now. If you want to do it, do it later.' Or, do you trust the Governor who said, 'We will balance this budget without tax increases, and without warm bodies being slashed?'

"Mr. Speaker, I trust the professionals. I trust the Governor. And I trust that we don't need this bill. And I hope in the end, in Conference Committee, because I know it's blank now, even though people have got in their mind a 1% increase, that we'll say, 'You know, we really in the end, didn't need this.' But it's a matter of trust. Thank you, Mr. Speaker."

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, I'm standing in support. Mr. Speaker, I wasn't planning to say anything because I stood in front of this Body before, talking about, as a former Tourism Chair, how tourism is price sensitive. I did want to acknowledge that the concerns made regarding increasing in any form, the TAT, could have a damaging effect and in a sense, out-pricing us and making us a much more expensive destination.

"However, I do want to highlight the fact that one of the things that makes Hawaii special throughout the world, and you can talk our neighbors in Asia, is the fact that Hawaii has a certain sense of spirit and is a beautiful place to visit. I remind people that a number of our visitors are repeat visitors. They come back because their first experience here was such an important and valuable one.

"So Members, when we're looking at these funds, hopefully for a very short period of time, that we would address some of the basic infrastructure that makes Hawaii special, and will make it easier for our visitors to come and experience what makes Hawaii, Hawaii. To see the native culture. To learn and experience these things with the proper infrastructure. To have their first experience at the various places like our airports, be more than just having dilapidating, dysfunctional areas based only on the price wars of ticket prices or hotel room rates. Thank you, Mr. Speaker."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, in support. This bill would increase the Transient Accommodations Tax. If it does increase it by 1%, it's about $30 million. That $30 million would go into the general fund."

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of the measure to raise the Transient Accommodations Tax (TAT) to an unspecified amount with the increase amount to be deposited into the general fund.

"Peter Harkness, writing in *Governing Magazine* (Potomac Chronicles, March 2009) stated: "What's missing is serious talk about revenue. It seems to be an article of faith in Washington and across the country that increasing taxes in a recession is a bad idea. But is that true? If so, why is it that during the last recession, in the wake of the Bush Administration tax cuts in 2001, economic growth was the weakest recorded by any Administration in decades? On the other hand, President Clinton raised taxes during his first year in office and the economy boomed."

"The bottom line is, we need to find additional sources of revenue and this increase will be paid for by visitors and not our local residents. Many cities have much higher hotel room taxes including New York City and Atlanta.

"I urge the Members' support."

The motion was put to vote by the Chair and carried, and S.B. No. 1111, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 38 ayes to 11 noes, with Representatives Belatti, Berg, Brower, Carroll, Ching, Finnegan, Marumoto, McKelvey, Pine, Thielen and Ward voting no, and with Representatives Morita and Takai being excused.

S.B. No. 1343, SD 2, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 1343, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES AND OTHER ASSESSMENTS," passed Third Reading by a vote of 43 ayes to 6 noes, with Representatives Ching, Finnegan, Marumoto, Pine, Thielen and Ward voting no, and with Representatives Morita and Takai being excused.

S.B. No. 1461, SD 2, HD 1:

Representative B. Oshiro moved that S.B. No. 1461, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you Mr. Speaker, I'm rising in strong opposition to this measure. In addition to my remarks on Second Reading, I was hoping that our green-haired Finance Chairman would listen carefully. I know the Administration is supporting this $40 million one-time only windfall. I don't support it Mr. Speaker, because it hits small businesses with this moving up of the date for filing their General Excise Tax. A lot of Members might think, 'Well what's the big deal on this?' It really makes a difference for small business people. Small business owners.

"So when you look at this measure, it's really a greedy, one-time grab to get the $40 million, and then it's a long-term headache for the small businesses. I wanted to just read brief excerpts from one small business owner's email.

> I'm a small business owner that's struggling through these difficult economic times. I realize that the Legislature is dealing with similar challenges, and I'm writing to you in opposition to one of the measures you are considering to deal with the budget deficit. The bill in question is Senate Bill 1461. This bill is anti-small business, and serves no legitimate purpose. The act of moving forward the deadline for filing GET places an administrative and financial burden on small companies like mine.

Many of us rely on outside bookkeeping services to perform our GET compilation filing. We usually have this service done after the middle of the month, when we can reconcile bank statements and deal with other administrative functions. More importantly, this change in filing deadline is of no material benefit to the State. It provides a one-time, bookkeeping adjustment, to move the date of tax receipts forward. This is taking tomorrows money for today, and is nothing more than a game of smoke-and-mirrors.

Please vote no on this bill. Balance the budget like the rest of us by spending only the money you have.

"And I think that this small business owner says it all there. Mr. Speaker, I have some additional remarks that I'd like to place in the Journal, but more than that. I'd like to plead with the rest of you. You've heard bill, after bill, after bill that is anti-business. Bill after bill today, that is anti-business. This one isn't the 'frosting on the cake.' This is going down to the very bottom of the barrel and creating a harm to small businesses that will continue with them. It's a greedy grab, a one-time only grab. And I do not support this Administrative proposal to raise money this way on the backs of the small businesses. Let's just have this go into Conference Committee and never emerge. Thank you."

Representative Thielen's written remarks are as follows:

"Mr. Speaker, I rise in opposition of Senate Bill 1461, Senate Draft 2, House Draft 1. This bill advances the filing and payment of monthly general excise taxes due from the last day of the month to the 20th day of the month.

"In testimony on this bill, it is estimated that the enactment of this legislation would result in a one-time windfall of approximately $40 million in revenue, and that would help balance our budget, and that tough choices need to be made. I am also aware that the Administration testified in support of the measure.

"This is an anti-business bill, plain and simple. Most people would take a look at this bill and say, it's only 10 or 11 days. It is not a tax increase. How can this be anti-business?

"The Retail Merchants of Hawaii testified that accelerating the filing requirements places additional burdens on business. Many businesses will not have the means to comply with this new law, increasing late fees and penalties.

"As a local CPA testified, proper reconciliation for cash basis payers and proper invoicing for accrual basis payers take time to complete. With recent layoffs at many businesses, more responsibilities are being placed on fewer people, including accounting. Many entities are already challenged to meet the end-of-the-month deadline. This will not make the situation any easier.

"We did something very similar in principle many years ago to meet a large budget shortfall. It was called a payroll lag. We held off issuing paychecks to generate a one-time savings. The consequence of that legislation hurts every new hire by delaying revenues. This legislation makes a grab for tax revenue earlier, but in much the same way, the business community is going to feel and deal with the negative consequences of compliance for many years to come.

"While this proposal appears to help balance the budget "painlessly", it does not help with the long term problem of pulling us out of recession. For this reasons, I stand in opposition."

Representative Herkes rose to speak in support of the measure, stating:

"In support, and I wish that the previous speaker would address the Chair. We wouldn't need this bill if the Department of Taxation would cash the checks when they get them. Thank you."

Representative Chong rose to speak in support of the measure, stating:

"Thank you Mr. Speaker, in strong support. This bill administratively moves up the filing date by about 10 days. It may cause some businesses to adjust to this. And as the prior speaker said, it may cause some administrative problems. It does allow the State to take advantage of a $40 million, one-time increase, to help us balance the budget. Is it on paper? Yes. But, well, that's how we balance the budget.

"Secondly, this is our money. This is the taxpayers' money. We're not asking for more money. We're asking for it sooner. The State is not a credit card for people to float taxes that they collect. You and I do not get to pay our income tax withholding a little later so our employer can float the money. We have to pay it up front, when it's due.

"So I understand the concerns and the logistical problems that it might create for some small businesses. At the same time, this is just making sure that while it may seem anti-business, it is also pro-taxpayer. Because the taxpayer is getting their money just a little quicker. And again, government is not meant to be the 'credit card' for people. Thank you."

Representative Thielen rose to respond, stating:

"Mr. Speaker, a brief rebuttal please. The former speaker said that the money is more of a float by the State, or to the State. Let me just read from Hidano Construction on how the legislation works in the real world. Hidano Construction, by the way, strongly opposes this bill.

'In the construction industry, an industry we are trying to beef up through CIP acceleration and federal stimulus money, billings for completed work have to be negotiated and approved by an owner before a company can submit any and all billings. Most construction companies elect to pay general excise taxes on an accrual basis, paying taxes based on billings for the previous month, and not on cash receipts. In reality, the State gets paid in advance – in advance, as a company has not yet collected monies. Often the company has to wait 30 or 60 days for payment, while the general excise tax bill was already paid.' And I'll stress that again, already paid. 'Forcing the construction company or any company to do paperwork 10 or 11 days earlier is going to increase the likelihood of inaccuracies or late returns.'

"And this goes on. Again Mr. Speaker, I will have the balance of the remarks placed in the Journal. But Mr. Speaker, there's no way of looking at this other than it is a hit on small business. You might say, 'Well, if it brings us this amount of money every month, or every year.' If we'll get $40 million every year more, then you might say, 'Well maybe, maybe, maybe there could be some justification.' But there isn't. It's like the payroll lag. And remember the trouble that that caused to so many people. And here it is, we're saying to the small businesses, the very group we're trying to keep afloat, that we're trying to keep in business, and we're saying to them, 'We're going to make it even harder for you. Stay tuned and wait and see, until the end of this Session how much that we put the noose around your necks so you'll close up and go elsewhere, or just go out of business.'"

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you Mr. Speaker, in opposition with some comments. Mr. Speaker, at first when I heard about this bill, I said, 'Well, what's 10 days? It's just 10 days, and we kind of need the help as a government.' And I did change my mind, and I am a 'no' vote. But I guess my concern comes from what I thought I heard from the Representative from Kaneohe. His attitude was as if, well it's the governments money. That strikes me in the wrong way, because it is, sure, its tax money that is owed. But tax money, everything that we do is on behalf of the people of Hawaii. So I still think, the way that I see it is that we're spending their money. And so that comment kind of strikes me wrong.

"But let's also put ourselves in the position of being the small business. And if we are a small business, or big business or whomever, what you're doing is you're taking something that had a due date of the 30th, and changing it to the 20th. And you can call it, 'credit card.' You can call it whatever, a bill. I call it a due date. And let's talk about how we might make that change in our own lives. Okay, your mortgage payment was due

on the 15th, and now it's due on the 5th. Your electricity payment was due on the 25th, but now it's due on the 15th.

"What this does is, it takes your planning on how you were going to pay your bills and it kind of turns it and makes it a little bit difficult, especially if you're one of those small businesses or businesses that's hanging by a thread, and maybe needs things to just operate and be reliable and not change. And for some of these companies that have very large payments, I agree, it's money that's already been paid, however, you're changing that due date, and you're interrupting the flow of things.

"So what I would say in this is, we have to think about the small businesses that are having a difficult time right now, and I completely understand why we're looking at this measure. But realize that this is something that is going to affect the small businesses in a large way. Thank you."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Mr. Speaker, just to point out again that, this is a key component of the Governor's Financial Plan. If you go to her website, she does announce this on her March 6, 2009 press release. This accounting maneuver gives her $40 million in fiscal year 2011. So if she has changed her mind, I'd like to hear from her and see how she'll make the adjustment for the year 2011. Thank you."

The motion was put to vote by the Chair and carried, and S.B. No. 1461, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 33 ayes to 16 noes, with Representatives Belatti, Berg, Bertram, Brower, Carroll, Ching, Finnegan, Hanohano, Luke, Marumoto, McKelvey, Pine, Takumi, Thielen, Ward and Wooley voting no, and with Representatives Morita and Takai being excused.

At 2:59 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 292, SD 1, HD 1
S.B. No. 659, HD 1
S.B. No. 1111, SD 1, HD 1
S.B. No. 1343, SD 2, HD 1
S.B. No. 1461, SD 2, HD 1

S.B. No. 199, SD 1, HD 1:

Representative B. Oshiro moved that S.B. No. 199, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes Mr. Speaker, I wish to speak with reservations on Senate Bill 199, Stand. Com. Report 1608. I don't believe that the reductions are enough to help us to balance the budget. I believe that we're still not reducing Act 221 sufficiently. And even though I know that the credit is forwarded, I think we can, however, do a lot more work with Act 221 than we have. Thank you."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative 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 S.B. No. 199, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

S.B. No. 972, SD 2, HD 1:

Representative B. Oshiro moved that S.B. No. 972, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations on this measure. This measure is to make sure everybody pays their taxes, which is good. But, as one not to be named CPA said, this has a little bit of a 'Gestapo' flavor to it. It's really 'hardball.' Taxation and payment of taxes is a voluntary function in the US. This gives hammers and crowbars and other sorts of things. Which means if this bill passes and we don't collect a lot more money, something is wrong with this bill.

"But if it also goes through and it gets watered down a bit, it's because it breaks some of the privacy laws and it is too penetrating in its search for funds. Thank you."

Representative Choy rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Chong rose to speak in support of the measure, stating:

"Thank you Mr. Speaker, I'd like to stand in support of this measure. In rebuttal to the Representative from Hawaii Kai, you know this is just another measure as part of the Governor's package. This was part of the Department of Taxation's goal to try and collect more taxes in the cash economy where there is believed to be hundreds of millions of dollars of unpaid taxes. It is also to make sure that those of us who do pay taxes, don't have to pay any more. So those who don't, pay their fair share. Thank you."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. I'm not sure I heard the Representative from Hawaii Kai correctly, but I think paying taxes in the country is not voluntary. You can go to jail for not paying taxes. If I had known that paying taxes was voluntary, I would have probably considered to stop paying taxes a long time ago. Mahalo."

Representative Wooley 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 Wooley's written remarks are as follows:

"This bill proposes major changes to our tax enforcement system to give the Tax Department significant authority to search businesses and enforce tax laws. I strongly support increased tax enforcement to ensure all businesses pay their fair share of their taxes. However, I am concerned that the enforcement powers given to the Tax Department are 'Draconian' and may well result in businesses being too easily harassed by bureaucrats."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. I too have serious reservations on this issue. In deference to the Labor Chair, you're right, paying taxes is a responsibility. But then again, taxpayers have the right to be treated decently and not, in the words of one testifier, 'like enemy combatants.' What's it going to be next? Are we going to start water boarding people?

"This is just a very overly heavy-handed measure. The Attorney General's Office submitted testimony pointing out some serious constitutional problems with this approach. And the Tax Foundation of Hawaii noted that in the wrong hands, these kinds of laws could lead to some serious abuses of the innocent, and I quote, 'innocent taxpayers.'

"We're legislators, Members. Why is it that we have to rely on the Governor and DoTAX of all people, to give us ideas? Surely we've got enough brain power in this institution to come up with innovative ideas that aren't going to trample on civil rights and basically 'hose' a whole lot of people. Let's think outside the box. Let's get outside of the DoTAX box, America. Come on. Thank you."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Just by way of background, earlier this year when we were briefed by the Department of Taxation, they made a point that to close the tax gap in Hawaii, we would have to collect about $2 billion that's out there. In other words Mr. Speaker, about $2 billion in owed and due taxes are not being collected by the Tax Department on behalf of all citizens of our State.

"What this measure does is ramp up a new enforcement section and empower them with the following duties: to investigate violations, to enforce the tax laws; to retain fraud specialists to assist in the development and review of fraud cases; and hold public informational briefings and hearings to educate the population on the tax laws including compliance issues for small businesses and to encourage compliance among the tax-paying public.

"This also allows them to coordinate their functions and their duties with the federal government, other departments and the counties, and to also follow up on information received from third parties.

"It also would set up a mechanism of the special enforcement section to have additional enforcement monies from the general fund. Those additional monies will be going to the Tax Administration Special Fund to carry out the purposes of this Act.

"Department of Taxation estimates the revenue gained at $11.9 million for fiscal year 2010. $11.9 million fiscal year 2010. $35.6 million in fiscal year 2011. $35.6 million in fiscal year 2011. This measure will take effect upon approval, provided that section 2 of this measure will take effect on July 1, 2009. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"I rise for a matter of clarification. In noting that it's voluntary, it's voluntary compliance. Today is April 14th, and in one day, everybody in this room will voluntarily file their taxes. What we know in the American tax system is that tax avoidance is okay, but tax evasion is not okay. That's against the law.

"But the point is we have compliance and a relationship between our citizens and the government. They don't invoice us every year for the amount of tax owed because of how many kids we have. We show them what we've made, and then voluntarily pay them. I didn't mean to give the impression that it was something that we can or cannot do. 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 support of the measure, stating:

"Mr. Speaker, in support. I just wanted to say that I believe at the heart of this is being able to get to people so that they pay their fair share of taxes. And as we move this bill along, if there are areas where we need to either tighten up or loosen up, I think that we should do that. But the bottom line is, as we are looking at taxes and the burden of taxes on our society, we should also be looking at fair taxes, get those taxes in from people who don't pay it and they should."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. I'm for the measure, with some reservations. I wish to laud your idea, and the repeal of all the tax credits. I think if we did that, we would be able to balance the budget, including the repeal of Act 221.

"I know it's going a little bit off base, but everybody's concerned about raising taxes. Then the other side, you can't have both. They cannot be providing tax credits and looking at your tax base. And for those of you who are so concerned about the taxes that we have here in Hawaii that we're paying, there are some jurisdictions in California where they are paying 9% sales tax. So we've got a long way to go yet, Mr. Speaker."

Representative M. Lee rose to speak in support of the measure, stating:

"Yes, in support, and you know, Mr. Speaker, I'm glad that the Minority Leader is in support of the Administration's policy, and I'd like to have her words 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 S.B. No. 972, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

S.B. No. 1678, SD 3, HD 1:

Representative B. Oshiro moved that S.B. No. 1678, SD 3, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations on Stand. Com. Rep. No. 1610. AKA the 'Amazon.com bill,' Mr. Speaker. Which, like some bills that we've passed in this House, this is not intuitively understandable. It doesn't come out in street language. It doesn't really know how it's going to apply. But I know that there are some court cases that are going on, on the mainland. It seems to be an obtuse way of sticking up and imposing another tax on the people of Hawaii."

The motion was put to vote by the Chair and carried, and S.B. No. 1678, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 43 ayes to 6 noes, with Representatives Brower, Ching, Finnegan, Marumoto, Pine and Thielen voting no, and with Representatives Morita and Takai being excused.

S.B. No. 21, SD 1, HD 1:

Representative B. Oshiro moved that S.B. No. 21, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker. On Stand. Com. Rep. No. 1611, I have some reservations. I'm actually in support of this bill. Originally as it had come out it was talking about procurement and rulemaking and public employment statutes for program services and benefits using funds allocated to the State by the American Recovery and Reinvestment Act of 2009. And I am in support of that part of the bill, Mr. Speaker. I think that the decision to have this money come to the states has already been made. Our kids are going to be paying for it. So we need to make sure that we use this money as best as possible.

"Taking a look at Part II, this bill established a legislative Federal Economic Stimulus Program Oversight Commission to be comprised of 11 members. Of the 11 members, 5 are non-voting members. Mr. Speaker, I guess I could be okay with this part, but in particular, President Obama and everybody else who was a part of passing this through, is specific about wanting to make sure there's a ton of transparency and accountability. The money comes down to either the counties, the State, or wherever you apply for grants and however you get this money.

"The problem that I have is, as we're moving forward, we know that this is a Recovery Act. This money is supposed to be put into the economy to

help us recover from the economic downturn. And so it needs to be done quickly. That's why we have things like procurement and the rule-making, just making it temporary, exempting these things. We need to work together. The idea of having an Oversight Committee when there's already a ton of transparency, more-so than we have in the way that we operate now. These measures are put into place so that we are accountable. Whoever receives the money is already accountable. There are a lot of things in here to prevent the misuse, I guess, of this money. There is a ton of transparency.

"I think by having another Part II Oversight Commission, I'm not sure if that would accomplish what it's intended to do. In fact, it almost seems like, because now you have the House and the Senate appointing members, the Governor is involved, but yet you also have the 4 members of Congress involved as well. It kind of gives a hint of more politicizing it, because one of the Congressional members is running for Governor.

"So when I take a look at the whole thing, I think we can work together on this. We can work to get that money into the areas that it needs to, to help the counties and the State. We should just step back and not necessarily work in that way, and support the Governor and the counties in helping use this money effectively. Thank you."

Representative Pine rose in support of the measure with reservations and asked that the remarks of Representative Finnegan be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Very briefly, you know the purpose of this bill is to basically create some kind of exemption from procurement, which immediately to me, I'm not very thrilled about. But the Administration came in and said, 'Oh, you know, procurement's really hard. It's really difficult. It's going to slow down the process,' which basically means that unfortunately, they just can't do their job and follow the Code, because it's all in there. It's about fairness, openness and transparency. And there really is no reason why there is this continual bemoaning about the Procurement Code and how it just slows down the process. There are many, many ways in which things can move through that process in an expedited fashion. Unfortunately, that's not been the experience because contracting officers unfortunately don't know how to issue solicitations.

"But given that that's how the landscape is, we are moving this bill forward. But I think the reason why we have an Oversight Committee is something that, at least a dozen states around the nation have also enacted. And what that is for, is for oversight and transparency. Because although I agree that the federal government has some very aggressive monitoring and accountability measures in the American Recovery and Reinvestment Act, we don't want them to get involved. By that point, once they start digging around and start looking at what the State may be doing wrong, at that point, we'll be in some pretty deep trouble. At that point, what they'll say is, 'You know what? If you can't handle the federal money, you don't get any more.' At that point we're shutting off the spigot. Too bad. So sorry that you don't know how to do the things you're supposed to be doing under the law.

"And that's why we need to make sure that there's proper oversight on the State level, so that we don't have to just rely on the federal government to step in. Because if they step in, let me tell you, it will not be a pretty picture. Thank you, very much."

The motion was put to vote by the Chair and carried, and S.B. No. 21, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

S.B. No. 971, SD 2, HD 1:

Representative B. Oshiro moved that S.B. No. 971, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ward: "Mr. Speaker, I rise in support of this measure."

Speaker Say: "Please proceed, and state for the record to the general public, that it's not the House. It was the Senate's bill, right?"

Representative Ward: "But we are going to vote on it no matter where it came from or wherever it goes, Mr. Speaker."

Speaker Say: "The testimony that you heard was on the Senate draft."

Representative Ward continued in support of the measure, stating:

"Exactly. And that's why I'm standing up, because some good things could come out of bad bills. What you are talking about came very, very unacceptably from the Senate in the form of taxing the old, the aged, the retired military, the elderly, and what pensions they have and the safe haven, if you will, that Hawaii has been and always hopefully will be.

"That, fortunately due to the wisdom of the Chair of Finance, has been extricated. And for those Members on the Finance Committee who will be on the Conference Committee, please don't let the Senate put that back in there. Please don't let it happen. Let's not go there. Thank you Mr. Speaker."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"I must voice my reservations, and I think the Representative from Hawaii Kai said it best. Beware of what could happen in Conference Committee, because the Senate bill was not a good bill. At least we have stripped that provision to tax pensions out of this, but I'm always afraid that it may come back. Thank you."

The motion was put to vote by the Chair and carried, and S.B. No. 971, SD 2, 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 49 ayes, with Representatives Morita and Takai being excused.

At 3:18 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 199, SD 1, HD 1
S.B. No. 972, SD 2, HD 1
S.B. No. 1678, SD 3, HD 1
S.B. No. 21, SD 1, HD 1
S.B. No. 971, SD 2, HD 1

S.B. No. 1271, SD 1, HD 1:

Representative B. Oshiro moved that S.B. No. 1271, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Souki rose to speak in support of the measure with reservations, stating:

"Mr. Speaker. On that bill, I would speak with reservations. I believe that the 40% attrition is kind of 'Draconian.' I think it's been mentioned in our Caucus that they could take positions, technical positions that you need. And when you look into the pool to replace that technical position, that probably will not be possible. So I would hope that the Conference Committee Members can look at this again and maybe change the formula a little bit. Thank you very much."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you Mr. Speaker. I am against the bill. And Mr. Speaker, if I could have the remarks of the previous speaker entered into the Journal as if they were my own, and I'd just like to add one comment. This is a nut-ball way to run a government."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you Mr. Speaker, in opposition and I'd like to also incorporate the words of the speaker from Wailuku as my own. And also just say that it makes it very difficult to manage operations if you follow what the bill says. Thank you."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in strong support. Mr. Speaker, what this bill does is mirror a prior policy that was established during Governor Cayetano's Administration. Back in 1994, we were facing a similar crisis and financial shortfall, and this is another tool that was created and put on the books for that period of time to allow the Administration to invoke an attrition policy.

"This certainly is a work in progress. There can be adjustments made to the percentages that would be retained, those that would not be retained, and the pool of employees that would be set up for the respective departments. Thank you, Mr. Speaker."

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:

"Opposition to SB 1271, SD1, HD1.

"It is detrimental to government operations given that both specialized skill and experience is needed to fill these exempt managerial positions. This is counter productive.

"Also, it is difficult to estimate the number of employees who may leave State employment between July 1, 2009 and December 31, 2010; and vacation payouts vary depending on the length of service. Uncertain what amount of savings will be realized.

"Finally, it would impact departments' ability to appropriately manage and allocate its resources in the current fiscal environment.

"The departments are already eliminating vacant positions and freezing hiring."

The motion was put to vote by the Chair and carried, and S.B. No. 1271, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Third Reading by a vote of 39 ayes to 10 noes, with Representatives Belatti, Berg, Ching, Finnegan, Hanohano, Marumoto, Pine, Takumi, Thielen and Ward voting no, and with Representatives Morita and Takai being excused.

S.B. No. 294, SD 2, HD 1:

Representative B. Oshiro moved that S.B. No. 294, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of this measure. Mr. Speaker, this is the second time today that a bad bill becomes a good bill. This bill initially decimated DBEDT, or basically pulled everything out of it, pulling its feathers out, and transferring and other things. In fact now, it's so good, it's restored and even added 7 new positions for the Hawaii Clean Energy Initiative.

"The only thing that's missing, if there's any *puka* left, is the transfer of the Tourism Liaison to the Governors Office from DBEDT without any money. So there's probably going to be a bit of a gap, but otherwise from something that was creating, 'a whole lot of shaking going on' in that Committee hearing, to now where it's calm.

"It's a great bill. It's something that I think caused a lot of consternation while it was in the process, but right now it's great. Thank you."

Representative Thielen rose to speak in support of the measure, stating:

"Thank you Mr. Speaker, I'm in strong support of the renewable energy provisions in the bill, and I think that it showed great foresight. Thank you."

Representative Coffman rose to speak in support of the measure, stating:

"I rise in strong support. As mentioned, one key provision in this bill is providing support for the Energy Division, which had been missing from DBEDT, and this will add that, and add the staff to move our Hawaii Clean Energy Initiative forward. So I look forward to this. Thank you."

Representative Souki rose to speak in support of the measure, stating:

"Yes Mr. Speaker, I speak in favor of this measure. I want to congratulate the Chair and the Members for making the great turnaround that they did in DBEDT. Thank you very much for that. However, I wish that in the future, Mr. Speaker, whenever we attempt to reorganize any major department, we do it on a longer period of time and not just in one particular Session, as it was done this time. I know it was done with good intentions, but I think sometimes good intentions can go astray.

"Also, I wish you all good luck in working with the Senate for those items that you put in the budget. I'm keeping my fingers crossed that we can get more of them out. Thank you, very much."

The motion was put to vote by the Chair and carried, and S.B. No. 294, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE DEPARTMENTS," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Berg voting no, and with Representatives Morita and Takai being excused.

S.B. No. 884, SD 2, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 884, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

S.B. No. 638, SD 2, HD 1:

Representative B. Oshiro moved that S.B. No. 638, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Wooley rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Wooley's written remarks are as follows:

"The first part of this bill address the long-standing lack of authority for the Department of Land and Natural Resources to enter into lease negotiations with individuals living in Kahana Valley, put a moratorium on evictions in the valley, and set forth a planning process for residents and DLNR to come up with a master plan. I support the intent of this part of the bill."

The motion was put to vote by the Chair and carried, and S.B. No. 638, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Third Reading by a vote of 49 ayes, with Representatives Morita and Takai being excused.

At 3:26 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1271, SD 1, HD 1
S.B. No. 294, SD 2, HD 1
S.B. No. 884, SD 2, HD 1
S.B. No. 638, SD 2, HD 1

ADJOURNMENT

At 3:27 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Thursday, April 16, 2009. (Representatives Morita and Takai were excused.)

FORTY-SEVENTH DAY

Thursday, April 16, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:06 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Pastor Randy Furushima of Wellspring Church, after which the Roll was called showing all Members present with the exception of Representatives Har, M. Oshiro, Pine and Takai, who were excused.

On motion by Representative Evans, seconded by Representative Ching and carried, reading of the Journal was dispensed with and the Journals of the Twenty-Sixth, Twenty-Seventh, Twenty-Eighth, Twenty-Ninth, Thirtieth, Thirty-First, Thirty-Second, Thirty-Third, Thirty-Fourth, Thirty-Fifth, Thirty-Sixth, Thirty-Seventh, Thirty-Eighth, Thirty-Ninth, Fortieth and Forty-First Days were approved. (Representatives Har, M. Oshiro, Pine and Takai were excused.)

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. Nos. 287 through 289) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 287, dated April 7, 2009, transmitting the Aloha Tower Development Corporation Annual Report 2008 (HRS 206-J).

Gov. Msg. No. 288, dated March 26, 2009, transmitting the 2008 Annual Report of the State of Hawaii Community-Based Economic Development Technical and Financial Assistance Program prepared by the Department of Business, Economic Development, & Tourism.

Gov. Msg. No. 289, informing the House that on April 14, 2009, the following bill was signed into law:

H.B. No. 520, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDINGS." (ACT 004)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 484 through 640) were received and announced by the Clerk:

Sen. Com. No. 484, dated April 14, 2009, informing the House that the Senate has on April 9, 2009, agreed to the amendments proposed by the House to the following Senate Concurrent Resolution and that said resolution was this day adopted by the Senate:

S.C.R. No. 47, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION PROCLAIMING 2009 AS THE YEAR OF THE NONCOMMISSIONED OFFICER CORPS OF THE UNITED STATES ARMY."

Sen. Com. No. 485, dated April 14, 2009, informing the House that the Senate has on April 9, 2009, 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. 886, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION."

S.B. No. 1055, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS."

Sen. Com. No. 486, dated April 14, 2009, informing the House that the Senate has disagreed to the amendments proposed by the House, and 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:

S.B. No. 113, HD1 — Ige, Chair; Baker, Co-Chair; Green, Slom

Sen. Com. No. 487, transmitting H.B. No. 135, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INSECT," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 488, transmitting H.B. No. 274, entitled: "A BILL FOR AN ACT RELATING TO PATRIOT DAY," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 489, transmitting H.B. No. 293, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTIVE PROCEEDINGS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 490, transmitting H.B. No. 294, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL LIABILITY OF TRUSTEE TO THIRD PARTIES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 491, transmitting H.B. No. 1537, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 492, transmitting H.B. No. 28, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEAD HUMAN BODIES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 493, transmitting H.B. No. 31, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 494, transmitting H.B. No. 34, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 495, transmitting H.B. No. 35, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 496, transmitting H.B. No. 36, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 497, transmitting H.B. No. 39, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE REVENUES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 498, transmitting H.B. No. 111, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE SALARIES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 499, transmitting H.B. No. 128, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 500, transmitting H.B. No. 142, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTRA-STATE AVIATION," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 501, transmitting H.B. No. 179, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FACILITIES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 502, transmitting H.B. No. 183, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 503, transmitting H.B. No. 200, 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 14, 2009.

Sen. Com. No. 504, transmitting H.B. No. 242, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 505, transmitting H.B. No. 262, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 506, transmitting H.B. No. 267, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 507, transmitting H.B. No. 271, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 508, transmitting H.B. No. 300, 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 14, 2009.

Sen. Com. No. 509, transmitting H.B. No. 317, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOBILE MEDICAL CARE," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 510, transmitting H.B. No. 332, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 511, transmitting H.B. No. 333, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 512, transmitting H.B. No. 343, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RURAL PRIMARY HEALTH CARE TRAINING," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 513, transmitting H.B. No. 349, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 514, transmitting H.B. No. 358, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG TREATMENT," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 515, transmitting H.B. No. 366, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MANTA RAYS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 516, transmitting H.B. No. 371, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 517, transmitting H.B. No. 381, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII ENDOWMENT FUND," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 518, transmitting H.B. No. 395, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 519, transmitting H.B. No. 426, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON OAHU," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 520, transmitting H.B. No. 427, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST ONE PLANET PACIFIC ENERGY, LLC, A PROCESSING ENTERPRISE," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 521, transmitting H.B. No. 519, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INMATES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 522, transmitting H.B. No. 541, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE PERSONNEL," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 523, transmitting H.B. No. 573, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY AND BUDGET RESERVE FUND," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 524, transmitting H.B. No. 574, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 525, transmitting H.B. No. 586, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE KANEOHE BAY REGIONAL COUNCIL," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 526, transmitting H.B. No. 589, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 527, transmitting H.B. No. 590, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 528, transmitting H.B. No. 591, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 529, transmitting H.B. No. 610, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCIENCE AND TECHNOLOGY," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 530, transmitting H.B. No. 615, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 531, transmitting H.B. No. 618, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS ACT," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 532, transmitting H.B. No. 640, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 533, transmitting H.B. No. 643, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 534, transmitting H.B. No. 686, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REDUCED IGNITION PROPENSITY CIGARETTES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 535, transmitting H.B. No. 690, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 536, transmitting H.B. No. 694, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 537, transmitting H.B. No. 730, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 538, transmitting H.B. No. 739, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY ASSISTANCE TO NEEDY FAMILIES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 539, transmitting H.B. No. 754, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 540, transmitting H.B. No. 813, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 541, transmitting H.B. No. 814, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 542, transmitting H.B. No. 819, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 543, transmitting H.B. No. 834, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY STANDARDS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 544, transmitting H.B. No. 863, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHING A COUNTY TRANSIT ORIENTED DEVELOPMENT INFRASTRUCTURE REVOLVING FUND," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 545, transmitting H.B. No. 869, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 546, transmitting H.B. No. 876, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 547, transmitting H.B. No. 895, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAX ON TOBACCO PRODUCTS OTHER THAN CIGARETTES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 548, transmitting H.B. No. 899, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 549, transmitting H.B. No. 900, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 550, transmitting H.B. No. 952, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LABOR," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 551, transmitting H.B. No. 960, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 552, transmitting H.B. No. 975, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SYSTEMS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 553, transmitting H.B. No. 981, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 554, transmitting H.B. No. 982, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 555, transmitting H.B. No. 983, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 556, transmitting H.B. No. 986, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 557, transmitting H.B. No. 989, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN'S HEALTH CARE," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 558, transmitting H.B. No. 991, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 559, transmitting H.B. No. 994, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 560, transmitting H.B. No. 1015, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OBLIGATIONS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS TRUST FUND," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 561, transmitting H.B. No. 1016, H.D. 2, S.D. 1, 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 April 14, 2009.

Sen. Com. No. 562, transmitting H.B. No. 1040, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 563, transmitting H.B. No. 1045, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 564, transmitting H.B. No. 1057, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII COLLEGE SAVINGS PROGRAM," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 565, transmitting H.B. No. 1059, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ONE CALL CENTER," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 566, transmitting H.B. No. 1064, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES TO ADDRESS THE BUDGET SHORTFALL," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 567, transmitting H.B. No. 1070, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 568, transmitting H.B. No. 1071, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 569, transmitting H.B. No. 1074, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 570, transmitting H.B. No. 1098, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 571, transmitting H.B. No. 1101, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF HUMAN SERVICES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 572, transmitting H.B. No. 1103, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FINANCIAL ASSISTANCE FOR INDEPENDENT LIVING SERVICES AND CENTERS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 573, transmitting H.B. No. 1152, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS' ACCOUNTS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 574, transmitting H.B. No. 1166, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PASSENGER FACILITY CHARGE SPECIAL FUND," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 575, transmitting H.B. No. 1174, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 576, transmitting H.B. No. 1175, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 577, transmitting H.B. No. 1204, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 578, transmitting H.B. No. 1212, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 579, transmitting H.B. No. 1260, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 580, transmitting H.B. No. 1270, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 581, transmitting H.B. No. 1271, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 582, transmitting H.B. No. 1272, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC WASTE RECYCLING," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 583, transmitting H.B. No. 1273, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 584, transmitting H.B. No. 1284, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 585, transmitting H.B. No. 1316, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORTS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 586, transmitting H.B. No. 1351, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE AGRICULTURAL PARKS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 587, transmitting H.B. No. 1354, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 588, transmitting H.B. No. 1362, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENETIC COUNSELORS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 589, transmitting H.B. No. 1364, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 590, transmitting H.B. No. 1371, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 591, transmitting H.B. No. 1378, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 592, transmitting H.B. No. 1379, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ORDERS FOR LIFE SUSTAINING TREATMENT," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 593, transmitting H.B. No. 1404, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 594, transmitting H.B. No. 1405, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 595, transmitting H.B. No. 1414, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO METAL," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 596, transmitting H.B. No. 1415, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 597, transmitting H.B. No. 1417, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOBILE BILLBOARDS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 598, transmitting H.B. No. 1422, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 599, transmitting H.B. No. 1451, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 600, transmitting H.B. No. 1464, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 601, transmitting H.B. No. 1470, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC

PROCUREMENT CODE," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 602, transmitting H.B. No. 1471, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FARMS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 603, transmitting H.B. No. 1479, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 604, transmitting H.B. No. 1483, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR BETTER PLACE HAWAII, INC.," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 605, transmitting H.B. No. 1491, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL FACILITY TAX CREDIT," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 606, transmitting H.B. No. 1495, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE INCOME TAX," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 607, transmitting H.B. No. 1503, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 608, transmitting H.B. No. 1504, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 609, transmitting H.B. No. 1512, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 610, transmitting H.B. No. 1525, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 611, transmitting H.B. No. 1536, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 612, transmitting H.B. No. 1538, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTALLY-SENSITIVE PRODUCTS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 613, transmitting H.B. No. 1544, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX EXEMPTIONS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 614, transmitting H.B. No. 1550, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 615, transmitting H.B. No. 1552, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 616, transmitting H.B. No. 1600, 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 April 14, 2009.

Sen. Com. No. 617, transmitting H.B. No. 1605, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 618, transmitting H.B. No. 1611, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LABELING OF MEAT AND FISH PRODUCTS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 619, transmitting H.B. No. 1627, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 620, transmitting H.B. No. 1628, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIOENERGY HAWAII, LLC," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 621, transmitting H.B. No. 1642, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PURCHASES OF HEALTH AND HUMAN SERVICES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 622, transmitting H.B. No. 1665, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN FISHPONDS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 623, transmitting H.B. No. 1676, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 624, transmitting H.B. No. 1678, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 625, transmitting H.B. No. 1686, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 626, transmitting H.B. No. 1692, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 627, transmitting H.B. No. 1696, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTAL INDUSTRY," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 628, transmitting H.B. No. 1712, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FISHING," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 629, transmitting H.B. No. 1713, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAZARDS," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 630, transmitting H.B. No. 1728, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 631, transmitting H.B. No. 1739, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 632, transmitting H.B. No. 1741, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 633, transmitting H.B. No. 1744, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 634, transmitting H.B. No. 1747, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 635, transmitting H.B. No. 1763, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 636, transmitting H.B. No. 1776, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 637, transmitting H.B. No. 1782, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INFORMATION EXCHANGE," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 638, transmitting H.B. No. 1807, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 639, transmitting H.B. No. 1809, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," which passed Third Reading in the Senate on April 14, 2009.

Sen. Com. No. 640, transmitting H.B. No. 1831, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS," which passed Third Reading in the Senate on April 14, 2009.

The following communications from the Senate (Sen. Com. Nos. 641 through 646) were received by the Clerk:

Sen. Com. No. 641, transmitting H.B. No. 611, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 16, 2009.

Sen. Com. No. 642, transmitting H.B. No. 984, H.D. 4, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," which passed Third Reading in the Senate on April 16, 2009.

Sen. Com. No. 643, transmitting H.B. No. 1031, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 480, HAWAII REVISED STATUTES," which passed Third Reading in the Senate on April 16, 2009.

Sen. Com. No. 644, transmitting H.B. No. 1148, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," which passed Third Reading in the Senate on April 16, 2009.

Sen. Com. No. 645, transmitting H.B. No. 1663, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TARO SECURITY," which passed Third Reading in the Senate on April 16, 2009.

Sen. Com. No. 646, transmitting H.B. No. 1766, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," which passed Third Reading in the Senate on April 16, 2009.

Representative B. Oshiro moved to disagree to the amendments proposed by the Senate to the House bills returned to the House, seconded by Representative Evans and carried: (Representatives Har, M. Oshiro, Pine and Takai were excused.)

H.B. No. 28, HD 1, (SD 2)
H.B. No. 31, (SD 1)
H.B. No. 34, (SD 1)
H.B. No. 35, HD 1, (SD 1)
H.B. No. 36, HD 1, (SD 2)
H.B. No. 39, HD 2, (SD 1)
H.B. No. 111, (SD 2)
H.B. No. 128, HD 1, (SD 1)
H.B. No. 142, HD 1, (SD 1)
H.B. No. 179, (SD 2)
H.B. No. 183, HD 1, (SD 2)
H.B. No. 200, HD 1, (SD 1)
H.B. No. 242, HD 1, (SD 2)
H.B. No. 262, HD 2, (SD 2)
H.B. No. 267, HD 2, (SD 1)
H.B. No. 271, (SD 2)
H.B. No. 300, HD 1, (SD 2)
H.B. No. 317, HD 1, (SD 2)
H.B. No. 332, HD 2, (SD 1)
H.B. No. 333, HD 2, (SD 2)
H.B. No. 343, HD 1, (SD 2)
H.B. No. 349, HD 1, (SD 1)
H.B. No. 358, HD 1, (SD 1)
H.B. No. 366, HD 2, (SD 2)
H.B. No. 371, HD 2, (SD 2)
H.B. No. 381, HD 2, (SD 1)
H.B. No. 395, HD 1, (SD 2)
H.B. No. 426, HD 1, (SD 1)
H.B. No. 427, HD 1, (SD 1)
H.B. No. 519, HD 1, (SD 2)
H.B. No. 541, HD 1, (SD 1)
H.B. No. 573, HD 1, (SD 1)
H.B. No. 574, HD 2, (SD 2)
H.B. No. 586, HD 1, (SD 1)
H.B. No. 589, HD 1, (SD 2)
H.B. No. 590, HD 1, (SD 2)
H.B. No. 591, HD 1, (SD 2)
H.B. No. 610, HD 2, (SD 2)
H.B. No. 615, HD 1, (SD 2)
H.B. No. 618, (SD 2)
H.B. No. 640, HD 1, (SD 2)
H.B. No. 643, HD 2, (SD 2)
H.B. No. 686, HD 1, (SD 2)
H.B. No. 690, HD 2, (SD 2)
H.B. No. 694, (SD 2)
H.B. No. 730, HD 1, (SD 1)
H.B. No. 739, HD 2, (SD 2)
H.B. No. 754, HD 1, (SD 1)
H.B. No. 813, HD 1, (SD 1)
H.B. No. 814, HD 2, (SD 2)
H.B. No. 819, HD 2, (SD 2)
H.B. No. 834, HD 2, (SD 1)
H.B. No. 863, HD 1, (SD 2)
H.B. No. 869, HD 1, (SD 1)
H.B. No. 876, HD 1, (SD 2)
H.B. No. 895, HD 2, (SD 2)
H.B. No. 899, HD 1, (SD 1)
H.B. No. 900, HD 2, (SD 1)
H.B. No. 952, HD 1, (SD 2)
H.B. No. 960, HD 2, (SD 2)
H.B. No. 975, HD 1, (SD 1)
H.B. No. 981, HD 2, (SD 2)
H.B. No. 982, HD 3, (SD 1)
H.B. No. 983, HD 1, (SD 2)
H.B. No. 986, HD 1, (SD 1)
H.B. No. 989, HD 1, (SD 2)
H.B. No. 991, HD 2, (SD 2)
H.B. No. 994, HD 1, (SD 2)
H.B. No. 1015, HD 1, (SD 2)
H.B. No. 1016, HD 2, (SD 1)
H.B. No. 1040, HD 1, (SD 2)
H.B. No. 1045, HD 1, (SD 2)
H.B. No. 1057, HD 1, (SD 2)
H.B. No. 1059, HD 2, (SD 1)
H.B. No. 1064, HD 1, (SD 2)
H.B. No. 1070, (SD 1)
H.B. No. 1071, HD 3, (SD 2)
H.B. No. 1074, HD 2, (SD 1)
H.B. No. 1098, HD 2, (SD 2)
H.B. No. 1101, HD 1, (SD 1)
H.B. No. 1103, (SD 1)
H.B. No. 1152, HD 1, (SD 1)
H.B. No. 1166, HD 1, (SD 2)
H.B. No. 1174, HD 3, (SD 2)

H.B. No. 1175, HD 3, (SD 2)
H.B. No. 1204, HD 2, (SD 2)
H.B. No. 1212, HD 1, (SD 1)
H.B. No. 1260, HD 1, (SD 1)
H.B. No. 1270, HD 1, (SD 2)
H.B. No. 1271, HD 3, (SD 2)
H.B. No. 1272, HD 1, (SD 1)
H.B. No. 1273, HD 1, (SD 2)
H.B. No. 1284, HD 1, (SD 2)
H.B. No. 1316, HD 2, (SD 1)
H.B. No. 1351, HD 2, (SD 1)
H.B. No. 1354, HD 2, (SD 2)
H.B. No. 1362, HD 1, (SD 2)
H.B. No. 1364, HD 1, (SD 1)
H.B. No. 1371, HD 1, (SD 2)
H.B. No. 1378, HD 2, (SD 2)
H.B. No. 1379, HD 2, (SD 2)
H.B. No. 1404, HD 1, (SD 1)
H.B. No. 1405, HD 2, (SD 2)
H.B. No. 1414, HD 1, (SD 1)
H.B. No. 1415, HD 1, (SD 2)
H.B. No. 1417, HD 2, (SD 2)
H.B. No. 1422, HD 1, (SD 1)
H.B. No. 1451, HD 2, (SD 2)
H.B. No. 1464, HD 3, (SD 2)
H.B. No. 1470, HD 1, (SD 1)
H.B. No. 1471, HD 2, (SD 1)
H.B. No. 1479, HD 2, (SD 1)
H.B. No. 1483, HD 1, (SD 1)
H.B. No. 1491, HD 2, (SD 2)
H.B. No. 1495, HD 1, (SD 1)
H.B. No. 1503, HD 1, (SD 2)
H.B. No. 1504, HD 1, (SD 2)
H.B. No. 1512, HD 1, (SD 1)
H.B. No. 1525, HD 1, (SD 2)
H.B. No. 1536, HD 2, (SD 1)
H.B. No. 1538, HD 1, (SD 1)
H.B. No. 1544, HD 1, (SD 1)
H.B. No. 1550, HD 2, (SD 1)
H.B. No. 1552, HD 2, (SD 2)
H.B. No. 1600, HD 1, (SD 1)
H.B. No. 1605, HD 1, (SD 1)
H.B. No. 1611, HD 2, (SD 2)
H.B. No. 1627, HD 2, (SD 2)
H.B. No. 1628, HD 1, (SD 2)
H.B. No. 1642, HD 1, (SD 2)
H.B. No. 1665, HD 1, (SD 2)
H.B. No. 1676, HD 1, (SD 2)
H.B. No. 1678, HD 1, (SD 2)
H.B. No. 1686, HD 2, (SD 1)
H.B. No. 1692, HD 2, (SD 2)
H.B. No. 1696, HD 2, (SD 1)
H.B. No. 1712, HD 2, (SD 2)
H.B. No. 1713, HD 2, (SD 2)
H.B. No. 1728, HD 1, (SD 1)
H.B. No. 1739, HD 1, (SD 1)
H.B. No. 1741, HD 1, (SD 1)
H.B. No. 1744, HD 1, (SD 1)
H.B. No. 1747, HD 1, (SD 1)
H.B. No. 1763, HD 2, (SD 1)
H.B. No. 1776, HD 1, (SD 1)
H.B. No. 1782, HD 2, (SD 2)
H.B. No. 1807, HD 1, (SD 2)
H.B. No. 1809, HD 2, (SD 1)
H.B. No. 1831, HD 2, (SD 2)

H.B. No. 611, HD 1, (SD 2)
H.B. No. 984, HD 4, (SD 2)
H.B. No. 1031, (SD 3)
H.B. No. 1148, HD 1, (SD 1)
H.B. No. 1663, HD 1, (SD 2)
H.B. No. 1766, HD 2, (SD 3)

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Finnegan introduced Charter School supporters from the National Alliance of Public Charter Schools: Mr. Todd Ziebarth, Vice President of Public Policy; Ms. Tiffany Tatum, Public Policy Director; Mr. Alapaki Nahalea, President of Hawaii Charter School Network and Director of Ka Umeke Ka'eo; Mr. Curtis Muraoka, Legislative Chair for Hawaii Charter School Network and Director of West Hawaii Exploratory Hawaii Academy; and Ms. Melissa Pavlicek.

Vice Speaker Magaoay introduced Adult Students from the Even Start Family Program from the Wheeler and Schofield area, and teachers, Ms. Joy Matsukawa and Ms. Leslie Shimokawa.

ORDER OF THE DAY

COMMITTEE ASSIGNMENT

The following measure was referred to committee by the Speaker:

S.C.R. No.	Referred to:
89, SD1	Committee on Energy & Environmental Protection, then to the Committee on Judiciary

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.R. Nos.	Re-referred to:
31	Committee on Human Services
53	Committee on Hawaiian Affairs
220	Committee on Water, Land, & Ocean Resources
275	Committee on Human Services
276	Committee on Human Services
281	Committee on Human Services

H.C.R. Nos.	Re-referred to:
37	Committee on Human Services
67	Committee on Hawaiian Affairs
303	Committee on Human Services
304	Committee on Human Services
309	Committee on Human Services

At this time, the Chair stated:

"Members, please note that House Concurrent Resolution No. 221, House Draft 1, has been re-referred solely to the Committee on Consumer Protection & Commerce per Committee Referral Sheet No. 53. The Committee on Judiciary waived its referral to this measure, and therefore it's appropriate for the House to consider action for Adoption."

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, to rules were suspended to reconsider action previously taken on H.C.R. No. 221, HD 1. (Representatives Har, M. Oshiro, Pine and Takai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 1444, recommending referral to the Committee on Judiciary, seconded by Representative Evans and carried. (Representatives Har, M. Oshiro, Pine and Takai were excused.)

UNFINISHED BUSINESS

H.C.R. No. 221, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 221, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE ANALYSIS FOR THE REGISTRATION OF PET DEALERS IN HAWAI'I," was adopted, with Representatives Har, M. Oshiro and Takai being excused.

At this time, the Chair stated:

"Members, please note that House Resolution Nos. 281, 275 and 276, and their companions, House Concurrent Resolution Nos. 309, 303 and 304, have been re-referred solely to the Committee on Human Services per Committee Referral Sheet No. 55. The Committee on Tourism, Culture, & International Affairs waived its referral to these measures, and therefore it is appropriate for the House to consider action for Adoption.

"In addition, House Resolution No. 31 and House Concurrent Resolution No. 37, have also been re-referred to the Committee on Human Services per Committee Referral Sheet No. 55. The Committee on Judiciary waived its referral to these measures, and therefore it's appropriate for the House to consider action for Adoption."

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended to reconsider action previously taken on H.R. No. 281, H.R. No. 275, H.R. No. 276, H.R. No. 31, H.C.R. No. 309, H.C.R. No. 303, H.C.R. No. 304 and H.C.R No. 37. (Representatives Har and Takai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken pursuant to the recommendations contained in Standing Committee Report Nos. 1392, 1393, 1398, 1399, 1400 and 1401, recommending referral to the Committee on Tourism, Culture, & International Affairs; and Standing Committee Report Nos. 642 and 643, recommending referral to the Committee on Judiciary, seconded by Representative Evans and carried. (Representatives Har and Takai were excused.)

UNFINISHED BUSINESS

H.R. No. 281 and H.C.R. No. 309:

Representative B. Oshiro moved that H.R. No. 281, and H.C.R. No. 309, be adopted, seconded by Representative Evans.

Representative Ward rose in support of both measures 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 support for House Resolution 281 and its companion House Concurrent Resolution 309.

"Mr. Speaker, it is important that this Body join the global community in condemning the senseless acts of human rights violations being committed by the Chinese government against the people of Tibet. Human rights violations such as arbitrary arrest, and torture, sexual abuse and racial discrimination in hiring within the Chinese government are atrocities that we should not be silent about. The State of Hawaii must join others in taking this stand, and so I offer HR281/HCR309 my full support.

"Thank you for this opportunity to offer my support to these measures."

The motion was put to vote by the Chair and carried, and H.R. No. 281, entitled: "HOUSE RESOLUTION DENOUNCING THE VIOLATION OF HUMAN RIGHTS IN TIBET," was adopted, with Representatives Har and Takai being excused; and

H.C.R. No. 309, entitled: "HOUSE CONCURRENT RESOLUTION DENOUNCING THE VIOLATION OF HUMAN RIGHTS IN TIBET," was adopted, with Representatives Har and Takai being excused.

H.R. No. 275 and H.C.R. No. 303:

Representative B. Oshiro moved that H.R. No. 275, and H.C.R. No. 303, be adopted, seconded by Representative Evans.

Representative Ward rose to speak in support of the both measures, stating:

"Mr. Speaker, strong support with written comments. And a footnote, for the expansion of the Peace Corps, basically asking President Obama and the Congress to do what the world is asking for to get more Americans to help out in some of the underdeveloped areas.

"The real footnote is, there's no age limit, and there's no penalty for being previously in political office. I just encourage all my colleagues to consider that at some point in their life and career. Thank you."

Representative Ward's written remarks are as follows:

"Mr. Speaker, thank you for the opportunity to offer my support for House Resolution 275 and House Concurrent Resolution 303, which support the Peace Corps Expansion Act of 2009.

"Mr. Speaker, introduced by Congressman Sam Farr of California, himself a former Peace Corps Volunteer, the Peace Corps Expansion Act of 2009 would authorize greater appropriations for the Peace Corps and increase readjustment allowances for Peace Corps volunteers and volunteer leaders. These measures are important in the current international climate, as greater appropriations will better equip the Peace Corps in its vital role of furthering our relations with countries across the globe.

"Moreover, as a former Peace Corps volunteer in North Borneo and later the Country Director in East Timor, I know first-hand of the sacrifices that many of these workers make. Increasing their allowances can only further encourage their efforts, thus I offer HR275/HCR303 my full support.

"Thank you for this opportunity to offer my support to these measures."

The motion was put to vote by the Chair and carried, and H.R. No. 275, entitled: "HOUSE RESOLUTION SUPPORTING THE PEACE CORPS

EXPANSION ACT OF 2009," was adopted, with Representatives Har and Takai being excused; and

H.C.R. No. 303, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PEACE CORPS EXPANSION ACT OF 2009," was adopted, with Representatives Har and Takai being excused.

H.R. No. 276 and H.C.R. No. 304:

Representative B. Oshiro moved that H.R. No. 276, and H.C.R. No. 304, be adopted, seconded by Representative Evans.

Representative Ward rose in support of both measures 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 support for House Resolution 276 and its companion House Concurrent Resolution 304.

"Mr. Speaker, after twenty-three years of civil war, the Lord's Resistance Army, led by Joseph Kony, has engaged in an armed conflict with the Government of Uganda, resulting in thousands of murders, at least twice that number of children abducted, and nearly two-million people displaced.

"On April 26, 2006, the State Department's Deputy Assistant Secretary for Bureau of Democracy, Human Rights and Labor testified before Congress that those who suffer most from the Lord's Resistance Army tactics are the children, who face enslavement, sexual exploitation, and forced soldiering. Hawaii and its citizens cannot be bystanders, as child enslavement, exploitation, soldiering, and human trafficking are moral and ethical issues that implicate us all, so I offer these measures my full support for this State to stand with the children of Uganda.

"Thank you for this opportunity to offer my support to these measures."

The motion was put to vote by the Chair and carried, and H.R. No. 276, entitled: "HOUSE RESOLUTION CONDEMNING THE HUMAN-RIGHTS ATROCITIES AND VIOLENCE AGAINST CHILDREN IN NORTHERN UGANDA AND THE DEMOCRATIC REPUBLIC OF THE CONGO, AND URGING CONGRESS TO LEAD THE INTERNATIONAL COMMUNITY IN EFFORTS TO PROTECT THE CHILDREN OF UGANDA AND THE DEMOCRATIC REPUBLIC OF THE CONGO," was adopted, with Representatives Har and Takai being excused; and

H.C.R. No. 304, entitled: "HOUSE CONCURRENT RESOLUTION CONDEMNING THE HUMAN-RIGHTS ATROCITIES AND VIOLENCE AGAINST CHILDREN IN NORTHERN UGANDA AND THE DEMOCRATIC REPUBLIC OF THE CONGO, AND URGING CONGRESS TO LEAD THE INTERNATIONAL COMMUNITY IN EFFORTS TO PROTECT THE CHILDREN OF UGANDA AND THE DEMOCRATIC REPUBLIC OF THE CONGO," was adopted, with Representatives Har and Takai being excused.

H.R. No. 31 and H.C.R No. 37:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.R. No. 31, entitled: "HOUSE RESOLUTION REQUESTING RELIGIOUS AND FAITH-BASED ORGANIZATIONS TO SERVE AS SAFE HAVENS FOR VICTIMS OF DOMESTIC VIOLENCE," was adopted, with Representatives Har and Takai being excused; and

H.C.R. No. 37, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING RELIGIOUS AND FAITH-BASED ORGANIZATIONS TO SERVE AS SAFE HAVENS FOR VICTIMS OF DOMESTIC VIOLENCE," was adopted, with Representatives Har and Takai being excused.

STANDING COMMITTEE REPORTS

Representatives Ito and McKelvey, for the Committee on Water, Land, & Ocean Resources and the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1738) recommending that H.R. No. 115, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 115, entitled: "HOUSE RESOLUTION ENCOURAGING THE BASE REALIGNMENT AND CLOSURE COMMISSION AND THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO CONTINUE THEIR DISCUSSIONS AND MAKE GOOD FAITH EFFORTS TO CONSUMMATE CONVEYANCE OF PARCELS OF LAND IN THE KALAELOA COMMUNITY DEVELOPMENT DISTRICT," was adopted, with Representatives Har and Takai being excused.

Representatives Ito and McKelvey, for the Committee on Water, Land, & Ocean Resources and the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1739) recommending that H.C.R. No. 145, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 145, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE BASE REALIGNMENT AND CLOSURE COMMISSION AND THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO CONTINUE THEIR DISCUSSIONS AND MAKE GOOD FAITH EFFORTS TO CONSUMMATE CONVEYANCE OF PARCELS OF LAND IN THE KALAELOA COMMUNITY DEVELOPMENT DISTRICT," was adopted, with Representatives Har and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1740) recommending that H.R. No. 88, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 88, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR COLONOSCOPY COLORECTAL CANCER SCREENING," was adopted, with Representatives Har and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1741) recommending that H.C.R. No. 109, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 109, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR COLONOSCOPY COLORECTAL CANCER SCREENING," was adopted, with Representatives Har and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1742) recommending that H.R. No. 153, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 153, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON CONTROL MEASURES FOR VOLATILE ORGANIC COMPOUND EMISSIONS FROM PAINT SPRAY BOOTHS USED BY AUTO BODY REFINISHERS," was adopted, with Representatives Har and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1743) recommending that H.C.R. No. 187, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 187, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON CONTROL MEASURES FOR VOLATILE ORGANIC COMPOUND EMISSIONS FROM PAINT SPRAY BOOTHS USED BY AUTO BODY REFINISHERS," was adopted, with Representatives Har and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1744) recommending that H.C.R. No. 171, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 171, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE AUDITOR STUDY THE FEASIBILITY OF REMOVING AMATEUR BOXING FROM THE JURISDICTION OF THE STATE BOXING COMMISSION OF HAWAII," was adopted, with Representatives Har and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1745) recommending that H.C.R. No. 161, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 161, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF REGULATING PRACTITIONERS OF TEETH-WHITENING," was adopted, with Representatives Har and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1746) recommending that H.R. No. 236, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 236, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A PLAN TO AUTHORIZE GRAY WATER RECYCLING SYSTEMS FOR RESIDENTIAL PREMISES UNDER APPROPRIATE CIRCUMSTANCES," was adopted, with Representatives Har and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1747) recommending that H.C.R. No. 266, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 266, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A PLAN TO AUTHORIZE GRAY WATER RECYCLING SYSTEMS FOR RESIDENTIAL PREMISES UNDER APPROPRIATE CIRCUMSTANCES," was adopted, with Representatives Har and Takai being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1748) recommending that H.C.R. No. 94, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 94, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AND FINANCIAL AUDIT OF THE HAWAII PUBLIC HOUSING AUTHORITY'S MAINTENANCE CONTRACTS," was adopted, with Representatives Har and Takai being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1749) recommending that H.R. No. 242, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 242, HD 1, entitled: "HOUSE RESOLUTION URGING THE MEMBERS OF THE HOUSE OF REPRESENTATIVES TO SUPPORT AMENDMENTS TO THE HOUSE OF REPRESENTATIVES RULES AND ADMINISTRATIVE AND FINANCIAL MANUAL TO IMPOSE A DUTY OF A MEMBER TO ENSURE THEIR PERMANENT AND SESSION EMPLOYEES OF THE HOUSE OF REPRESENTATIVES ARE ENGAGING IN PRACTICES THAT ARE NOT VIEWED AS A CONFLICT OF INTEREST TO THE SCOPE OF THEIR DUTIES BY TESTIFYING BEFORE THE LEGISLATURE DURING NORMAL BUSINESS HOURS," was adopted, with Representatives Har and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1750) recommending that H.R. No. 247, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 247, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO ENCOURAGE EACH HOLDER OF A CONCESSION CONTRACT AT A STATE AIRPORT TO GIVE FIRST RIGHT OF REFUSAL TO LOCAL VENDORS TO SUPPLY GOODS, WARES, MERCHANDISE, AND SERVICES TO THE CONCESSION," was adopted, with Representatives Har and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1751) recommending that H.C.R. No. 276, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 276, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO ENCOURAGE EACH HOLDER OF A CONCESSION CONTRACT AT A STATE AIRPORT TO GIVE FIRST RIGHT OF REFUSAL TO LOCAL VENDORS TO SUPPLY GOODS, WARES, MERCHANDISE, AND SERVICES TO THE CONCESSION," was adopted, with Representatives Har and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented two reports:

(Stand. Com. Rep. No. 1752) recommending that H.R. No. 270, as amended in HD 1, be adopted; and

(Stand. Com. Rep. No. 1753) recommending that H.C.R. No. 298, as amended in HD 1, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 270, HD 1, and H.C.R. No. 298, HD 1, be adopted, seconded by Representative Evans.

Representative Finnegan rose in support of 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:

"Mr. Speaker, I rise in strong support of these measures. The unfortunate failure of our Government in the past to keep promises made to a quarter of a million Filipinos who answered our call to battle in World War II is a scar on our nation's past. The least we can do is to extend what we can to the beloved family members of those who fought so valiantly and diligently on our behalf, to simply expedite immigration visas to reunify families that paid a price literally in blood for the freedoms that we have today. I strongly urge the United States President, Senate, and House of Representatives to expedite these immigration visas."

Representative McKelvey rose to speak in support of both measures, stating:

"Thank you very much, Mr. Speaker. In support for both 1752 and 1753, and just some brief comments. Members, there's been legislation introduced in Congress to allow the Veterans of the World War II to be able to be reunited with their family members. These are very timely Resolutions, because hopefully by sending it up there now, it will give our Congressional Delegations some added steam power to get it through Congress and to President Obama's desk. So, again, thank you for all your support, Members. Mahalo."

Representative Cabanilla rose to speak in support of both measures, stating:

"In support, Mr. Speaker. And, on behalf of myself and Representative Mizuno, who introduced a similar piece of legislation last year, we stand in full support."

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 1, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES PRESIDENT, SENATE, AND HOUSE OF REPRESENTATIVES TO ENACT LEGISLATION TO EXPEDITE IMMIGRANT VISAS FOR FAMILY REUNIFICATION OF CERTAIN FILIPINO VETERANS OF WORLD WAR II," was adopted, with Representatives Har and Takai being excused; and

H.C.R. No. 298, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES PRESIDENT, SENATE, AND HOUSE OF REPRESENTATIVES TO ENACT LEGISLATION TO EXPEDITE IMMIGRANT VISAS FOR FAMILY REUNIFICATION OF CERTAIN FILIPINO VETERANS OF WORLD WAR II," was adopted, with Representatives Har and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented two reports:

(Stand. Com. Rep. No. 1754) recommending that H.R. No. 193, HD 1, as amended in HD 2, be adopted; and

(Stand. Com. Rep. No. 1755) recommending that H.C.R. No. 225, HD 1, as amended in HD 2, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 193, HD 2, and H.C.R. No. 225, HD 2, be adopted, seconded by Representative Evans.

Representative Ching 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. 193, HD 2, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR TO PLACE IOLANI PALACE ON THE NOMINATION LIST TO THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION FOR WORLD HERITAGE SITE DESIGNATION," was adopted, with Representatives Har and Takai being excused; and

H.C.R. No. 225, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR TO PLACE IOLANI PALACE ON THE NOMINATION LIST TO THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION FOR WORLD HERITAGE SITE DESIGNATION," was adopted, with Representatives Har and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1756) recommending that H.C.R. No. 97, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 97, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE A MEASURE TO REGULATE RESPIRATORY CARE PRACTITIONERS," was adopted, with Representatives Har and Takai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1757) recommending that H.R. No. 191, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 191, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE IN CONSULTATION WITH THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES, TO IDENTIFY STATE-OWNED AGRICULTURAL LANDS SUITABLE FOR DAIRIES TO MAXIMIZE THE LIKELIHOOD THAT THE LAND CAN BE USED AS PASTURES BY DAIRIES FOR MILK PRODUCTION," was adopted, with Representatives Har and Takai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1758) recommending that H.C.R. No. 222, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 222, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE, IN CONSULTATION WITH THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES, TO IDENTIFY STATE-OWNED AGRICULTURAL LANDS SUITABLE FOR DAIRIES TO MAXIMIZE THE LIKELIHOOD THAT THE LAND CAN BE USED AS PASTURES BY DAIRIES FOR MILK PRODUCTION," was adopted, with Representatives Har and Takai being excused.

ANNOUNCEMENTS

Representative Thielen: "Thank you. Mr. Speaker, I would like to announce tomorrow will be our annual Hemp Aloha Friday, and it will be the 10th year that we have been holding this in honor of Earth Day. I would encourage Members to wear natural fiber shirts, and I hope everyone will be able to do that. Thank you. In honor of Earth Day. Aloha."

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs requested a waiver of the 48-hour advanced notice requirement for the purpose of decision making on HCR No. 100 and HR No. 79, Relating to Islam Day, at 2:00 p.m. in Room 312, and the Chair "so ordered."

Representative Wooley, for the Committee on Agriculture, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing HR No. 134, Kalo State Capitol Building, on Friday, April 17th at 10:00 a.m. in Room 312, with decision making to follow, and the Chair "so ordered."

Representative Rhoads: "Mr. Speaker, I just wanted to announce primarily to Labor Committee Members that the hearing scheduled for tomorrow at 11:00 has been cancelled. Thank you."

Representative Ward: "Mr. Speaker, also in honor of Earth Day. For those who may be visiting East Honolulu in the Ka Iwi Coast, we have a cleanup at 9:30, if you're interested. And I was promised the sharks will not be around at that time."

ADJOURNMENT

At 12:23 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, April 17, 2009. (Representatives Har and Takai were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 16, 2009, 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. 28, HD 1, SD 2
H.B. No. 31, SD 1
H.B. No. 34, SD 1
H.B. No. 35, HD 1, SD 1
H.B. No. 36, HD 1, SD 2
H.B. No. 39, HD 2, SD 1
H.B. No. 111, SD 2
H.B. No. 128, HD 1, SD 1
H.B. No. 142, HD 1, SD 1
H.B. No. 179, SD 2
H.B. No. 183, HD 1, SD 2
H.B. No. 200, HD 1, SD 1
H.B. No. 242, HD 1, SD 2
H.B. No. 262, HD 2, SD 2
H.B. No. 267, HD 2, SD 1
H.B. No. 271, SD 2
H.B. No. 300, HD 1, SD 2
H.B. No. 317, HD 1, SD 2
H.B. No. 332, HD 2, SD 1
H.B. No. 333, HD 2, SD 2
H.B. No. 343, HD 1, SD 2
H.B. No. 349, HD 1, SD 1
H.B. No. 358, HD 1, SD 1
H.B. No. 366, HD 2, SD 2
H.B. No. 371, HD 2, SD 2
H.B. No. 381, HD 2, SD 1
H.B. No. 395, HD 1, SD 2
H.B. No. 426, HD 1, SD 1
H.B. No. 427, HD 1, SD 1
H.B. No. 519, HD 1, SD 2
H.B. No. 541, HD 1, SD 1
H.B. No. 573, HD 1, SD 1
H.B. No. 574, HD 2, SD 2
H.B. No. 586, HD 1, SD 1
H.B. No. 589, HD 1, SD 2
H.B. No. 590, HD 1, SD 2
H.B. No. 591, HD 1, SD 2
H.B. No. 610, HD 2, SD 2
H.B. No. 615, HD 1, SD 2
H.B. No. 618, SD 2
H.B. No. 640, HD 1, SD 2
H.B. No. 643, HD 2, SD 2
H.B. No. 686, HD 1, SD 2
H.B. No. 690, HD 2, SD 2
H.B. No. 694, SD 2
H.B. No. 730, HD 1, SD 1
H.B. No. 739, HD 2, SD 2
H.B. No. 754, HD 1, SD 1
H.B. No. 813, HD 1, SD 1
H.B. No. 814, HD 2, SD 2
H.B. No. 819, HD 2, SD 2
H.B. No. 834, HD 2, SD 1
H.B. No. 863, HD 1, SD 2
H.B. No. 869, HD 1, SD 1
H.B. No. 876, HD 1, SD 2
H.B. No. 895, HD 2, SD 2
H.B. No. 899, HD 1, SD 1
H.B. No. 900, HD 2, SD 1
H.B. No. 952, HD 1, SD 2
H.B. No. 960, HD 2, SD 2
H.B. No. 975, HD 1, SD 1
H.B. No. 981, HD 2, SD 2
H.B. No. 982, HD 3, SD 1
H.B. No. 983, HD 1, SD 2
H.B. No. 986, HD 1, SD 1
H.B. No. 989, HD 1, SD 2
H.B. No. 991, HD 2, SD 2
H.B. No. 994, HD 1, SD 2
H.B. No. 1015, HD 1, SD 2
H.B. No. 1016, HD 2, SD 1
H.B. No. 1040, HD 1, SD 2
H.B. No. 1045, HD 1, SD 2
H.B. No. 1057, HD 1, SD 2
H.B. No. 1059, HD 2, SD 1
H.B. No. 1064, HD 1, SD 2
H.B. No. 1070, SD 1
H.B. No. 1071, HD 3, SD 2
H.B. No. 1074, HD 2, SD 1
H.B. No. 1098, HD 2, SD 2
H.B. No. 1101, HD 1, SD 1
H.B. No. 1103, SD 1
H.B. No. 1152, HD 1, SD 1
H.B. No. 1166, HD 1, SD 2
H.B. No. 1174, HD 3, SD 2
H.B. No. 1175, HD 3, SD 2
H.B. No. 1204, HD 2, SD 2
H.B. No. 1212, HD 1, SD 1
H.B. No. 1260, HD 1, SD 1
H.B. No. 1270, HD 1, SD 2
H.B. No. 1271, HD 3, SD 2
H.B. No. 1272, HD 1, SD 1
H.B. No. 1273, HD 1, SD 2
H.B. No. 1284, HD 1, SD 2
H.B. No. 1316, HD 2, SD 1
H.B. No. 1351, HD 2, SD 1
H.B. No. 1354, HD 2, SD 2
H.B. No. 1362, HD 1, SD 2
H.B. No. 1364, HD 1, SD 1
H.B. No. 1371, HD 1, SD 2
H.B. No. 1378, HD 2, SD 2
H.B. No. 1379, HD 2, SD 2
H.B. No. 1404, HD 1, SD 1
H.B. No. 1405, HD 2, SD 2
H.B. No. 1414, HD 1, SD 1
H.B. No. 1415, HD 1, SD 2
H.B. No. 1417, HD 2, SD 2
H.B. No. 1422, HD 1, SD 1
H.B. No. 1451, HD 2, SD 2
H.B. No. 1464, HD 3, SD 2
H.B. No. 1470, HD 1, SD 1
H.B. No. 1471, HD 2, SD 1
H.B. No. 1479, HD 2, SD 1
H.B. No. 1483, HD 1, SD 1
H.B. No. 1491, HD 2, SD 2
H.B. No. 1495, HD 1, SD 1
H.B. No. 1503, HD 1, SD 2
H.B. No. 1504, HD 1, SD 2
H.B. No. 1512, HD 1, SD 1
H.B. No. 1525, HD 1, SD 2
H.B. No. 1536, HD 2, SD 1
H.B. No. 1538, HD 1, SD 1
H.B. No. 1544, HD 1, SD 1
H.B. No. 1550, HD 2, SD 1
H.B. No. 1552, HD 2, SD 2
H.B. No. 1600, HD 1, SD 1
H.B. No. 1605, HD 1, SD 1
H.B. No. 1611, HD 2, SD 2
H.B. No. 1627, HD 2, SD 2
H.B. No. 1628, HD 1, SD 2
H.B. No. 1642, HD 1, SD 2
H.B. No. 1665, HD 1, SD 2
H.B. No. 1676, HD 1, SD 2
H.B. No. 1678, HD 1, SD 2
H.B. No. 1686, HD 2, SD 1
H.B. No. 1692, HD 2, SD 2
H.B. No. 1696, HD 2, SD 1

H.B. No. 1712, HD 2, SD 2
H.B. No. 1713, HD 2, SD 2
H.B. No. 1728, HD 1, SD 1
H.B. No. 1739, HD 1, SD 1
H.B. No. 1741, HD 1, SD 1
H.B. No. 1744, HD 1, SD 1
H.B. No. 1747, HD 1, SD 1
H.B. No. 1763, HD 2, SD 1
H.B. No. 1776, HD 1, SD 1
H.B. No. 1782, HD 2, SD 2
H.B. No. 1807, HD 1, SD 2
H.B. No. 1809, HD 2, SD 1
H.B. No. 1831, HD 2, SD 2

House Communication dated April 16, 2009, 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. 611, HD 1, SD 2
H.B. No. 984, HD 4, SD 2
H.B. No. 1031, SD 3
H.B. No. 1148, HD 1, SD 1
H.B. No. 1663, HD 1, SD 2
H.B. No. 1766, HD 2, SD 3

FORTY-EIGHTH DAY

Friday, April 17, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:05 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Mr. Frank Delima, after which the Roll was called showing all Members present with the exception of Representatives Ching and Takai, 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. 647 through 655) were received and announced by the Clerk:

Sen. Com. No. 647, transmitting S.C.R. No. 32, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING STAKEHOLDERS AND INTERESTED PARTIES TO WORK TOGETHER TO ESTABLISH PAID FAMILY LEAVE OR SIMILAR WAGE REPLACEMENT PROGRAMS TO ASSIST FAMILY CAREGIVERS," which was adopted by the Senate on April 16, 2009.

Sen. Com. No. 648, transmitting S.C.R. No. 165, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ESTABLISH A TASK FORCE ON HUMANE RESTRAINT AND CONFINEMENT OF PET ANIMALS," which was adopted by the Senate on April 16, 2009.

Sen. Com. No. 649, transmitting S.C.R. No. 171, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII TO RECOGNIZE THE THIRD SATURDAY OF EVERY APRIL AS "HAWAIIAN MONK SEAL DAY" AND TO COORDINATE THE IMPLEMENTATION OF THE RECOVERY PLAN FOR THE HAWAIIAN MONK SEAL WITH THE FEDERAL AND COUNTY GOVERNMENTS," which was adopted by the Senate on April 16, 2009.

Sen. Com. No. 650, dated April 16, 2009, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate bills:

S.B. No. 1, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OPIHI."

S.B. No. 19, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT."

S.B. No. 21, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT."

S.B. No. 34, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT."

S.B. No. 35, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES."

S.B. No. 43, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN WORKFORCE ASSESSMENT."

S.B. No. 44, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

S.B. No. 50, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY PRODUCERS."

S.B. No. 53, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE."

S.B. No. 55, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."

S.B. No. 62, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

S.B. No. 91, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT."

S.B. No. 109, S.D. 2, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR JUVENILES."

S.B. No. 161, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION."

S.B. No. 166, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE."

S.B. No. 169, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH CORPS."

S.B. No. 178, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING."

S.B. No. 190, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY CARE FOSTER FAMILY HOME."

S.B. No. 199, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION."

S.B. No. 205, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OWNER-BUILDERS."

S.B. No. 210, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS."

S.B. No. 242, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING."

S.B. No. 266, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GLOBAL WARMING."

S.B. No. 281, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE."

S.B. No. 292, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS."

S.B. No. 294, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE DEPARTMENTS."

S.B. No. 300, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

S.B. No. 301, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGISTERED AGENTS ACT."

S.B. No. 309, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

S.B. No. 350, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF FORCE."

S.B. No. 378, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING."

S.B. No. 382, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY."

S.B. No. 387, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

S.B. No. 389, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."

S.B. No. 415, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES."

S.B. No. 420, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHIC MEDICINE."

S.B. No. 423, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH."

S.B. No. 427, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION."

S.B. No. 464, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION."

S.B. No. 468, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

S.B. No. 470, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR."

S.B. No. 496, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."

S.B. No. 501, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TEACHER EDUCATION COORDINATING COMMITTEE."

S.B. No. 512, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION."

S.B. No. 521, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY."

S.B. No. 522, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT."

S.B. No. 523, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY."

S.B. No. 532, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITING CIVIL LIABILITY."

S.B. No. 536, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STARLIGHT RESERVE."

S.B. No. 537, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE."

S.B. No. 539, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS."

S.B. No. 540, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

S.B. No. 564, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION."

S.B. No. 568, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PRESCRIPTIONS."

S.B. No. 585, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING."

S.B. No. 602, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ARTS."

S.B. No. 603, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

S.B. No. 605, S.D. 1, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO NOISE."

S.B. No. 636, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES."

S.B. No. 638, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

S.B. No. 642, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."

S.B. No. 659, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS."

S.B. No. 695, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

S.B. No. 711, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

S.B. No. 713, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EMERGENCY ENVIRONMENTAL WORKFORCE."

S.B. No. 714, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES."

S.B. No. 718, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

S.B. No. 721, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT-WIDE IMPROVEMENT PROGRAMS."

S.B. No. 764, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY."

S.B. No. 777, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE SEXUALITY HEALTH EDUCATION."

S.B. No. 843, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING."

S.B. No. 851, S.D. 1, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT."

S.B. No. 868, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES."

S.B. No. 876, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

S.B. No. 884, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS."

S.B. No. 887, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES."

S.B. No. 892, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE."

S.B. No. 896, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW."

S.B. No. 912, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PERMANENCY HEARINGS."

S.B. No. 914, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."

S.B. No. 917, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THIRD PARTY LIABILITY FOR MEDICAID."

S.B. No. 931, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS."

S.B. No. 932, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INFECTIOUS DISEASE TESTING."

S.B. No. 937, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

S.B. No. 967, S.D. 2, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

S.B. No. 971, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE."

S.B. No. 972, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION."

S.B. No. 979, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS."

S.B. No. 995, S.D. 2, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

S.B. No. 1005, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS."

S.B. No. 1008, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY STANDARDS."

S.B. No. 1046, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PROFESSIONAL EDUCATION."

S.B. No. 1056, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS."

S.B. No. 1058, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

S.B. No. 1060, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS."

S.B. No. 1066, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY."

S.B. No. 1069, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

S.B. No. 1073, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES."

S.B. No. 1096, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE AND DEVELOPMENT."

S.B. No. 1107, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

S.B. No. 1111, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION."

S.B. No. 1118, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING."

S.B. No. 1122, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

S.B. No. 1137, S.D. 2, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH."

S.B. No. 1140, S.D. 2, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE."

S.B. No. 1142, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS."

S.B. No. 1160, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY."

S.B. No. 1164, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN."

S.B. No. 1167, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY."

S.B. No. 1173, S.D. 2, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY."

S.B. No. 1183, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRACTICES."

S.B. No. 1202, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION ENERGY INITIATIVES."

S.B. No. 1205, S.D. 2, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS."

S.B. No. 1206, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES."

S.B. No. 1218, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATORS."

S.B. No. 1222, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HUMANE TREATMENT OF PET ANIMALS."

S.B. No. 1223, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MADE PRODUCTS."

S.B. No. 1224, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONS."

S.B. No. 1248, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES."

S.B. No. 1250, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION."

S.B. No. 1258, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

S.B. No. 1259, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE."

S.B. No. 1260, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION FEES."

S.B. No. 1263, S.D. 2, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS."

S.B. No. 1268, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."

S.B. No. 1271, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."

S.B. No. 1299, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED FLIGHT SIMULATOR TRAINING."

S.B. No. 1327, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RATE OF INTEREST APPLICABLE TO OVERPAYMENTS OF TAX."

S.B. No. 1329, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING."

S.B. No. 1338, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSEHOLD ENERGY DEMAND."

S.B. No. 1343, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES AND OTHER ASSESSMENTS."

S.B. No. 1344, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE."

S.B. No. 1345, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE."

S.B. No. 1350, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO."

S.B. No. 1352, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUREAU OF CONVEYANCES."

S.B. No. 1461, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION."

S.B. No. 1568, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE."

S.B. No. 1611, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS."

S.B. No. 1621, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

S.B. No. 1664, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

S.B. No. 1665, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

S.B. No. 1673, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

S.B. No. 1674, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

S.B. No. 1677, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE."

S.B. No. 1678, S.D. 3, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION."

S.B. No. 1679, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND."

Sen. Com. No. 651, dated April 9, 2009, 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:

H.B. No. 319, HD 1, SD 1	Takamine, Chair; Taniguchi, Slom
H.B. No. 632, HD 1, SD 1	Espero, Chair; Galuteria, Hemmings
H.B. No. 1061, HD 1, SD 1	Baker, Chair; English, Co-Chair; Espero, Hemmings
H.B. No. 1075, SD 1	Baker, Chair; Ihara, Hemmings

Sen. Com. No. 652, dated April 16, 2009, 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:

H.B. No. 593, HD 2, SD 1	Hee, Chair; Bunda, Fukunaga, Hemmings
H.B. No. 1141, HD 1, SD 1	Hee, Chair; Fukunaga, Co-Chair; Slom
H.B. No. 1436, HD 1, SD 1	Sakamoto, Chair; Hee, Co-Chair; Galuteria, Kidani, Hemmings

Sen. Com. No. 653, dated April 16, 2009, 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:

S.B. No. 1, SD1, HD2	Hee, Chair; Fukunaga, Hemmings
S.B. No. 19, SD1, HD2	Taniguchi, Chair; Takamine, Slom
S.B. No. 34, SD1, HD1	Baker, Chair; Ige, Hemmings
S.B. No. 35, SD1, HD1	Baker, Chair; Espero, Hemmings
S.B. No. 43, SD2, HD2	Tokuda, Chair; Ige/Kim, Co-Chairs; Baker, Hemmings
S.B. No. 55, SD1, HD1	Baker, Chair; Ige, Hemmings
S.B. No. 62, SD1, HD2	Takamine, Chair; Hee, Taniguchi
S.B. No. 109, SD2, HD3	Taniguchi, Chair; Kim, Co-Chair; Slom
S.B. No. 205, SD1, HD2	Sakamoto, Chair; Baker, Co-Chair; Galuteria, Kidani, Hemmings
S.B. No. 281, HD1	English, Chair; Gabbard, Slom
S.B. No. 300, SD2, HD2	English, Chair; Baker, Co-Chair; Slom
S.B. No. 309, HD1	Takamine, Chair; Taniguchi, Slom
S.B. No. 350, SD1, HD1	Taniguchi, Chair; Takamine, Slom
S.B. No. 378, SD1, HD1	Hee, Chair; Bunda, Fukunaga, Hemmings

S.B. No. 382, SD1, HD2	Fukunaga, Chair; Baker, Ige
S.B. No. 468, SD1, HD2	Hee, Chair; English, Co-Chair; Fukunaga, Slom
S.B. No. 532, SD1, HD1	Taniguchi, Chair; Takamine, Slom
S.B. No. 695, SD1, HD1	Takamine, Chair; Hee, Taniguchi
S.B. No. 711, SD1, HD2	English, Chair; Gabbard, Slom
S.B. No. 714, SD1, HD2	English, Chair; Gabbard, Slom
S.B. No. 887, SD1, HD2	Baker, Chair; Ige, Hemmings
S.B. No. 892, SD1, HD2	Baker, Chair; Ige, Hemmings
S.B. No. 932, SD2, HD2	Ige, Chair; Taniguchi, Co-Chair; Baker, Slom
S.B. No. 1046, SD1, HD1	Tokuda, Chair; Ige/Tsutsui, Co-Chairs; Hemmings
S.B. No. 1066, SD2, HD1	Gabbard, Chair; Fukunaga/Kim, Co-Chairs; Green, Hemmings
S.B. No. 1073, SD1, HD2	Ige, Chair; Espero, Co-Chair; Green, Hemmings
S.B. No. 1107, SD2, HD2	Baker, Chair; Tsutsui, Co-Chair; Espero, Hemmings
S.B. No. 1218, SD2, HD2	Baker, Chair; Kim, Co-Chair; Ige, Hemmings
S.B. No. 1222, SD1, HD1	Taniguchi, Chair; Takamine, Slom
S.B. No. 1223, SD1, HD2	Baker, Chair; Ige, Hemmings
S.B. No. 1250, SD1, HD1	Sakamoto, Chair; Takamine, Co-Chair; Bunda, Kidani, Slom
S.B. No. 1343, SD2, HD1	Taniguchi, Chair; Kim, Co-Chair; Kokubun
S.B. No. 1345, SD1, HD1	Hee, Chair; Kim, Co-Chair; Kokubun, Takamine, Hemmings
S.B. No. 1568, SD2, HD1	Takamine, Chair; Taniguchi, Slom
S.B. No. 1665, SD2, HD1	Tokuda, Chair; Takamine/Kim, Co-Chairs; Slom
S.B. No. 1674, SD2, HD2	Tokuda, Chair; Kim, Co-Chair; Slom

Sen. Com. No. 654, dated April 16, 2009, informing the House that the Senate has this day reconsidered its action taken on April 14, 2009, 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. 715, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Sen. Com. No. 655, dated April 16, 2009, informing the House that the Senate has, on April 14, 2009, 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. 426, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY."

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Awana introduced members of the Massage Therapy Association of Hawaii: Mr. Dustin Ebesu, President; Ms. Mahana Byington, Former President; and Mr. Ray Herradura, President of the American Massage Therapy Association of Hawaii.

Representative M. Oshiro introduced students from Hoala School's Street Law course in Wahiawa, Mr. Tyler Asato, Ms. Ashley Coates, Ms. Annie Hoadley, Ms. Brooke Holmstrom, Ms. Kristi Kataoka, Ms. Vida Losik, Mr. Mykah Luga, Ms. Audrey Martin and Mr. Joey Nacario; and their teacher, Ms. Catherine Matsuno.

Representative Awana introduced Mr. La'au Kent, here with the Samoan community in Hawaii celebrating the 2nd Annual Alofa Fa'a Samoa Heritage Week and Flag Day.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.B. Nos.	Re-referred to:
31, SD1	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
242, HD1, SD2	Committee on Agriculture, then to the Committee on Higher Education, then to the Committee on Finance
271, SD2	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
332, HD2, SD1	Committee on Labor & Public Employment, then to the Committee on Human Services, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
343, HD1, SD2	Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance
618, SD2	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance
640, HD1, SD2	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Transportation
643, HD2, SD2	Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

686, HD1, SD2	Committee on Public Safety, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
694, SD2	Committee on Health, then to the Committee on Finance
813, HD1, SD1	Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance
863, HD1, SD2	Committee on Transportation, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Finance
952, HD1, SD2	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
960, HD2, SD2	Committee on Tourism, Culture, & International Affairs, then to the Committee on Public Safety, then to the Committee on Finance
1141, HD1, SD1	Committee on Water, Land, & Ocean Resources, then jointly to the Committee on Tourism, Culture, & International Affairs and the Committee on Economic Revitalization, Business, & Military Affairs
1379, HD2, SD2	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
1417, HD2, SD2	Committee on Energy & Environmental Protection, then to the Committee on Judiciary, then to the Committee on Consumer Protection & Commerce
1436, HD1, SD1	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Education
1503, HD1, SD2	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
1504, HD1, SD2	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1525, HD1, SD2	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
1642, HD1, SD2	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
1665, HD1, SD2	Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1713, HD2, SD2	Committee on Judiciary, then to the Committee on Public Safety, then to the Committee on Finance
1809, HD2, SD1	Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

H.R. Nos.	**Re-referred to:**
68, HD1	Jointly to the Committee on Education and the Committee on Health
97	Committee on Health

H.C.R. Nos.	**Re-referred to:**
15	Jointly to the Committee on Health and the Committee on Human Services
86, HD1	Jointly to the Committee on Education and the Committee on Health
120	Committee on Health

At this time, the Chair stated:

"Members, please note that House Resolution No. 68, House Draft 1, and its companion, House Concurrent Resolution No. 86, House Draft 1, have been re-referred solely to the Committees on Education and Health per Committee Referral Sheet No. 57. The Committee on Judiciary waived its referral to these measures.

"In addition, House Resolution No. 97 and House Concurrent Resolution No. 120 have also been re-referred solely to the Committee on Health per Committee Referral Sheet No. 57. The Committees on Labor & Public Employment and Economic Revitalization, Business, & Military Affairs waived their referral to these measures.

"Furthermore, House Concurrent Resolution No. 15 has also been re-referred solely to the Committees on Health and Human Services per Committee Referral Sheet No. 57. The Committee on Labor & Public Employment waived its referral to this measure, therefore it is appropriate for the House to consider action for adoption of said measures listed on pages 1 and 2."

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, to rules were suspended to reconsider action previously taken on H.R. No. 68, HD 1, H.R. No. 97, H.C.R. No. 86, HD 1, H.C.R. No. 120 and H.C.R. No. 15. (Representative Takai was excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report Nos. 1325 and 1326, recommending referral to the Committee on Judiciary; Standing Committee Report Nos. 1497 and 1498, recommending referral to the Committees on Labor & Public Employment and Economic Revitalization, Business, & Military Affairs; and Standing Committee Report No. 1355, recommending referral to the Committee on Labor & Public Employment, seconded by Representative Evans and carried. (Representative Takai was excused.)

UNFINISHED BUSINESS

H.R. No. 68, HD 1 and H.C.R. No. 86, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.R. No. 68, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DEPARTMENT OF HEALTH PROVIDE A COMPREHENSIVE REPORT OF POST FELIX CONSENT DECREE CHILD AND ADOLESCENT MENTAL HEALTH SERVICES AND FUNDING," was adopted, with Representative Takai being excused; and

H.C.R. No. 86, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF HEALTH PROVIDE A COMPREHENSIVE REPORT OF POST FELIX CONSENT DECREE CHILD AND ADOLESCENT MENTAL HEALTH SERVICES AND FUNDING," was adopted, with Representative Takai being excused.

H.R. No. 97 and H.C.R. No. 120:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.R. No. 97, entitled: "HOUSE RESOLUTION URGING THE MEMBERS OF THE LEGISLATURE AND THE HAWAII BUSINESS COMMUNITY TO SUPPORT THE ESTABLISHMENT OF PAID FAMILY LEAVE IN HAWAII," was adopted, with Representative Takai being excused; and

H.C.R. No. 120, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE MEMBERS OF THE LEGISLATURE AND THE HAWAII BUSINESS COMMUNITY TO SUPPORT THE ESTABLISHMENT OF PAID FAMILY LEAVE IN HAWAII," was adopted, with Representative Takai being excused.

H.C.R. No. 15:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 15, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING STAKEHOLDERS AND INTERESTED PARTIES TO WORK TOGETHER TO ESTABLISH PAID FAMILY LEAVE OR SIMILAR WAGE REPLACEMENT PROGRAMS TO ASSIST FAMILY CAREGIVERS," was adopted, with Representative Takai being excused.

STANDING COMMITTEE REPORTS

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1759) recommending that H.R. No. 53, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 53, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO DEVELOP A PLAN TO INSTALL SIGNS IN THE STATE CAPITOL IN BOTH THE ENGLISH AND HAWAIIAN LANGUAGES," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1760) recommending that H.C.R. No. 67, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 67, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO DEVELOP A PLAN TO INSTALL SIGNS IN THE STATE CAPITOL IN BOTH THE ENGLISH AND HAWAIIAN LANGUAGES," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1761) recommending that H.R. No. 108, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 108, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII BROADBAND COMMISSIONER TO CONDUCT A STUDY OF TELECOMMUNICATIONS AND BROADBAND INFRASTRUCTURE INVENTORY," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1762) recommending that H.C.R. No. 131, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 131, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII BROADBAND COMMISSIONER TO CONDUCT A STUDY OF TELECOMMUNICATIONS AND BROADBAND INFRASTRUCTURE INVENTORY," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1763) recommending that H.C.R. No. 210, HD 1, as amended in HD 2, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 210, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A JOINT LEGISLATIVE PROCUREMENT WORKING GROUP TO EVALUATE THE STATE PROCUREMENT CODE AND RECOMMEND IMPROVEMENTS," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1764) recommending that H.C.R. No. 124, HD 1, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 124, HD 1, be adopted, seconded by Representative Evans.

Representative Thielen rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. A potential conflict on Stand. Com. No. 1764. I have contractors in the family," and the Chair ruled, "no conflict."

Representative Thielen then asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Har rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I get a ruling on a potential conflict? At my law firm, I represent contractors. Thank you," and the Chair ruled, "no conflict."

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.C.R. No. 124, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE PROPER INTERPRETATION AND APPLICATION OF THE PHRASE "INCIDENTAL AND SUPPLEMENTAL" WITH REGARD TO THE CONTRACTING BUSINESS," was adopted, with Representative Marumoto voting no, and with Representatives Keith-Agaran and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented two reports:

(Stand. Com. Rep. No. 1765) recommending that H.R. No. 116, be adopted; and

(Stand. Com. Rep. No. 1766) recommending that H.C.R. No. 146, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 116, and H.C.R. No. 146, be adopted, seconded by Representative Evans.

Representative B. Oshiro rose in support of both measures and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative B. Oshiro's written remarks are as follows:

"Mr. Speaker, the community bordering the unimproved segment of Kaimakani Street (Aiea) has been waiting for over five years for the City and County of Honolulu and the State Department of Land and Natural Resources (DLNR)to agree on who owns, and, thus, maintains the street in question.

"In 1993 the Honolulu City Council passed Resolution Number 93-287, which essentially conferred this roadway, and other disputed sections of highway, to the City and County of Honolulu.

"Mr. Speaker, since being elected, the maintenance of Kaimakani Street has been a reoccurring problem for those residents living alongside it. Resident concerns center on health and safety issues resulting from the condition of the street, which normally has deep ruts resulting from erosion and illegally dumped bulky trash items. Again, with nobody taking responsibility for this street, the monitoring ends up resting on the backs of residents who then have to negotiate between State and City departments – neither of which want to take responsibility for the street.

"In the absence of any plan to deal with Kaimakani Street, the State DLNR has stepped in, when possible, to assist the City with minimal maintenance of the area. However, this is not a sustainable relationship - we must have agreement on the ownership of Kaimakani.

"Mr. Speaker, this measure, I hope, will help to resolve the jurisdictional conflict that currently exists and allay the legitimate concerns of residents living along Kaimakani Street."

The motion was out to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 116, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY AND COUNTY OF HONOLULU TO AGREE TO A FINAL DETERMINATION REGARDING THE OWNERSHIP AND JURISDICTION OF AN UNIMPROVED SECTION OF KAIMAKANI STREET," was adopted, with Representatives Keith-Agaran and Takai being excused; and

H.C.R. No. 146, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY AND COUNTY OF HONOLULU TO AGREE TO A FINAL DETERMINATION REGARDING THE OWNERSHIP AND JURISDICTION OF AN UNIMPROVED SECTION OF KAIMAKANI STREET," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1767) recommending that H.R. No. 166, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 166, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO INCREASE FINES FOR MULTIPLE VIOLATIONS OF COUNTY PROPERTY AND PUBLIC HEALTH ORDINANCES," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1768) recommending that H.C.R. No. 204, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 204, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO INCREASE FINES FOR MULTIPLE VIOLATIONS OF COUNTY PROPERTY AND PUBLIC HEALTH ORDINANCES," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented two reports:

(Stand. Com. Rep. No. 1769) recommending that H.R. No. 220, be adopted; and

(Stand. Com. Rep. No. 1770) recommending that H.C.R. No. 251, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 220, and H.C.R. No. 251, be adopted, seconded by Representative Evans.

Representative Morita rose and asked that the Clerk record a no vote 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. 220, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF AQUATIC RESOURCES, TO CONSULT AND CONFER WITH LICENSED SPECIALIZED FISHING PRACTITIONERS PRIOR TO IMPLEMENTING REVISED OR NEW REGULATIONS AFFECTING THESE STYLES OF NEAR-SHORE COMMERCIAL FISHING AND TO SEEK ADVISE FROM AND WORK COLLABORATIVELY WITH THEM ON ANY AND ALL FUTURE REGULATIONS RELATING TO COMMERCIAL FISHING," was adopted, with Representative Morita voting no, and with Representatives Keith-Agaran and Takai being excused; and

H.C.R. No. 251, entitled: "HOUSE CONCURRENT RESOLUTION URGING DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF AQUATIC RESOURCES, TO CONSULT AND CONFER WITH LICENSED SPECIALIZED FISHING PRACTITIONERS PRIOR TO IMPLEMENTING REVISED OR NEW REGULATIONS AFFECTING THESE STYLES OF NEAR-SHORE COMMERCIAL FISHING AND TO SEEK ADVICE FROM AND WORK COLLABORATIVELY WITH THEM ON ANY AND ALL FUTURE REGULATIONS RELATING TO COMMERCIAL FISHING," was adopted, with Representative Morita voting no, and with Representatives Keith-Agaran and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1771) recommending that H.R. No. 138, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 138, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO INVESTIGATE THE FEASIBILITY OF CREATING A MARKET IN THE TOURISM INDUSTRY FOR OUTDOOR ACTIVITIES," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1772) recommending that H.C.R. No. 174, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 174, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO INVESTIGATE THE FEASIBILITY OF CREATING A MARKET IN THE TOURISM INDUSTRY FOR OUTDOOR ACTIVITIES," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1773) recommending that H.R. No. 149, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 149, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO CONVENE A SCENIC BYWAYS WORKING GROUP TO SELECT POSSIBLE SITES STATEWIDE, INCLUDING THE PI`ILANI TRAIL ON MAUI, FOR PROPOSED FEDERAL DESIGNATION AS SCENIC BYWAYS," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1774) recommending that H.C.R. No. 185, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 185, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO CONVENE A SCENIC BYWAYS WORKING GROUP TO SELECT POSSIBLE SITES STATEWIDE, INCLUDING THE PI`ILANI TRAIL ON MAUI, FOR PROPOSED FEDERAL DESIGNATION AS SCENIC BYWAYS," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1775) recommending that H.R. No. 79, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 79, HD 1, entitled: "HOUSE RESOLUTION PROCLAIMING SEPTEMBER 24, 2009, AS ISLAM DAY," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1776) recommending that H.C.R. No. 100, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 100, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION PROCLAIMING SEPTEMBER 24, 2009, AS ISLAM DAY," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1777) recommending that H.C.R. No. 16, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 16, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING STATE AND COUNTY ACTION TO STIMULATE INDIVIDUAL SAVINGS AND DEVELOPMENT OF CREDIT AND TO FORMULATE AN INVENTORY OF BANKING SERVICES AVAILABLE TO LOW-INCOME PERSONS AND THOSE WITH NO CREDIT HISTORY IN THE STATE," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1778) recommending that H.C.R. No. 28, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 28, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE CARE GIVEN TO AREAS OF STATE PARKS THAT CONTAIN HEIAU AND OTHER SACRED SITES, AND A PLAN TO SOLVE CARETAKING PROBLEMS BY EXPANDING AND AUGMENTING COMMUNITY-BASED CARETAKING AND EDUCATIONAL PROGRAMS," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1779) recommending that H.C.R. No. 34, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 34, be adopted, seconded by Representative Evans.

Representative Ching rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. On Stand. Com. Report No. 1779, I would like to please ask for a ruling on a potential conflict. I have a physician in the family. 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.C.R. No. 34, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO RAISE MEDICARE FEE SCHEDULE PAYMENT AMOUNTS FOR PHYSICIANS RENDERING SERVICES IN HAWAII," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1780) recommending that H.C.R. No. 35, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 35, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE A PROPOSED MEASURE TO REGULATE HOME CARE AGENCIES BY THE DEPARTMENT OF HEALTH," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1781) recommending that H.C.R. No. 36, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 36, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A COMPREHENSIVE FINANCIAL AUDIT OF ALL FEDERAL FUNDS DESIGNATED FOR HEALTH CARE RECEIVED BY THE DEPARTMENT OF HUMAN SERVICES," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1782) recommending that H.C.R. No. 51, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans 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 INCREASE EDUCATIONAL EFFORTS TO PREVENT AND ERADICATE CERVICAL CANCER," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1783) recommending that H.C.R. No. 55, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 55, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CENTERS FOR MEDICARE AND MEDICAID SERVICES TO INCREASE REIMBURSEMENT TO HAWAII PROVIDERS," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1784) recommending that H.C.R. No. 63, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 63, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO INCLUDE THE KUKUI GARDENS AFFORDABLE HOUSING PROJECT IN THE STATE'S LIST OF SHOVEL-READY PROJECTS FOR THE PRESIDENT'S PROPOSED ECONOMIC STIMULUS PLAN," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1785) recommending that H.R. No. 43, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 43, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII HEALTH SYSTEMS CORPORATION TO ESTABLISH A BLUE RIBBON PANEL TO CONDUCT A HEALTH CARE NEEDS ASSESSMENT AND OPERATIONAL STRUCTURE ANALYSIS," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1786) recommending that H.C.R. No. 53, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 53, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII HEALTH SYSTEMS CORPORATION TO ESTABLISH A BLUE RIBBON PANEL TO CONDUCT A HEALTH CARE NEEDS ASSESSMENT AND OPERATIONAL STRUCTURE ANALYSIS," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1787) recommending that H.C.R. No. 27, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 27, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF DISPARATE TREATMENT IN HAWAII'S CRIMINAL JUSTICE SYSTEM," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1788) recommending that H.C.R. No. 206, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 206, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY RECENT INTERIM AMENDMENTS TO HAWAII ADMINISTRATIVE RULES RELATING TO CONSTRUCTION CONTRACTS UNDER THE HAWAII PUBLIC PROCUREMENT CODE TO DETERMINE WHETHER THOSE AMENDMENTS ARE CONTRARY TO THE LETTER OR SPIRIT OF THE PROCUREMENT CODE," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1789) recommending that H.R. No. 168, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 168, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A JOINT AGENCY STUDY ON THE IMPACT OF ILLEGAL IMMIGRATION IN HAWAII," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1790) recommending that H.C.R. No. 207, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 207, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A JOINT AGENCY STUDY ON THE IMPACT OF ILLEGAL IMMIGRATION IN HAWAII," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1791) recommending that H.R. No. 169, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.R. No. 169, be adopted, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, may I rise with a few reservations on Stand. Com. No. 1791, Establishing Policies for the Legislative Broadcast Program's Cablecasts of House of Representatives' Proceedings?

"Mr. Speaker, I have two reservations. The first one is, many of us had the vision or still have the vision that we're going to have C-Span here. And whenever America wants to look at its government, it just turns on C-Span and sees any and all of that. I think we've really fallen short of that.

"And the second reservation is that basically, for the last, I think 10 or 14 years that we've had this, we haven't moved the ball down the line. We haven't become, for example, like the Senate. The Senate lets the contractor choose where they're going to go and what they're going to see, with consultation, of course.

"But we have more of a content control. Not a censorship, *per se*, but we're just a little bit uptight about this. And I hope that as we move to next year and the year after, that we'll get a little bit closer to the vision of C-Span, a little bit closer to transparency. If people wanted to look at their government, they don't have to turn on *'Olelo* all the time, but they can turn on this Body, these hearings. Sometimes we're very boring, and they may fall asleep, but at least they'll have it. And that's what democracy's all about. Openness and transparency. 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.R. No. 169, entitled: "HOUSE RESOLUTION ESTABLISHING POLICIES FOR THE LEGISLATIVE BROADCAST PROGRAM'S CABLECASTS OF HOUSE OF REPRESENTATIVES' PROCEEDINGS," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1792) recommending that H.R. No. 184, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 184, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT FEDERAL FUNDING BE PROVIDED TO THE CENTERS FOR DISEASE CONTROL AND PREVENTION TO ESTABLISH A CHRONIC OBSTRUCTIVE PULMONARY DISEASE PROGRAM," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1793) recommending that H.C.R. No. 214, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 214, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT FEDERAL FUNDING BE PROVIDED TO THE CENTERS FOR DISEASE CONTROL AND PREVENTION TO ESTABLISH A CHRONIC OBSTRUCTIVE PULMONARY DISEASE PROGRAM," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1794) recommending that H.R. No. 186, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 186, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO UNDERTAKE A FEASIBILITY STUDY RELATED TO INMATE RE-INTEGRATION," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1795) recommending that H.C.R. No. 216, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO UNDERTAKE A FEASIBILITY STUDY RELATED TO INMATE RE-INTEGRATION," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1796) recommending that H.R. No. 187, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 187, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO DEVELOP PLANS FOR A SCHOLARSHIP PROGRAM FOR HAWAII RESIDENTS TO STUDY ABROAD," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1797) recommending that H.C.R. No. 217, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 217, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO DEVELOP PLANS FOR A SCHOLARSHIP PROGRAM FOR HAWAII RESIDENTS TO STUDY ABROAD," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1798) recommending that H.R. No. 91, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 91, 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 KAMUELA VACUUM COOLING PLANT," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1799) recommending that H.C.R. No. 113, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 113, 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 KAMUELA VACUUM COOLING PLANT," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1800) recommending that H.R. No. 92, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 92, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR AND THE CHAIRPERSON OF THE BOARD OF LAND AND NATURAL RESOURCES TO STRIVE TO EXPEND THE STATE OF HAWAII'S FULL ALLOTMENT OF FEDERAL AID IN WILDLIFE RESTORATION FUNDS," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1801) recommending that H.C.R. No. 114, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 114, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR AND THE CHAIRPERSON OF THE BOARD OF LAND AND NATURAL RESOURCES TO STRIVE TO EXPEND THE STATE OF HAWAII'S FULL ALLOTMENT OF FEDERAL AID IN WILDLIFE RESTORATION FUNDS," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1802) recommending that H.C.R. No. 135, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 135, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY SUPPORTING THE CONCEPT OF ESTABLISHING A SYSTEM OF JUVENILE INTAKE AND ASSESSMENT CENTERS, AS EMBODIED BY THE PROPOSED PILOT BIG ISLAND JUVENILE INTAKE AND ASSESSMENT CENTER, THROUGHOUT THE STATE," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1803) recommending that H.R. No. 119, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 119, entitled: "HOUSE RESOLUTION URGING A STATE-LED COORDINATED EFFORT BY THE HEALTH CARE AND TECHNOLOGY COMMUNITIES TO ENSURE THAT HAWAII IS ABLE TO RAPIDLY RESPOND TO AND QUALIFY FOR GRANT MONEY OFFERED IN THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FOR HEALTH CARE INFORMATION EXCHANGE TECHNOLOGY," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1804) recommending that H.C.R. No. 148, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 148, entitled: "HOUSE CONCURRENT RESOLUTION URGING A STATE-LED COORDINATED EFFORT BY THE HEALTH CARE AND TECHNOLOGY COMMUNITIES TO ENSURE THAT HAWAII IS ABLE TO RAPIDLY RESPOND TO AND QUALIFY FOR GRANT MONEY OFFERED IN THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FOR HEALTH CARE INFORMATION EXCHANGE TECHNOLOGY," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1805) recommending that H.R. No. 124, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 124, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO REVIEW ITS EFFORTS OF PROVIDING REENTRY SERVICES TO ALL INMATES RELEASED FROM CUSTODY," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1806) recommending that H.C.R. No. 154, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 154, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO REVIEW ITS EFFORTS OF PROVIDING REENTRY SERVICES TO ALL INMATES RELEASED FROM CUSTODY," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1807) recommending that H.R. No. 126, be adopted; and

(Stand. Com. Rep. No. 1808) recommending that H.C.R. No. 158, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 126, and H.C.R. No. 158, be adopted, seconded by Representative Evans.

Representative Ward rose in support of both measures 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 support for HCR 158, which will strongly urge the United States Congress and the Department of Interior to provide additional services to migrants from the Compact of Free Association Nations. It should be noted that migrants from the Compact of Free Association of nations are currently proportionally over represented in the population of persons who receive various State social services in Hawaii.

"In order to more adequately provide funding for these migrants, I support HCR 158 which urges the passing of federal legislation to amend the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to allow the Compact of Free Association migrants to once again receive federally funded financial and medical assistance. It is my belief that the passing of federal legislation to provide federal funded social services and medical services for these migrants provides a more equitable and stable distribution of the financial responsibility for social services provided in the State of Hawaii.

"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 reports of the Committee were adopted and H.R. No. 126, entitled: "HOUSE RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAII FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS," was adopted, with Representatives Keith-Agaran and Takai being excused; and

H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAII FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1809) recommending that H.R. No. 150, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 150, entitled: "HOUSE RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO INVENTORY AND REPORT TO THE LEGISLATURE OF THE VALUE OF ALL STATE-OWNED ARTWORK ON DISPLAY AND IN STORAGE," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1810) recommending that H.C.R. No. 186, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 186, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO INVENTORY AND REPORT TO THE LEGISLATURE OF THE VALUE OF ALL STATE-OWNED ARTWORK ON DISPLAY AND IN STORAGE," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1811) recommending that H.C.R. No. 193, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 193, entitled: "HOUSE CONCURRENT RESOLUTION ACCEPTING FUNDS PROVIDED TO THE STATE OF HAWAII BY THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 AND ESTABLISHING THE FEDERAL ECONOMIC STIMULUS PROGRAM OVERSIGHT COMMISSION," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1812) recommending that H.R. No. 157, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 157, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY LANGUAGE ACCESSIBILITY WITHIN THE TOURISM INDUSTRY IN HAWAII," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1813) recommending that H.C.R. No. 194, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 194, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY LANGUAGE ACCESSIBILITY WITHIN THE TOURISM INDUSTRY IN HAWAII," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1814) recommending that H.C.R. No. 199, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 199, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PRIVATE PRISON PERFORMANCE AUDIT OF SAGUARO CORRECTIONAL CENTER," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1815) recommending that H.R. No. 163, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 163, entitled: "HOUSE RESOLUTION URGING THE UNIVERSITY OF HAWAII ADMINISTRATION TO SUPPORT THE CENTER ON AGING AND TO RE-OPEN THE GERONTOLOGY CERTIFICATE PROGRAMS," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1816) recommending that H.C.R. No. 201, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 201, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII ADMINISTRATION TO SUPPORT THE CENTER ON AGING AND TO RE-OPEN THE GERONTOLOGY CERTIFICATE PROGRAMS," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1817) recommending that H.R. No. 11, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 11, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE U.S. DEPARTMENT OF AGRICULTURE AND THE COUNTY OF HAWAII TO PROVIDE FINANCIAL SUPPORT TO AGRICULTURAL OPERATIONS THAT HAVE INCURRED SIGNIFICANT LOSSES DUE TO THE EFFECTS OF VOG," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1818) recommending that H.C.R. No. 7, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 7, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE U.S. DEPARTMENT OF AGRICULTURE AND THE COUNTY OF HAWAII TO PROVIDE FINANCIAL SUPPORT TO AGRICULTURAL OPERATIONS THAT HAVE INCURRED SIGNIFICANT LOSSES DUE TO THE EFFECTS OF VOG," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1819) recommending that H.R. No. 12, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 12, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE U.S. DEPARTMENT OF AGRICULTURE TO PROVIDE FEDERAL AID TO ASSIST AGRICULTURAL OPERATIONS IN VOG-IMPACTED AREAS IN MEETING THEIR WATER NEEDS," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1820) recommending that H.C.R. No. 8, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 8, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE U.S. DEPARTMENT OF AGRICULTURE TO PROVIDE FEDERAL AID TO ASSIST AGRICULTURAL OPERATIONS IN VOG-IMPACTED AREAS IN MEETING THEIR WATER NEEDS," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1821) recommending that H.R. No. 14, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 14, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE ADJUTANT GENERAL TO IDENTIFY THE LOCATION OF EVERY PUBLIC SAFE ROOM IN THE COUNTY OF HAWAII PROVIDING SUITABLE SHELTER FROM VOG AND DEVELOP PLANS TO ESTABLISH SUCH SAFE ROOMS IN ADDITIONAL AREAS THAT NEED THEM," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1822) recommending that H.C.R. No. 10, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 10, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ADJUTANT GENERAL TO IDENTIFY THE LOCATION OF EVERY PUBLIC SAFE ROOM IN THE COUNTY OF HAWAII PROVIDING SUITABLE SHELTER FROM VOG AND DEVELOP PLANS TO ESTABLISH SUCH SAFE ROOMS IN ADDITIONAL AREAS THAT NEED THEM," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1823) recommending that H.R. No. 16, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 16, entitled: "HOUSE RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE GOVERNOR TO CREATE A HOME FOR LIFE TASK FORCE TO REDUCE BARRIERS TO AGING IN PLACE AND TO FACILITATE MULTIGENERATIONAL LIVING," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1824) recommending that H.C.R. No. 12, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 12, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE GOVERNOR TO CREATE A HOME FOR LIFE TASK FORCE TO REDUCE BARRIERS TO AGING IN PLACE AND TO FACILITATE

MULTIGENERATIONAL LIVING," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1825) recommending that H.R. No. 17, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 17, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF VARIOUS UNRESOLVED ISSUES RELATING TO AGING," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1826) recommending that H.C.R. No. 13, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 13, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF VARIOUS UNRESOLVED ISSUES RELATING TO AGING," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1827) recommending that H.R. No. 52, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 52, entitled: "HOUSE RESOLUTION URGING THE USE OF POLYVINYL CHLORIDE AND HIGH-DENSITY POLYETHYLENE PIPE AND FITTINGS FOR THE CONSTRUCTION OR REPAIR OF PRIVATE AND PUBLIC POTABLE WATER SYSTEMS," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1828) recommending that H.C.R. No. 66, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 66, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE USE OF POLYVINYL CHLORIDE AND HIGH-DENSITY POLYETHYLENE PIPE AND FITTINGS FOR THE CONSTRUCTION OR REPAIR OF PRIVATE AND PUBLIC POTABLE WATER SYSTEMS," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1829) recommending that H.C.R. No. 76, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 76, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR NOT TO ADDRESS THE 2009 FISCAL YEAR BUDGET SHORTFALL BY REDUCING OR RESTRICTING THE DEPARTMENT OF EDUCATION'S AND UNIVERSITY OF HAWAII'S CURRENT APPROPRIATIONS," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1830) recommending that H.C.R. No. 92, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 92, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY, SHERIFF DIVISION, AND TO REPORT ON THE SUITABILITY OF THE ADMINISTRATIVE ORGANIZATION OF THE DEPARTMENT OF PUBLIC SAFETY AND SHERIFF DIVISION," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1831) recommending that H.R. No. 75, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 75, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT, TO PROVIDE LIMITED ENFORCEMENT SERVICES AT NIGHT ON A REGULAR BASIS AND TO CONTINUE PROVIDING ENFORCEMENT SERVICES ON WEEKENDS AND HOLIDAYS AT KANEOHE BAY," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1832) recommending that H.C.R. No. 96, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT, TO PROVIDE LIMITED ENFORCEMENT SERVICES AT NIGHT ON A REGULAR BASIS AND TO CONTINUE PROVIDING ENFORCEMENT SERVICES ON WEEKENDS AND HOLIDAYS AT KANEOHE BAY," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1833) recommending that H.R. No. 83, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 83, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT TO APPLY FOR ACCREDITATION OR RECOGNITION WITH THE COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, INC.," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1834) recommending that H.C.R. No. 103, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 103, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT TO APPLY FOR ACCREDITATION OR RECOGNITION WITH THE COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, INC.," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1835) recommending that H.R. No. 84, be adopted; and

(Stand. Com. Rep. No. 1836) recommending that H.C.R. No. 104, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 84, and H.C.R. No. 104, be adopted, seconded by Representative Evans.

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him 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. 84, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT A STOCK ASSESSMENT OF CERTAIN MARINE LIFE TO DETERMINE A BASELINE FOR FUTURE MANAGEMENT MEASURES," was adopted, with Representatives Keith-Agaran and Takai being excused; and

H.C.R. No. 104, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT A STOCK ASSESSMENT OF CERTAIN MARINE LIFE TO DETERMINE A BASELINE FOR FUTURE MANAGEMENT MEASURES," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1837) recommending that H.R. No. 253, be adopted; and

(Stand. Com. Rep. No. 1838) recommending that H.C.R. No. 281, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 253, and H.C.R. No. 281, be adopted, seconded by Representative Evans.

Representative Thielen rose and asked that the Clerk record a no vote for her on both measures, and the Chair "so ordered."

Representative Rhoads 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 a no vote for her on both measures, and the Chair "so ordered."

Representative McKelvey rose to speak in opposition to both measures, stating:

"Thank you very much, Mr. Speaker. On those same two measures, please register a 'no' vote. I'm just concerned that this would really hurt the ability of our veterans to get public housing. 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. 253, entitled: "HOUSE RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO PROVIDE FAIR AND EQUAL ACCESS TO PUBLIC HOUSING BY REMOVING PREFERENCES IN THE APPLICATION PROCESS," was adopted, with Representatives Ching, McKelvey, Rhoads and Thielen voting no, and with Representatives Keith-Agaran and Takai being excused; and

H.C.R. No. 281, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO PROVIDE FAIR AND EQUAL ACCESS TO PUBLIC HOUSING BY REMOVING PREFERENCES IN THE APPLICATION PROCESS," was adopted, with Representatives Ching, McKelvey, Rhoads and Thielen voting no, and with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1839) recommending that H.R. No. 254, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 254, HD 1, entitled: "HOUSE RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO INCREASE THE MINIMUM RENT SCHEDULE," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1840) recommending that H.C.R. No. 282, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 282, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO INCREASE THE MINIMUM RENT SCHEDULE," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1841) recommending that H.R. No. 262, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 262, entitled: "HOUSE RESOLUTION COMMENDING THE ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES FOR ITS RECOMMENDATION TO IMMUNIZE ALL CHILDREN AGES SIX MONTHS THROUGH AGE EIGHTEEN BEGINNING JULY 1, 2009," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1842) recommending that H.C.R. No. 290, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 290, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING THE ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES FOR ITS RECOMMENDATION TO IMMUNIZE ALL CHILDREN AGES SIX MONTHS THROUGH AGE EIGHTEEN BEGINNING JULY 1, 2009," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1843) recommending that H.R. No. 269, be adopted; and

(Stand. Com. Rep. No. 1844) recommending that H.C.R. No. 297, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 269, and H.C.R. No. 297, be adopted, seconded by Representative Evans.

Representative Ward rose in support of both measures, stating:

"Mr. Speaker, 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. 269, entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SEEK INCREASED FEDERAL FUNDING TO INITIATE MORE COMPREHENSIVE AND WIDESPREAD HEPATITIS B EDUCATION, PREVENTION, AND TREATMENT PROGRAMS IN HAWAII," was adopted, with Representatives Keith-Agaran and Takai being excused; and

H.C.R. No. 297, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SEEK INCREASED FEDERAL FUNDING TO INITIATE MORE COMPREHENSIVE AND WIDESPREAD HEPATITIS B EDUCATION, PREVENTION, AND TREATMENT PROGRAMS IN HAWAII," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1845) recommending that H.R. No. 277, HD 1, be adopted; and

(Stand. Com. Rep. No. 1846) recommending that H.C.R. No. 305, HD 1, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 277, HD 1, and H.C.R. No. 305, HD 1, be adopted, seconded by Representative Evans.

Representative Ward rose in support of both measures 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 support for House Resolution 277 and its companion House Concurrent Resolution 305, which request the University of Hawaii at Manoa to establish a Muslims in Asia Research and Studies Institute.

"Mr. Speaker, contemporary events in the international community have highlighted the need for a bridging of the gap between Muslim nations and the West. I believe that Hawaii is uniquely positioned to play a leading role in reaching out to the Muslim countries of East Asia and the Pacific. HR277 and HCR 305 were crafted to further such efforts. Because of the acute need in this international environment and the opportunity to harness the capabilities of the University of Hawaii, I offer these measures my full support.

"Thank you for this opportunity to offer my support to these measures."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 277, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AT MANOA TO ESTABLISH A MUSLIMS IN ASIA RESEARCH AND STUDIES INSTITUTE," was adopted, with Representatives Keith-Agaran and Takai being excused; and

H.C.R. No. 305, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AT MANOA TO ESTABLISH A MUSLIMS IN ASIA RESEARCH AND STUDIES INSTITUTE," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1847) recommending that H.R. No. 189, HD 1, be adopted; and

(Stand. Com. Rep. No. 1848) recommending that H.C.R. No. 220, HD 1, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 189, HD 1, and H.C.R. No. 220, HD 1, be adopted, seconded by Representative Evans.

Representative Thielen rose to speak in support of both measures, stating:

"Thank you. *Merci*, Mr. Speaker. On 1847 and 1848. *Mais oui. Quelle bon idée.*"

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 189, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE SISTER STATE COMMITTEE TO EVALUATE AND DEVELOP RECOMMENDATIONS FOR THE INITIATION OF A SISTER STATE OR PROVINCE RELATIONSHIP WITH LORRAINE, FRANCE," was adopted, with Representatives Keith-Agaran and Takai being excused; and

H.C.R. No. 220, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SISTER STATE COMMITTEE TO EVALUATE AND DEVELOP RECOMMENDATIONS FOR THE INITIATION OF A SISTER STATE OR PROVINCE RELATIONSHIP WITH LORRAINE, FRANCE," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1849) recommending that H.C.R. No. 223, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 223, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A COMPARATIVE FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF HEALTH'S COMMUNITY MENTAL HEALTH CENTER AND WAI`ANAE'S INDEPENDENTLY OPERATED COMMUNITY MENTAL HEALTH CENTER," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1850) recommending that H.R. No. 212, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 212, entitled: "HOUSE RESOLUTION ENSURING THAT ANY LEGISLATIVE EFFORT TO REPAIR THE HEALTHCARE SYSTEM IN HAWAII SHOULD INCORPORATE SUSTAINABLE WELLNESS PROGRAMS THAT ADDRESS THE UNDERLYING CAUSAL FACTORS ASSOCIATED WITH CHRONIC DISEASE," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1851) recommending that H.C.R. No. 244, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 244, entitled: "HOUSE CONCURRENT RESOLUTION ENSURING THAT ANY LEGISLATIVE EFFORT TO REPAIR THE HEALTHCARE SYSTEM IN HAWAII SHOULD INCORPORATE SUSTAINABLE WELLNESS PROGRAMS THAT ADDRESS THE UNDERLYING CAUSAL FACTORS ASSOCIATED WITH CHRONIC DISEASE," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1852) recommending that H.R. No. 219, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 219, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW ALL BOARDS, COMMISSIONS, COUNCILS, COMMITTEES, WORKING GROUPS, AND TASK FORCES TO DETERMINE WHICH OF THESE CAN BE ELIMINATED," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1853) recommending that H.C.R. No. 250, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 250, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW ALL BOARDS, COMMISSIONS, COUNCILS, COMMITTEES, WORKING GROUPS, AND TASK FORCES TO DETERMINE WHICH OF THESE CAN BE

ELIMINATED," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1854) recommending that H.R. No. 244, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 244, entitled: "HOUSE RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A FERRY SYSTEM FROM THE HOAKALEI RESORT AND MARINA IN EWA BEACH TO DOWNTOWN HONOLULU," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1855) recommending that H.C.R. No. 273, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 273, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A FERRY SYSTEM FROM THE HOAKALEI RESORT AND MARINA IN EWA BEACH TO DOWNTOWN HONOLULU," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1856) recommending that H.R. No. 170, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 170, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO AUDIT THE PRODUCERS OF LIQUID FUEL FOR THEIR COMPLIANCE IN REPORTING THE ENVIRONMENTAL RESPONSE TAX," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1857) recommending that H.C.R. No. 209, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 209, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO AUDIT THE PRODUCERS OF LIQUID FUEL FOR THEIR COMPLIANCE IN REPORTING THE ENVIRONMENTAL RESPONSE TAX," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1858) recommending that H.C.R. No. 33, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 33, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF CONTRACTS EXECUTED BY THE DEPARTMENT OF HUMAN SERVICES," was adopted, with Representatives Keith-Agaran and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1859), recommending that S.C.R. No. 80, be referred to the Committee on Transportation.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 80, entitled: "SENATE CONCURRENT RESOLUTION URGING NONPROFIT ORGANIZATIONS AND COMMUNITY GROUPS TO ESTABLISH SAFETY PROCEDURES FOR ROADSIDE SOLICITATION OF FUNDS AND DONATED GOODS," was referred to the Committee on Transportation with Representatives Keith-Agaran and Takai being excused.

ANNOUNCEMENTS

Representative Thielen: "I just want to wish everyone a very happy Earth, Hemp Aloha Friday. And, just to remind those who were here in this Chamber in 1999, that's when we passed the bill, which established the Hawaii Industrial Hemp Research Project. The project was done out in the Finance Chair's district. It had good support from some real important leaders out there.

"The project went on for about four years, and determined that the best variety of hemp for the islands comes from China. And the interesting thing is, we'd be able to produce building materials, fabric, cosmetics, nutritional items, all of those different things.

"Now there are other states that are certainly joining in to get the federal government to change its view of industrial hemp, which is non-hallucinogenic, and to change its view and allow farmers to grow that crop.

"With the tobacco being eliminated from Kentucky, Kentucky wants to go back to being the 'Hemp State,' which it was known as for many, many decades. And, if anyone wants to know more about this very green and good crop, come see me. It's an excellent agricultural crop for Hawaii's lands, and my hope is that it will be able to be grown here, without that federal problem in the future. Thank you."

Representative Ching: "Thank you, Mr. Speaker. Just wanted to announce that today is the 25th annual International Day at Hawaii Pacific University, here at Fort Street Mall, today from 10:00 to 4:00. It is their quarter of a century year-old anniversary on this heritage cultural day."

Representative Brower: "Thank you, Mr. Speaker. Prior to being in office, I ran my life. Now as a legislator, my Office Manager runs my life. I want to wish a big happy birthday to my Office Manager, Cynthia Nyross. If our office was the Millennium Falcon, I would be Han Solo and she would be my Chewbacca. Thank you, Mr. Speaker."

Representative Karamatsu: "The Sergeant at Arms would like to inform everyone that the private elevator is now working."

Vice Speaker Magaoay: "I just have one announcement. Make sure you rest this weekend, because the next two weeks can be very hectic weeks. We need all of you there at Conference meetings. Be on time. Respect your colleagues, as you respect yourself in the House."

ADJOURNMENT

At 12:32 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, April 20, 2009. (Representatives Chang, Keith-Agaran and Takai were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 17, 2009, 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 appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House bills:

H.B. No. 200, HD1, SD1	M. Oshiro, Chr.; Aquino, Awana, Brower, Choy, Coffman, Har, Keith-Agaran, C. Lee, M. Lee, Nishimoto, Sagum, Tokioka, Wooley, Yamashita, Marumoto

H.B. No. 300, HD1, SD2	Karamatsu/M. Oshiro, Co-Chrs.; Pine
H.B. No. 895, HD2, SD2	Yamane/M. Oshiro, Co-Chrs.; Chong, Choy, M. Lee, Ward
H.B. No. 900, HD2, SD1	Carroll/M. Oshiro, Co-Chrs,; Ward
H.B. No. 1175, HD3, SD2	M. Oshiro, Chr.; Chong, Choy, M. Lee, Ward
H.B. No. 1739, HD1, SD1	M. Oshiro, Chr.; Chong, Choy, M. Lee, Ward
H.B. No. 1741, HD1, SD1	M. Oshiro, Chr.; Chong, Choy, M. Lee, Ward
H.B. No. 1744, HD1, SD1	M. Oshiro, Chr.; Chong, Choy, M. Lee, Pine
H.B. No. 1747, HD1, SD1	M. Oshiro, Chr.; Chong, Choy, M. Lee, Ward

House Communication dated April 17, 2009, 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 appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House bills:

H.B. No. 28, HD 1, SD 2	Yamane/Karamatsu/M. Oshiro, Co-Chrs.; Finnegan
H.B. No. 31, SD 1	Rhoads/Herkes/Karamatsu, Co-Chrs.; Pine
H.B. No. 34, SD 1	M. Oshiro, Chr.; M. Lee, Yamashita, Ward
H.B. No. 35, HD 1, SD 1	M. Oshiro, Chr.; Choy, M. Lee, Ward
H.B. No. 36, HD 1, SD 2	Yamane/Morita/Nishimoto, Co-Chrs.; Coffman, Finnegan
H.B. No. 39, HD 2, SD 1	M. Oshiro, Chr.; Chong, M. Lee, Ward
H.B. No. 111, SD 2	Rhoads/Yamashita, Co-Chrs.; Ward
H.B. No. 128, HD 1, SD 1	Karamatsu/B. Oshiro, Co-Chrs.; Thielen
H.B. No. 142, HD 1, SD 1	Souki/M. Oshiro, Co-Chrs.; Awana, Pine
H.B. No. 179, SD 2	Takumi/M. Lee, Co-Chrs.; Nakashima, Finnegan
H.B. No. 183, HD 1, SD 2	Takumi/Rhoads/M. Lee, Co-Chrs.; Nakashima, Finnegan
H.B. No. 242, HD 1, SD 2	Tsuji/Chang/Wooley, Co-Chrs.; Yamashita, Marumoto
H.B. No. 262, HD 2, SD 2	Herkes/Karamatsu/Keith-Agaran, Co-Chrs.; Marumoto
H.B. No. 271, SD 2	Ito/Karamatsu/Herkes/Har, Co-Chrs.; Thielen
H.B. No. 317, HD 1, SD 2	Yamane/Hanohano/Nishimoto, Co-Chrs.; Tsuji, Finnegan
H.B. No. 332, HD 2, SD 1	Rhoads/Mizuno/McKelvey/M. Oshiro, Co-Chrs.; M. Lee, Yamashita, Pine
H.B. No. 333, HD 2, SD 2	Mizuno/M. Oshiro, Co-Chrs.; Brower, Choy, Ward
H.B. No. 343, HD 1, SD 2	Yamane/Chang/Nishimoto, Co-Chrs.; Nakashima, Finnegan
H.B. No. 349, HD 1, SD 1	Karamatsu, Chr.; B. Oshiro, Tsuji, Thielen
H.B. No. 358, HD 1, SD 1	Hanohano/Karamatsu/M. Lee, Co-Chrs.; Aquino, Pine
H.B. No. 366, HD 2, SD 2	Ito/Karamatsu, Co-Chrs.; Coffman, Ching
H.B. No. 371, HD 2, SD 2	Morita/Herkes/M. Oshiro, Co-Chrs.; Coffman, Nakashima, Thielen
H.B. No. 381, HD 2, SD 1	Manahan/M. Oshiro, Co-Chrs.; Tokioka, Marumoto
H.B. No. 395, HD 1, SD 2	Takumi/M. Oshiro, Co-Chrs.; Nakashima, Wooley, Finnegan
H.B. No. 426, HD 1, SD 1	Morita/Coffman, Co-Chrs.; Ching
H.B. No. 427, HD 1, SD 1	Morita/Coffman, Co-Chrs.; Ching
H.B. No. 519, HD 1, SD 2	Hanohano/Aquino, Co-Chrs.; Pine
H.B. No. 541, HD 1, SD 1	Takumi/Rhoads/C. Lee, Co-Chrs.; Pine
H.B. No. 573, HD 1, SD 1	M. Oshiro, Chr.; Chong, Ward
H.B. No. 574, HD 2, SD 2	Morita/Coffman, Co-Chrs.; Chong, Yamashita, Thielen
H.B. No. 586, HD 1, SD 1	Ito/Har, Co-Chrs.; Wooley, Ching
H.B. No. 589, HD 1, SD 2	Ito/Morita, Co-Chrs.; Coffman, Har, Thielen
H.B. No. 590, HD 1, SD 2	Ito/Morita, Co-Chrs.; Coffman, Har, Ching
H.B. No. 591, HD 1, SD 2	Morita/Tsuji/Herkes, Co-Chrs.; Wakai, Thielen
H.B. No. 593, HD 2, SD 1	Ito/Har, Co-Chrs.; Chong, Thielen
H.B. No. 610, HD 2, SD 2	McKelvey/Choy, Co-Chrs.; Yamashita, Ward
H.B. No. 611, HD 1, SD 2	M. Oshiro, Chr.; Chong, Choy, M. Lee, Pine
H.B. No. 615, HD 1, SD 2	Karamatsu, Chr.; Tsuji, Thielen

H.B. No. 618, SD 2	Herkes/Karamatsu/Keith-Agaran, Co-Chrs.; Marumoto
H.B. No. 632, HD 1, SD 1	McKelvey, Chr.; Evans, Ward
H.B. No. 640, HD 1, SD 2	Morita/Ito/Souki, Co-Chrs.; Ching
H.B. No. 643, HD 2, SD 2	Rhoads/Karamatsu/Herkes/Yamashita, Co-Chrs.; Pine
H.B. No. 686, HD 1, SD 2	Hanohano/Wakai/Aquino, Co-Chrs.; Yamane, Pine
H.B. No. 690, HD 2, SD 2	Yamane/Herkes/Nishimoto, Co-Chrs.; Finnegan
H.B. No. 694, SD 2	Yamane/M. Oshiro, Co-Chrs.; Bertram, Keith-Agaran, Ward
H.B. No. 730, HD 1, SD 1	Karamatsu, Chr.; McKelvey, Mizuno, B. Oshiro, Thielen
H.B. No. 739, HD 2, SD 2	Mizuno/M. Oshiro, Co-Chrs.; Brower, C. Lee, Ward
H.B. No. 754, HD 1, SD 1	Manahan/Tokioka, Co-Chrs.; Evans, Ward
H.B. No. 813, HD 1, SD 1	Manahan/Keith-Agaran, Co-Chrs.; Marumoto
H.B. No. 814, HD 2, SD 2	Yamane/Herkes/Nishimoto, Co-Chrs.; Finnegan
H.B. No. 819, HD 2, SD 2	Mizuno/Karamatsu/M. Oshiro, Co-Chrs.; Pine
H.B. No. 834, HD 2, SD 1	Morita/Ito/Coffman, Co-Chrs.; Har, Ching
H.B. No. 863, HD 1, SD 2	Souki/Har/Cabanilla/Awana, Co-Chrs.; Pine
H.B. No. 869, HD 1, SD 1	Souki/Karamatsu, Co-Chrs.; Pine
H.B. No. 876, HD 1, SD 2	Mizuno/Herkes, Co-Chrs.; Luke, Ward
H.B. No. 899, HD 1, SD 1	Carroll/M. Oshiro, Co-Chrs.; Ward
H.B. No. 952, HD 1, SD 2	Rhoads/McKelvey/M. Oshiro, Co-Chrs.; Nakashima, Yamashita
H.B. No. 960, HD 2, SD 2	Manahan/Hanohano/Tokioka, Co-Chrs.; Yamashita, Marumoto
H.B. No. 975, HD 1, SD 1	Tsuji/Ito/Wooley, Co-Chrs.; Marumoto
H.B. No. 981, HD 2, SD 2	Souki/Karamatsu/Awana, Co-Chrs.; Har, M. Lee, Pine
H.B. No. 982, HD 3, SD 1	Rhoads/Chang/Tokioka/M. Lee, Co-Chrs.; Finnegan
H.B. No. 983, HD 1, SD 2	Souki/Berg/Awana, Co-Chrs.; M. Lee, Ching
H.B. No. 986, HD 1, SD 1	Morita/Berg/Coffman, Co-Chrs.; Ching
H.B. No. 989, HD 1, SD 2	Yamane/Mizuno/Nishimoto, Co-Chrs.; Shimabukuro, Finnegan
H.B. No. 991, HD 2, SD 2	Yamane/Chang/Nishimoto, Co-Chrs.; Finnegan
H.B. No. 994, HD 1, SD 2	McKelvey/Choy, Co-Chrs.; Manahan, Wakai, Ward
H.B. No. 1016, HD 2, SD 1	Karamatsu/M. Oshiro, Co-Chrs.; Thielen
H.B. No. 1040, HD 1, SD 2	Ito/Karamatsu, Co-Chrs.; Tsuji, Thielen
H.B. No. 1045, HD 1, SD 2	Cabanilla/Sagum, Co-Chrs.; Chong, Ward
H.B. No. 1057, HD 1, SD 2	Chang/C. Lee, Co-Chrs.; Nakashima, Ching
H.B. No. 1059, HD 2, SD 1	Herkes/Keith-Agaran, Co-Chrs.; Wakai, Marumoto
H.B. No. 1061, HD 1, SD 1	Herkes/Karamatsu/Keith-Agaran, Co-Chrs.; Marumoto
H.B. No. 1064, HD 1, SD 2	Mizuno/Yamane/M. Oshiro, Co-Chrs.; Brower, Nishimoto, Ward
H.B. No. 1070, SD 1	Herkes, Chr.; Souki, Wakai, Marumoto
H.B. No. 1071, HD 3, SD 2	Cabanilla/Herkes/Sagum, Co-Chrs.; Chong, Souki, Marumoto
H.B. No. 1074, HD 2, SD 1	Herkes/Karamatsu/Keith-Agaran, Co-Chrs.; Souki, Wakai, Marumoto
H.B. No. 1098, HD 2, SD 2	Mizuno/Brower, Co-Chrs.; Ward
H.B. No. 1101, HD 1, SD 1	Mizuno/Karamatsu, Co-Chrs.; Ward
H.B. No. 1103, SD 1	Mizuno/Brower, Co-Chrs.; Ward
H.B. No. 1141, HD 1, SD 1	Ito/Manahan/McKelvey, Co-Chrs.; Marumoto
H.B. No. 1148, HD 1, SD 1	Karamatsu, Chr.; Belatti, Ito, Tsuji, Thielen
H.B. No. 1152, HD 1, SD 1	Hanohano/Aquino, Co-Chrs.; Pine
H.B. No. 1166, HD 1, SD 2	Souki/Awana, Co-Chrs.; Pine
H.B. No. 1174, HD 3, SD 2	Chang/Karamatsu/M. Oshiro, Co-Chrs.; Nakashima, Tsuji, Ching
H.B. No. 1204, HD 2, SD 2	Manahan/M. Oshiro, Co-Chrs.; Tokioka, Marumoto
H.B. No. 1260, HD 1, SD 1	M. Oshiro, Chr.; Chong, Rhoads, Yamashita, Ward

H.B. No. 1271, HD 3, SD 2	Morita/Tsuji/Choy, Co-Chrs.; Coffman, Wooley, Thielen
H.B. No. 1272, HD 1, SD 1	Morita/McKelvey, Co-Chrs.; Thielen
H.B. No. 1273, HD 1, SD 2	Morita/Cabanilla, Co-Chrs.; Chong, Thielen
H.B. No. 1284, HD 1, SD 2	Mizuno/Yamane/Brower, Co-Chrs.; Belatti, Nishimoto, Ward
H.B. No. 1316, HD 2, SD 1	Herkes/Karamatsu, Co-Chrs.; Wakai, Marumoto
H.B. No. 1351, HD 2, SD 1	Tsuji/Morita/Ito, Co-Chrs.; Evans, Ching
H.B. No. 1354, HD 2, SD 2	Mizuno/Brower, Co-Chrs.; Belatti, Shimabukuro, Finnegan
H.B. No. 1362, HD 1, SD 2	Yamane/Herkes/Nishimoto, Co-Chrs.; Finnegan
H.B. No. 1364, HD 1, SD 1	Tokioka/M. Oshiro, Co-Chrs.; Choy, Keith-Agaran, B. Oshiro, Pine
H.B. No. 1371, HD 1, SD 2	Yamane/Mizuno/Nishimoto, Co-Chrs.; Belatti, Finnegan
H.B. No. 1378, HD 2, SD 2	Yamane/Herkes/M. Lee, Co-Chrs.; Nishimoto, Wakai, Finnegan
H.B. No. 1379, HD 2, SD 2	Yamane/Karamatsu/Nishimoto, Co-Chrs.; M. Lee, Thielen
H.B. No. 1404, HD 1, SD 1	M. Oshiro, Chr.; Chong, Choy, Tokioka, Ward
H.B. No. 1405, HD 2, SD 2	McKelvey/M. Oshiro, Co-Chrs.; Chong, Choy, Ward
H.B. No. 1414, HD 1, SD 1	Herkes/Karamatsu, Co-Chrs.; Marumoto
H.B. No. 1415, HD 1, SD 2	Karamatsu/Herkes, Co-Chrs.; Thielen
H.B. No. 1417, HD 2, SD 2	Morita/Karamatsu/Herkes, Co-Chrs.; Ching
H.B. No. 1422, HD 1, SD 1	Souki/Karamatsu, Co-Chrs.; Pine
H.B. No. 1451, HD 2, SD 2	McKelvey/Choy, Co-Chrs.; Chong, Wakai, Yamashita, Ward
H.B. No. 1464, HD 3, SD 2	Morita/Cabanilla/Herkes/Coffman, Co-Chrs.; Belatti, Thielen
H.B. No. 1470, HD 1, SD 1	McKelvey/Choy/B. Oshiro, Co-Chrs.; Ward
H.B. No. 1471, HD 2, SD 1	Manahan/Tsuji/Tokioka, Co-Chrs.; Wooley, Marumoto
H.B. No. 1479, HD 2, SD 1	Rhoads/Yamashita, Co-Chrs.; Nakashima, Pine
H.B. No. 1483, HD 1, SD 1	Morita/Coffman, Co-Chrs.; Ching
H.B. No. 1491, HD 2, SD 2	Morita/M. Oshiro, Co-Chrs.; Chong, Coffman, Ching
H.B. No. 1495, HD 1, SD 1	M. Oshiro, Chr.; Choy, M. Lee, Ward
H.B. No. 1503, HD 1, SD 2	McKelvey/Herkes/Karamatsu, Co-Chrs.; Ward
H.B. No. 1504, HD 1, SD 2	Yamane/Herkes/Nishimoto, Co-Chrs.; Bertram, Shimabukuro, Ward
H.B. No. 1512, HD 1, SD 1	Karamatsu, Chr.; Tsuji, Thielen
H.B. No. 1525, HD 1, SD 2	Mizuno/Yamane/Karamatsu/Brower, Co-Chrs.; Shimabukuro, Finnegan
H.B. No. 1536, HD 2, SD 1	Rhoads/M. Oshiro, Co-Chrs.; Aquino, Belatti, Pine
H.B. No. 1538, HD 1, SD 1	Yamane/Berg/Nishimoto, Co-Chrs.; Ching
H.B. No. 1544, HD 1, SD 1	M. Oshiro, Chr.; Chong, Choy, Ward
H.B. No. 1550, HD 2, SD 1	Rhoads/M. Oshiro, Co-Chrs.; Chong, Choy, Pine
H.B. No. 1552, HD 2, SD 2	Ito/Har, Co-Chrs.; Wooley, Ching
H.B. No. 1600, HD 1, SD 1	M. Oshiro, Chr.; Chong, Choy, Ward
H.B. No. 1605, HD 1, SD 1	M. Oshiro, Chr.; Chong, Choy, Keith-Agaran, Ward
H.B. No. 1611, HD 2, SD 2	Yamane/Herkes/Karamatsu, Co-Chrs.; Tsuji, Finnegan
H.B. No. 1627, HD 2, SD 2	Morita/Coffman, Co-Chrs.; Ching
H.B. No. 1628, HD 1, SD 2	Morita/Coffman, Co-Chrs.; Ching
H.B. No. 1642, HD 1, SD 2	Yamane/Mizuno/Nishimoto, Co-Chrs.; Shimabukuro, Ward
H.B. No. 1665, HD 1, SD 2	Carroll/Ito/M. Oshiro, Co-Chrs.; Ward
H.B. No. 1676, HD 1, SD 2	Rhoads/Yamashita, Co-Chrs.; B. Oshiro, Pine
H.B. No. 1678, HD 1, SD 2	Morita/Coffman, Co-Chrs.; Ching
H.B. No. 1686, HD 2, SD 1	Takumi/M. Oshiro, Co-Chrs.; Finnegan
H.B. No. 1692, HD 2, SD 2	Cabanilla/Sagum, Co-Chrs.; Chong, Ching
H.B. No. 1696, HD 2, SD 1	Souki/Herkes/Karamatsu, Co-Chrs.; Pine
H.B. No. 1712, HD 2, SD 2	Ito/M. Oshiro, Co-Chrs.; Har, Keith-Agaran, Yamashita, Ching

H.B. No. 1713, HD 2, SD 2	Karamatsu/Hanohano/Aquino, Co-Chrs.; Nakashima, Wooley, Thielen
H.B. No. 1728, HD 1, SD 1	M. Oshiro, Chr.; Chong, Choy, M. Lee
H.B. No. 1763, HD 2, SD 1	Manahan/Tokioka, Co-Chrs.; Marumoto
H.B. No. 1766, HD 2, SD 3	Ito/Har, Co-Chrs.; Sagum, Tokioka, Thielen
H.B. No. 1776, HD 1, SD 1	Hanohano/Mizuno/Aquino, Co-Chrs.; Pine
H.B. No. 1807, HD 1, SD 2	Morita/Ito/Coffman, Co-Chrs.; Ward
H.B. No. 1809, HD 2, SD 1	Morita/McKelvey/Karamatsu/Coffman, Co-Chrs.; Belatti, Yamashita, Ward
H.B. No. 1831, HD 2, SD 2	McKelvey/Choy, Co-Chrs.; Chong, Ward

House Communication dated April 17, 2009, 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 appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate bills:

S.B. No. 199, SD1, HD1	M. Oshiro, Chr.; Chong, Choy, M. Lee, Ward
S.B. No. 292, SD1, HD1	M. Oshiro, Chr.; Chong, Choy, M. Lee, Ward
S.B. No. 884, SD2, HD1	M. Oshiro, Chr.; Chong, Choy, M. Lee, Ward
S.B. No. 1111, SD1, HD1	M. Oshiro, Chr.; Chong, Choy, M. Lee
S.B. No. 1327, SD1, HD1	M. Oshiro, Chr.; Chong, Choy, M. Lee, Ward

House Communication dated April 17, 2009, 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. 1271, HD3, SD2	Added Representative Chong as a member

House Communication dated April 17, 2009, 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. 819, HD2, SD2	Added Representative B. Oshiro as a member

House Communication dated April 17, 2009, 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. 1464, HD3, SD2	Added Representative Yamashita as a member

House Communication dated April 17, 2009, 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. 1327, SD1, HD1	Discharged all conferees: M. Oshiro, Chr.; Chong, Choy, M. Lee, Ward

FORTY-NINTH DAY

Monday, April 20, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:11 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Bob Nakata, after which the Roll was called showing all Members present with the exception of Representatives McKelvey, Takai and Wooley, 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. 290 through 292) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 290, informing the House that on April 16, 2009, the following bill was signed into law:

S.B. No. 1130, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES." (ACT 005)

Gov. Msg. No. 291, informing the House that on April 16, 2009, the following bill was signed into law:

S.B. No. 108, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT." (ACT 006)

Gov. Msg. No. 292, informing the House that on April 17, 2009, the following bill was signed into law:

S.B. No. 942, SD 1, entitled: "A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS." (ACT 007)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 656 through 710) were received and announced by the Clerk:

Sen. Com. No. 656, dated April 17, 2009, informing the House that the President has this day appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House bills:

H.B. No. 895, HD2, SD2	Ige, Chair; Kim, Co-Chair; Hemmings
H.B. No. 1175, HD3, SD2	Ige, Chair; Kim, Co-Chair; Hemmings
H.B. No. 1741, HD1, SD1	Kim, Chair; Galuteria, Kokubun
H.B. No. 1747, HD1, SD1	Kim, Chair; Galuteria, Kokubun

Sen. Com. No. 657, dated April 17, 2009, informing the House that the President has this day appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate bill:

S.B. No. 1111, SD1, HD1	Kim, Chair; Kokubun, Nishihara

Sen. Com. No. 658, dated April 17, 2009, informing the House that the President has this day appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House bills:

H.B. No. 1739, HD1, SD1	Kim, Chair; Kokubun, Hemmings
H.B. No. 1744, HD1, SD1	Kim, Chair; Galuteria, Kokubun

Sen. Com. No. 659, dated April 17, 2009, informing the House that the President has this day appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate bills:

S.B. No. 199, SD1, HD1	Kim, Chair; Kokubun, Hemmings
S.B. No. 292, SD1, HD1	Kim, Chair; Kokubun, Hemmings
S.B. No. 884, SD2, HD1	Ige, Chair; Baker/Kim, Co-Chairs; Kokubun, Hemmings

Sen. Com. No. 660, transmitting H.C.R No. 162, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF BICYCLING," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 661, transmitting S.C.R. No. 23, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR PROMOTING AND ACCELERATING THE INCREASED USE AND DEVELOPMENT OF RENEWABLE POWER GENERATION THROUGH FEED-IN TARIFFS, AND REQUESTING THE PUBLIC UTILITIES COMMISSION TO ADOPT AND IMPLEMENT TRUE FEED-IN TARIFFS FOR CLEAN ENERGY SYSTEMS UP TO TWENTY MEGAWATTS IN SIZE," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 662, transmitting S.C.R. No. 31, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A REVIEW OF THE PERFORMANCE OF THE MANAGEMENT OF THE PUUWAI MOMI AND WEST OAHU ASSET MANAGEMENT PROJECTS (KNOWN AS AMP 30 AND AMP 44) TO COMPARE THE PERFORMANCE OF STATE OPERATED AND PRIVATELY OPERATED PUBLIC HOUSING PROPERTIES; AND TO DETERMINE THE RELATIVE CONTRIBUTIONS OF FUNDING LEVELS, MISMANAGEMENT, AND TENANT AND VISITOR ACTIONS TO THE FAILURE TO MEET PERFORMANCE STANDARDS FOR THESE PROPERTIES," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 663, transmitting S.C.R. No. 34, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A FEASIBILITY STUDY TO EXAMINE THE FISCAL, CURRICULUM, AND OTHER IMPACTS OF A FOUR-DAY SCHOOL WEEK FOR SCHOOL COMPLEXES," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 664, transmitting S.C.R. No. 35, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF ATHLETIC TRAINERS," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 665, transmitting S.C.R. No. 39, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO INCLUDE THE KUKUI GARDENS AFFORDABLE HOUSING PROJECT IN THE STATE'S LIST OF SHOVEL-READY PROJECTS FOR THE PRESIDENT'S PROPOSED ECONOMIC STIMULUS PLAN," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 666, transmitting S.C.R. No. 51, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE REGENTS

CANDIDATE ADVISORY COUNCIL FOR THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO CONVENE A WORKING GROUP OF STUDENTS AND OTHER APPROPRIATE PARTIES TO DEVELOP AND IMPLEMENT A MODIFIED PROCESS FOR THE SELECTION OF THE CANDIDATES FOR THE STUDENT MEMBER OF THE UNIVERSITY OF HAWAII BOARD OF REGENTS," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 667, transmitting S.C.R. No. 53, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF REAL ESTATE APPRAISAL MANAGEMENT COMPANIES," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 668, transmitting S.C.R. No. 55, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING STATE AND LOCAL LAW ENFORCEMENT OFFICERS TO ABIDE BY STATE LAWS RELATING TO THE MEDICAL USE OF MARIJUANA," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 669, transmitting S.C.R. No. 68, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT A MANAGEMENT AND PERFORMANCE AUDIT OF THE BOARD OF TRUSTEES OF THE STATE DEFERRED COMPENSATION PLAN AND PLAN ADMINISTRATOR CONTRACTED BY THE BOARD," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 670, transmitting S.C.R. No. 71, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT STATEWIDE COMMUNITY SCENIC BYWAYS EDUCATIONAL WORKSHOPS FOR PROPOSED FEDERAL DESIGNATIONS OF SCENIC BYWAYS INCLUDING THE PIʻILANI TRAIL ON MAUI," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 671, transmitting S.C.R. No. 76, entitled: "SENATE CONCURRENT RESOLUTION RECOMMENDING THAT THE KAPOLEI COURT COMPLEX BE RENAMED AS "THE RONALD T.Y. MOON JUDICIAL COMPLEX"," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 672, transmitting S.C.R. No. 78, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS SEAWARD OF TAX MAP KEY: (2) 4-3-2: 27, AT KAANAPALI, MAUI, FOR CONCRETE PIER BLOCK REMNANTS PURPOSES," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 673, transmitting S.C.R. No. 79, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO CONSIDER A STRATEGIC DEVELOPMENT PLAN TO EXPLORE FUNDRAISING OPPORTUNITIES FOR THE UNIVERSITY OF HAWAII – WEST OAHU CAMPUS," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 674, transmitting S.C.R. No. 84, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT AN IMMEDIATE FINANCIAL STATEMENT AUDIT OF THE WATERS OF LIFE PUBLIC CHARTER SCHOOL FOR FISCAL YEAR 2006-2007 AND FISCAL YEAR 2007-2008," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 675, transmitting S.C.R. No. 90, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO OPPOSE SPECIFIED PROPOSED RULE AMENDMENTS FOR THE DEVELOPMENTAL DISABILITIES PROGRAM, 73 FED. REG. 19,708 (APRIL 10, 2008)(TO BE CODIFIED AT 45 C.F.R. PT. 1385-88) THAT IMPLEMENT THE DEVELOPMENTAL DISABILITIES ASSISTANCE AND BILL OF RIGHTS ACT OF 2000, AND TO SUPPORT NEW SECTIONS IN THE UPCOMING REAUTHORIZATION," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 676, transmitting S.C.R. No. 91, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO CONSOLIDATE ITS BACKLOG OF WARRANTS," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 677, transmitting S.C.R. No. 95, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE REAL ESTATE COMMISSION TO MODIFY AND ADOPT RULES TO REFLECT CHANGES IN THE CONDOMINIUM LAW UNDER CHAPTER 514B, HAWAII REVISED STATUTES," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 678, transmitting S.C.R. No. 96, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE REAL ESTATE COMMISSION TO ADOPT AND SUBMIT A STRATEGIC PLAN TO ALLOW DEVELOPERS AND ATTORNEYS TO SUBMIT CONDOMINIUM REGISTRATION FILINGS IN ELECTRONIC FORMAT," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 679, transmitting S.C.R. No. 97, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE UNIVERSITY OF HAWAII COLLEGE OF ENGINEERING TO CONSIDER THE FEASIBILITY OF ESTABLISHING AN UNDERGRADUATE CERTIFICATE OF ROBOTICS AND EXPLORATION PROGRAM," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 680, transmitting S.C.R. No. 98, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF DETERMINING WHETHER APPROPRIATIONS ARE BEING APPROPRIATELY EXPENDED AND FEES OWED ARE COLLECTED AND ACCOUNTED FOR ACCURATELY," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 681, transmitting S.C.R. No. 105, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING PUBLIC AND PRIVATE AGENCIES TO ENCOURAGE THEIR PARENT CLIENTS TO TURN ON CLOSED CAPTIONING WHEN THEIR CHILDREN WATCH TELEVISION," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 682, transmitting S.C.R. No. 108, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A JOINT LEGISLATIVE PROCUREMENT WORKING GROUP TO EVALUATE THE STATE PROCUREMENT CODE AND RECOMMEND IMPROVEMENTS," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 683, transmitting S.C.R. No. 120, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII HEALTH SYSTEMS CORPORATION EAST AND WEST REGIONAL BOARDS TO ESTABLISH THE BIG ISLAND LONG-TERM CARE COALITION TO DEVELOP A PLAN FOR LONG-TERM CARE SOLUTIONS ON THE BIG ISLAND OF HAWAII," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 684, transmitting S.C.R. No. 122, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII AT HILO, IN CONSULTATION WITH THE UNIVERSITY OF HAWAII SYSTEM VICE PRESIDENT FOR RESEARCH, TO CONSIDER THE FEASIBILITY OF ESTABLISHING AN OFFICE OF THE VICE CHANCELLOR FOR RESEARCH AND ECONOMIC DEVELOPMENT AT THE UNIVERSITY OF HAWAII AT HILO," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 685, transmitting S.C.R. No. 123, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE

AUDITOR TO CONDUCT A STUDY OF THE COMMUNITY COLLEGES OF THE UNIVERSITY OF HAWAII SYSTEM TO DETERMINE IF IT WOULD BE BENEFICIAL TO ESTABLISH A SEPARATE STATEWIDE SYSTEM FOR THE COMMUNITY COLLEGES," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 686, transmitting S.C.R. No. 131, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A JOINT AGENCY STUDY ON THE IMPACT OF ILLEGAL IMMIGRATION IN HAWAII," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 687, transmitting S.C.R. No. 138, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE TO RECOGNIZE THE HISTORICAL SIGNIFICANCE OF THE FALLS OF CLYDE AS A SAILING SYMBOL OF HAWAII," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 688, transmitting S.C.R. No. 132, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE SENATE PRESIDENT AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO ESTABLISH A TASK FORCE TO DETERMINE THE ECONOMIC VALUE OF CONSTRUCTION IN HAWAII," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 689, transmitting S.C.R. No. 136, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE CENTERS FOR DISEASE CONTROL AND PREVENTION ESTABLISH A CHRONIC OBSTRUCTIVE PULMONARY DISEASE PROGRAM," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 690, transmitting S.C.R. No. 141, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A STATEWIDE TASK FORCE TO ADVISE THE LEGISLATURE ON METHODS TO IMPROVE HAWAII'S MENTAL HEALTH SERVICES," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 691, transmitting S.C.R. No. 143, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AFFIRMING SUPPORT FOR THE CONCEPT OF ESTABLISHING A BIG ISLAND JUVENILE INTAKE AND ASSESSMENT CENTER," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 692, transmitting S.C.R. No. 145, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REVIEW AND ASSESS THE POLICIES AND PROCEDURES IMPLEMENTED BY HOSPITALS TO REDUCE ELECTIVE CESAREAN SECTIONS AND INDUCTION OF LABOR," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 693, transmitting S.C.R. No. 152, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR TO PLACE IOLANI PALACE ON THE NOMINATION LIST TO THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION FOR WORLD HERITAGE SITE DESIGNATION," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 694, transmitting S.C.R. No. 153, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII SYSTEM TO DEVELOP A COMPREHENSIVE APPROACH TO THE TEACHING AND TRAINING OF ENGINEERING AT UNIVERSITY CAMPUSES STATEWIDE," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 695, transmitting S.C.R. No. 154, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE HISTORIC PRESERVATION DIVISION TO COMPLETE THE 2006 ARCHAEOLOGICAL WORKING GROUP'S REPORT AND EXPAND THE WORKING GROUP AND TO WORK IN CONJUNCTION WITH THE UNIVERSITY OF HAWAII AT MANOA'S APPLIED ARCHAEOLOGY GRADUATE PROGRAM TO DEVELOP AN INTERNSHIP PROGRAM AND PROFESSIONAL STANDARDS," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 696, transmitting S.C.R. No. 155, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING HAWAII'S CONTINUED PARTICIPATION IN THE WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION (WICHE) AND THE EDUCATIONAL AND OTHER BENEFITS PROVIDED THROUGH FORTY YEARS OF HAWAII'S MEMBERSHIP IN WICHE," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 697, transmitting S.C.R. No. 158, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A LEGISLATIVE INTERIM TASK FORCE TO IDENTIFY AND DEVELOP A PRIMARY HEALTH CARE TRAINING AND RECRUITING PLAN FOR RURAL AND MEDICALLY UNDERSERVED AREAS OF THE STATE," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 698, transmitting S.C.R. No. 167, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE HEALTH CARE COMMUNITY'S EFFORTS TO OBTAIN FEDERAL FUNDING FOR HEALTH INFORMATION TECHNOLOGY GRANTS," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 699, transmitting S.C.R. No. 169, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LONG TERM CARE COMMISSION TO CONDUCT A STUDY OF INCREASING MEDICAID REIMBURSEMENTS TO HOSPITALS FOR PATIENTS WHO ARE WAITLISTED FOR LONG-TERM CARE AND TO LONG-TERM CARE FACILITIES TO ACCEPT WAITLISTED PATIENTS," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 700, transmitting S.C.R. No. 170, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE LEGISLATURE TO CONVENE A HAWAII HEALTH CARE SUMMIT TO DEVELOP A STRATEGIC AND COMPREHENSIVE PLAN FOR HEALTH CARE IN HAWAII," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 701, transmitting S.C.R. No. 172, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO APPROVE THE UNITED STATES NATIONAL HEALTH CARE ACT," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 702, transmitting S.C.R. No. 173, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, THE DEPARTMENT OF HAWAIIAN HOME LANDS, AND THE KAUAI POLICE DEPARTMENT TO ENTER INTO A MEMORANDUM OF UNDERSTANDING REGARDING THE ENFORCEMENT OF STATE LAWS AND COUNTY ORDINANCES AT ANAHOLA AND ALIOMANU BEACH AREA," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 703, transmitting S.C.R. No. 174, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING FEDERAL PROGRAMS FANNIE MAE AND FREDDIE MAC TO ALLOW SPECIAL RECONSIDERATION FOR A PRICING AND POLICIES EXCEPTION TO THE HAWAII REAL ESTATE MARKET AND FOR FIRST-TIME HOMEBUYERS WITH REGARD TO LOANS DELIVERED ON HAWAII CONDOMINIUMS," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 704, transmitting S.C.R. No. 177, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE SUPERINTENDENT OF EDUCATION TO APPOINT A TASK FORCE TO STUDY THE FEASIBILITY OF IMPLEMENTING A PILOT PROGRAM THAT USES PRIVATE SECTOR RESOURCES FOR A FINANCIAL AND ECONOMIC EDUCATION AND LITERACY PROGRAM FOR PUBLIC SCHOOL STUDENTS ON KAUAI AT NO COST TO THE DEPARTMENT OF EDUCATION," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 705, transmitting S.C.R. No. 183, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING FULL PRESERVATION OF THE WORLD WAR II HONOULIULI INTERNMENT CAMP AS A NATIONAL MONUMENT, MUSEUM, AND RESTORED MEMORIAL PARK FOR THE STATE OF HAWAII," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 706, transmitting S.C.R. No. 186, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO FACILITATE DISCUSSION WITHIN THE COMMUNITY ON THE FUNDING INADEQUACIES OF THE WEIGHTED STUDENT FORMULA, PARTICULARLY FOR SMALL AND RURAL SCHOOLS, AND EXPLORE ALTERNATIVE MODELS OR FORMULAS TO THE WEIGHTED STUDENT FORMULA IN THE INTEREST OF MAXIMIZING FUNDING EQUITY TO PUBLIC SCHOOLS," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 707, transmitting S.C.R. No. 188, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ACCEPT THE RECOMMENDATIONS OF THE WORKING GROUP FORMED BY HAWAII'S CONGRESSIONAL DELEGATION TO DETERMINE THE MOST APPROPRIATE USES OF STATE FISCAL STABILIZATION FUND MONEYS, AND AUTHORIZE THE EXPENDITURE OF STATE FISCAL STABILIZATION FUND MONEYS IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE WORKING GROUP," which was adopted by the Senate on April 17, 2009.

Sen. Com. No. 708, dated April 17, 2009, informing the House that the Senate has on April 16, 2009, 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. 933, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY LICENSURE OF DENTISTS."

Sen. Com. No. 709, dated April 17, 2009, informing the House that the President has this day appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House bills:

H.B. No. 31, SD1	Takamine, Chair; Hee, Taniguchi
H.B. No. 34, SD1	Kim, Chair; Hooser, Tsutsui, Hemmings
H.B. No. 35, HD1, SD1	Kim, Chair; Galuteria, Hooser, Tsutsui
H.B. No. 39, HD2, SD1	Kim, Chair; Hooser, Kokubun, Tsutsui
H.B. No. 128, HD1, SD1	Taniguchi, Chair; Takamine, Slom
H.B. No. 142, HD1, SD1	English, Chair; Kim, Co-Chair; Slom
H.B. No. 179, SD2	Sakamoto, Chair; Tsutsui, Co-Chair; Galuteria, Kidani, Hemmings
H.B. No. 183, HD1, SD2	Sakamoto, Chair; Tsutsui, Co-Chair; Chun Oakland
H.B. No. 200, HD1, SD1	Kim, Chair; Chun Oakland, English, Fukunaga, Galuteria, Hee, Hooser, Kidani, Kokubun, Tokuda, Tsutsui, Hemmings
H.B. No. 242, HD1, SD2	Hee, Chair; Tokuda/Kim, Co-Chairs; Slom
H.B. No. 262, HD2, SD2	Baker, Chair; Taniguchi, Co-Chair; Slom
H.B. No. 267, HD2, SD1	English, Chair; Baker, Co-Chair; Slom
H.B. No. 271, SD2	Baker, Chair; Taniguchi, Co-Chair; Slom
H.B. No. 333, HD2, SD2	Chun Oakland, Chair; Tsutsui, Co-Chair; Hooser
H.B. No. 349, HD1, SD1	Taniguchi, Chair; Bunda, Takamine, Slom
H.B. No. 358, HD1, SD1	Espero, Chair; Taniguchi, Co-Chair; Slom
H.B. No. 366, HD2, SD2	Hee, Chair; Taniguchi, Co-Chair; Fukunaga, Slom
H.B. No. 381, HD2, SD1	Fukunaga, Chair; Tsutsui, Co-Chair; Hemmings
H.B. No. 395, HD1, SD2	Sakamoto, Chair; Chun Oakland/Tsutsui, Co-Chairs
H.B. No. 573, HD1, SD1	Kim, Chair; Chun Oakland, Hooser, Tsutsui
H.B. No. 586, HD1, SD1	Hee, Chair; Kim, Co-Chair; Fukunaga, Hemmings
H.B. No. 591, HD1, SD2	Hee, Chair; Gabbard/Baker, Co-Chairs; Slom
H.B. No. 610, HD2, SD2	Fukunaga, Chair; Tsutsui, Co-Chair; Baker, Hemmings
H.B. No. 615, HD1, SD2	Fukunaga, Chair; Bunda, Co-Chair; Slom
H.B. No. 618, SD2	Baker, Chair; Taniguchi, Co-Chair; Slom
H.B. No. 643, HD2, SD2	Baker, Chair; Takamine/Taniguchi, Co-Chairs; Sakamoto
H.B. No. 686, HD1, SD2	Baker, Chair; Espero/Kim, Co-Chairs; Ige, Hemmings
H.B. No. 730, HD1, SD1	Taniguchi, Chair; Nishihara, Slom
H.B. No. 739, HD2, SD2	Chun Oakland, Chair; Tsutsui, Co-Chair; Hemmings
H.B. No. 754, HD1, SD1	Nishihara, Chair; Kim, Co-Chair; Galuteria
H.B. No. 813, HD1, SD1	Chun Oakland, Chair; Ihara, Slom
H.B. No. 819, HD2, SD2	Chun Oakland, Chair; Taniguchi, Co-Chair; Slom
H.B. No. 863, HD1, SD2	English, Chair; Sakamoto/Kim, Co-Chairs

H.B. No. 869, HD1, SD1	English, Chair; Taniguchi, Co-Chair; Slom
H.B. No. 899, HD1, SD1	Hee, Chair; Kim, Co-Chair; Fukunaga, Slom
H.B. No. 900, HD2, SD1	Hee, Chair; Kim, Co-Chair; Hemmings
H.B. No. 960, HD2, SD2	Nishihara, Chair; Kim, Co-Chair; Galuteria, Slom
H.B. No. 975, HD1, SD1	Hee, Chair; Kim, Co-Chair; Kokubun, Hemmings
H.B. No. 981, HD2, SD2	English, Chair; Taniguchi, Co-Chair; Slom
H.B. No. 983, HD1, SD2	Sakamoto, Chair; English/Tsutsui, Co-Chairs; Galuteria, Slom
H.B. No. 986, HD1, SD1	Sakamoto, Chair; Gabbard/Tsutsui, Co-Chairs; Hemmings
H.B. No. 989, HD1, SD2	Chun Oakland, Chair; Ige/Tsutsui, Co-Chairs; Green, Hemmings
H.B. No. 1031, SD3	Baker, Chair; Taniguchi, Co-Chair; Slom
H.B. No. 1040, HD1, SD2	English, Chair; Taniguchi, Co-Chair; Gabbard, Takamine, Slom
H.B. No. 1045, HD1, SD2	Sakamoto, Chair; Tsutsui, Co-Chair; Galuteria, Kidani, Hemmings
H.B. No. 1057, HD1, SD2	Tokuda, Chair; Tsutsui, Co-Chair; Slom
H.B. No. 1064, HD1, SD2	Chun Oakland, Chair; Tsutsui, Co-Chair; Ihara, Hemmings
H.B. No. 1070, SD1	Baker, Chair; Ige, Hemmings
H.B. No. 1071, HD3, SD2	Baker, Chair; Kim, Co-Chair; Hemmings
H.B. No. 1074, HD2, SD1	Baker, Chair; Kim, Co-Chair; Hemmings
H.B. No. 1098, HD2, SD2	Chun Oakland, Chair; Tsutsui, Co-Chair; Ihara, Hemmings
H.B. No. 1101, HD1, SD1	Chun Oakland, Chair; Taniguchi, Co-Chair; Slom
H.B. No. 1103, SD1	Chun Oakland, Chair; Tsutsui, Co-Chair; Hemmings
H.B. No. 1148, HD1, SD1	Taniguchi, Chair; Takamine, Slom
H.B. No. 1166, HD1, SD2	English, Chair; Kim, Co-Chair; Gabbard
H.B. No. 1174, HD3, SD2	Tokuda, Chair; Kokubun/Tsutsui, Co-Chairs; Takamine, Hemmings
H.B. No. 1204, HD2, SD2	Nishihara, Chair; Tsutsui, Co-Chair; Galuteria, Hemmings
H.B. No. 1212, HD1, SD1	Taniguchi, Chair; Takamine, Slom
H.B. No. 1260, HD1, SD1	Kim, Chair; Taniguchi, Co-Chair; Hee, Kidani, Takamine
H.B. No. 1270, HD1, SD2	Gabbard, Chair; Baker, Co-Chair; Hemmings
H.B. No. 1272, HD1, SD1	Gabbard, Chair; Fukunaga, Co-Chair; Hemmings
H.B. No. 1273, HD1, SD2	Gabbard, Chair; Baker, Co-Chair; Hemmings
H.B. No. 1284, HD1, SD2	Chun Oakland, Chair; Ige/Tsutsui, Co-Chairs; Green, Hemmings
H.B. No. 1316, HD2, SD1	Baker, Chair; Taniguchi, Co-Chair; Ige, Sakamoto, Slom
H.B. No. 1351, HD2, SD1	Hee, Chair; Bunda, Fukunaga, Hemmings
H.B. No. 1354, HD2, SD2	Chun Oakland, Chair; Tsutsui, Co-Chair; Ihara, Hemmings
H.B. No. 1364, HD1, SD1	Kim, Chair; Galuteria, Kokubun, Tsutsui
H.B. No. 1405, HD2, SD2	Fukunaga, Chair; Tsutsui, Co-Chair; Ige
H.B. No. 1415, HD1, SD2	Baker, Chair; Taniguchi, Co-Chair; Slom
H.B. No. 1417, HD2, SD2	Baker, Chair; Taniguchi, Co-Chair; Ihara
H.B. No. 1422, HD1, SD1	English, Chair; Taniguchi, Co-Chair; Slom
H.B. No. 1451, HD2, SD2	Fukunaga, Chair; Tsutsui, Co-Chair; Ige, Hemmings
H.B. No. 1470, HD1, SD1	Taniguchi, Chair; Takamine, Slom
H.B. No. 1471, HD2, SD1	Hee, Chair; Kim, Co-Chair; Fukunaga, Hemmings
H.B. No. 1495, HD1, SD1	Kim, Chair; Tsutsui, Slom
H.B. No. 1503, HD1, SD2	Fukunaga, Chair; Baker, Co-Chair; Ige
H.B. No. 1512, HD1, SD1	Taniguchi, Chair; Nishihara, Slom
H.B. No. 1544, HD1, SD1	Kim, Chair; Hooser, Tsutsui, Slom
H.B. No. 1550, HD2, SD1	Kim, Chair; Hooser, Kidani, Tsutsui, Hemmings
H.B. No. 1552, HD2, SD2	Hee, Chair; Kim, Co-Chair; Fukunaga
H.B. No. 1600, HD1, SD1	Kim, Chair; Hee, Tsutsui, Slom

H.B. No. 1605, HD1, SD1	Kim, Chair; Kidani, Tsutsui
H.B. No. 1611, HD2, SD2	Hee, Chair; Baker, Co-Chair; Fukunaga, Hemmings
H.B. No. 1663, HD1, SD2	Gabbard, Chair; English, Kokubun
H.B. No. 1665, HD1, SD2	Hee, Chair; Kim, Co-Chair; Fukunaga, Hemmings
H.B. No. 1686, HD2, SD1	Sakamoto, Chair; Tsutsui, Co-Chair; Chun Oakland, Galuteria, Hemmings
H.B. No. 1692, HD2, SD2	Sakamoto, Chair; Tsutsui, Co-Chair; Chun Oakland, Galuteria, Hemmings
H.B. No. 1696, HD2, SD1	English, Chair; Baker, Co-Chair; Slom
H.B. No. 1712, HD2, SD2	Hee, Chair; Tsutsui, Co-Chair; Fukunaga, Hemmings
H.B. No. 1763, HD2, SD1	Nishihara, Chair; Tsutsui, Co-Chair; Galuteria
H.B. No. 1766, HD2, SD3	Hee, Chair; Kim, Co-Chair; Fukunaga, Hemmings

Sen. Com. No. 710, dated April 17, 2009, informing the House that the President has this day appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate bills:

S.B. No. 21, SD1, HD1	Taniguchi, Chair; Takamine/Kim, Co-Chairs; Kokubun, Hemmings
S.B. No. 91, SD2, HD2	Fukunaga, Chair; Tsutsui, Co-Chair; Hemmings
S.B. No. 166, SD1, HD1	Ige, Chair; Baker, Co-Chair; Green, Hemmings
S.B. No. 178, SD1, HD1	Gabbard, Chair; Sakamoto/Tsutsui, Co-Chairs; Hooser, Hemmings
S.B. No. 210, SD2, HD1	Espero, Chair; Tsutsui, Co-Chair; Bunda, Kidani, Slom
S.B. No. 242, SD2, HD2	Gabbard, Chair; Kim, Co-Chair; Hemmings
S.B. No. 266, SD2, HD2	Gabbard, Chair; Nishihara/Tsutsui, Co-Chairs
S.B. No. 294, SD2, HD1	Fukunaga, Chair; Tsutsui, Co-Chair; Hemmings
S.B. No. 420, SD2, HD2	Ige, Chair; Baker, Co-Chair; Espero, Hemmings
S.B. No. 423, SD1, HD2	Chun Oakland, Chair; Ige/Tsutsui, Co-Chairs; Green, Hemmings
S.B. No. 464, SD2, HD2	Gabbard, Chair; Kim, Co-Chair; Slom
S.B. No. 496, SD2, HD2	Sakamoto, Chair; Tsutsui, Co-Chair; Chun Oakland, Kidani, Hemmings
S.B. No. 512, SD2, HD1	Gabbard, Chair; Kim, Co-Chair; Slom
S.B. No. 522, SD2, HD1	Taniguchi, Chair; Baker/Kim, Co-Chairs; Slom
S.B. No. 523, SD2, HD2	Fukunaga, Chair; Tsutsui, Co-Chair; Hemmings
S.B. No. 536, SD1, HD1	Fukunaga, Chair; Baker, Hemmings
S.B. No. 539, SD1, HD1	Espero, Chair; Bunda, Kidani, Hemmings
S.B. No. 564, SD2, HD1	Espero, Chair; English, Co-Chair; Slom
S.B. No. 585, SD2, HD1	Ige, Chair; Baker, Co-Chair; Green, Hemmings
S.B. No. 602, SD2, HD2	Fukunaga, Chair; Taniguchi/Tsutsui, Co-Chairs; Slom
S.B. No. 603, SD1, HD1	Baker, Chair; Ige, Hemmings
S.B. No. 605, SD1, HD3	Gabbard, Chair; Fukunaga, Hooser, Ihara, Hemmings
S.B. No. 642, SD2, HD2	Takamine, Chair; Tsutsui, Co-Chair; Hee
S.B. No. 713, SD2, HD2	Takamine, Chair; Tsutsui, Co-Chair; Bunda, Slom
S.B. No. 777, SD1, HD1	Ige, Chair; Baker, Green
S.B. No. 868, SD2, HD2	Gabbard, Chair; Baker, Co-Chair; Hemmings
S.B. No. 876, SD2, HD2	Takamine, Chair; Tsutsui, Co-Chair; Bunda, Slom
S.B. No. 917, SD2, HD1	Chun Oakland, Chair; Ige/Baker, Co-Chairs; Hemmings
S.B. No. 931, SD1, HD1	Ige, Chair; Taniguchi, Co-Chair; Baker
S.B. No. 937, HD1	Ige, Chair; Taniguchi, Co-Chair; Baker, Slom
S.B. No. 971, SD2, HD1	Kim, Chair; Hooser, Kidani, Tsutsui
S.B. No. 972, SD2, HD1	Fukunaga, Chair; Kim, Co-Chair; Baker, Slom
S.B. No. 1005, SD2, HD2	Fukunaga, Chair; Taniguchi, Co-Chair; Slom
S.B. No. 1008, SD1, HD2	Ige, Chair; Gabbard, Co-Chair; Espero, Hemmings
S.B. No. 1058, SD2, HD2	Espero, Chair; Taniguchi, Co-Chair; Slom
S.B. No. 1060, SD1, HD2	Espero, Chair; Tsutsui/Taniguchi, Co-Chairs; Bunda, Hemmings

S.B. No. 1096, SD2, HD1	Ige, Chair; Tokuda/Sakamoto/Tsutsui, Co-Chairs; Fukunaga, Slom
S.B. No. 1118, SD2, HD2	Sakamoto, Chair; Tsutsui, Co-Chair; Chun Oakland, Galuteria, Hemmings
S.B. No. 1122, SD2, HD2	Takamine, Chair; Tsutsui, Co-Chair; Taniguchi
S.B. No. 1142, SD1, HD1	Ige, Chair; Baker/Taniguchi, Co-Chairs; Slom
S.B. No. 1160, SD2, HD2	Sakamoto, Chair; Tsutsui, Co-Chair; Galuteria, Kidani, Hemmings
S.B. No. 1164, SD2, HD2	Sakamoto, Chair; Espero/Tsutsui, Co-Chairs; Kidani, Hemmings
S.B. No. 1167, SD2, HD1	Nishihara, Chair; Kim/Taniguchi, Co-Chairs; Galuteria, Slom
S.B. No. 1173, SD2, HD3	Gabbard, Chair; Baker/Kim, Co-Chairs; Green, Hemmings
S.B. No. 1183, SD2, HD2	Chun Oakland, Chair; Takamine/Taniguchi, Co-Chairs
S.B. No. 1202, SD2, HD2	English, Chair; Gabbard/Kim, Co-Chairs; Slom
S.B. No. 1206, SD1, HD1	English, Chair; Kim, Co-Chair; Slom
S.B. No. 1224, SD1, HD2	English, Chair; Kim, Co-Chair; Slom
S.B. No. 1248, SD1, HD1	Fukunaga, Chair; Hee/Tsutsui, Co-Chairs; Hemmings
S.B. No. 1258, SD2, HD2	Gabbard, Chair; Hee/Baker/Kim, Co-Chairs; Hemmings
S.B. No. 1259, SD2, HD2	Gabbard, Chair; Taniguchi, Co-Chair; Slom
S.B. No. 1263, SD2, HD3	Ige, Chair; Baker/Taniguchi, Co-Chairs; Slom
S.B. No. 1271, SD1, HD1	Takamine, Chair; Tsutsui, Co-Chair; Taniguchi, Slom
S.B. No. 1299, SD1, HD1	Fukunaga, Chair; Tsutsui, Co-Chair; Hemmings
S.B. No. 1338, SD2, HD2	Gabbard, Chair; Baker, Co-Chair; Hemmings
S.B. No. 1344, HD2	Chun Oakland, Chair; Ige/Baker, Co-Chairs
S.B. No. 1350, SD2, HD1	Sakamoto, Chair; Hee/Taniguchi, Co-Chairs; Kokubun, Takamine, Tsutsui, Hemmings
S.B. No. 1611, SD2, HD2	English, Chair; Baker/Kim, Co-Chairs
S.B. No. 1621, SD2, HD2	Takamine, Chair; Taniguchi, Co-Chair; Hee
S.B. No. 1664, SD2, HD2	Takamine, Chair; Tsutsui, Co-Chair; Taniguchi, Slom
S.B. No. 1678, SD3, HD1	Fukunaga, Chair; Tsutsui, Co-Chair; Ige

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

S.C.R. Nos.	Referred to:
23, SD1	Jointly to the Committee on Energy & Environmental Protection and the Committee on Consumer Protection & Commerce
31, SD2	Committee on Housing, then to the Committee on Legislative Management
32, SD1	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Labor & Public Employment
34, SD2	Committee on Education, then to the Committee on Finance
35, SD2	Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Legislative Management
39, SD1	Committee on Housing, then to the Committee on Finance
51, SD1	Committee on Higher Education
53, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
55, SD1	Jointly to the Committee on Public Safety and the Committee on Health, then to the Committee on Judiciary
68, SD2	Committee on Labor & Public Employment, then to the Committee on Legislative Management
71, SD1	Committee on Transportation
76	Committee on Judiciary
78, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
79, SD1	Committee on Higher Education, then to the Committee on Finance
84	Committee on Education, then to the Committee on Legislative Management
90, SD1	Jointly to the Committee on Human Services and the Committee on Health
91, SD1	Committee on Public Safety
95, SD1	Committee on Consumer Protection & Commerce
96, SD1	Committee on Consumer Protection & Commerce

97, SD1	Committee on Higher Education, then to the Committee on Finance
98	Committee on Transportation, then to the Committee on Legislative Management
105, SD1	Committee on Human Services
108, SD2	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Legislative Management
120	Committee on Health
122, SD1	Committee on Higher Education, then to the Committee on Finance
123, SD1	Committee on Higher Education, then to the Committee on Finance
131, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
132, SD1	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Legislative Management
136, SD1	Committee on Health
138, SD1	Committee on Tourism, Culture, & International Affairs
141, SD1	Committee on Health, then to the Committee on Finance
143, SD1	Committee on Human Services, then to the Committee on Finance
145, SD1	Committee on Health
152, SD1	Committee on Tourism, Culture, & International Affairs
153, SD1	Committee on Higher Education, then to the Committee on Finance
154, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Higher Education
155	Committee on Higher Education
158, SD1	Committee on Health, then to the Committee on Legislative Management
165, SD1	Committee on Judiciary
167, SD1	Committee on Health
169, SD1	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
170, SD2	Committee on Health, then to the Committee on Legislative Management
171, SD1	Committee on Water, Land, & Ocean Resources
172, SD1	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce
173, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
174, SD1	Committee on Housing
177	Committee on Education
183, SD1	Committee on Tourism, Culture, & International Affairs
186, SD1	Committee on Education, then to the Committee on Finance
188, SD2	Committee on Finance

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

S.B. Nos.	**Re-referred to:**
21, SD1, HD1	Committee on Legislative Management, then to the Committee on Finance
43, SD2, HD2	Committee on Health, then jointly to the Committee on Higher Education and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
166, SD1, HD1	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
169, SD2, HD2	Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance
294, SD2, HD1	Committee on Finance, then to the Committee on Economic Revitalization, Business, & Military Affairs
415, SD2, HD1	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
423, SD1, HD2	Committee on Health, then to the Committee on Human Services, then to the Committee on Finance
638, SD2, HD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Hawaiian Affairs, then to the Committee on Finance
713, SD2, HD2	Committee on Energy & Environmental Protection, then to the Committee on Higher Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance
764, SD2, HD2	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Agriculture, then to the Committee on Judiciary
917, SD2, HD1	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1046, SD1, HD1	Committee on Higher Education, then to the Committee on Health, then to the Committee on Finance
1058, SD2, HD2	Jointly to the Committee on Judiciary and the Committee on Public Safety, then to the Committee on Health, then to the Committee on Finance
1060, SD1, HD2	Committee on Public Safety, then to the Committee on Tourism, Culture, & International Affairs, then to the Committee on Judiciary, then to the Committee on Finance
1066, SD2, HD1	Committee on Energy & Environmental Protection, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
1164, SD2, HD2	Committee on Education, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
1183, SD2, HD2	Committee on Labor & Public Employment, then to the Committee on Human Services, then to the Committee on Judiciary
1202, SD2, HD2	Committee on Energy & Environmental Protection, then jointly to the Committee on Transportation and the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
1258, SD2, HD2	Committee on Energy & Environmental Protection, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1271, SD1, HD1	Committee on Finance, then to the Committee on Labor & Public Employment
1344, HD2	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1621, SD2, HD2	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

CONFERENCE COMMITTEE REPORTS

At this time, the Chair stated:

"Members of the House, please note the 48-hour notice for the Conference Committee Reports listed on pages 1 and 2, which are Conference Committee Reports Numbers 1, 2, 3, 4, 51 and 52. These are all awaiting the 48-hour notice for Wednesday's decision."

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. 1741, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 1) recommending that H.B. No. 1741, 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. 1 and H.B. No. 1741, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," 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. 1747, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 2) recommending that H.B. No. 1747, 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. 2 and H.B. No. 1747, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," 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. 1175, HD 3, SD 2, presented a report (Conf. Com. Rep. No. 3) recommending that H.B. No. 1175, HD 3, 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. 3 and H.B. No. 1175, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Representatives Yamane 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. 895, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 4) recommending that H.B. No. 895, 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. 4 and H.B. No. 895, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ON TOBACCO PRODUCTS OTHER THAN CIGARETTES," was deferred for a period of 48 hours.

Representative 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. 199, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 51) recommending that S.B. No. 199, 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. 51 and S.B. No. 199, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Representative 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. 1111, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 52) recommending that S.B. No. 1111, 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. 52 and S.B. No. 1111, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House bills. (Representatives McKelvey, Takai and Wooley were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House bills, seconded by Representative Evans.

H.B. No. 267, HD 2, (SD 1)
H.B. No. 319, HD 1, (SD 1)
H.B. No. 1075, (SD 1)
H.B. No. 1270, HD 1, (SD 2)
H.B. No. 1436, HD 1, (SD 1)

The motion was put to vote by the Chair and carried, and the House reconsidered its action previously taken in disagreeing to the amendments made by the Senate, and gave notice of intent to agree to such amendments for the noted House bills. (Representatives McKelvey, Takai and Wooley were excused.)

ANNOUNCEMENT

Representative Ward: "Mr. Speaker, today is Patriots' Day. 234 years ago was the marking of the beginning of the American Revolution, and it's celebrated the third Monday of every April. It's the shot heard around the world- April 19th, 1775, which is celebrated today. For those who love freedom, love this country, just a little reminder that today's the day. 234 years ago it started. Thank you."

ADJOURNMENT

At 12:20 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, April 21, 2009. (Representatives McKelvey, Takai and Wooley were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 20, 2009, 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 appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate bills:

S.B. No. 1, SD 1, HD 2	Ito/Karamatsu, Co-Chrs.; Sagum, Thielen
S.B. No. 19, SD 1, HD 2	Rhoads/Yamashita, Co-Chrs.; Pine
S.B. No. 21, SD 1, HD 1	Tokioka/M. Oshiro, Co-Chrs.; Choy, Keith-Agaran, B. Oshiro, Ward
S.B. No. 34, SD 1, HD 1	Herkes/B. Oshiro, Co-Chrs.; Wakai, Marumoto
S.B. No. 35, SD 1, HD 1	Herkes/B. Oshiro, Co-Chrs.; Wakai, Marumoto
S.B. No. 43, SD 2, HD 2	Yamane/Chang/Herkes/Nishimoto, Co-Chrs.; Nakashima, Finnegan
S.B. No. 44, SD 2, HD 2	Yamane/M. Oshiro, Co-Chrs.; Chang, Keith-Agaran, Nishimoto, Sagum, Tsuji, Yamashita, Finnegan, Ward
S.B. No. 50, SD 1, HD 2	Ito/Morita/Har, Co-Chrs.; Nakashima, Thielen
S.B. No. 53, HD 1	Yamane/Herkes/B. Oshiro, Co-Chrs.; Wakai, Thielen
S.B. No. 55, SD 1, HD 1	Herkes, Chr.; Wakai, Marumoto
S.B. No. 58, SD 2, HD 1	Souki/Herkes/B. Oshiro, Co-Chrs.; Awana, Marumoto
S.B. No. 62, SD 1, HD 2	Rhoads/M. Oshiro, Co-Chrs.; Yamashita, Ward
S.B. No. 91, SD 2, HD 2	McKelvey/Choy, Co-Chrs.; Ward
S.B. No. 109, SD 2, HD 3	Mizuno/Karamatsu/Brower, Co-Chrs.; Ward
S.B. No. 113, HD 1	Yamane/Herkes/Karamatsu, Co-Chrs.; Finnegan
S.B. No. 161, HD 1	Takumi/Rhoads/C. Lee, Co-Chrs.; Finnegan
S.B. No. 166, SD 1, HD 1	Yamane/Nishimoto/Herkes, Co-Chrs.; M. Lee, Finnegan
S.B. No. 169, SD 2, HD 2	Yamane/Nishimoto/Chang, Co-Chrs.; Finnegan
S.B. No. 178, SD 1, HD 1	Takumi/Morita/M. Oshiro, Co-Chrs.; Coffman, Ching
S.B. No. 203, SD 2, HD 1	Herkes/B. Oshiro, Co-Chrs.; Wakai, Marumoto
S.B. No. 205, SD 1, HD 2	McKelvey/Herkes/B. Oshiro, Co-Chrs.; Wakai, Marumoto
S.B. No. 210, SD 2, HD 1	Hanohano/M. Lee, Co-Chrs.; Aquino, Pine
S.B. No. 242, SD 2, HD 2	Morita/McKelvey/M. Oshiro, Co-Chrs.; Coffman, Ching
S.B. No. 266, SD 2, HD 2	Morita/Coffman, Co-Chrs.; Wooley, Thielen
S.B. No. 281, HD 1	Souki/Karamatsu, Co-Chrs.; Awana, Pine
S.B. No. 294, SD 2, HD 1	M. Oshiro/McKelvey, Co-Chrs.; Choy, Yamashita, Ward
S.B. No. 300, SD 2, HD 2	McKelvey/Herkes/Karamatsu, Co-Chrs.; Marumoto
S.B. No. 301, SD 2, HD 1	Herkes/Karamatsu/Keith-Agaran, Co-Chrs.; Marumoto
S.B. No. 309, HD 1	Hanohano/Rhoads/Aquino, Co-Chrs.; Pine
S.B. No. 378, SD 1, HD 1	Ito/Har, Co-Chrs.; Keith-Agaran, Ching
S.B. No. 382, SD 1, HD 2	Manahan/Ito, Co-Chrs.; Tokioka, Ching
S.B. No. 387, SD 1, HD 1	M. Oshiro, Chr.; Choy, M. Lee, Ward
S.B. No. 389, SD 1, HD 2	Takumi/Tokioka/Har, Co-Chrs.; Finnegan
S.B. No. 415, SD 2, HD 1	Mizuno/Yamane/Herkes/Brower, Co-Chrs.; Finnegan
S.B. No. 420, SD 2, HD 2	Yamane/Herkes, Co-Chrs.; Nishimoto, Finnegan
S.B. No. 423, SD 1, HD 2	Yamane/Mizuno/Nishimoto, Co-Chrs.; Belatti, Finnegan

S.B. No. 427, HD 1	Yamane/McKelvey/M. Oshiro, Co-Chrs.; Choy, Ward
S.B. No. 440, SD 2, HD 1	Cabanilla/Ito, Co-Chrs.; Chong, Har, Ching
S.B. No. 464, SD 2, HD 2	Morita/M. Oshiro, Co-Chrs.; Coffman, Thielen
S.B. No. 468, SD 1, HD 2	Ito/Karamatsu, Co-Chrs.; Chong, Har, Thielen
S.B. No. 470, HD 1	Herkes/Karamatsu/Keith-Agaran, Co-Chrs.; Yamashita, Marumoto
S.B. No. 496, SD 2, HD 2	Takumi/M. Oshiro, Co-Chrs.
S.B. No. 512, SD 2, HD 1	Morita/Tsuji/M. Oshiro, Co-Chrs.; Chong, Coffman, Thielen
S.B. No. 521, SD 2, HD 1	Ito/Har, Co-Chrs.; Ching
S.B. No. 522, SD 2, HD 1	Ito/Har, Co-Chrs.; Ching
S.B. No. 523, SD 2, HD 2	McKelvey/Choy, Co-Chrs.; Wakai, Yamashita, Ward
S.B. No. 536, SD 1, HD 1	Morita/Ito/Coffman, Co-Chrs.; Evans, Yamashita, Thielen
S.B. No. 537, SD 2, HD 2	McKelvey/Choy, Co-Chrs.; Wakai, Ward
S.B. No. 539, SD 1, HD 1	Hanohano/M. Lee, Co-Chrs.; Aquino, Pine
S.B. No. 540, SD 2, HD 1	Hanohano/M. Lee, Co-Chrs.; Aquino, Ward
S.B. No. 564, SD 2, HD 1	Hanohano/M. Lee, Co-Chrs.; Aquino, Pine
S.B. No. 568, SD 2, HD 1	Yamane/Nishimoto, Co-Chrs.; Finnegan
S.B. No. 585, SD 2, HD 1	Yamane/Herkes/Nishimoto, Co-Chrs.; Wakai, Marumoto
S.B. No. 602, SD 2, HD 2	Manahan/Carroll/Tokioka, Co-Chrs.; Yamashita, Marumoto
S.B. No. 603, SD 1, HD 1	Herkes, Chr.; Wakai, Marumoto
S.B. No. 605, SD 1, HD 3	Morita/Herkes/B. Oshiro/Coffman, Co-Chrs.; Marumoto
S.B. No. 636, SD 1, HD 2	Ito/M. Oshiro, Co-Chrs.; Har, Yamashita, Thielen
S.B. No. 638, SD 2, HD 1	Ito/Carroll/M. Oshiro, Co-Chrs.; Wooley, Thielen
S.B. No. 642, SD 2, HD 2	Rhoads/Yamashita, Co-Chrs.; Pine
S.B. No. 659, HD 1	M. Oshiro, Chr.; M. Lee, Ward
S.B. No. 695, SD 1, HD 1	Rhoads/M. Oshiro, Co-Chrs.; Souki, Yamashita, Ward
S.B. No. 711, SD 1, HD 2	Souki/Karamatsu, Co-Chrs.; Awana, Pine
S.B. No. 713, SD 2, HD 2	Morita/Chang/Rhoads/Coffman, Co-Chrs.; Ching
S.B. No. 714, SD 1, HD 2	Souki/Karamatsu, Co-Chrs.; Har, Thielen
S.B. No. 718, SD 1, HD 1	Souki/Awana, Co-Chrs.; Bertram, M. Lee, Pine
S.B. No. 721, HD 1	Ito/Har, Co-Chrs.; Ching
S.B. No. 764, SD 2, HD 2	McKelvey/Tsuji/Karamatsu, Co-Chrs.; B. Oshiro, Thielen
S.B. No. 843, SD 1, HD 1	Mizuno/Karamatsu/Brower, Co-Chrs.; Ward
S.B. No. 848, HD 1	Herkes/Ito, Co-Chrs.; Wakai, Marumoto
S.B. No. 851, SD 1, HD 3	Mizuno/Ito/Brower, Co-Chrs.; Shimabukuro, Ward
S.B. No. 868, SD 2, HD 2	Morita/Herkes/M. Oshiro, Co-Chrs.; Coffman, Marumoto
S.B. No. 876, SD 2, HD 2	Rhoads/Yamashita, Co-Chrs.; Pine
S.B. No. 887, SD 1, HD 2	Herkes/Ito/Keith-Agaran, Co-Chrs.; Marumoto
S.B. No. 892, SD 1, HD 2	Herkes/Ito/Keith-Agaran, Co-Chrs.; Marumoto
S.B. No. 896, SD 1, HD 2	McKelvey/Rhoads/Choy, Co-Chrs.; Pine
S.B. No. 912, SD 2, HD 2	Mizuno/Ito/Brower, Co-Chrs.; Ward
S.B. No. 914, SD 2, HD 2	Mizuno/M. Oshiro, Co-Chrs.; Brower, Ward
S.B. No. 917, SD 2, HD 1	Yamane/Mizuno/Herkes/Nishimoto, Co-Chrs.; Brower, Ward
S.B. No. 931, SD 1, HD 1	Yamane/Ito, Co-Chrs.; Finnegan
S.B. No. 932, SD 2, HD 2	Yamane/Ito, Co-Chrs.; Finnegan
S.B. No. 937, HD 1	Yamane/Ito, Co-Chrs.; Finnegan
S.B. No. 940, SD 1, HD 1	Yamane/Herkes, Co-Chrs.; Nishimoto, Wakai, Marumoto
S.B. No. 967, SD 2, HD 3	Hanohano/Herkes/Karamatsu/Aquino, Co-Chrs.; Marumoto
S.B. No. 971, SD 2, HD 1	M. Oshiro, Chr.; Chong, Choy, M. Lee, Ward

S.B. No. 972, SD 2, HD 1	M. Oshiro, Chr.; Chong, Choy, M. Lee, Ward
S.B. No. 979, SD 2, HD 1	Souki/Karamatsu, Co-Chrs.; Awana, Pine
S.B. No. 995, SD 2, HD 3	Carroll/Ito/Karamatsu/M. Oshiro, Co-Chrs.; Har, Ward
S.B. No. 1005, SD 2, HD 2	McKelvey/Manahan/B. Oshiro, Co-Chrs.; Choy, Tokioka, Ward
S.B. No. 1008, SD 1, HD 2	Morita/Ito/Coffman, Co-Chrs.; Har, Ward
S.B. No. 1046, SD 1, HD 1	Chang/Yamane/M. Lee, Co-Chrs.; Nakashima, Ching
S.B. No. 1056, SD 2, HD 2	Souki/Karamatsu, Co-Chrs.; Awana, Pine
S.B. No. 1058, SD 2, HD 2	Karamatsu/Hanohano/Yamane/Aquino, Co-Chrs.; Marumoto
S.B. No. 1060, SD 1, HD 2	Hanohano/Manahan/Karamatsu/Aquino, Co-Chrs.; Tsuji, Ward
S.B. No. 1065, SD 2, HD 1	Morita/McKelvey/Herkes, Co-Chrs.; Evans, Thielen
S.B. No. 1066, SD 2, HD 1	Morita/McKelvey/Coffman, Co-Chrs.; Evans, Thielen
S.B. No. 1069, SD 1, HD 2	Ito/Har, Co-Chrs.; Brower, Ching
S.B. No. 1073, SD 1, HD 2	Yamane/Hanohano, Co-Chrs.; Pine
S.B. No. 1096, SD 2, HD 1	Chang/Berg/Yamashita, Co-Chrs.; Nakashima, Finnegan
S.B. No. 1107, SD 2, HD 2	Herkes/Keith-Agaran, Co-Chrs.; Wakai, Marumoto
S.B. No. 1118, SD 2, HD 2	Cabanilla/Sagum, Co-Chrs.; Chong, Yamashita, Ching
S.B. No. 1122, SD 2, HD 2	Rhoads/M. Oshiro, Co-Chrs.; Yamashita, Pine
S.B. No. 1137, SD 2, HD 3	Yamane/Karamatsu/Nishimoto, Co-Chrs.; Shimabukuro, Finnegan
S.B. No. 1140, SD 2, HD 3	Yamane/Mizuno/Herkes/Nishimoto, Co-Chrs.; Shimabukuro, Marumoto
S.B. No. 1142, SD 1, HD 1	Yamane/Herkes/Karamatsu/Nishimoto, Co-Chrs.; Shimabukuro, Finnegan
S.B. No. 1160, SD 2, HD 2	Cabanilla/Sagum, Co-Chrs.; Chong, Ching
S.B. No. 1164, SD 2, HD 2	Takumi/McKelvey/C. Lee, Co-Chrs.; Evans, Finnegan
S.B. No. 1167, SD 2, HD 1	Manahan/McKelvey/Tokioka, Co-Chrs.; Evans, Yamashita, Marumoto
S.B. No. 1173, SD 2, HD 3	Morita/Ito/Herkes/Coffman, Co-Chrs.; Marumoto
S.B. No. 1183, SD 2, HD 2	Rhoads/Mizuno/Ito, Co-Chrs.; Pine
S.B. No. 1195, SD 1, HD 2	McKelvey/Ito, Co-Chrs.; Wakai, Yamashita, Ward
S.B. No. 1202, SD 2, HD 2	Morita/Souki/McKelvey/M. Oshiro, Co-Chrs.; Awana, Coffman, Thielen
S.B. No. 1205, SD 2, HD 3	Yamane/Rhoads/Nishimoto, Co-Chrs.; Yamashita, Pine
S.B. No. 1206, SD 1, HD 1	M. Oshiro, Chr.; Har, Ward
S.B. No. 1218, SD 2, HD 2	Herkes/B. Oshiro/Keith-Agaran, Co-Chrs.; Marumoto
S.B. No. 1222, SD 1, HD 1	Karamatsu, Chr.; Ito, Tsuji, Thielen
S.B. No. 1223, SD 1, HD 2	Tsuji/Herkes/Wooley, Co-Chrs.; Wakai, Marumoto
S.B. No. 1224, SD 1, HD 2	Souki/M. Oshiro, Co-Chrs.; Awana, Pine
S.B. No. 1248, SD 1, HD 1	McKelvey/Tsuji/Morita/M. Oshiro, Co-Chrs.; Yamashita, Ward
S.B. No. 1250, SD 1, HD 1	Takumi/Rhoads/C. Lee, Co-Chrs.; Nakashima, Ching
S.B. No. 1258, SD 2, HD 2	Morita/Ito/Herkes/M. Oshiro, Co-Chrs.; Coffman, Wakai, Marumoto
S.B. No. 1259, SD 2, HD 2	Morita/Ito/Karamatsu, Co-Chrs.; Har, Thielen
S.B. No. 1263, SD 2, HD 3	Yamane/Herkes/Ito/Nishimoto, Co-Chrs.; Marumoto
S.B. No. 1268, SD 2, HD 1	Carroll/Cabanilla/Sagum, Co-Chrs.; Chong, Shimabukuro, Ward
S.B. No. 1271, SD 1, HD 1	M. Oshiro/Rhoads, Co-Chrs.; Yamashita
S.B. No. 1299, SD 1, HD 1	McKelvey/Choy, Co-Chrs.; Wakai, Ward
S.B. No. 1329, SD 2, HD 2	Takumi/M. Oshiro, Co-Chrs.; C. Lee, Ching
S.B. No. 1338, SD 2, HD 2	Morita/Cabanilla/Coffman, Co-Chrs.; Chong, Ward
S.B. No. 1343, SD 2, HD 1	M. Oshiro, Chr.; Chong, Choy, M. Lee
S.B. No. 1344, HD 2	Mizuno/Yamane/Herkes/M. Oshiro, Co-Chrs.; Brower, Shimabukuro, Ward
S.B. No. 1345, SD 1, HD 1	Ito/Tsuji/Har, Co-Chrs.; Ching
S.B. No. 1350, SD 2, HD 1	Ito/Cabanilla, Co-Chrs.; Chong, Har, Ching
S.B. No. 1352, SD 2, HD 2	Ito/Karamatsu/Har, Co-Chrs.; Chong, Ching

S.B. No. 1461, SD 2, HD 1	M. Oshiro, Chr.; Chong, Choy, M. Lee
S.B. No. 1568, SD 2, HD 1	Rhoads/Mizuno/Yamashita, Co-Chrs.; M. Lee, Pine
S.B. No. 1621, SD 2, HD 2	Rhoads/McKelvey/M. Oshiro, Co-Chrs.; Nakashima, Yamashita
S.B. No. 1664, SD 2, HD 2	Rhoads/Yamashita, Co-Chrs.; Aquino, Pine
S.B. No. 1665, SD 2, HD 1	Chang/Rhoads/Yamashita, Co-Chrs.; Coffman, Nakashima, Pine
S.B. No. 1673, SD 2, HD 2	Yamane/M. Oshiro, Co-Chrs.; Coffman, Keith-Agaran, Nishimoto, Sagum, Tsuji, Yamashita
S.B. No. 1674, SD 2, HD 2	Chang/M. Oshiro, Co-Chrs.; Nakashima, Yamashita, Ching
S.B. No. 1677, SD 1, HD 2	Carroll/Ito/Karamatsu/M. Oshiro, Co-Chrs.; Har, B. Oshiro, Ward
S.B. No. 1678, SD 3, HD 1	M. Oshiro, Chr.; Chong, Choy, M. Lee, Ward
S.B. No. 1679, SD 2, HD 1	Yamane/Mizuno/M. Oshiro, Co-Chrs.; Belatti, Ward

House Communication dated April 20, 2009, 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. 262, HD 2, SD 2	Representative B. Oshiro replaced Representative Karamatsu as Co-Chair.
H.B. No. 519, HD 1, SD 2	Representative M. Lee replaced Representative Aquino as Co-Chair. Added Representative Aquino a as member.
H.B. No. 1152, HD 1, SD 1	Representative M. Lee replaced Representative Aquino as Co-Chair. Added Representative Aquino as a member.
S.B. No. 1060, SD 1, HD 2	Added Representative M. Lee as a member.

House Communication dated April 20, 2009, 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. 1414, HD 1, SD 1	Discharged all conferees.

House Communication dated April 20, 2009, 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. 814, HD 2, SD 2	Added Representative Mizuno as a member.

House Communication dated April 20, 2009, 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 its action taken in disagreeing to the amendments made by the Senate on March 30, 2009, and gives notice of intent to agree to the following House bill:

H.B. No. 319, HD 1, SD 1

House Communication dated April 20, 2009, 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 its action taken in disagreeing to the amendments made by the Senate on April 7, 2009, and gives notice of intent to agree to the following House bill:

H.B. No. 1075, SD 1

House Communication dated April 20, 2009, 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 its action taken in disagreeing to the amendments made by the Senate on April 9, 2009, and gives notice of intent to agree to the following House bill:

H.B. No. 1436, HD 1, SD 1

House Communication dated April 20, 2009, 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 its action taken in disagreeing to the amendments made by the Senate on April 16, 2009, and gives notice of intent to agree to the following House bills:

H.B. No. 267, HD 2, SD 1
H.B. No. 1270, HD 1, SD 2

FIFTIETH DAY

Tuesday, April 21, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:05 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Ms. Ho'onani Anderman, Committee Clerk of Representative Ryan Yamane, after which the Roll was called showing all Members present with the exception of Representatives Bertram, Takai, Ward and Wooley, 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. 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 20, 2009, the following bill was signed into law:

S.B. No. 936, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF HEALTH CERTIFICATES." (ACT 008)

Gov. Msg. No. 294, informing the House that on April 20, 2009, the following bill was signed into law:

S.B. No. 574, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS." (ACT 009)

Gov. Msg. No. 295, informing the House that on April 20, 2009, the following bill was signed into law:

S.B. No. 298, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS." (ACT 010)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 711 through 716) were received and announced by the Clerk:

Sen. Com. No. 711, dated April 20, 2009, informing the House that the Senate has on April 17, 2009, reconsidered its action taken on April 16, 2009, in disagreeing to the amendments proposed by the House to the following Senate bills and have moved to agree to the amendments, and that said bills have this day passed Final Reading:

S.B. No. 501, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TEACHER EDUCATION COORDINATING COMMITTEE."

S.B. No. 1260, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION FEES."

S.B. No. 1327, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RATE OF INTEREST APPLICABLE TO OVERPAYMENTS OF TAX."

Sen. Com. No. 712, dated April 20, 2009, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

S.B. No. 266, SD 2, HD 2	Senator(s) Kokubun added as conferee(s).
S.B. No. 292, SD 1, HD 1	Senator(s) Ige added as Co-Chair(s).
S.B. No. 971, SD 2, HD 1	Senator(s) Taniguchi added as Co-Chair(s).
S.B. No. 972, SD 2, HD 1	Senator(s) Taniguchi added as Co-Chair(s).

Sen. Com. No. 713, dated April 20, 2009, informing the House that the President has this day appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate bills:

S.B. No. 44, SD2, HD2	Ige, Chair; Takamine/Tsutsui, Co-Chairs; Baker, Kokubun, Hemmings
S.B. No. 169, SD2, HD2	Ige, Chair; Tsutsui, Co-Chair; Green, Tokuda, Hemmings
S.B. No. 387, SD1, HD1	Kim, Chair; Tsutsui, Hemmings
S.B. No. 389, SD1, HD2	Kim, Chair; Tsutsui, Hemmings
S.B. No. 415, SD2, HD1	Ige, Chair; Baker/Tsutsui, Co-Chairs; Hemmings
S.B. No. 427, HD1	Ige, Chair; Tsutsui, Co-Chair; Baker, Slom
S.B. No. 470, HD1	English, Chair; Baker, Co-Chair; Slom
S.B. No. 540, SD2, HD1	Espero, Chair; Tsutsui, Co-Chair; Bunda, Hemmings
S.B. No. 568, SD2, HD1	Ige, Chair; Baker/Tsutsui, Co-Chairs; Espero, Hemmings
S.B. No. 659, HD1	Kim, Chair; Tsutsui, Hemmings
S.B. No. 764, SD2, HD2	Baker, Chair; Taniguchi, Co-Chair; Slom
S.B. No. 843, SD1, HD1	Ige, Chair; Taniguchi, Co-Chair; Espero, Slom
S.B. No. 848, HD1	Taniguchi, Chair; Takamine, Co-Chair; Slom
S.B. No. 851, SD1, HD3	Chun Oakland, Chair; Taniguchi, Co-Chair; Slom
S.B. No. 912, SD2, HD2	Chun Oakland, Chair; Taniguchi, Co-Chair; Slom
S.B. No. 914, SD2, HD2	Chun Oakland, Chair; Tsutsui, Co-Chair; Hemmings
S.B. No. 967, SD2, HD3	Ige, Chair; Taniguchi, Co-Chair; Baker, Hemmings
S.B. No. 1137, SD2, HD3	Ige, Chair; Taniguchi/Tsutsui, Co-Chairs; Baker, Slom
S.B. No. 1140, SD2, HD3	Ige, Chair; Baker/Tsutsui, Co-Chairs; Green, Hemmings
S.B. No. 1205, SD2, HD3	Ige, Chair; Baker/Tsutsui, Co-Chairs; Hemmings

S.B. No. 1329, SD2, HD2	Chun Oakland, Chair; Tsutsui, Co-Chair; Sakamoto, Hemmings
S.B. No. 1352, SD2, HD2	Baker, Chair; Fukunaga/Taniguchi, Co-Chairs; Ige, Tokuda, Slom
S.B. No. 1461, SD2, HD1	Kim, Chair; Galuteria, Hemmings
S.B. No. 1673, SD2, HD2	Ige, Chair; Tsutsui, Co-Chair; Baker, Green, Kokubun
S.B. No. 1679, SD2, HD1	Ige, Chair; Chun Oakland/Tsutsui, Co-Chairs; Baker

Sen. Com. No. 714, dated April 20, 2009, informing the House that the President has this day appointed as conferees on the part of the Senate, for consideration of amendments proposed by the Senate to the following House bills:

H.B. No. 28, HD1, SD2	Ige, Chair; Taniguchi, Co-Chair; Slom
H.B. No. 36, HD1, SD2	Gabbard, Chair; Kim, Co-Chair; Green
H.B. No. 111, SD2	Takamine, Chair; Kim, Co-Chair; Bunda, Slom
H.B. No. 300, HD1, SD2	Taniguchi, Chair; Kim, Co-Chair; Slom
H.B. No. 317, HD1, SD2	Ige, Chair; Espero/Tsutsui, Co-Chairs; Hemmings
H.B. No. 332, HD2, SD1	Takamine, Chair; Chun Oakland, Co-Chair; Taniguchi
H.B. No. 343, HD1, SD2	Ige, Chair; Tokuda/Tsutsui, Co-Chairs; Green, Kokubun, Slom
H.B. No. 371, HD2, SD2	Gabbard, Chair; Kim, Co-Chair; Hooser
H.B. No. 426, HD1, SD1	Gabbard, Chair; Kim, Co-Chair; Hemmings
H.B. No. 427, HD1, SD1	Gabbard, Chair; Kim, Co-Chair; Hemmings
H.B. No. 519, HD1, SD2	Espero, Chair; Tsutsui, Co-Chair; Bunda
H.B. No. 541, HD1, SD1	Takamine, Chair; Sakamoto/Tsutsui, Co-Chairs
H.B. No. 574, HD2, SD2	Gabbard, Chair; English/Kim, Co-Chairs; Hooser, Hemmings
H.B. No. 589, HD1, SD2	Gabbard, Chair; English/Hee, Co-Chairs; Green, Kokubun, Hemmings
H.B. No. 611, HD1, SD2	Fukunaga, Chair; Tsutsui, Co-Chair; Baker, Hemmings
H.B. No. 694, SD2	Ige, Chair; Tsutsui, Co-Chair; Baker, Kokubun, Takamine, Hemmings
H.B. No. 814, HD2, SD2	Ige, Chair; Baker, Co-Chair; Hemmings
H.B. No. 876, HD1, SD2	Chun Oakland, Chair; Baker/Taniguchi, Co-Chairs; Slom
H.B. No. 952, HD1, SD2	Takamine, Chair; Taniguchi, Co-Chair; Hee
H.B. No. 982, HD3, SD1	Takamine, Chair; Tsutsui, Co-Chair; Hee
H.B. No. 984, HD4, SD2	Fukunaga, Chair; Baker/Tsutsui, Co-Chairs; Ige, Hemmings
H.B. No. 991, HD2, SD2	Ige, Chair; Tokuda/Tsutsui, Co-Chairs; Hemmings
H.B. No. 994, HD1, SD2	Espero, Chair; Tsutsui/Nishihara, Co-Chairs; Slom
H.B. No. 1015, HD1, SD2	Hee, Chair; Kim/Sakamoto, Co-Chairs; Fukunaga, Hemmings
H.B. No. 1016, HD2, SD1	Takamine, Chair; Kim, Co-Chair; Slom
H.B. No. 1152, HD1, SD1	Espero, Chair; Tsutsui, Co-Chair; Hemmings
H.B. No. 1271, HD3, SD2	Hee, Chair; Kim/Gabbard/Fukunaga, Co-Chairs; Kokubun
H.B. No. 1371, HD1, SD2	Ige, Chair; Chun Oakland/Tsutsui, Co-Chairs; Kokubun, Hemmings
H.B. No. 1378, HD2, SD2	Ige, Chair; Baker, Co-Chair; Hemmings
H.B. No. 1379, HD2, SD2	Ige, Chair; Taniguchi, Co-Chair; Baker, Slom
H.B. No. 1464, HD3, SD2	Gabbard, Chair; Kim, Co-Chair; English, Green, Kokubun, Hemmings
H.B. No. 1479, HD2, SD1	Takamine, Chair; Taniguchi, Co-Chair; Hee
H.B. No. 1483, HD1, SD1	Gabbard, Chair; Kim, Co-Chair; Hemmings
H.B. No. 1491, HD2, SD2	Gabbard, Chair; Kim, Co-Chair; Green
H.B. No. 1504, HD1, SD2	Ige, Chair; Baker/Tsutsui, Co-Chairs
H.B. No. 1525, HD1, SD2	Chun Oakland, Chair; Tsutsui/Taniguchi, Co-Chairs
H.B. No. 1536, HD2, SD1	Taniguchi, Chair; Kim, Co-Chair; Kokubun, Slom
H.B. No. 1538, HD1, SD1	Ige, Chair; Sakamoto, Co-Chair; Espero, Hemmings
H.B. No. 1627, HD2, SD2	Gabbard, Chair; Kim, Co-Chair; Hemmings
H.B. No. 1628, HD1, SD2	Gabbard, Chair; Kim, Co-Chair; Hemmings
H.B. No. 1642, HD1, SD2	Ige, Chair; Chun Oakland/Taniguchi, Co-Chairs; Slom

H.B. No. 1676, HD1, SD2	Takamine, Chair; Tsutsui, Co-Chair; Bunda
H.B. No. 1678, HD1, SD2	Gabbard, Chair; Kim, Co-Chair; Hemmings
H.B. No. 1713, HD2, SD2	Espero, Chair; Taniguchi/Tsutsui, Co-Chairs; Slom
H.B. No. 1728, HD1, SD1	Taniguchi, Chair; Kim, Co-Chair; Kokubun
H.B. No. 1776, HD1, SD1	Espero, Chair; Chun Oakland/Tsutsui, Co-Chairs; Hemmings
H.B. No. 1782, HD2, SD2	Ige, Chair; Tsutsui, Co-Chair; Baker, Hemmings
H.B. No. 1807, HD1, SD2	Gabbard, Chair; English/Tsutsui, Co-Chairs; Green, Hemmings
H.B. No. 1831, HD2, SD2	Espero, Chair; Tsutsui, Co-Chair; Kidani

Sen. Com. No. 715, dated April 20, 2009, informing the House that the Senate has made the following change to Senate Conferee assignments for the following bill:

H.B. No. 1744, HD 1, SD 1	Senator(s) English, Hooser, Tsutsui added as conferee(s).

Sen. Com. No. 716, dated April 20, 2009, informing the House that the President has this day appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House bills:

H.B. No. 590, HD1, SD2	Gabbard, Chair; English/Taniguchi, Co-Chairs; Green, Hemmings
H.B. No. 640, HD1, SD2	Gabbard, Chair; English/Taniguchi, Co-Chairs; Kokubun, Hemmings
H.B. No. 690, HD2, SD2	Ige, Chair; Takamine/Baker, Co-Chairs
H.B. No. 1362, HD1, SD2	Ige, Chair; Baker, Co-Chair; Espero
H.B. No. 1809, HD2, SD1	Gabbard, Chair; Baker/Taniguchi, Co-Chairs; Hooser, Hemmings

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Chang introduced representatives of Project Frog, advocating for green portable classrooms: Ms. Deana Pearlmutter from Denver, and Ms. Heather Bowman from San Francisco.

Representative Yamane introduced Ms. Kapono Ryan and Mr. Greg Andermann, parents of his Committee Clerk, Ms. Ho'onani Andermann. They were accompanied by his Office Manager, Ms. Danielle Bass.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

S.C.R. Nos.	Re-referred to:
7, SD1	Committee on Finance
62, SD1	Committee on Finance
90, SD1	Committee on Human Services

At 12:11 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 12:21 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering certain House bills for Final Reading by consent calendar. (Representatives Bertram, Brower, Takai and Wooley were excused.)

FINAL READING

Representative B. Oshiro moved to agree to the amendments made by the Senate to the following House bills, seconded by Representative Evans.

H.B. No. 267, HD 2, (SD 1)
H.B. No. 319, HD 1, (SD 1)
H.B. No. 1075, (SD 1)
H.B. No. 1270, HD 1, (SD 2)
H.B. No. 1436, HD 1, (SD 1)

At 12:22 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 12:23 o'clock p.m.

The motion was put to vote by the Chair and carried, and the House agreed to the amendments made by the Senate to the noted House bills. (Representatives Bertram, Takai and Wooley were excused.)

H.B. No. 267, HD 2, SD 1:

On motion my Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 267, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Takai and Wooley being excused.

H.B. No. 319, HD 1, SD 1:

Representative B. Oshiro moved that H.B. No. 319, HD 1, SD 1, pass Final Reading, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I stand in support of HB 319 HD1. This bill would require employees to post and keep posted employee entitlements to family leave, as well as possible adverse impacts of taking family leave.

"Mr. Speaker, there is a considerably large discrepancy between the types of family leave that employees offer and what the employees know are offered to them. For example, according to surveys done in 2007 by

the Executive Office on Aging and the Joint Legislative Committee on Family Caregiving, 80% of employers surveyed offer paid bereavement leave while only 4.7% of the employees surveyed knew of this benefit. Over 66% of the employers also offer leave without pay, but only 5% of the employees knew about it. By making this information available to employees, this bill would help family caregivers and others to plan ahead for family emergencies and to avoid taking actions which might affect their retirement benefits.

"Mr. Speaker, doing more to inform workers about their employment rights is always a good thing, and Hawaii's employees need easy access to this information. We are just two years away from the first of the baby boomers to reach 65, and the need will only continue to escalate as our community ages.

"I urge my fellow colleagues to support HD319 HD1."

The motion was put to vote by the Chair and carried, and H.B. No. 319, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Takai and Wooley being excused.

H.B. No. 1075, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1075, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Takai and Wooley being excused.

H.B. No. 1270, HD 1, SD 2:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1270, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Takai and Wooley being excused.

H.B. No. 1436, HD 1, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1436, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Takai and Wooley being excused.

At 12:25 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 267, HD 2, SD 1
H.B. No. 319, HD 1, SD 1
H.B. No. 1075, SD 1
H.B. No. 1270, HD 1, SD 2
H.B. No. 1436, HD 1, SD 1

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative B. Oshiro moved to agree to the amendments made by the Senate to the following House Concurrent Resolutions, seconded by Representative Evans and carried. (Representatives Bertram, Takai and Wooley were excused.)

H.C.R. No. 5, (SD 1)
H.C.R. No. 32, (SD 1)
H.C.R. No. 38, HD 1, (SD 1)
H.C.R. No. 39, (SD 1)
H.C.R. No. 44, (SD 1)
H.C.R. No. 46, (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. 5, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 5, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING FAITH-BASED ORGANIZATIONS TO NETWORK AND COOPERATE TO SUPPORT FOSTER FAMILIES IN HAWAII," was Adopted, with Representatives Bertram, Takai and Wooley being excused.

H.C.R. No. 32, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 32, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING INTERNATIONAL WHITE RIBBON CAMPAIGNS TO END MEN'S VIOLENCE AGAINST WOMEN AND ENCOURAGING THE ESTABLISHMENT OF A WHITE RIBBON CAMPAIGN ORGANIZATION IN HAWAII," was Adopted, with Representatives Bertram, Takai and Wooley being excused.

H.C.R. No. 38, HD 1, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 38, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH," was Adopted, with Representatives Bertram, Takai and Wooley being excused.

H.C.R. No. 39, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 39, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE MONTH OF MAY AS "FOSTER CARE AWARENESS MONTH", A TIME TO EDUCATE THE PUBLIC ABOUT THE VARIOUS COMPONENTS OF FOSTER CARE, INCLUDING FOSTER PARENTS, CHILDREN, AND FAMILIES," was Adopted, with Representatives Bertram, Takai and Wooley being excused.

H.C.R. No. 44, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 44, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING APRIL AS CHILD ABUSE PREVENTION MONTH," was Adopted, with Representatives Bertram, Takai and Wooley being excused.

H.C.R. No. 46, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 46, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO PRESERVE FUNDING AND MAINTAIN PROGRAMS, LAWS, REGULATIONS, AND POLICIES THAT ASSIST VICTIMS OF DOMESTIC VIOLENCE," was Adopted, with Representatives Bertram, Takai and Wooley being excused.

ANNOUNCEMENT

Representative Cabanilla, for the Committee on Housing, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measures, tomorrow at 10:00 a.m., and the Chair "so ordered."

SCR 31, SD 2, regarding an audit of the Hawaii Public Housing Authority;
SCR 174, SD 1, Fannie Mae and Freddy Mac Hawaii exemptions; and
SCR 39, SD 1, Kukui Gardens Economic Stimulus Plan.

ADJOURNMENT

At 12:28 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, April 22, 2009. (Representatives Bertram, Takai and Wooley were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 21, 2009, 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 House to the following Senate bill:

S.B. No. 1611, SD 2, HD 2	Souki/M. Oshiro, Co-Chrs.; Awana, Nakashima, Tokioka, Yamashita

House Communication dated April 21, 2009, 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. 31, SD 1	Representative Wakai replaced Representative Herkes as Co-Chair.
H.B. No. 271, SD 2	Representative Wakai replaced Representative Herkes as Co-Chair.
H.B. No. 814, HD 2, SD 2	Representative Wakai replaced Representative Herkes as Co-Chair.
H.B. No. 834, HD 2, SD 1	Representative Ward replaced Representative Ching as conferee.
H.B. No. 876, HD 1, SD 2	Representative Wakai replaced Representative Herkes as Co-Chair.
H.B. No. 1362, HD 1, SD 2	Representative Wakai replaced Representative Herkes as Co-Chair.
H.B. No. 1415, HD 1, SD 2	Representative Wakai replaced Representative Herkes as Co-Chair.
S.B. No. 113, HD 1	Representative Wakai replaced Representative Herkes as Co-Chair.
S.B. No. 415, SD 2, HD 1	Representative Wakai replaced Representative Herkes as Co-Chair.
S.B. No. 967, SD 2, HD 3	Representative Wakai replaced Representative Herkes as Co-Chair.
S.B. No. 1107, SD 2, HD 2	Discharged Representative Wakai Representative Wakai replaced Representative Herkes as Co-Chair.
S.B. No. 1263, SD 2, HD 3	Representative Wakai replaced Representative Herkes as Co-Chair.

House Communication dated April 21, 2009, 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. 267, HD 2, SD 1
H.B. No. 319, HD 1, SD 1
H.B. No. 1075, SD 1
H.B. No. 1270, HD 1, SD 2
H.B. No. 1436, HD 1, SD 1

House Communication dated April 21, 2009, 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. 5, SD 1
H.C.R. No. 32, SD 1
H.C.R. No. 38, HD 1, SD 1
H.C.R. No. 39, SD 1
H.C.R. No. 44, SD 1
H.C.R. No. 46, SD 1

FIFTY-FIRST DAY

Wednesday, April 22, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:03 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Ms. Jeannin-Melissa Russo, after which the Roll was called showing all Members present with the exception of Representatives Bertram, Brower, Chang, Mizuno, Takai, Tsuji and Ward, 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. 296 through 298) were received and announced by the Clerk:

Gov. Msg. No. 296, informing the House that on April 21, 2009, the following bill was signed into law:

S.B. No. 92, 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 [*sic*]." (ACT 011)

Gov. Msg. No. 297, informing the House that on April 21, 2009, the following bill was signed into law:

S.B. No. 1113, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GEOGRAPHIC LIMITATIONS ON TIME SHARES." (ACT 012)

Gov. Msg. No. 298, dated April 17, 2009, requesting immediate passage of H.B. No. 1364 to amend the Supplemental Appropriations Act of 2008 (Act 158, SLH 2008) to authorize appropriations of federal stimulus funds from the American Recovery Reinvestment Act of 2009.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 717 through 721) were received and announced by the Clerk, and were placed on file:

Sen. Com. No. 717, informing the House that the Senate has on April 20, 2009, reconsidered its action taken on April 16, 2009, in disagreeing to the amendments proposed by the House to the following Senate bills and have moved to agree to the amendments, and that said bills have this day passed Final Reading:

S.B. No. 161, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION."

S.B. No. 190, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY CARE FOSTER FAMILY HOME."

S.B. No. 537, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE."

S.B. No. 718, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

S.B. No. 896, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW."

S.B. No. 979, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS."

S.B. No. 1056, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS."

Sen. Com. No. 718, dated April 21, 2009, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

H.B. No. 300, HD1, SD2	Senator(s) Tsutsui added as conferee(s).
S.B. No. 848, HD1	Senator(s) Baker added as Co-Chair(s).

Sen. Com. No. 719, dated April 21, 2009, informing the House that the President has this day appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate bills:

S.B. No. 50, SD1, HD2	Hee, Chair; Gabbard, Co-Chair; Fukunaga, Hemmings
S.B. No. 638, SD2, HD1	Hee, Chair; Kim, Co-Chair; Fukunaga, Kokubun
S.B. No. 721, HD1	Hee, Chair; Bunda, Fukunaga, Hemmings
S.B. No. 1069, SD1, HD2	Hee, Chair; Bunda, Fukunaga, Hemmings

Sen. Com. No. 720, dated April 21, 2009, informing the House that the President has this day appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House bill:

H.B. No. 834, HD2, SD1	Ige, Chair; Gabbard, Co-Chair; Hemmings

Sen. Com. No. 721, dated April 21, 2009, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bill:

S.B. No. 50, SD1, HD2	Senator(s) Kokubun added as conferee(s).

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

S.C.R. Nos.	**Re-referred to:**
84	Committee on Education
121, SD1, HD1	Committee on Agriculture
127	Committee on Hawaiian Affairs
146	Committee on Education
149, SD1	Committee on Education

150, SD1	Committee on Education
169, SD1	Committee on Human Services, then to the Committee on Finance

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House bills and Senate bills for Final Reading by consent calendar. (Representatives Bertram, Brower, Mizuno, Takai, Tsuji and Ward were excused.)

UNFINISHED BUSINESS

At this time, the Chair stated:

"Members, at this time, the Chair will be taking Conference Committee Report No. 51 out of order."

Conf. Com. Rep. No. 51 and S.B. No. 199, SD 1, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee and S.B. No. 199, SD 1, HD 1, CD 1, be recommitted to the Committee on Conference, seconded by Representative Evans.

Representative Thielen rose to speak in support of the motion to recommit, stating:

"Thank you, Mr. Speaker. I know we cannot speak to the substance of the matter, but I would like to strongly support the recommittal back to Conference Committee, and urgently plead that this bill not emerge again. And then we can keep our high-tech industry and our youngsters here in Hawaii. Thank you."

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Can I have a potential conflict ruling? I'm affiliated with a company that has invested in a qualified high-tech business," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee and S.B. No. 199, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were recommitted to the Committee on Conference, with Representatives Bertram, Brower, Mizuno, Takai, Tsuji and Ward being excused.

At 12:10 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:11 o'clock p.m.

LATE INTRODUCTION

The following late introduction was made to the Members of the House:

Representative McKelvey introduced Mr. Murray Towill, Mr. Max Sword and Ms. Marsha Weinert.

UNFINISHED BUSINESS

Conf. Com. Rep. No. 1 and H.B. No. 1741, HD 1, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1741, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in strong opposition to House Bill 1741. Thank you. Mr. Speaker, this bill would temporarily reduce the distribution of portions of the Conveyance Tax transfer to Rental Housing Trust Fund and the Natural Area Reserve Fund, and increase the rate of the Conveyance Tax on all transfers or conveyances of properties with a value to $2 million or more, and second house purchases.

"If the rate increase for properties over $2 million and second house purchases are to work based on the assumption that real estate sales will remain the same throughout the next three years, this assumption is not likely to hold true.

"Just to give you an idea of where real estate sales are headed, take a look at the Honolulu Board of Realtor statistics for the 2009 first quarter residential re-sales. Both the number of single family home and condominium sales, and the median sales price of those sales are trending downward. Those numbers have been trending downward since the first quarter of 2008. Hawaii had 724 foreclosure filings in March; Up 34.8% from February, and up 503.3% from March 2008. There were 143 foreclosure filings in February and 120 foreclosures in March.

"Hawaii moved up from 27th to 21st in February in the nation for foreclosures. Our Council on Revenues has consistently downgraded their revenue projections and are expected to do so again later this year. Both drafts of the budget call for some cuts of warm bodies. Let's look at these trends and facts. Where in these trends and facts do you find any argument that conveyance real property sales are going to increase in the near future? Sales are going to continue to decrease.

"And so raising the Conveyance Tax and reducing the allocation going to the Rental Housing Trust Fund and the Natural Area Reserve with re-sales trending downward, providing a disincentive for people to buy higher-end properties and commercial properties. Those sales aren't going to increase either, so we're not really raising additional money to balance the budget. We're probably not.

"The reduction in revenues to this program will potentially lead to layoffs of civil service staff, reduce the State's capacity to implement programs. Also, the State would lose out on maintaining existing long-term contracts with private landowners under the Natural Area Partnership Program.

"For these and many other reasons, Mr. Speaker, I stand in strong opposition, and I'd like to ask for additional comments to be inserted in the Journal."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition to H.B. 1741 – I am sensitive to the State's current economic situation and do realize that we must make up a budget shortfall, but this bill is not the way. This tax will be recovered through the price of property and ultimately, will only add to the already high property prices in Hawaii. The Conveyance Tax will not only have a negative affect on home buyers, but it will also affect property transactions for vacant lots, commercial and retail properties, agricultural farm lands and many other assets. We should not be adding taxes to property that already face higher-tier conveyance taxes. I don’t believe this tax will stimulate the economy. I feel we should be enacting laws that encourage people to buy homes and property, not discouraging them from such by raising an already high tax, even higher.

"The Natural Area Reserve Fund supports a suite of essential conservation programs including Watershed Partnerships Program, Natural Area Reserves System management, Natural Area Partnership Program, Youth Conservation Corps and internship programs, personnel, central services fees, Forest Stewardship Program, Forest Reserve System watershed management; Conservation Reserve Enhancement Program; Invasive species program operations; Threatened & Endangered species management, and the Hawaii Invasive Species Council Programs.

"The reduction in revenues to this program could potentially lead to layoffs of civil service staff and reduce the State's capacity to implement these vital programs. The State would also lose out on maintaining existing long-term contract agreements with private landowners under the Natural Area Partnership Program and the Forest Stewardship Program or support for all the other aforementioned environmental programs.

"Funding the Rental Housing Trust Fund creates new affordable rental housing and acts as an economic stimulus.

"Reducing dedicated revenues to the Rental Housing Trust Fund, even on a temporary basis, would have a devastating effect on the development of much-needed affordable rental housing, statewide. In order to address the needs of our citizens, a dedicated source of significant funding must be provided through this and other measures to facilitate ongoing development of much needed housing units statewide. Rather than defer construction of new units, the current downturn in the economy is a good time to start construction of as many new affordable units as possible to maintain construction jobs and produce units that will benefit our residents and our economy for years to come.

"And we know from past debates that funds from the Rental Housing Trust Fund can be used to leverage additional private funds, creating even more affordable housing.

"As you can see, these funds play a key role in some of the State's most important initiatives and that it is clear that this bill will add to the downturn in our economy. I urge the Members of this Body to not further the economic downturn to this State. Thank you."

Representative Aquino 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 Aquino's written remarks are as follows:

"The only reservation I have with the measure is the reduced portion of the Conveyance Tax to The Rental Housing Trust Fund. Although the portion was reduced from the current percentage of 30% to the 25% in the Conference draft as compared to the 15% suggested in the House draft, this would affect the development of future affordable housing projects. In these times of economic strife, I believe that the reduction may severely affect the State's ability to provide new affordable units to those in need."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1741, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," passed Final Reading by a vote of 42 ayes to 7 noes, with Representatives Brower, Ching, Finnegan, Marumoto, Pine, Thielen and Ward voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 2 and H.B. No. 1747, HD 1, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1747, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I will rise in opposition to Conference Committee Report No. 2, which would raise the income tax. My opposition to increasing income taxes relates to our State policy, as it affects low-income tax payers. Though this bill raises the standard deduction, Hawaii continues to impose an income tax on everyone, even though they make less than $4,000 a year. And, I personally feel that we should not tax anybody who makes perhaps less than $20,000. Thank you, very much."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition of this bill. Mr. Speaker, I just wanted to let you know that I don't have a conflict with this bill. I'm not in this income bracket. However, there are at least 27,000 entrepreneurs out there who would be affected by this bill. These people are the lifeline of Hawaii's economy. Mr. Speaker, as you know, we are not in a position right now to hinder our economy, and that's what I think that this bill does.

"Tax cuts allow entrepreneurs to have more money, so that they can invest it in products and services, thus providing jobs and allowing employees to earn a living. Higher taxes discourage adventurous investors from creating jobs that generate taxes and salaries for employees. You end up with unemployment, Mr. Speaker.

"Raising taxes sends a loud and clear message to these employers. This bill discourages these business owners from taking on additional risks of investing in their businesses and creating more jobs. Higher taxes send investors looking for foreign markets or out-of-state markets with a more favorable tax rate. It robs Hawaii of jobs, Mr. Speaker."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm standing in strong support. I don't know if this measure will only impact entrepreneurs. I know that it will impact some of my own family members, Mr. Speaker. I believe this measure might impact my own mother, but she is not an entrepreneur, Mr. Speaker. She's been retired a couple of years, but I believe this would also impact her.

"The top 2.4% of income tax filers had 23% of the total Adjusted Gross Income. That's Adjusted Gross Income or Income after all deductions. So, we're talking about a tax bracket with the ability to take advantage of deductions, more than the average taxpayer. To put it another way, Mr. Speaker, about three out of every 100 taxpayers in the State take home not 3% of total income, but instead take home 23% of income generated in the State. That's $6 billion, out of $26 billion.

"Think about that for a moment. $6 billion, out of $26 billion. About 3% of the people in the State earn roughly 25% of the Adjusted Gross Income in the State. So, who knows what the real income level is and the sources of that income.

"This tax proposal asks, number one, an individual who makes $200,000 to pay $625 more in income taxes. It asks a single parent who makes $300,000 to pay $938 more in taxes. And, it asks that a couple who makes $400,000 a year to pay about $1,200 more in taxes. There will be no change for individuals with taxable incomes less than $150,000. No change.

"There will be no change for heads of households with taxable incomes less than $225,000. No change for joint filers with taxable incomes less than $300,000. No impact, Mr. Speaker, upon most taxpayers. Again, only about 3 out of 100 taxpayers will be affected. This tax proposal asks individuals who earn more than $200,000 to pay less than one third of one percent more in income taxes. Head of households who earn more than $300,000 to pay less than one third of one percent more in income taxes. Joint filers who earn more than $400,000 to pay less than one third of one percent more in income taxes.

"Mr. Speaker, an individual who makes $200,000 will pay $625 more in taxes. That's one cup of Starbuck's *Venti* coffee at $1.71 per day. Keep the change. That's one gourmet plate lunch and drink from Kaka'ako Kitchen a week. It's a monthly massage at $52.08, without tip.

"Based on the 2006 income tax data collection, there were 471,792 tax filers in 2006. There were 11,472 tax filers who earned more than $200,000. This means that only 2.4% of Hawaii resident tax filers earned more than $200,000 in 2006. Adjusted Gross Income for this group: $6 billion. In 2006, total resident Adjusted Gross Income totaled $26 billion.

"Finally, Mr. Speaker, this has not been highlighted, but this bill would increase all standard deductions and personal exemptions by 10% in 2011. This will save lower income tax payers about $11 million per. $11 million

a year, Mr. Speaker. We would like to have provided larger fiscal relief to lower income tax filers, but again, we can return to that issue maybe next year.

"At the end of the day, Mr. Speaker, in the context in which we are trying to address a $2 billion dollar shortfall, this bill would generate $48 million from the highest income tax payers in the State. This bill will put $11 million dollars back into the pockets of our lowest income taxpayers. Thank you."

At 12:24 o'clock p.m. Representative Ward 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 Ward rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to this measure. Mr. Speaker, I commend the previous speaker with the statistics. However, let us not confuse the trees with the forest. The forest is, we are in an economic downturn. The forest is that in an economic downturn, you don't raise taxes on anybody, whether rich or poor, or otherwise.

"The second and the third matter is that we are in the midst of a recession where it's all about jobs. Whether it's Starbuck's, or whether it's at Walmart, or whether it's at our local 'mom and poppers,' the shave-ice stores, we want to preserve jobs. From a macroeconomic standpoint, Mr. Speaker, these people that we're talking about, those who I'm sure with the last speaker's numbers, created some resentment. I know those are the guys who've got the money. But Mr. Speaker, those are the ones that keep, in macroeconomic terms, the liquidity of the economy with investment. These are the ones who start the businesses. These are the ones who invest in the businesses. These are the ones who, in Act 221, which we just took off the calendar, are the ones who keep that alive.

"So, the substance of our economics, as long as we're in a free economic system, we've got to have people who are willing to take risks and people who are willing to make investments. Those of us who don't have the money, we can't afford that. We just can't do that. But those who do have it, we want to make sure that they don't, in times of difficulty, shrink and hold onto their funds.

"Mr. Speaker, they raised taxes during the Depression, and that's what some theorists say is why the recovery during the '30s was so slow; because people were hoarding their money. They were afraid of taking a risk, and taxes were higher, and it didn't make the economy turn around.

"So, the concern is, Mr. Speaker, sound macroeconomics. I know we don't have a Bernanke and all of the other 'gurus' to tell us what to do, but these, in terms of macroeconomics, show us that when taxes are low, people will invest. And when taxes are high, they won't. This is one of those things to increase the taxes, hurt and otherwise stunt the economy, and for immediate purposes, sure we're not going to see it, but in the long run, these are the things that slow us down from getting out of this recovery and getting back into the growth curve. 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 counter some of the assertions that have been made, that instead of increasing taxes, what we need to be looking at is tax cuts as a way to somehow stimulate the economy. There are three reasons I would say that that is probably a false characterization.

"First and foremost, let's look at the experience of what happened with our federal government. In the wake of the Bush Administration's tax cuts in 2001, economic growth was the weakest recorded by any Administration in decades. By some indicators, it was the weakest in the 70 years that records have ever been kept. On the other hand, during President Clinton's time, he raised taxes in his first year in office, and the economy during his eight-year tenure boomed, with job growth at almost 21%, compared with the 2% under the Bush Administration.

"The second point I'd like to make is, under an economic and budget issue brief, prepared by the Congressional Budget Office, dated December 1st, 2005, they looked at these tax cuts, and it's an issue brief entitled, 'Analyzing the Economic and Budgetary Effects of the 10 Percent Cut in Income Tax Rates.' Because at that point, what they wanted to look at is this proposal about cutting taxes. What does that mean for their budget? What does that mean for the deficit? And, through these macroeconomic theories, does it actually end up realizing in some additional revenues coming in? They actually found that no, it doesn't. You're left with a bigger deficit. That's what has been found in this brief.

"The third thing that I'd like to point out is, getting back to what the Finance Chair said. We're all in this huge, really bad deficit. And there's only, at this point, two ways that we're going to be able to do it: through further cuts in our budget, or some modest tax increases. What I'd like to point to is President Obama's Budget Director, Mr. Peter Orszag, who considered that question, and he concluded, "Tax increases would not, in general be more harmful to the economy than spending reductions. In the near term," he wrote, "tax increases on higher income families, are the least damaging mechanism for closing state fiscal deficits."

"Mr. Orszag's arguments recently were summarized in a letter signed by 120 economists and sent to the New York Governor, David Patterson. I think those reasons are things that we need to look at if we're truly going to be trying to tackle this deficit. Those are the types of economic theories that we need to look at, because at the end of the day, as the Finance Chair said, we have a huge deficit, and we're going to have to make it up somehow. This, I think, is one modest proposal. Thank you, very much."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. I just wanted to make the pitch for charging the wealthier income wage-earners as much as middle income wage-earners make. I was reading a story here from the Washington Post from a couple of years ago where Warren Buffet was saying that we really should tax the very wealthy, at least at the same rate that we tax the middle class.

"And, according to Mr. Buffet who of course is a world class, probably the premier investor who made $46 million in 2006 and paid 17.7% of his taxable income. Well, his receptionist paid 30% of her taxable income in taxes. And the reason for this is largely because the Social Security Tax rolls off. I don't remember exactly where the threshold is, but it's about $100,000. Anybody who makes more than $100,000 gets a 7.5% tax break.

"So, increasing the tax by these tiny percentages that we're talking about here, gets us a little closer to the very wealthy paying as much as the middle class does in percentage terms. Mahalo."

Representative Evans rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. I'd like to talk a little bit about the value system that we have in Hawaii. For those who don't make a lot of money, they give what's called, 'in-kind service,' and I think what's happening when we get into these discussions between the Majority and the Minority today, we get hung up on the word, 'tax.' And, I think we need to stop talking about tax. I think we need to talk about what people give to their community, and how they can give.

"The ones that are low income and middle income, they contribute to our community, and we don't put a dollar value on every hour that they give to the community. What they do for the schools, what they do for the parks, for the cleanup, for the things that they contribute, so we have this great Hawaii sense of place. And, what happens with a lot of people in the higher income tax bracket, they work really, really hard. They have to manage their investments, they have to meet with lawyers, accountants. It's a very heavy responsibility that they have. They don't have those hours to give to in-kind service, because they're doing their service to their community the best they can.

"I do believe in my heart that these people who make that kind of money want to contribute in their way. Their way probably is with money. Our way, the ones that don't make money, is to give our heart and soul to the community. We're out there. We're doing the hard work. Maybe it's working labor. What about working mothers? How about mothers who stay home and take care of the kids? All these people, where is the dollar value? They give. We all give. And like I said, in my heart, I do believe the people who make this money, I think they get it, and they understand that. So I really support this. Thank you, Mr. Speaker."

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, in opposition and rebuttal. A lot of the statistics that have been mentioned by the Majority Leader relates to federal budgets. I think we need to redirect ourselves and compare ourselves to state budgets. And, I'd like to read some information based on the National Association of State Budgets, as well as a fiscal survey of the states and various editions of the U.S. Bureau of Census that relates to the states.

"In the early '90s, many states did have problems with their budgets very similar to what we're going through now. It just wasn't coupled with the federal crisis. So, today we not only have state crises, but federal crises. What Governor Zell Milner did in Georgia in the early '90s; they were facing a huge budget deficit, and what they did was, they did huge income tax cuts for everybody. They were told you're not going to get the income back. But he had such a strong philosophy, that he believed that people would be able to spend their money a lot more wisely than government. He wanted the money to stay with the people. After that happened, Georgia enjoyed the fastest growth of any state east of the Mississippi. Employment grew more than twice the regional average from 1990 to 1996.

"New Jersey also had a budget deficit. Governor Christine Todd Whitman cut income taxes by 30% for all income tax brackets, and what happened was, by the mid-'90s, 80 percent of the jobs that were lost during the previous Administration's years had been recovered. Personal income in the state also grew by nearly 4% within a year, after virtually no growth in the previous years.

"In New York, Governor George Pataki rolled back all income tax that were raised in the previous Administration, and New York, after losing one half million jobs because of the tax increase from the previous Administration, New York actually enjoyed an increase of 90,000 jobs within 12 months of the cut.

"Mr. Speaker, I've always voted for this bill. I come from a working class family, plantation laborers, teachers, custodians, and it sounded okay. These people have more money, so they should give more. But I learned something last week from a guy named Joe. He's a former Carpenters Union member, a former member of the Operating Engineers Union, and just a few years ago, he had this American Dream that, 'Hey, if I can do this job, why don't I become the boss?'

"And so what Joe did was he started his own contracting company. And he immediately was very successful. For the first time, he bought the house that he had always dreamed of for his wife and family. And he was able to finally give more to the churches and the non-profit groups, and to his daughter's school. He never gave money to his daughter's school before.

"At the end of last year, Joe had six contracts lined up, signed, with deposits made. And then starting at the end of the year and beginning in January, the federal government started talking about taxing the rich. We started talking about taxing the rich. In addition to that, we started talking about taking away tax credits for businesses. The federal government started talking about taking tax credits away for businesses, as well as those who are wealthier. And even taking tax credits away for giving to non-profits.

"One-by-one, each customer called Joe and said, 'You know what, Joe? I can't do this right now. The uncertainty with the federal government and the State is too high. I fall in these brackets. We're going to stop giving to everybody. We're going to not remodel this year, and I've got to pull out.' All six of those clients were lost by Joe.

"The same story was told to me about Aldrin dela Hermosa. He, like me, is a plantation kid, whose family immigrated from the Philippines and worked on a plantation. And he also had that American Dream that, 'Gosh, I want to make it, and I want to be able to give more to people.' He also educated me about how he just makes this tax bracket for the first time this last year, but he's also lost numerous clients …"

Representative Thielen rose to yield her time, and the Chair "so ordered."

Representative Pine continued, stating:

"So, I guess what I'm trying to say is, for the first time I realized, God, this is going to affect my family, in terms of not just this little Starbuck's coffee, but they might lose their jobs. Because what happened after that was, Joe had to lay off his workers. Joe had to tell that small business that he was buying all his construction supplies from, that he can't be a customer anymore. And that company laid off their workers.

"So, this isn't just about Starbuck's coffee. This is about the 'American Dream' that we are just killing, so that we instead can trust government to handle people's money more than themselves. And I've just got to put my bets on the people of Hawaii, that they can do better."

Representative Finnegan rose to respond, stating:

"Mr. Speaker, once again in opposition. Thank you, Mr. Speaker. On this matter, I'm reminded of a quote by Abraham Lincoln. He once said: 'You cannot strengthen the weak by weakening the strong. You cannot lift the wage earner up by pulling the wage payer down. And you cannot build character and courage by taking away men's initiative and independence.' Thank you."

Representative Ward rose to respond, stating:

"Brief rebuttal with a footnote and clarification. I like the notion of the Majority Floor Leader, of giving, as one's way of paying taxes. However, there's an interpretation that it's taking, and I'd remind the Body, Mr. Speaker, that I announced here on Monday that, that was Patriot's Day. It was the beginning of the Revolution, which was fought about taxation without representation.

"Taxation is a core value of our history. It's been argued from the very beginning of the Republic to now. The giving and the taking is still being debated. It's nothing really new. One could argue that without the taxation, perhaps the status of the United States would even be different today. We don't know that. But to take it away as something that is not part of our history is not historically accurate.

"Secondly, there was a misconstrual of what I had said regarding, 'no new taxes,' not decreasing taxes. That's not what I think anybody on this side of the argument is saying. It's simply saying, no new taxes, particularly at this time, particularly in this economy. As my colleague just noted, this is all about jobs. You may think its taxation, but it's all about jobs, and that's the bottom line, Mr. Speaker. Thank you."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Just in opposition, and I ask that the words of the Representative of Ewa Beach be entered as my own. And, I just wanted to add that I think that it's highly important in this economy to see the connection and how we're all connected. The business owner, the consumer, we're all connected.

"When we talk about giving up a Starbuck's, or a gourmet plate, or whatever, but the fact is, is that that Starbuck's purchase in turn employs the *barista*, who in turn is making maybe minimum wage or what have you, who in turn pays his bills. So, we're all connected, and that's what we're just trying to say. So, in opposition with additional written remarks."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition to H.B. 1747 – This bill creates an extremely broad tax bracket at the rate of 8.25% for those earning between $96,000 and $750,000, and I am concerned that those on the low end of this proposed tax bracket, who are the middle class of Hawaii, will feel this tax increase harder than most.

"Raising taxes during economic hardship is never a good idea. This takes money out of the hands of those who would otherwise be spending money and stimulating the economy. People making over $750,000 are being taxed nearly double their current rate, and those are the people with the capital needed to create jobs and keep the economy going. I think this bill could potentially send the message that Hawaii might not the best place to invest or do business. I am reminded of a quote by Abraham Lincoln. He once said, "you cannot strengthen the weak by weakening the strong … you cannot lift the wage earner up by pulling the wage payer down … You cannot build character and courage by taking away men's initiative and independence."

"The Department of Taxation states in their testimony:

"GENERAL SUPPORT FOR INCREASED STANDARD DEDUCTION AND PERSONAL EXEMPTION AMOUNTS - The Department acknowledges that it has supported increases in these amounts in the past and in general is supportive of such measures. As a matter of tax policy, the Department supports the increase in standard deduction and personal exemption amounts, as these increases have the greatest beneficial effect upon those taxpayers with lower taxable income. However, the Department cannot support increases in these amounts where they are paid for by increasing taxes.

TAX RELIEF LAGS TAX INCREASE - Further to the Department's opposition to this measure is that any purported tax relief lags the tax increase. As provided in this measure, the increase in standard deduction and personal exemption do not occur until the 2011 tax year; however the tax increase occurs during the current tax year. The Department cannot support this measure where the accompanying tax relief is not immediate.

OPPOSE THE TAX INCREASE CAUSED BY THE ADDITION OF HIGHER INCOME RATE BRACKETS - While higher income earners are less sympathetic with regard to tax increases, increasing taxes on those who are part of this group creates disincentives and unintended consequences that could have adverse effects on Hawaii's economy. First, the higher income earners as a group are much more sophisticated with regard to tax laws and may end up pursuing and employing additional legal avenues of reducing their Hawaii tax burden with the unintended result that the State is actually collecting less from these taxpayers than it was before the tax increases.

Most importantly, these higher-income individuals are also the small business owners upon which Hawaii's economy depends. Effectively, this measure creates a disincentive for a person to innovate, expand his or her business, which in turn slows the economy and keeps Hawaii's current economic climate stagnant."

"The Hawaii Association of Realtors states in their testimony, "This measure effectively creates new tax brackets and tax rates of 9, 10, 11 and 12 percent for:

1. Joint filers with incomes in excess of $250,000;
2. Head of household filers with incomes in excess of $187,500;
3. Single filers with incomes in excess of$125,000;

HAR would note that during these tough economic times, it is extremely difficult for individuals and families to make ends meet. The value of the dollar is not what it once was, particularly when factoring in inflation and the high cost of living in Hawaii. As a result, it is a continuing challenge for Hawaii residents to manage expenses, from purchasing basic necessities to owning a home.

Moreover, any additional individual taxes will result in less money being circulated into the economy, at a critical time when the economy needs it. These funds could instead be used by individuals to help a homebuyer with a first home purchase, or to provide small businesses with funds to invest and improve in their companies."

"Thank you."

Representative B. Oshiro rose to respond, stating:

"Mr. Speaker, just very briefly. I just wanted to make one more rebuttal argument. I don't think anybody in this Chamber is trying to do anything to destroy the 'American Dream.' But, I think the harsh reality is unfortunately, that dream is dissipating for many, many people. The most recent census conducted, according to an article dated August 29th, 2006, shows that there's a widening gap amongst Americans, between the wealthiest and the poorest in our nation. And that is a statistic, I think, was hitting us even before this economic downturn.

"And so, in these times, that gap is only going to continue to widen. That class division is only going to continue to separate. And so much as the Representative from Nu'uanu may want to say that we're all connected, unfortunately, in this country, we're not connected. There's a big, big gap. And that is the other reason I support this proposal, which is that what it plans to do for the tax years in 2011, is actually increase the Standard Deduction for the lowest people on the tax bracket. And for those reasons, I continue to stand in support."

Representative Pine rose to respond, stating:

"Just briefly. How have we been wise with the people's money? We talk about giving up Starbuck's, but has government given up a Starbuck's? In just nine years, we have increased the cost of employee salaries, health benefits, and retirees by $1.3 billion. In just nine years. So, it seems like not everybody is suffering here. I believe that everyone in the State should have the opportunity to be the wealthy. But we're not going to get there by taxing them and punishing them for their success. And if I can additionally put some comments in the Journal, I'd appreciate it."

Representative Pine's written remarks are as follows:

"Thank you Mr. Speaker, I rise in strong opposition to this tax increase. This bill would increase taxes for single filers with income in excess of $150,000.

"We are in the midst of a devastating recession. Just last month, Hawaii's unemployment rate jumped to 7.1 percent, the highest mark in more than 30 years, and there are no signs that this number will improve in the near future. By raising taxes now, we will be making the economic situation in this state even worse. If government takes more money from households, individual spending will decrease. Without consumer spending, our businesses cannot survive. They will be forced to shut down, resulting in even more of our fellow citizens becoming unemployed.

"It has been said that this tax increase will not affect a great majority of people. The belief is that the increase is just limited to the "rich," and since they can afford the tax increase, the damage should be minimal. This is a short sighted and wrong view. Tax increases do not happen in a vacuum. The negative effects of a tax increase will spread out to all economic sectors and socioeconomic classes in the state.

"Small businesses will be particularly hurt by this increase. These businesses are the heart of Hawaii's economy. They make up 96% of the state's employers, and 55% of private sector employment. Because of the present economic downturn, many of these businesses stand on the knife edge of survival. By passing this measure, we will push these enterprises over the edge by directly increasing taxes on them. This is because last year, over 27,000 small businesses used pass through entities to file their tax returns, such as LLC's, LLP's, and S corporations. This means that the business' income was computed as personal income in the owner's tax return. Much of this income is in excess of the $300,000 number in this measure. This coupled with declining revenue from the slumping economy will shut down businesses and put people out of work.

"Another problem with this bill is that there is a good chance that it will fail in its primary objective of raising revenue. Many higher income people can find ways to avoid paying taxes. For instance, there is nothing in place that forces these upper income individuals to stay in the state. These people have the means to be mobile, and they could leave the state without difficulty. They could even stay in the state for an extended period and avoid paying taxes completely by spending less than six months of the year in Hawaii.

"DOTAX identified this problem in its testimony. The Department stated that "higher income earners as a group are much more sophisticated with regard to tax laws and may end up pursuing and employing additional legal avenues of reducing their Hawaii tax burden with the unintended result that the State is actually collecting less from these taxpayers than it was before the tax increase."

"Still, even more damage to the state will be done by taxing the so called rich. High marginal tax rates discourage work effort, savings, and investment. These individuals are the innovators and jobs creators of our economy. By taking money out of these high earners pockets, we will be eliminating jobs and opportunities for new employment.

"On this matter, I am reminded of a quote by Abraham Lincoln. He once said, "you cannot strengthen the weak be weakening the strong…you cannot lift the wage earner up by pulling the wage payer down… You cannot build character and courage by taking away men's initiative and independence." By passing this legislation, we are going against the very heart of President Lincoln's quote. Yes, I understand that we have a budget problem, but there are other and better options that solve this problem without crushing people under a heavy tax burden. We cannot raise taxes without damaging the economy, so let's pursue other avenues, and vote this bill down.

"Thank you."

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"According to the Center on Budget and Policy Priorities, 29 states faced a total budget shortfall of at least $48 billion in 2009.

"Now, preparing a budget for 2010-11, Hawaii joins others in the nation struggling to create a balanced budget with decreasing revenues.

"In general, there are three ways states can close these budget gaps; a combination of spending cuts, use of reserves and revenue generation.

"HB1747 taxes an individual who makes $200,000 to pay $625 in income tax, and a head of household who makes $300,000 to pay $938 more in taxes. This progressive tax will help our State to soften the deficit and does not place an undue burden on those who make less than $150,000. This is a fair tax which mirrors somewhat the plans of our new President.

"Peter Harkness, writing in the Potomac Chronicle, a feature of *Governing Magazine*, stated: "Balancing a state budget with spending cuts alone is next to impossible." I agree with his assessment after many hours spent studying the budget.

"I urge the members support of this bill."

Representative Chong rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Chong's written remarks are as follows:

"Taking a dollar out of the private sector for a tax does not mean it disappears. The tax dollar will be spent within the economy. Its expenditure benefit does not disappear. Also we are reducing appropriations by approximately $400 million and not just raising revenues. The House cut $200 million on top of the existing cut of $200 million from the Governor."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1747, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 37 ayes to 12 noes, with Representatives Berg, Brower, Ching, Finnegan, Hanohano, C. Lee, Marumoto, Nishimoto, Pine, Thielen, Ward and Wooley voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 3 and H.B. No. 1175, HD 3, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1175, HD 3, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, may I say a few remarks regarding the Cigarette Tax, Conference Committee Report No. 3? Mr. Speaker, I am in opposition. Mr. Speaker, if this was a GET tax increase, everybody would be voting against it, because we know the GET tax is regressive. It hits the poor. But if you look at, who are the smokers, who's left? What are the demographics of who is left smoking? It's those who socioeconomically are at the bottom. So, this is going to hurt those who can't afford it.

"And, I know it's getting expensive to smoke, and many are quitting. I myself smoked for a couple of decades, but I've quit. Many in this room have quit. But to do this now, in the time when we have a crisis, when people may be jeopardizing their jobs and their security, where they may need a cigarette like many of us did in the past. Now is the time when this is really going to hurt them.

"So, Mr. Speaker, raising taxes and getting people to stop smoking is good. But the timing is not good, and the rate that we're now going to be charging them is going to hurt the poor. Thank you."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. It's almost a laughable argument that was just made. I think someone who doesn't make a lot of money, and who stops smoking because the prices of cigarettes have gone up too high, has been done a great favor. They're not going to get emphysema. They're not going to get lung cancer. And I'll tell you, getting lung cancer, or emphysema, or any of the many health risks that go along with tobacco smoking are much more expensive than the tax that they're going to pay on their cigarettes. Thank you."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I also rise in opposition. My remarks go to the next measure also, which is the tax on tobacco products other than cigarettes.

"In the past, I have voted for taxes on tobacco. But this time, I'm shifting gears. I just feel that the increases are almost confiscatory. And, I think such big increases will encourage Internet purchase of these products, smuggling, and illegal activities. And, I think that we won't derive as much revenue as we hope to achieve. Thank you."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Mr. Speaker, on Conference Committee Report No. 3, just a short rebuttal. I am voting against this measure, and throughout my time here, in regards to this issue, I've been voting up. I just kind of wanted to add, because there was a moment of laughter having to do with the explanation or the speech that the Representative from Hawaii Kai was mentioning,

and I would like to bring a bit of a personal point or experience to this conversation.

"The reality is this. I've spent time, I don't know if anybody else has, but I have actually spent time sitting down with homeless at the park, and it's really interesting, because those who smoke, no matter what the cost of a pack of cigarettes are, many of them don't quit. They do keep on smoking. And I agree, they should for health reasons stop smoking. But for whatever reason, whether it be spending their money on alcohol, or spending their money on cigarettes, they are doing it. Sometimes they give up food for it. It's an addiction, Mr. Speaker.

"So, if you're talking about a laughable moment of how we're raising taxes on people who smoke, it's a serious issue. A serious issue that in the reality of things, some of them who are the poorest of our residents will not give up smoking, unfortunately, and will probably give up other things that they'll spend on to buy cigarettes. I just wanted to bring some of those thoughts to that laughable moment."

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, standing up in support. I do want to clarify that the issue of smoking and tobacco addiction is not a problem of the poor. It's a problem of everybody, Mr. Speaker. It's not that only poor people buy cigarettes to deal with the mind-numbing high off of cigarettes. The middle class do it. The rich people do it. Everybody does it. Mr. Speaker, regarding the issue of why they call this a 'sin tax,' or the issue of raising the taxes of this. Again, if you look at the costs associated with smoking, cancer, secondhand smoke, it affects all of us, greatly.

"It affects those in our emergency rooms. It affects those in our healthcare industry. It affects those as they search for the difficulty of trying to find appropriate long-term care.

"So, Mr. Speaker, when we look at this issue, we shouldn't look at increasing cigarette taxes as affecting the poor and their ability to access cigarettes. We should look at the health effects and the positive outcomes that this can do. Mr. Speaker, if a bill like this allows just 10 people, or even one person to say, 'You know, I can't afford this. I need to look at other options.' And they go and call the Tobacco Line and look at options like a tobacco patch, or tobacco gum, then this bill has reached its goal.

"And just to let you know, as the federal government has increased the taxes on cigarettes, my understanding is the number of calls going to the Tobacco Line has increased over 40%. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"Mr. Speaker, a brief clarification. I would not want to have misspoke on the data, but the demographics are clear. The socioeconomic level of a preponderance of smokers, the majority, are those at the lower socioeconomic level. If it was not the case, I'm sure the cost of the cigarette that we're now increasing the tax on would even be higher. If this was something in the upper bracket, that only the elite smoked, I'm sure the tax would have been even increased.

"So, Mr. Speaker, it's very clear. And I think we have to be concerned that those people who are on the edge, who are poor, who look to this as some people do chocolate as comfort food. Sometimes cigarettes do serve a purpose in terms of mental health and social discourse in our society. So, Mr. Speaker, clearly the poor are going to be hit by this. Thank you."

Representative M. Lee rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. I almost can't believe what I just heard. I do have a conflict probably, because I sit on the Board of the American Cancer Society. But the classic argument of the big cigarette companies over the years has been that a tax on cigarettes will hurt poor people. I didn't think anybody believed that anymore, but obviously I'm not right.

"But what I have in my hand here is a little package of Virginia Slims Super Lights. It's packaged extremely well to appeal to children and young ladies, because they can hide it in their pocket or in their purse and smoke when one doesn't need to.

"This argument that we're hurting the poor is really something that I haven't heard for years, and I'm kind of surprised that I'm hearing it in this Body. I'd just like to say that the Tobacco Tax has been shown nationally to cut down cigarette smoking and to decrease rates of lung cancer. It's a good thing, and we shouldn't have any qualms about it. Thank you."

Representative Cabanilla rose to speak in support of the measure, stating:

"I rise in support, Mr. Speaker. What I would like to do, if I could be so privileged, is that my colleagues from across the aisle have been opposing this measure, and I'm sure they're going to oppose the other measures that have something to do with increasing taxes. I know that we're doing it in an attempt to balance the budget. But what I have not heard from them is what would be their solution to closing that gap?"

The Chair addressed Representative Cabanilla, stating:

"Representative Cabanilla, I believe you are out of order at this point, because the focus of this measure is the increase of the cigarette tax by one cent for the next two years."

Representative Cabanilla: "I would like to ask the question when the appropriate time comes. 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. 1175, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 44 ayes to 5 noes, with Representatives Finnegan, Marumoto, Pine, Ward and Wooley voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 4 and H.B. No. 895, HD 2, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 895, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

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. 895, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ON TOBACCO PRODUCTS OTHER THAN CIGARETTES," passed Final Reading by a vote of 44 ayes to 5 noes, with Representatives Finnegan, Marumoto, Pine, Ward and Wooley voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 52 and S.B. No. 1111, SD 1, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1111, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I will rise in opposition to Conference Committee Report No. 52. This bill would raise the Tourist Accommodation Tax, or what we know as a 'hotel tax.' I would like to quote a little bit from a speech in an article written by Dr. Richard Kelley, whose family founded the Outrigger Hotel chain. And in it, he quotes Leroy Laney, who wrote an article and stated that travel and tourism is related to some 40% of the State's gross domestic product, and up to 75% of all jobs.

"So, tourism of course, as we all know is very, very important to our economy and our way of life. We're raising this tax one percent, and then two percent the following year because we think we can get away with it. And Dr. Kelley says, 'Politicians think they can get away with it because

visitors don't vote. But they do. Not at the ballot box, but with their pocket books.'

"And he goes and talks about the price sensitivity of vacationing in Hawaii. He compares the price for a vacation for a family of four in Waikiki, compared to Acapulco. And obviously, Waikiki is more expensive than a Mexican vacation. He also goes on to say that tax collections may go down, and I quote him. Here's why:

> Raising the TAT will further increase the cost of a trip to Hawaii, and until the gods repeal the laws of economics, increasing the cost of a vacation will decrease travel and visitor spending in our State, particularly in these tough, price-sensitive times. This means fewer outside dollars coming into our community. And that translates into fewer jobs in hotels, restaurants, and visitor attractions. The companies that supply hotels will need fewer workers and less warehouse space. Taxi drivers will drive fewer miles, and there will be less demand for hula dancers. All those people will have less to spend at Foodland, Long's, and every other shop in our State. Unemployment, bankruptcies and foreclosures will rise, home values will fall. Local charitable organizations will receive less support, and government revenues from property tax, income tax, GET, vehicle registration fees, and a host of others will go down. That's right. Raising the TAT may actually lead to a decrease in total tax collections. It's paradoxical, but true. The hurt will really not be exported ...

"And in this respect, he is referring to our tourists. I continue to quote him:

> … or paid by people who come here, but felt by the local residents the politicians want to protect. The long-term effects of an increase in the TAT can also be very damaging. Some hotels might even go out of business. Really. Yes, this has already happened.

"And he goes on to say that a lot of these hotels may change to residential properties. And then we lose a lot of jobs, because these other apartments will employ far fewer people.

"So, he urges us to vote 'no' on this, and I think we should listen to him. Dr. Kelley is a local boy whose family built up a local business, the Outrigger Hotel chain. And the history of our hotels is very much the history of the Outrigger Hotels here in Waikiki. I urge you to vote 'no.' Thank you."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. I rise in opposition because I want to share with you that I had the occasion to be in Waikiki at the Royal Hawaiian Shopping Center just the day before yesterday. And I'll be frank with you, I was frightened. I went to the Royal Hawaiian at dinner time to go to a meeting, and there were very few visitors. I'm a local girl. I've been going to Waikiki since I was a child. I don't remember seeing it so quiet at this season.

"And when I went past the stores, the look in our local people's faces, there were no customers in a number of the stores. It was so frightening. The look on the face of one of the sales girls. I just don't think it's time. And I reiterate, I know it's been said on the Floor before, but we cannot compare ourselves to New York. New York City is in the State where Wall Street is, and it's an economic center. It's a one rail ride to Washington D.C. It's a whole different 'apples and oranges.'

"We're the most remote place on earth, and people don't come here so much, as much as we'd like to think, for business. They come for leisure. Raise the price and they'll cut it out. So, we have to support our tourist industry. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition, with only one footnote. Mr. Speaker, after 15 years as a retailer at the Royal Hawaiian Hotel, I want you to know that we were just slaves to occupancy rates. When occupancy went down, you can basically decimate the small business community. And if we're tweaking it now, even if this one percent or two percent equals a half percent, or a decrease of a small amount, that has ripples throughout the whole industry.

"Mr. Speaker, I hope between now and the Conference Committee, we listen to the experts, we listen to those in the industry, we listen to the Doc Kelley's. We listen to all those who've been through this, the Tatibouet's, etc. And by listening, we let them, not the political objectives, but those who are the professionals. They are the keepers of the 'crown jewel' of our economy.

"This is very serious business, and doing this without full consultation with them, or against their consultation should be seriously taken into consideration. Thank you."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. I wish to vote with reservations. Again, it's a difficult task for me, because having once been the Finance Chairman, I know how difficult it is to balance the budget. The Chairman and you, Mr. Speaker, have done a very good job in attempting to balance the budget.

"But, I believe, Mr. Speaker and Members, that an increase in the TAT and using the money for general funds is wrong. If you would increase the TAT to increase marketing, and solely for marketing in the downturned market that we have now, I would agree. When the market is soft, you market more. Not take away.

"Now, I understand the need for revenue. There are other ways of getting revenue that I would prefer. I don't believe we have even touched the Hurricane Fund yet. We should look at that and taking some money away from there. I've never been shy about taxes, and if you need taxes to help to provide for a safety net, you should do it. Right now we have those with mental health problems that are going without any help at all. This budget here, unfortunately, because we're so concerned about balancing, and I understand that, but we're not providing enough to take care of the safety net.

"Neighbor Island hospitals will be again, working at deficit. I doubt if there is enough money for that. There are those that are in drug rehabilitation programs whose money has been cut 50%, from $400 to $200, and very shortly to zero. Now what's going to happen to these people here? Where is the safety net for them?"

The Chair addressed Representative Souki, stating:

"Representative Souki, please confine your remarks to the Transient Accommodations Tax."

Representative Souki continued, stating:

"I deviated, Mr. Speaker. I'm very sorry. I'm just trying to impress that this total package that we have is not sufficient to take care of the safety net. And that's my concern. Thank you very much, Mr. Speaker."

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, in opposition, Mr. Speaker. Thank you. We are dealing with a $2 billion budget deficit, and what we have here is a difference in philosophies, and that's fine. Maybe I can resurrect someone that was very important in America, and that we can all feel fond of, and that's Thomas Jefferson.

"When he first became President, he inherited a huge, huge national deficit. And his goal was not only to reduce the deficit, but actually increase the income of the national budget by reducing taxes. He hated taxes. He believed that it was big government coming into people's lives, and that the government would waste his own money. And he went forward with that philosophy, and by the end of his term, not only did he reduce the national deficit, they actually had a surplus.

"So, what we're talking about aren't these strange Republican ideas. These are ideas that have gone on in American history that have proven to work. There may have been about a hundred economists that the Majority Leader had mentioned regarding taxes, that don't believe in ..."

The Chair addressed Representative Pine, stating:

"Representative Pine, and the Members of this House, please confine your remarks to the increase of the Transient Accommodations Tax, and not go into a sermon on taxation at this point?"

Representative Pine continued, stating:

"Thank you, Mr. Speaker. I'm sorry. I just got so emotional, I couldn't help myself. Regarding this bill, which is a tax increase, there are over 200 economists that are opposed to raising taxes on the people. And they all signed this letter here. They believe that lower tax rates and the reduction in the burden of government are the best ways of using fiscal policy to boost growth.

"Now, does this bill boost growth for the State of Hawaii, so that we can have more income for our budget? Well, I believe it doesn't. This increases the Transient Accommodation Tax, and this is bad for our number one business in the State of Hawaii. It basically increases the tax and kills the 'goose that lays the golden egg' for Hawaii. Last May, Hawaii topped AAA's list of most expensive vacations. That's not a great achievement to be well known for.

"Since then, HVCB has been waging a media campaign to tout Hawaii as a value destination, driving home the point that a Hawaii vacation in 2008 cost substantially less than it did in 2007. Since October, national media outlets and travel agencies have been touting Hawaii as one of the best vacation deals available. Just this last week, we were in national business magazines, where it talked about how Hawaii is actually going to make their vacations more expensive by increasing this tax.

"Raising the TAT is simply going to undo all the hard work that the HVCB put into trying to get more tourists here, by making a Hawaii vacation more expensive. And don't think that people won't see this as a tax increase. The Associated Press, as I mentioned earlier, did write the story and it was in *Business Week* just this last week.

"According to the American Economics Group research report, entitled, 'Update 2008: Room Taxes and Economic Impact of the Lodging Industry,' which each of your offices received yesterday, Hawaii visitors pay an average of $25.79 per night, versus the national average $12.69 a night. Our total tax on visitors is 11.42%. And add an additional half percent for visitors to Honolulu County. By comparison, Las Vegas' total tax on visitors is 9%.

"Generally speaking, destinations with higher tax rates, such as New York or Washington D.C., are business destinations, where an employer often picks up the tab. All this bill will do is make us a less attractive destination.

"So, maybe you don't want to pay attention to the economic arguments against this bill. Maybe you want to rely on the notion that we need the revenue to balance the budget. If that is the case, maybe the last relevant point of the study would give you pause. The one that concludes that a one percent increase in the TAT would lead to a loss of 3,200 jobs. For me, Mr. Speaker, I take that very seriously, because a majority of those that work in my district work in the hotel industry. 3,200 jobs lost, as a result of this bill. These are our friends, our neighbors, our family, that are going to require the services of the Department of Labor and Industrial Relations and possibly the Department of Human Services, further straining the State budget. This many people who will likely be paying less in income taxes this year, because they have less income.

"Mr. Speaker, there are good ways and there are bad ways to balance the budget. Keep in mind that balancing the budget and shortening a recession are two different tasks. You can balance a budget in such a way that lengthens or worsens the recession. This bill is such an example. Thank you."

Representative Manahan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Rising in support of this measure. Thank you. I don't think anybody here is crazy about wanting to raise taxes, but I think we all understand that it is necessary. I just wanted to address some of the comments that were made in regards to the economy and pricing for the one percent increase, and the two percent increase going out. The increased cost of one percent on a $100 hotel room would just add $1 a night to the visitor who is coming to Hawaii, and then $2 a night going out. I don't think that is going to deter anybody who is really thinking about coming to Hawaii from making that decision to come here.

"With regards to the percent, even at two percent, by raising it by two percent, we're still well below the nation's average, and certainly one of the lowest in the entire nation. And as far as using the TAT for the general fund, there was a good point that was raised earlier today by one of my colleagues who said that basically, a lot of our tourism product, the beaches and our roads, and all the other things that we depend on for the tourism product are supported by the general fund, so there is a nexus.

"One more thing I would like to address is in regards to the job loss. I don't know that that is a fair argument. But I would be the first to say that if the hotels make the commitment to this Body and to this Caucus, that by not raising the TAT they will maintain the current level of job employment and work hours, I'd be the first to say, 'Okay, let's not raise the TAT.'

"So, I just want to urge the Body to consider that if this measure falls through the cracks, given the size of the budget deficit that we have, the only other option that we would be considering is to take the TAT from the counties and allow the counties to raise their GET. The counties of course, would do a GET increase. So, I think the economy hasn't bottomed out, nobody's saying we've bottomed out, I don't know if that, at this point, is a wise decision. So please, Members, I ask for your support."

The Chair then addressed the Body, stating:

"Thank you, very much. Members of the House, we've had a lot of discussion on this measure. If you would like to submit written comments, or state your vote with reservations, for or against, you are given the opportunity at this time."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Just some short comments in opposition, please."

The Chair responded, stating:

"I've already stated the position of the Chair. You can submit your written comments in the Journal at this point in time. If I allow you to speak, I'm going to allow all the Majority members to have their say too, if that's what this Body wants to do this afternoon. I wanted to get out by 1:00 because of Conference Committee meetings. So, I'm allowing you to submit your written comments."

At 1:13 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 1:14 o'clock p.m.

At this time, the Chair announced:

"During this recess, we had a little discussion, and the Chair will allow the Minority Leader to give her remarks. I will also allow one member of the Majority Caucus to have their remarks. And finally, I'll ask Representative Ward for a correction. Representative Finnegan."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'll make this fast because I know we have business to do. Mr. Speaker, in opposition. What I'm hearing in this debate is that revenue is what we're after. And so, I had a conversation with my husband, and he gave me a very good example, a local example of why we think this doesn't work. There was this 'buzz' back in the '80s or early '90s with the UH volleyball team, it was so exciting to go to their games. There were tens of thousands, or at least 10 or 15 thousand people going and attending these games. And this is in comparison to raising the TAT tax."

The Chair addressed Representative Finnegan, stating:

"Representative Finnegan. Okay, I don't see the correlation at this point, but please proceed."

Representative Finnegan: "And I will, just like Perry Mason, get to the point."

Speaker Say: "I thought your remarks were going to be very short."

Representative Finnegan continued, stating:

"Yes, and it will be very short. What had happened during this time when there were tens of thousands of people coming out to these games, it was exciting. People were coming out and supporting the UH Rainbow Wahine and UH men playing volleyball games. Then the ticket prices went up, and what happened? We were season ticket holders back then. Now, we don't have that kind of support for our teams. The 'buzz' is no longer there, even when they are having a good season, Mr. Speaker. And that's the point.

"When we take a look at this, we see revenue generation by adding more taxes to the rooms. I see revenue lost with this same bill, Mr. Speaker. It's going to kill the 'buzz' for people coming to Hawaii. And that's why we're so strongly against this, because we see the opposite effect of what this is going to do. Not revenue generation, but revenue depletion. Thank you, Mr. Speaker."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support. I just want to set the record straight, Mr. Speaker. The sky is not falling. The end of the world is not at hand. And Hawaii's tourism industry will remain the top premier destination for world class travelers.

"Back in 1987, through June of 1994, the TAT was at 5%. Five cents on a dollar. We were struggling at that time, coming off a recession, dealing with the Gulf War, and SARS. It went from 5% to 6%, Mr. Speaker, back in 1994. It stayed that way for four years, and no one in this Chamber can tell me those weren't hard times. In fact, it was a recession here, locally and nationally.

"Mr. Speaker, and then it went up 1.25%, from 6% to 7.25%, in January 1999. And for the last 10 years, it has been at 7.25%. There has been no catastrophe, as far as our visitor counts. Mr. Speaker, this increase raises one penny on a dollar. Two cents on a dollar. $1 more per day. $2 more. People are not going to stop coming to Hawaii. We have the best bargains. We have the best industry. We have the best workers. We have the best attractions. So, let's get beyond the hyperbole, and the fear.

"We will raise from these measures approximately $28 million in the first year, and $60 million in the second year, Mr. Speaker. These will go to sustain the quality of life we all want for our constituents. And our visitors will help us pay for that.

"Mr. Speaker, we also know that the tourism industry is seeking assistance from us. They are seeking from us an additional $10 million for marketing and promotion. And we would like to entertain them, Mr. Speaker, from the same money that this measure will raise.

"My second point, Mr. Speaker. They are also seeking an additional language clarification to help them access an additional $5 million dollars for further promotion during times like this. So, Mr. Speaker, this money does not come from the tourist visitors and go only to the general fund. A portion of this does go back to marketing tourism. It does go back to supporting our hotels. It does go back to supporting our industry. I think these are important points that need to be made. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"Thank you, Mr. Speaker, for the opportunity to set the record straight. I misspoke when I appealed to the Conference Committee as the next safety net, if you will, so we don't do what we're going to do. I want the record to reflect, and I stand corrected that I'm not appealing to the Conference Committee, but to the 5th Floor. Governor Lingle, veto this bill. Thank you."

Representative Souki rose to respond, stating:

"I just want to make a simple rebuttal, and I'm still with reservations. And with all due respect to the Chairman. The money that was increased in past years from the time when I was the Speaker and he was the Floor Leader, I believe, was used only for marketing purposes, and I'm speaking about the increase. This increase now is not for marketing. It's going to the general fund. That's the difference. Thank you."

Representative Belatti rose to speak in opposition to the measure, stating:

"Thank you. I just wanted to register my opposition and request to insert written comments. I would just note that my opposition isn't entirely in line with my esteemed colleagues of the Minority Party. Thank you."

Representative Belatti's written remarks are as follows:

"I rise in opposition to Senate Bill 1111, Conference Draft 1 which imposes a 1% increase on the Transient Accommodations Tax over a one-year period and another 1% increase on top of this for a five-year period. Tough times call for some tough decisions. This tax increase, however, is one decision we should not be making. This measure attacks one of the most important economic drivers in our State – the tourism industry – at a time when the industry is desperately trying to cut prices to maintain market share and keep our local people employed and our small businesses running. Although I recognize the pressing needs we have to address and the desire to fill the budget shortfall, this measure does far greater damage to the health of our statewide economy and I cannot support this measure."

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of the measure to raise the Transient Accommodations Tax (TAT) to an unspecified amount with the increase amount to be deposited into the general fund.

"Peter Harkness, writing in *Governing Magazine* (Potomac Chronicles, March 2009) stated: "What's missing is serious talk about revenue. It seems to be an article of faith in Washington and across the country that increasing taxes in a recession is a bad idea. But is that true? If so, why is it that during the last recession, in the wake of the Bush administration tax cuts in 2001, economic growth was the weakest recorded by any administration in decades? On the other hand, President Clinton raised taxes during his first year in office and the economy boomed."

"The bottom line is, we need to find additional sources of revenue and this increase will be paid for by visitors and not our local residents. Many cities have much higher hotel room taxes including New York City and Atlanta.

"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. 1111, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed

Final Reading by a vote of 35 ayes to 14 noes, with Representatives Belatti, Berg, Brower, Carroll, Ching, Finnegan, Hanohano, C. Lee, Marumoto, McKelvey, Pine, Thielen, Ward and Wooley voting no, and with Representatives Bertram and Takai being excused.

At 1:24 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1741, HD 1, SD 1, CD 1
H.B. No. 1747, HD 1, SD 1, CD 1
H.B. No. 1175, HD 3, SD 2, CD 1
H.B. No. 895, HD 2, SD 2, CD 1
S.B. No. 1111, SD 1, HD 1, CD 1

STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1860), recommending that S.C.R. No. 50, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 50, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR THE ANE KEOHOKALOLE HIGHWAY EXTENSION, MID-LEVEL ROAD, IN THE COUNTY OF HAWAI‘I," was referred to the Committee on Finance with Representatives Bertram, Coffman, Har, Ito, Marumoto, Morita and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1861), recommending that S.C.R. No. 109, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.C.R. No. 109, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Pine rose in support of 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 strong support for SCR109 to advance passenger ferry operations within my district of Ewa Beach. The Oahu Metropolitan Planning Organization has included a ferry service in the Illustrative Category of the Oahu Regional Transportation Plan 2030 that list the site of Hoakalei Resort and Marina as a potential passenger ferry service terminal.

"The marina listed in the Resolution is a privately constructed and owned marina and it appears the formulation of the marina will not have a deep enough channel at the mouth of the marina to accommodate certain hydrofoil watercraft and thus the marina not conducive to serve as a passenger ferry system similar to what was orchestrated by the State back in its Wikiwki Ferry Pilot Program operating from Iroquois Point in the year 2000.

"The State and City should be poised to assist the private developer by encouraging the resort marina to be conducive to passenger ferry service and this Resolution is just one step to bringing this feature to Ewa Beach. Mr. Speaker, we welcome ferry operations in Ewa Beach to combat the amount of motor vehicle traffic on our area roads and this Resolution supports the concept be implemented."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 109, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A FERRY SYSTEM FROM THE HOAKALEI RESORT AND MARINA IN EWA BEACH TO DOWNTOWN HONOLULU," was referred to the Committee on Finance with Representatives Bertram, Coffman, Har, Ito, Marumoto, Morita and Takai being excused.

Representatives Souki and Morita, for the Committee on Transportation and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1862), recommending that S.C.R. No. 126, SD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.C.R. No. 126, SD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Rhoads rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I just needed to request a ruling on a possible conflict of interest on Stand. Com. Report Number 1862, 'Expressing Support for the Electrification of Energy Efficient Transportation.' One of my wife's clients is Better Place, which is an electric car manufacturer. 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.C.R. No. 126, SD 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE ELECTRIFICATION OF ENERGY EFFICIENT TRANSPORTATION SYSTEMS IN HAWAII," was referred to the Committee on Finance with Representatives Bertram, Coffman, Har, Ito, Marumoto, Morita and Takai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1863), recommending that S.C.R. No. 37, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 37, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN FOR A STATE ORGANIC PROGRAM TO UNIFY THE STATE'S ORGANIC CERTIFICATION PRACTICES AND PROGRAMS," was referred to the Committee on Finance with Representatives Bertram, Coffman, Har, Ito, Marumoto, Morita and Takai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1864), recommending that S.C.R. No. 121, SD 1, as amended in HD 1, be referred jointly to the Committee on Higher Education and the Committee on Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 121, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES, IN COOPERATION WITH THE DEPARTMENT OF AGRICULTURE, DEPARTMENT OF EDUCATION, AND THE HAWAII FARM BUREAU FEDERATION, TO CONVENE A WORKING GROUP OF STAKEHOLDERS TO CONSIDER THE FEASIBILITY OF ESTABLISHING A FARM TO SCHOOL PROGRAM IN HAWAII'S PUBLIC SCHOOLS," was referred jointly to the Committee on Higher Education and the Committee on Education with Representatives Bertram, Coffman, Har, Ito, Marumoto, Morita and Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1865), recommending that S.C.R. No. 127, be referred to the Committee on Tourism, Culture, & International Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 127, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ADOPT THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES," was referred to the Committee on Tourism, Culture, & International Affairs

with Representatives Bertram, Coffman, Har, Ito, Marumoto, Morita and Takai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1866), recommending that S.C.R. No. 38, SD 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 38, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEVELOPMENT OF A PLAN FOR INCREASING AID AND ASSISTANCE TO CERTIFIED ORGANIC FARMERS," was referred to the Committee on Finance with Representatives Bertram, Coffman, Har, Ito, Marumoto, Morita and Takai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1867) recommending that H.R. No. 134, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 134, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES AT THE UNIVERSITY OF HAWAII TO STUDY THE FEASIBILITY OF PLANTING NON-GENETICALLY MODIFIED KALO IN THE REFLECTING POOL THAT SURROUNDS THE STATE CAPITOL BUILDING," was adopted, with Representatives Bertram, Coffman, Har, Herkes, Ito, Morita and Takai being excused.

Representatives Tsuji and McKelvey, for the Committee on Agriculture and the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1868) recommending that S.C.R. No. 72, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 72, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF AGRICULTURE AND THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO COLLABORATE AND SHARE INFORMATION WITH THE DEPARTMENT OF AGRICULTURE TO PREVENT INVASIVE SPECIES FROM ENTERING THE STATE OF HAWAII," was adopted, with Representatives Bertram, Coffman, Har, Herkes, Ito, Morita and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1869) recommending that S.C.R. No. 119, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 119, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF BICYCLING," was adopted, with Representatives Bertram, Coffman, Har, Herkes, Ito, Morita and Takai being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1870) recommending that S.C.R. No. 66, SD 1, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.C.R. No. 66, SD 1, be adopted, seconded by Representative Evans.

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 S.C.R, 66 - Requesting the United States Postal Service to Issue a Stamp Honoring Prince Jonah Kuhio Kalanianaole. I believe Prince Jonah Kuhio Kalanianaole deserves the merit of this Resolution. If you look at this man's body of work, you will see a man who served Hawaii without hesitation. Prince Jonah Kuhio Kalanianaole had many accomplishments throughout his life such as creating the Hawaiian Home Lands and being elected to Congress and serving on the Military Affairs Committee.

"In 1902 Prince Jonah Kuhio Kalanianaole founded the Republican Party in Hawaii and in doing so brought the principles and ideals of freedom and equality to the Hawaiian people. I can not think of a better person to have carried the torch of Abraham Lincoln to Hawaii than Prince Jonah Kuhio Kalanianaole. 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. 66, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE UNITED STATES POSTAL SERVICE ISSUE A COMMEMORATIVE STAMP HONORING PRINCE JONAH KUHIO KALANIANAOLE," was adopted, with Representatives Bertram, Coffman, Har, Herkes, Ito, Morita and Takai being excused.

SUSPENSION OF RULES

On motion my Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to a certain House bill. (Representatives Bertram, Coffman, Har, Herkes, Ito, Morita, M. Oshiro and Takai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House bill, seconded by Representative Evans.

H.B. 1414, HD 1, (SD 1)

The motion was put to vote by the Chair and carried, and the House reconsidered its action previously taken in disagreeing to the amendments made by the Senate, and gave notice of intent to agree to such amendments for the noted House bill. (Representatives Bertram, Coffman, Har, Herkes, Ito, Morita, M. Oshiro and Takai were excused.)

ANNOUNCEMENT

Representative Yamane, for the Committee on Health requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measures on Friday, April 24th, 2009, at 8:45 a.m. in Conference Room 229, and the Chair, "so ordered."

SCR 56, 'Requesting the Department of Health to Increase Education Efforts to Prevent and Eradicate Cervical Cancer.'

SCR 77, 'Paying Tribute to Representative Robert H. 'Bob' Nakasone and His Legacy, to Name One of the Maui Medical Facilities in His Honor.'

SCR 167, 'Supporting the Health Care Communities Efforts to Obtain Federal Funding for Health Information Technology Grants.' The recommendation for this measure is to replace the contents of this measure with the resolution, 'Supporting the Saint Francis Health Care System of Hawaii Plan for the Post-Bankruptcy Proceedings of Hawaii Medical Centers,' and

SCR 170, 'Requesting the Hawaii State Legislature to Convene a Hawaii Health Care Summit to Develop a Strategic and Comprehensive Plan for Health Care in Hawaii.'

ADJOURNMENT

At 1:28 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, April 23, 2009. (Representatives Bertram, Coffman, Har, Herkes, Ito, Morita, M. Oshiro and Takai were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 22, 2009, 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 its action taken in disagreeing to the amendments made by the Senate on April 16, 2009, and gives notices of intent to agree to the following House bill:

H.B. No. 1414, HD 1, SD 1

House Communication dated April 22, 2009, 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. 1059, HD2, SD1	Discharged all House conferees.

House Communication dated April 22, 2009, 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:

H.B. No. 1782, HD2, SD2	Yamane/M. Oshiro, Co-Chrs.; Karamatsu, Finnegan

House Communication dated April 22, 2009, 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:

H.B. No. 895, HD 2, SD 2, CD 1
H.B. No. 1175, HD 3, SD 2, CD 1
H.B. No. 1741, HD 1, SD 1, CD 1
H.B. No. 1747, HD 1, SD 1, CD 1
S.B. No. 1111, SD 1, HD 1, CD 1

FIFTY-SECOND DAY

Thursday, April 23, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:06 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Pastor Joseph Hunkin of the Lighthouse Outreach Center, after which the Roll was called showing all Members present with the exception of Representatives Bertram, Takai and Takumi, who were excused.

On motion by Representative Evans, seconded by Representative Pine and carried, reading of the Journal was dispensed with and the Journals of the Forty-Second, Forty-Third and Forty-Fourth days were approved. (Representatives Bertram, Takai and Takumi were excused.)

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 299) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 299, informing the House that on April 22, 2009, the following bill was signed into law:

S.B. No. 190, SD 1, HD 2, entitled: A BILL FOR AN ACT RELATING TO COMMUNITY CARE FOSTER FAMILY HOME." (ACT 013)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 722 through 731) were received and announced by the Clerk:

Sen. Com. No. 722, transmitting H.C.R. No. 19, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE SECRETARY OF DEFENSE AND THE PRESIDENT OF THE UNITED STATES TO AWARD SERGEANT RAFAEL PERALTA THE MEDAL OF HONOR," which was adopted by the Senate on April 22, 2009.

Sen. Com. No. 723, transmitting H.C.R. No. 24, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES POSTAL SERVICE TO ISSUE POSTAL STAMPS HONORING THE WORLD WAR II NISEI SOLDIERS, OTHER DISTINGUISHED MILITARY UNITS IN UNITED STATES HISTORY, AND AMERICANS WHO FOUGHT AGAINST DISCRIMINATION BASED ON RACE OR NATIONAL ORIGIN," which was adopted by the Senate on April 22, 2009.

Sen. Com. No. 724, transmitting H.C.R. No. 42, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF DEFENSE TO ALLOW AVAILABLE HELICOPTERS TO BE USED FOR MEDICAL EVACUATION SERVICES," which was adopted by the Senate on April 22, 2009.

Sen. Com. No. 725, transmitting H.C.R. No. 56, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PROTECT WILDLIFE AND WILDERNESS BY OPPOSING OIL AND GAS EXPLORATION AND DEVELOPMENT IN THE ARCTIC NATIONAL WILDLIFE REFUGE AND ON THE OUTER CONTINENTAL SHELF AND SUPPORTING CLEAN, RENEWABLE ENERGY ALTERNATIVES," which was adopted by the Senate on April 22, 2009.

Sen. Com. No. 726, transmitting H.C.R. No. 65, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII-AMERICAN WATER COMPANY TO IMPLEMENT AN ODOR MITIGATION PLAN FOR ITS FACILITY IN HAWAII KAI," which was adopted by the Senate on April 22, 2009.

Sen. Com. No. 727, dated April 22, 2009, informing the House that the following bills have this day passed Final Reading in the Senate:

H.B. No. 895, HD 2, SD 2, CD 1
H.B. No. 1175, HD 3, SD 2, CD 1
H.B. No. 1741, HD 1, SD 1, CD 1
H.B. No. 1747, HD 1, SD 1, CD 1
S.B. No. 1111, SD 1, HD 1, CD 1

Sen. Com. No. 728, informing the House that the Senate has on April 21, 2009, reconsidered its action taken on April 16, 2009, in disagreeing to the amendments proposed by the House to the following Senate bills and have moved to agree to the amendments, and that said bills have this day passed Final Reading:

S.B. No. 301, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGISTERED AGENTS ACT."

S.B. No. 521, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY."

Sen. Com. No. 729, dated April 22, 2009, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

H.B. No. 1260, HD1, SD1	Senator(s) Fukunaga added as conferee(s).
S.B. No. 199, SD1, HD1, CD1	Senator(s) Fukunaga, Tsutsui added as conferee(s).
S.B. No. 892, SD1, HD2	Senator(s) Taniguchi added as Co-Chair(s).

Sen. Com. No. 730, dated April 22, 2009, informing the House that the President has this day appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate bills:

S.B. No. 995, SD2, HD3	Hee, Chair; Kim/Taniguchi, Co-Chairs; Fukunaga, Kokubun
S.B. No. 1677, SD1, HD2	Hee, Chair; Taniguchi, Co-Chair; Fukunaga, Kokubun, Takamine, Slom

Sen. Com. No. 731, dated April 22, 2009, informing the House that the President has this day appointed as conferees on the part of the Senate, for consideration of amendments proposed by the Senate to the following House bills [*sic*]:

H.B. No. 1404, HD1, SD1	Baker, Chair; Kim, Co-Chair; Slom

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.R. No.	**Re-referred to:**
263	Committee on Transportation, then to the Committee on Water, Land, & Ocean Resources

S.C.R. Nos.	**Re-referred to:**

31, SD2 Committee on Housing

45, SD1 Committee on Consumer Protection & Commerce

53, SD1 Committee on Consumer Protection & Commerce

64, SD1 Committee on Labor & Public Employment

78, SD1 Committee on Finance

At this time, the Chair stated:

"Members, please note that Senate Concurrent Resolution No. 121, Senate Draft 1, House Draft 1, has been re-referred solely to the Committee on Agriculture per Committee Referral Sheet No. 60. The Committee on Higher Education waived its referral to this measure.

"In addition, Senate Concurrent Resolution No. 127, has also been re-referred solely to the Committee on Hawaiian Affairs per Committee Referral Sheet No. 60. The Committee on Tourism, Culture, & International Affairs waived its referral to this measure, therefore it's appropriate for the House to consider action for adoption of said measures listed on pages 1 and 2."

SUSPENSION OF RULES

Representative B. Oshiro moved to suspend the rules of the House to reconsider action previously taken on S.C.R. No. 121, SD 1, HD 1, and S.C.R. No. 127, seconded by Representative Evans.

At 12:13 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 12:14 o'clock p.m.

The motion was put to vote by the Chair and carried, and the rules were suspended to reconsider action previously taken on S.C.R. No. 121, SD 1, HD 1, and S.C.R. No. 127. (Representatives Bertram, Takai and Takumi were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 1864, recommending referral to the Committees on Higher Education and Education, and Standing Committee Report No. 1865, recommending referral to the Committee on Tourism, Culture, & International Affairs, seconded by Representative Evans and carried. (Representatives Bertram, Takai and Takumi were excused.)

UNFINISHED BUSINESS

S.C.R. No. 121, SD 1, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.C.R. No. 121, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES, IN COOPERATION WITH THE DEPARTMENT OF AGRICULTURE, DEPARTMENT OF EDUCATION, AND THE HAWAII FARM BUREAU FEDERATION, TO CONVENE A WORKING GROUP OF STAKEHOLDERS TO CONSIDER THE FEASIBILITY OF ESTABLISHING A FARM TO SCHOOL PROGRAM IN HAWAII'S PUBLIC SCHOOLS," was adopted with Representatives Bertram, Takai and Takumi being excused.

S.C.R. No. 127:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.C.R. NO. 127, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ADOPT THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES," was adopted with Representatives Bertram, Takai and Takumi being excused.

CONFERENCE COMMITTEE REPORTS

At this time, the Chair stated:

"Members, please note the 48-hour notice for Conference Committee Report No. 5 as listed on page 2."

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. 1739, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 5) recommending that H.B. No. 1739, 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. 5 and H.B. No. 1739, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering a certain House bill for Final Reading by consent calendar. (Representatives Bertram, Takai and Takumi were excused.)

FINAL READING

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the House agreed to the amendments made by the Senate to H.B. No. 1414, HD 1, (SD 1). (Representatives Bertram, Takai and Takumi were excused.)

H.B. No. 1414, HD 1, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1414, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO METAL," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Takai and Takumi being excused.

At 12:17 o'clock p.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 1414, HD 1, SD 1

SUSPENSION OF RULES

On motion my Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to a certain House bill. (Representatives Bertram, Takai and Takumi were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House bill, seconded by Representative Evans.

H.B. No. 1059, HD 2, (SD 1)

The motion was put to vote by the Chair and carried, and the House reconsidered its action previously taken in disagreeing to the amendments made by the Senate, and gave notice of intent to agree to such amendments for the noted House bill. (Representatives Bertram, Takai and Takumi were excused.)

ANNOUNCEMENTS

Representative Nakashima, for the Committee on Higher Education requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing Senate Concurrent Resolution No. 51, Urging the Regents Candidate Advisory Council for the Board of Regents of the University of Hawaii to Convene a Working Group of Students and Other Appropriate Parties to Develop and Implement a Modified Process for the Selection of Candidates for the Student Member of the University of Hawaii Board of Regents, with decision making to follow on Friday at 2:15 p.m. in Room 329, and the Chair "so ordered."

Representative Manahan: "Thank you Mr. Speaker, I just wanted to announce that today is International Education Day, and upstairs on the 4th Floor we have a number of exhibitors from the University and other schools, and programs promoting international exchanges here in our State. I welcome all the Members to come and visit and check out the booths. They're really quite interesting. I also wanted to give a special thanks to Milton Kwock from the Office of International Relations at DBEDT for helping us put that together. Thank you."

ADJOURNMENT

At 12:20 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, April 24, 2009. (Representatives Bertram, Takai and Takumi were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 23, 2009, 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 to the following House bill, and has passed said bill on Final Reading:

H.B. No. 1414, HD 1, SD 1

House Communication dated April 23, 2009, 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 its action taken in disagreeing to the amendments made by the Senate on April 16, 2009, and gives notice of intent to agree to the following House bill:

H.B. No. 1059, HD 2, SD 1

FIFTY-THIRD DAY

Friday, April 24, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:04 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered in song by Ms. Soteria Leti, Ms. Saloma Leti and Ms. Reena Misionare of Nanakuli Samoan Wesleyan Methodist Church, after which the Roll was called showing all Members present with the exception of Representatives Bertram, M. Oshiro, Souki, Takai and Takumi, 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. 300 through 304) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 300, informing the House that on April 23, 2009, the following bill was signed into law:

H.B. No. 274, entitled: "A BILL FOR AN ACT RELATING TO PATRIOT DAY." (ACT 014)

Gov. Msg. No. 301, informing the House that on April 23, 2009, the following bill was signed into law:

H.B. No. 135, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INSECT." (ACT 015)

Gov. Msg. No. 302, informing the House that on April 23, 2009, the following bill was signed into law:

S.B. No. 1055, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS." (ACT 016)

Gov. Msg. No. 303, informing the House that on April 23, 2009, the following bill was signed into law:

H.B. No. 1537, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS." (ACT 017)

Gov. Msg. No. 304, dated April 24, 2009, informing the House that on April 23, 2009, 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. 1186 HD1

On April 23, 2009, House Bill No. 1186, entitled "A Bill for an Act Relating to Housing Development" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to eliminate the Hawaii Community Development Authority's ability to accept cash in lieu of a developer's reserved housing construction requirement, except in cases of a fractional unit resulting from the percentage requirement calculation.

The Lingle-Aiona Administration shares the Legislature's goal to increase affordable housing in Hawaii. However, this legislation will likely be counterproductive to that goal by eliminating the ability to leverage cash from private sources with public dollars to develop affordable housing for working families, singles, and seniors.

The cash in lieu option has been a successful tool in the Hawaii Community Development Authority's (HCDA) reserved housing program. It has allowed HCDA to work with other State agencies to develop hundreds of rental units throughout the Kakaako region for those who cannot afford market-rate housing.

The cash in lieu option has given HCDA the flexibility and control to develop the type and supply of affordable housing units responsive to the needs of the community. For example, the monies collected through this option have been used to time construction to periods when bids are more competitive and prices are lower. Cash in lieu payments are also leveraged with other public and private resources, such as rental housing trust funds or Hula-Mae bonds, to build a larger number or different types of affordable housing units than the developer might be required or able to provide with only private funds.

In summary, policy makers should not view HCDA's cash in lieu option in a vacuum. Rather, this program should be viewed collectively with a variety of other statutory tools, administrative rules, and home financing programs that encourage the development of affordable housing. I would encourage the Legislature to reinstate this option in future years.

For the foregoing reasons, I allowed House Bill No. 1186 to become law as Act 18, effective April 23, 2009, without my signature.

Sincerely,

/s/
LINDA LINGLE"

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 732 and 733) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 732, dated April 23, 2009, informing the House that the President has this day appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate bill:

S.B. No. 1268, SD2, HD1	Hee, Chair; Sakamoto/English, Co-Chairs; Slom

Sen. Com. No. 733, dated April 23, 2009, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

S.B. No. 1350, SD2, HD1	Senator(s) Tsutsui discharged as conferee(s); Added as Co-Chair(s).
S.B. No. 1673, SD2, HD2	Senator(s) Takamine added as Co-Chair(s).

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

S.C.R. Nos.	**Re-referred to:**
56, SD1	Committee on Health
89, SD1	Committee on Judiciary

132, SD1 Committee on Legislative Management

170, SD2 Committee on Health

STANDING COMMITTEE REPORTS

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1871), recommending that S.C.R. No. 81, be referred to the Committee on Transportation.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 81, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO REVIEW THE FEASIBILITY OF DEVELOPING SINGLE ROOM OCCUPANCY DWELLINGS IN TRANSIT ORIENTED DEVELOPMENT PROJECTS, TO ALLEVIATE THE AFFORDABLE HOUSING SHORTAGE," was referred to the Committee on Transportation with Representatives M. Oshiro, Souki, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1872) recommending that S.C.R. No. 45, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 45, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF PROFESSIONAL EMPLOYER ORGANIZATIONS," was adopted, with Representatives M. Oshiro, Souki, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1873) recommending that S.C.R. No. 53, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 53, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF REAL ESTATE APPRAISAL MANAGEMENT COMPANIES," was adopted, with Representatives M. Oshiro, Souki, Takai and Takumi being excused.

CONFERENCE COMMITTEE REPORTS

At this time, the Chair stated:

"Members, please note the 48-hour notice for Conference Committee Report No. 53 as listed on page 2."

Representative Herkes, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 603, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 53) recommending that S.B. No. 603, 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. 53 and S.B. No. 603, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," was deferred for a period of 48 hours.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering a certain House bill for Final Reading by consent calendar. (Representatives M. Oshiro, Souki, Takai and Takumi were excused.)

FINAL READING

Representative B. Oshiro moved to agree to the amendments made by the Senate to the following House bill, seconded by Representative Evans.

H.B. No. 1059, HD 2, (SD 1)

The motion was put to vote by the Chair and carried, and the House agreed to the amendments made by the Senate to the noted House bill. (Representatives M. Oshiro, Souki, Takai and Takumi were excused.)

H.B. No. 1059, HD 2, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1059, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ONE CALL CENTER," passed Final Reading by a vote of 47 ayes, with Representatives M. Oshiro, Souki, Takai and Takumi being excused.

At 12:13 o'clock p.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 1059, HD 2, SD 1

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative B. Oshiro moved to agree to the amendments made by the Senate to the following House Concurrent Resolutions, seconded by Representative Evans and carried. (Representatives M. Oshiro, Souki, Takai and Takumi were excused.)

H.C.R. No. 19, HD 1, (SD 1)
H.C.R. No. 24, (SD 1)
H.C.R. No. 42, (SD 1)
H.C.R. No. 56, (SD 1)
H.C.R. No. 65, 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. 19, HD 1, SD 1:

Representative B. Oshiro moved that H.C.R. No. 19, HD 1, SD 1, be adopted, seconded by Representative Evans.

At 12:15 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 12:18 o'clock p.m.

The motion was put to vote by the Chair and carried, and H.C.R. No. 19, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE SECRETARY OF DEFENSE AND THE PRESIDENT OF THE UNITED STATES TO AWARD SERGEANT RAFAEL PERALTA THE MEDAL OF HONOR," was Adopted, with Representatives M. Oshiro, Takai and Takumi being excused.

H.C.R. No. 24, SD 1:

Representative B. Oshiro moved that H.C.R. No. 24, SD 1, be adopted, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure, stating:

"Thank you. Just in strong support, Mr. Speaker. Once again, it is always wonderful when we are able, and I commend the introducer of the measure, when we are able to tie history in to what is going on now, and for the children to be inspired. There is a lot to be inspired by the Nisei and what they accomplished in 'Going for Broke.' Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.C.R. No. 24, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES POSTAL SERVICE TO ISSUE POSTAL STAMPS HONORING THE WORLD WAR II NISEI SOLDIERS, OTHER DISTINGUISHED MILITARY UNITS IN UNITED STATES HISTORY, AND AMERICANS WHO FOUGHT AGAINST DISCRIMINATION BASED ON RACE OR NATIONAL ORIGIN," was Adopted, with Representatives M. Oshiro, Takai and Takumi being excused.

H.C.R. No. 42, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 42, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF DEFENSE TO ALLOW AVAILABLE HELICOPTERS TO BE USED FOR MEDICAL EVACUATION SERVICES," was Adopted, with Representatives M. Oshiro, Takai and Takumi being excused.

H.C.R. No. 56, SD 1:

Representative B. Oshiro moved that H.C.R. No. 56, SD 1, be adopted, seconded by Representative Evans.

Representative Pine rose to speak in support of the measure with reservations, stating:

"Yes, on HCR 56, I wanted to note my support with reservations. Basically what this Resolution does is request the United States Congress to protect wildlife and wilderness by opposing oil and gas exploration and development in the Arctic National Wildlife Refuge.

"I believe that we can somehow find a way to be for the wildlife of America and preserve the areas in the Arctic, and at the same time do everything we can to explore every possibility to lower energy costs for the American public and especially for Hawaii that pays some of the highest gas prices in the nation."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I also rise with reservations. As we have a crisis of a budget, we have also a crisis of energy. I think as we have kept everything on the table to make sure we make our budget, we've got to keep everything on the table, including this option. Ideally we don't need it, but we should have it on the table, and this one is a bit premature because it says, 'take it off the table.' Thank you."

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 McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker, with reservations. My reasons are completely different from the aforementioned, so I have to explain them. I guess that I support our U.S. Senators Akaka and Inouye as to the Arctic. Language in the Reso, I feel that the indigenous people of this area want to have some kind of responsibility to be able to utilize the resources on their land. I think that to have us tell them what to do really rubs wrong with me.

"We sit here and we advocate for indigenous people for our Native Hawaiian population, and then we turn around and tell another native population what they can and cannot do with their resources, so along those lines I have reservations. Thank you."

The motion was put to vote by the Chair and carried, and H.C.R. No. 56, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PROTECT WILDLIFE AND WILDERNESS BY OPPOSING OIL AND GAS EXPLORATION AND DEVELOPMENT IN THE ARCTIC NATIONAL WILDLIFE REFUGE AND ON THE OUTER CONTINENTAL SHELF AND SUPPORTING CLEAN, RENEWABLE ENERGY ALTERNATIVES," was Adopted, with Representatives M. Oshiro, Takai and Takumi being excused.

H.C.R. No. 65, HD 1, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 65, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII-AMERICAN WATER COMPANY TO IMPLEMENT AN ODOR MITIGATION PLAN FOR ITS FACILITY IN HAWAII KAI," was Adopted, with Representatives M. Oshiro, Takai and Takumi being excused.

ADJOURNMENT

At 12:22 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, April 27, 2009. (Representatives M. Oshiro, Takai and Takumi were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 24, 2009, 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 to the following House bill, and has passed said bill on Final Reading:

H.B. No. 1059, HD 2, SD 1

House Communication dated April 24, 2009, 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. 19, HD 1, SD 1
H.C.R. No. 24, SD 1
H.C.R. No. 42, SD 1
H.C.R. No. 56, SD 1
H.C.R. No. 65, HD 1, SD 1

FIFTY-FOURTH DAY

Monday, April 27, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:08 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Kahu Keahi Renaud of Pu'ukohola Heiau, after which the Roll was called showing all Members present with the exception of Representatives Carroll and Takai, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Third Day was deferred.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 734) was received and announced by the Clerk, and was placed on file:

Sen. Com. No. 734, dated April 24, 2009, informing the House that the Senate has made the following changes to the Senate Conferee assignments for the following bill:

H.B. No. 1809, HD2, SD1	Senator(s) Fukunaga added as conferee(s).

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 63) was received by the Clerk and was placed on file:

Dept. Com. No. 63, dated April 21, 2009, from Marion Higa, State Auditor, transmitting a report, Investigation of the Procurement and Expenditure Practices of the Department of Business, Economic Development & Tourism and Selected Attached Agencies.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Rhoads introduced his constituent, Ms. Jeannine Souki.

Representative Karamatsu introduced students from the Waipahu area in the GED program, and instructor Mr. Frank Garcia.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.B. No.	Re-referred to:
1405, HD2, SD2	Committee on Finance

H.R. No.	Re-referred to:
263	Committee on Transportation

At 12:16 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:31 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering a certain House bill and Senate bill for Final Reading by consent calendar. (Representatives Carroll and Takai were excused.)

CONFERENCE COMMITTEE REPORTS

Conf. Com. Rep. No. 5 and H.B. No. 1739, HD 1, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1739, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Choy rose to disclose a potential conflict of interest, stating:

"I'd like a ruling on a potential conflict. I am a tax preparer," and the Chair ruled, "no conflict."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. I rise in support to commend the freshman from Manoa, who put so much time, effort and specificity in this, and then has acknowledged that he is one of those who will be working with this even in the future. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1739, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 49 ayes, with Representatives Carroll and Takai being excused.

Conf. Com. Rep. No. 53 and S.B. No. 603, SD 1, HD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 603, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Final Reading by a vote of 49 ayes, with Representatives Carroll and Takai being excused.

At 12:33 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1739, HD 1, SD 1, CD 1
S.B. No. 603, SD 1, HD 1, CD 1

STANDING COMMITTEE REPORTS

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1874) recommending that S.C.R. No. 64, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 64, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING EACH JURISDICTION WITHIN THE STATE OF HAWAII TO SUBMIT PERIODIC REPRICING REVIEWS, AS REQUIRED UNDER SECTION 89-9, HAWAII REVISED STATUTES," was adopted, with Representatives Carroll and Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1875) recommending that S.C.R. No. 51, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 51, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE REGENTS CANDIDATE ADVISORY COUNCIL FOR THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO CONVENE A WORKING GROUP OF STUDENTS AND OTHER APPROPRIATE PARTIES TO DEVELOP AND IMPLEMENT A MODIFIED PROCESS FOR THE SELECTION OF THE CANDIDATES FOR THE STUDENT MEMBER OF THE UNIVERSITY OF HAWAII BOARD OF REGENTS," was adopted, with Representatives Carroll and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1876) recommending that S.C.R. No. 84, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 84, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT AN IMMEDIATE FINANCIAL STATEMENT AUDIT OF THE WATERS OF LIFE PUBLIC CHARTER SCHOOL FOR FISCAL YEAR 2006-2007 AND FISCAL YEAR 2007-2008," was adopted, with Representatives Carroll and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1877) recommending that S.C.R. No. 146, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 146, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII P-20 PARTNERSHIPS FOR EDUCATION TO CONVENE THE APPROPRIATE AGENCIES TO EXAMINE CURRENT AND EMERGING PROGRAMS SEEKING TO TRACK STUDENT PROGRESS AND DEVELOP A LONGITUDINAL DATA SYSTEM FOR STUDENTS BEGINNING IN EARLY CHILDHOOD PROGRAMS TO GRADE TWELVE, AND BEYOND TO HIGHER EDUCATION AND THE WORKFORCE," was adopted, with Representatives Carroll and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1878) recommending that S.C.R. No. 150, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 150, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE SUPERINTENDENT OF EDUCATION TO ESTABLISH AND FACILITATE A SPECIAL EDUCATION PRIVATE SCHOOL TASK FORCE TO ADVISE THE DEPARTMENT OF EDUCATION ON POLICIES OR PROCEDURES FOR OVERSIGHT AND MONITORING OF PRIVATE SCHOOL OR FACILITY PLACEMENTS," was adopted, with Representatives Carroll and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1879) recommending that S.C.R. No. 87, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 87, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO CONVENE A TASK FORCE TO REVIEW STATE AND COUNTY AFFORDABLE HOUSING APPROVAL REQUIREMENTS AND PROCEDURES," was adopted, with Representatives Carroll and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1880) recommending that S.C.R. No. 174, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 174, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING FEDERAL PROGRAMS FANNIE MAE AND FREDDIE MAC TO ALLOW SPECIAL RECONSIDERATION FOR A PRICING AND POLICIES EXCEPTION TO THE HAWAII REAL ESTATE MARKET AND FOR FIRST-TIME HOMEBUYERS WITH REGARD TO LOANS DELIVERED ON HAWAII CONDOMINIUMS," was adopted, with Representatives Carroll and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1881) recommending that S.C.R. No. 31, SD 2, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 31, SD 2, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AND FINANCIAL AUDIT OF THE HAWAII PUBLIC HOUSING AUTHORITY'S MAINTENANCE CONTRACTS," was adopted, with Representatives Carroll and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1882) recommending that S.C.R. No. 77, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 77, SD 1, entitled: "SENATE CONCURRENT RESOLUTION PAYING TRIBUTE TO REPRESENTATIVE ROBERT H. "BOB" NAKASONE AND HIS LEGACY BY NAMING ONE OF THE MAUI MEDICAL FACILITIES IN HIS HONOR," was adopted, with Representatives Carroll and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1883) recommending that S.C.R. No. 7, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 7, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE GOVERNOR TO CREATE A HOME FOR LIFE TASK FORCE TO REDUCE BARRIERS TO AGING IN PLACE AND TO FACILITATE MULTIGENERATIONAL LIVING," was adopted, with Representatives Carroll and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1884) recommending that S.C.R. No. 30, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 30, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A FEASIBILITY STUDY ON CONVERTING HARD COVER TEXT BOOKS TO E-BOOKS FOR USE IN PUBLIC SCHOOLS," was adopted, with Representatives Carroll and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1885) recommending that S.C.R. No. 38, SD 1, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 38, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEVELOPMENT OF A PLAN FOR INCREASING AID AND ASSISTANCE TO CERTIFIED ORGANIC FARMERS," was adopted, with Representatives Carroll and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1886) recommending that S.C.R. No. 50, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 50, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR THE ANE KEOHOKALOLE HIGHWAY EXTENSION, MID-LEVEL ROAD, IN THE COUNTY OF HAWAI‘I," was adopted, with Representatives Carroll and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1887) recommending that S.C.R. No. 52, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 52, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE HOOKAKOO CORPORATION REPORT ON THE PROGRESS AND IMPACTS OF THE MODELS FOR EXPANDED LEARNING TIME BEING PILOTED BY THE HOOKAKOO CORPORATION'S PARTNER CONVERSION CHARTER SCHOOLS," was adopted, with Representatives Carroll and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1888) recommending that S.C.R. No. 62, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 62, SD 1, entitled: "SENATE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAI‘I FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS," was adopted, with Representatives Carroll and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1889) recommending that S.C.R. No. 109, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 109, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A FERRY SYSTEM FROM THE HOAKALEI RESORT AND MARINA IN EWA BEACH TO DOWNTOWN HONOLULU," was adopted, with Representatives Carroll and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1890) recommending that S.C.R. No. 126, SD 1, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.C.R. No. 126, SD 1, be adopted, seconded by Representative Evans.

Representative Rhoads rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I just need to request a ruling on a potential conflict on Stand. Com. Report 1890, SCR 126, 'Expressing Support for the Electrification of Energy Efficient Transportation Systems.' One of my wife's clients is Better Place, which is in the electric car business. 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.C.R. No. 126, SD 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE ELECTRIFICATION OF ENERGY EFFICIENT TRANSPORTATION SYSTEMS IN HAWAII," was adopted, with Representatives Carroll and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1891) recommending that S.C.R. No. 188, SD 2, as amended in HD 1, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.C.R. No. 188, SD 2, HD 1, be adopted, seconded by Representative Evans.

At 12:35 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 12:36 o'clock p.m.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm going to rise in opposition to Standing Com. Report No. 1891. Thank you. Just quick comments. Mr. Speaker, I haven't had the time to actually take a look at the different recommendations, and I think for the most part what ARRA does, and the focus was to have a central point of accountability. And so, there may be some differences between what the working group has, with Hawaii's Congressional Delegation's working group, and the Governor. So I wanted for us to not take such a staunch stance on all the recommendations from the group, and allow for some flexibility for the Governor. So I'm standing in opposition."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations. I rise in reservations in that the Obama Administration made it very specific that there would be some accountability. The buck would stop at the Governor's office, for all of the State of Hawaii.

"So, I think it's a collaborative thing, but to forego that the Governor should also succumb to the authority to the Commission. I think it should be understood that that would be taken under consideration. So, there's accountability with these funds. Basically, the Governor is where the buck stops, and she has to sign off, with a specific set of criteria that the Obama Administration has set forth. So, hopefully this will supplement it, and not compete with it. Thank you, Mr. Speaker."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 188, SD 2, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ACCEPT THE RECOMMENDATIONS OF THE WORKING GROUP FORMED BY HAWAII'S CONGRESSIONAL DELEGATION TO DETERMINE THE MOST APPROPRIATE USES OF STATE FISCAL STABILIZATION FUND MONEYS, AND AUTHORIZE THE EXPENDITURE OF STATE FISCAL STABILIZATION FUND MONEYS IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE WORKING GROUP," was adopted, with Representative Finnegan voting no, and, with Representatives Carroll and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1892) recommending that S.C.R. No. 170, SD 2, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.C.R. No. 170, SD 2, be adopted, seconded by Representative Evans.

Representative Herkes rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On Standing Committee Report 1892, SCR 170, SD 2, with reservations. My concern is that this is just a way to keep us from dealing with the problem this year."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 170, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE LEGISLATURE TO CONVENE A HAWAII HEALTH CARE SUMMIT TO DEVELOP A STRATEGIC AND COMPREHENSIVE PLAN FOR HEALTH CARE IN HAWAII," was adopted, with Representatives Carroll and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1893) recommending that S.C.R. No. 56, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 56, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO INCREASE EDUCATIONAL EFFORTS TO PREVENT AND ERADICATE CERVICAL CANCER," was adopted, with Representatives Carroll and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1894) recommending that S.C.R. No. 167, SD 1, as amended in HD 1, be adopted.

Representative B. Oshiro moved that notwithstanding the recommendations contained in Standing Committee Report No. 1894, that S.C.R. No. 167, SD 1, HD 1, be recommitted to the Committee on Health, seconded by Representative Evans.

The motion was put to vote by the Chair and carried, and S.C.R. No. 167, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE ST. FRANCIS HEALTHCARE SYSTEM OF HAWAII'S PLAN FOR THE POST-BANKRUPTCY PROCEEDINGS OF THE HAWAII MEDICAL CENTER," was recommitted to the Committee on Health, with Representatives Carroll and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1895), recommending that S.C.R. No. 39, SD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.C.R. No. 39, SD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ching 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 Committee was adopted and S.C.R. No. 39, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO INCLUDE THE KUKUI GARDENS AFFORDABLE HOUSING PROJECT IN THE STATE'S LIST OF SHOVEL-READY PROJECTS FOR THE PRESIDENT'S PROPOSED ECONOMIC STIMULUS PLAN," was referred to the Committee on Finance with Representatives Carroll and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1896), recommending that S.C.R. No. 88, SD 1, be referred to the Committee on Transportation.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 88, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO ESTABLISH A TRANSIT ORIENTED DEVELOPMENT TASK FORCE TO FACILITATE MIXED-INCOME AND AFFORDABLE HOUSING IN TRANSIT ORIENTED DEVELOPMENTS BY BETTER COORDINATING TRANSPORTATION AND HOUSING PLANNING AND PROGRAMS," was referred to the Committee on Transportation with Representatives Carroll and Takai being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to a certain House bill. (Representatives Carroll and Takai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House bill, seconded by Representative Evans.

H.B. 1101, HD 1, (SD 1)

The motion was put to vote by the Chair and carried, and the House reconsidered its action previously taken in disagreeing to the amendments made by the Senate, and gave notice of intent to agree to such amendments for the noted House bill. (Representatives Carroll and Takai were excused.)

ANNOUNCEMENT

At 12:41 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 12:41 o'clock p.m.

Representative Tokioka, for the Committee on Legislative Management requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing Senate Concurrent Resolution No. 132, SD 1, with decision-making to follow, tomorrow at 3:30 in Room 423, and the Chair "so ordered."

ADJOURNMENT

At 12:42 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, April 27, 2009. (Representatives Carroll, Chang, Sagum and Takai were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 27, 2009, 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 appointed as Conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House bill:

H.B. No. 1031, SD3	Herkes/B. Oshiro/M. Oshiro, Co-Chairs.; Marumoto

House Communication dated April 27, 2009, 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. 1405, HD2, SD2	Discharged Representative McKelvey. Added Representative M. Lee as a member.

House Communication dated April 27, 2009, 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 its action taken in disagreeing to the amendments made by the Senate on April 16, 2009, and gives notice of intent to agree to the following House bill:

H.B. No. 1101, HD 1, SD 1

House Communication dated April 27, 2009, 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:

H.B. No. 1739, HD 1, SD 1, CD 1
S.B. No. 603, SD 1, HD 1, CD 1

FIFTY-FIFTH DAY

Tuesday, April 28, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:05 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Representative Lyla B. Berg, after which the Roll was called showing all Members present with the exception of Representatives M. Oshiro and Takai, 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. 305) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 305, informing the House that on April 27, 2009, the following bill was signed into law:

S.B. No. 856, entitled: "A BILL FOR AN ACT RELATING TO IDENTIFICATION." (ACT 019)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 735 through 756) were received and announced by the Clerk, and were placed on file:

Sen. Com. No. 735, dated April 27, 2009, informing the House that the following bills have this day passed Final Reading in the Senate:

H.B. No. 1739, HD 1, SD 1, CD 1
S.B. No. 603, SD 1, HD 1, CD 1

Sen. Com. No. 736, dated April 27, 2009, informing the House that the Senate has on April 24, 2009, agreed to the amendments proposed by the House to the following Senate Concurrent Resolution, and that said resolution was this day adopted by the Senate:

S.C.R. No. 72, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF AGRICULTURE AND THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO COLLABORATE AND SHARE INFORMATION WITH THE DEPARTMENT OF AGRICULTURE TO PREVENT INVASIVE SPECIES FROM ENTERING THE STATE OF HAWAII."

Sen. Com. No. 737, transmitting H.C.R. No. 63, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO INCLUDE THE KUKUI GARDENS AFFORDABLE HOUSING PROJECT IN THE STATE'S LIST OF SHOVEL-READY PROJECTS FOR THE PRESIDENT'S PROPOSED ECONOMIC STIMULUS PLAN," which was adopted by the Senate on April 27, 2009.

Sen. Com. No. 738, transmitting H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE HOOKAKOO CORPORATION REPORT ON THE PROGRESS AND IMPACTS OF THE MODELS FOR EXPANDED LEARNING TIME BEING PILOTED BY THE HOOKAKOO CORPORATION'S PARTNER CONVERSION CHARTER SCHOOLS," which was adopted by the Senate on April 27, 2009.

Sen. Com. No. 739, transmitting H.C.R. No. 171, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE AUDITOR STUDY THE FEASIBILITY OF REMOVING AMATEUR BOXING FROM THE JURISDICTION OF THE STATE BOXING COMMISSION OF HAWAII," which was adopted by the Senate on April 27, 2009.

Sen. Com. No. 740, transmitting H.C.R. No. 282, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO INCREASE THE MINIMUM RENT SCHEDULE," which was adopted by the Senate on April 27, 2009.

Sen. Com. No. 741, transmitting H.C.R. No. 35, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE A PROPOSED MEASURE TO REGULATE HOME CARE AGENCIES BY THE DEPARTMENT OF HEALTH," which was adopted by the Senate on April 27, 2009.

Sen. Com. No. 742, transmitting H.C.R. No. 37, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING RELIGIOUS AND FAITH-BASED ORGANIZATIONS TO DEVELOP APPROPRIATE WAYS TO RESPOND TO THE NEEDS OF VICTIMS OF DOMESTIC VIOLENCE," which was adopted by the Senate on April 27, 2009.

Sen. Com. No. 743, transmitting H.C.R. No. 51, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO INCREASE EDUCATIONAL EFFORTS TO PREVENT AND ERADICATE CERVICAL CANCER," which was adopted by the Senate on April 27, 2009.

Sen. Com. No. 744, transmitting H.C.R. No. 55, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CENTERS FOR MEDICARE & MEDICAID SERVICES TO INCREASE REIMBURSEMENT TO HAWAII PROVIDERS," which was adopted by the Senate on April 27, 2009.

Sen. Com. No. 745, transmitting H.C.R. No. 60, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE NA ALA HELE ADVISORY COUNCIL TO CONVENE A SERIES OF DISCUSSIONS ON THE SAFE USE OF HUNTING DOGS ON TRAILS THAT CROSS PUBLIC HUNTING AREAS," which was adopted by the Senate on April 27, 2009.

Sen. Com. No. 746, transmitting H.C.R. No. 76, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SENATE PRESIDENT AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO ESTABLISH A TASK FORCE ON REINVENTING GOVERNMENT TO EXAMINE THE CURRENT OPERATIONS AND ORGANIZATION OF STATE GOVERNMENT AND MAKE RECOMMENDATIONS ON MAKING STATE GOVERNMENT MORE EFFICIENT," which was adopted by the Senate on April 27, 2009.

Sen. Com. No. 747, transmitting H.C.R. No. 94, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A REVIEW OF THE PERFORMANCE OF THE MANAGEMENT OF THE PUUWAI MOMI AND WEST OAHU ASSET MANAGEMENT PROJECTS (KNOWN AS AMP 30 AND AMP 44) TO COMPARE THE PERFORMANCE OF STATE OPERATED AND PRIVATELY OPERATED PUBLIC HOUSING PROPERTIES; AND TO DETERMINE THE RELATIVE CONTRIBUTIONS OF FUNDING LEVELS, MISMANAGEMENT, AND TENANT AND VISITOR ACTIONS TO THE FAILURE TO MEET PERFORMANCE STANDARDS FOR THESE PROPERTIES," which was adopted by the Senate on April 27, 2009.

Sen. Com. No. 748, transmitting H.C.R. No. 97, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE EFFECTS OF REGULATING RESPIRATORY CARE PRACTITIONERS," which was adopted by the Senate on April 27, 2009.

Sen. Com. No. 749, transmitting H.C.R. No. 135, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY SUPPORTING THE CONCEPT OF ESTABLISHING A SYSTEM OF JUVENILE INTAKE AND ASSESSMENT CENTERS, AS EMBODIED BY THE

PROPOSED PILOT BIG ISLAND JUVENILE INTAKE AND ASSESSMENT CENTER, THROUGHOUT THE STATE," which was adopted by the Senate on April 27, 2009.

Sen. Com. No. 750, transmitting H.C.R. No. 148, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO DESIGNATE, AND ASSERTING THE LEGISLATURE'S ENDORSEMENT OF, THE HAWAII HEALTH INFORMATION EXCHANGE, INC. TO SERVE AS THE STATE'S QUALIFIED STATE-DESIGNATED ENTITY TO EFFECTIVELY COORDINATE HEALTH INFORMATION EXCHANGE TECHNOLOGY INITIATIVES TO ENSURE THAT HAWAII IS ABLE TO RAPIDLY RESPOND TO AND QUALIFY FOR GRANT FUNDING THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FOR HEALTH CARE INFORMATION EXCHANGE TECHNOLOGY," which was adopted by the Senate on April 27, 2009.

Sen. Com. No. 751, transmitting H.C.R. No. 157, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING PUBLIC AND PRIVATE AGENCIES TO ENCOURAGE THEIR PARENT CLIENTS TO TURN ON CLOSED CAPTIONING WHEN THEIR CHILDREN WATCH TELEVISION," which was adopted by the Senate on April 27, 2009.

Sen. Com. No. 752, transmitting H.C.R. No. 215, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REVIEW AND ASSESS THE POLICIES AND PROCEDURES IMPLEMENTED BY HOSPITALS TO REDUCE ELECTIVE CESAREAN SECTIONS AND INDUCTION OF LABOR," which was adopted by the Senate on April 27, 2009.

Sen. Com. No. 753, transmitting H.C.R. No. 246, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH A TASK FORCE TO DEVELOP A POLICY TO ADDRESS TEEN DATING VIOLENCE AND ABUSE," which was adopted by the Senate on April 27, 2009.

Sen. Com. No. 754, transmitting H.C.R. No. 266, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTIES TO CONSIDER ADOPTING GRAY WATER PROVISIONS OF THE UNIFORM PLUMBING CODE AND REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A PLAN TO AUTHORIZE GRAY WATER RECYCLING SYSTEMS FOR RESIDENTIAL PREMISES UNDER APPROPRIATE CIRCUMSTANCES," which was adopted by the Senate on April 27, 2009.

Sen. Com. No. 755, transmitting H.C.R. No. 298, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES PRESIDENT, SENATE, AND HOUSE OF REPRESENTATIVES TO ENACT LEGISLATION TO EXPEDITE IMMIGRANT VISAS FOR FAMILY REUNIFICATION OF CERTAIN FILIPINO VETERANS OF WORLD WAR II," which was adopted by the Senate on April 27, 2009.

Sen. Com. No. 756, dated April 27, 2009, informing the House that the President has this day appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate bill:

S.B. No. 636, SD1, HD2	Hee, Chair; Kim, Co-Chair; Fukunaga, Kokubun, Hemmings

INTRODUCTION

The following introduction was made to the Members of the House:

Representative Pine introduced Mr. Joshua Culling of the National Taxpayers Union in Washington D.C.; and Mr. Dick Roland of the Grassroots Institute.

ORDER OF THE DAY

At this time, the Chair stated:

"Members, please note that House Resolution No. 263 has been re-referred solely to the Committee on Transportation per Committee Referral Sheet No. 69. The Committee on Water, Land, & Ocean Resources waived its referral to this measure, and therefore it is appropriate for the House to consider action for Adoption of said measure."

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended to reconsider action previously taken on H.R. No. 263. (Representatives M. Oshiro and Takai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 1363, recommending referral to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans. (Representatives M. Oshiro and Takai were excused.)

UNFINISHED BUSINESS

H.R. No. 263:

Representative B. Oshiro moved that H.R. No. 263, be adopted, seconded by Representative Evans.

Representative Pine rose to speak in support of the measure, stating:

"Yes, I'd like to speak in favor of this Resolution. This Resolution requests the Oahu Metropolitan Planning Organization and the City and County of Honolulu to develop a planning template for ensuring sufficient regional highway and roadway development to meet the needs of emerging residential communities in the Ewa Development Plan and the Waianae Sustainable Communities Plan.

"I want to speak in strong support of this, Mr. Speaker, because for many years, the residents of the Ewa Plain have witnessed unusual volumes of traffic in their communities, because plans like this were not developed that put the roads first before the homes were built. I think this is a great first step to ensuring that the rest of the communities that are going to be built in this area do not suffer the same consequences that we have. Thank you."

Representative Cabanilla rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in very strong support of this measure, and I would like to thank the Vice-Chair of OMPO, my colleague here in the House for drafting this measure for us; for myself and Representative Pine. I would like to add that although this Body had appropriated some money to relieve the traffic congestion in our area, like the Fort Weaver widening and the North-South Road, because there is so much development coming into that area, we could not have imagined how we can negate or balance the transportation needs of our communities.

"There have been so many building permits that have been granted before, and there's more to come. So, I think that in the next Legislative Session, we really need to look at more funding for highways and connectivity in the Ewa region. And I would like to insert more language in the Journal on this matter. Thank you."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I stand in support of HR 263 Relating to the Ewa Development Plan.

"The purpose of this Resolution is to request the Oahu Metropolitan Planning Organization and the City and County of Honolulu Department of Planning and Permitting to develop a planning template for ensuring sufficient regional highway and roadway development to meet the needs of emerging residential communities in the Ewa development plan and the Waianae sustainable communities plan.

"I support the intent and purpose of HR 263, but it does not go far enough. I prefer the language of HB 1693 that I introduced as it is far more comprehensive and covers a litany of other issues besides transportation.

"Ewa's Role in the Oahu Development Pattern needs to be carefully examined and revisited. The Ewa General Plan as it stands today is unacceptable. The original plan in the early '70s which clearly stated that if the Leeward coast is to become a Secondary Urban Center, there has to be an underwater tunnel that will connect the mobility of residents between the two urban centers.

"This vision was abandoned and here we are today with traffic congestion. This congestion will continually get worst. The Oahu Metropolitan Planning Organization prediction with the State's no-build plan between the Leeward coast and Downtown Honolulu, travel time will be around 2.5 hours. In spite of these facts, building permits continue to be issued to developers.

"I suggest building another freeway to and from town before anymore development.

"The Vision for Ewa's future. Even with the creation of local employment within the region, data will show that only 30% of new residents will get employment within the region. The major employers with better paying jobs will remain at Pearl Harbor, Fort Shafter, the financial center of Honolulu, the Airport and Waikiki, necessitating commute to town.

"In addition, my bill, HB 1693 addresses other issues as well. For example:

"PROTECTION OF OPEN SPACES.
"To have Ewa as we know it today, we must preserve open spaces. We must preserve agricultural lands, and we will also preserve the fauna and flora that is endemic in the area, for example the Hawaiian Poeus.

"Beach access is becoming harder and harder for locals. Parking access to these marinas is very limited and the parking area is far from the ocean. Minimizing parking is one way to control access.

"Access to the beach area of Ko 'Olina is subliminally made inaccessible due to limited parking and the inability to remedy parking outside of the parking area and an intimidating guard shack at the entrance of the property.

"The parking area at the Ocean Pointe marina is also very limited. Some State land is adjacent to the marina which can be explored for use as future additional parking space.

"TRANSPORTATION INFRASTRUCTURE.
"Traffic impact analysis requested or provided for new developments must include all past, present, and future developments in its entirety in the region as opposed to just considering one project at a time.

"Current traffic congestion in the H-1 corridor from Ewa to Honolulu is at grade level F. Careful consideration to at this horrendous condition must be applied since adding more homes to this region will adversely worsen the current condition. Developers ask for traffic studies of their own projects independent of other developers or development in the region. These types of impact studies considering one project at a time will not reflect the true severity of current conditions in the region. The only traffic congestion mitigation measure in sight is the Ewa bound zipper lane with predicted completion date of 2009.

"The rail is scheduled to come on line on year 2016, but with the current economic downturn, it is expected that completion date of both projects will be much delayed. These piecemeal studies favor only the particular development filling the application, but contain great inaccuracies. Furthering this grave situation impacts the quality of life in the region deeper.

"ADEQUATE PLANNING FOR MASS TRANSIT.
"The area developments must have adequate thoroughfares from one subdivision to another to insure that mass transit, and buses allow pedestrian access to these service areas. We must also promote the use of pedestrians' bike lanes, bike racks and small quiet vehicles running along Fort Weaver.

"PRESERVATION OF IMPORTANT AGRICULTURAL LANDS.
"Important agricultural lands must be identified and preserved as agricultural lands. Such lands are located, but are not limited to: the land *mauka* of Farrington Highway, from Kunia Road to Fort Barrett Road.

"PRESERVATION OF OPEN SPACES, PARKS, GREEN BELTS AND RECREATION AREAS.
"Adequate open spaces and views and vistas will be preserved to retain the open feeling of the Ewa Plains.

"There should be the creation of "dog parks" and "graffiti parks." Graffiti is such a problem in the entire Ewa Plains especially in Waipahu. Violators feel the need to express themselves or enhance their God given talent which results in the defacement of our neighborhoods. By giving them the place to tag lessens the impact and the expense it brings to our community.

"Dog Parks brings completeness to a well-planned community. Having pets is an innate need to some of our community members that its presence will add value to our neighborhoods.

"Ewa Beach is the home of Little League World Champions. Their winning brought Ewa Beach to the world. They became a source of pride and encouragement to parents for their children's participation. Resultant to that now is the need for more park space. We must add more parks and park acreage to our community.

"PRESERVATION OF ENDANGERED SPECIES.
"We preserve and protect endangered species such as the *Pueo* or Hawaiian Owl. The Ewa plains are the breeding and hunting place for the Hawaiian *Pueo*. Cementing the area will definitely drive these birds to extinction. Acreage must be set aside for them.

"PRESERVATION AND ENHANCEMENT OF HISTORIC AND CULTURAL RESOURCES.
"Ewa's historic and cultural resources will be preserved and enhanced by preserving historic features from the plantation era and earlier periods including: the Ewa Manager's Mansion which should be willed or leased to the Ewa Historical Society. Other historical sites are: Verona Villages, Renton Village, Tenny Village, Lincoln Village, and the Ewa Mill.

"The metal structures can be cleaned, preserved and stored for future rebuilding of structures. The area it stands on needs to capped and cemented over so the structure can be rebuild on top of the concrete. This landmark needs to be re-constructed at the current site and entered for historical protection with the State and federal governments.

"These communities can be developed, but not at the expense of agricultural lands. Renton Road needs to be included as a historical corridor in historic Ewa Villages. Design and architecture of current and future buildings must conform with the overall design of the villages during the plantation Era."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In strong support. And although this has to do with a particular region of the island, I stand in support because I think this is a powerful message for all municipalities to do their due diligence and to avoid the '6P rule' that seems to be the common standard, which is that poor proper planning leads to piss poor performance. Thank you very much."

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:

"Our responsibility as legislators is to ensure that the health, safety and quality of life of the citizens of our state – and our children – are protected and nurtured.

"Areas are being developed – houses are going up – without the building of the regional roads and highways that interconnect the homes to hospitals, schools, and employment.

"Today, these home constructions are occurring – with many more planned for the Leeward area of Ewa and Kapolei – with the traffic congestion causing blockage of traffic to Ewa, Kapolei, but also to Nanakuli and the whole Waianae Coast.

"I ask my colleagues to agree that the planning bodies direct the use of a traffic template to establish regional roadway construction before the construction of homes.

"I point out that although this is occurring in the Leeward area now, other islands and other parts of Central Oahu could also face this need for intelligent traffic planning.

"I ask that you support this Resolution."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.R. No. 263, entitled: "HOUSE RESOLUTION REQUESTING THAT THE OAHU METROPOLITAN PLANNING ORGANIZATION AND THE CITY AND COUNTY OF HONOLULU DEPARTMENT OF PLANNING AND PERMITTING DEVELOP A PLANNING TEMPLATE FOR ENSURING SUFFICIENT REGIONAL HIGHWAY AND ROADWAY DEVELOPMENT TO MEET THE NEEDS OF EMERGING RESIDENTIAL COMMUNITIES IN THE EWA DEVELOPMENT PLAN AND THE WAIANAE SUSTAINABLE COMMUNITIES PLAN," was adopted, with Representative Takai being excused.

STANDING COMMITTEE REPORTS

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1897) recommending that S.C.R. No. 90, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 90, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO OPPOSE SPECIFIED PROPOSED RULE AMENDMENTS FOR THE DEVELOPMENTAL DISABILITIES PROGRAM, 73 FED. REG. 19,708 (APRIL 10, 2008)(TO BE CODIFIED AT 45 C.F.R. PT. 1385-88) THAT IMPLEMENT THE DEVELOPMENTAL DISABILITIES ASSISTANCE AND BILL OF RIGHTS ACT OF 2000, AND TO SUPPORT NEW SECTIONS IN THE UPCOMING REAUTHORIZATION," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1898) recommending that S.C.R. No. 105, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 105, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING PUBLIC AND PRIVATE AGENCIES TO ENCOURAGE THEIR PARENT CLIENTS TO TURN ON CLOSED CAPTIONING WHEN THEIR CHILDREN WATCH TELEVISION," was adopted, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1899) recommending that S.C.R. No. 78, SD 1, be adopted.

Representative B. Oshiro moved that S.C.R. No. 78, SD 1, be adopted, seconded by Representative Evans.

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like to request a ruling on a possible conflict on Standing Committee Report 1899. I provided legal advice to the Napili Kai Condominium regarding shoreline issues, although I have not represented them with regard to their current applications," 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. 78, SD 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS SEAWARD OF TAX MAP KEY: (2) 4-3-2: 27, AT KAANAPALI, MAUI, FOR CONCRETE PIER BLOCK REMNANTS PURPOSES," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1900), recommending that S.C.R. No. 143, SD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 143, SD 1, entitled: "SENATE CONCURRENT RESOLUTION AFFIRMING SUPPORT FOR THE CONCEPT OF ESTABLISHING A BIG ISLAND JUVENILE INTAKE AND ASSESSMENT CENTER," was referred to the Committee on Finance, with Representative Takai being excused.

CONFERENCE COMMITTEE REPORTS

At this time, the Chair stated:

"Members, please note the 48-hour notice for Conference Committee Reports Numbers 6 through 9 and 54 through 58 as listed on pages 3 and 4."

Representatives Souki 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. 1422, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 6) recommending that H.B. No. 1422, 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. 6 and H.B. No. 1422, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," was deferred for a period of 48 hours.

Representatives Chang and C. Lee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1057, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 7) recommending that H.B. No. 1057, 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. 7 and H.B. No. 1057, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII COLLEGE SAVINGS PROGRAM," was deferred for a period of 48 hours.

Representatives Mizuno and Wakai, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 876, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 8) recommending that H.B. No. 876, 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. 8 and H.B. No. 876, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred for a period of 48 hours.

Representative McKelvey, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 632, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 9) recommending that H.B. No. 632, 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. 9 and H.B. No. 632, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO POLICY ADVISORY BOARD ON VETERANS' SERVICES," was deferred for a period of 48 hours.

Representatives Morita, McKelvey 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. 1065, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 54) recommending that S.B. No. 1065, 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. 54 and S.B. No. 1065, SD 2, 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 Souki 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. 281, HD 1, presented a report (Conf. Com. Rep. No. 55) recommending that S.B. No. 281, 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. 55 and S.B. No. 281, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," was deferred for a period of 48 hours.

Representatives Souki 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. 711, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 56) recommending that S.B. No. 711, 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. 56 and S.B. No. 711, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred for a period of 48 hours.

Representative 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. 659, HD 1, presented a report (Conf. Com. Rep. No. 57) recommending that S.B. No. 659, 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. 57 and S.B. No. 659, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," was deferred for a period of 48 hours.

Representative 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. 971, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 58) recommending that S.B. No. 971, 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. 58 and S.B. No. 971, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," was deferred for a period of 48 hours.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering a certain House bill for Final Reading by consent calendar. (Representative Takai was excused.)

FINAL READING

Representative B. Oshiro moved to agree to the amendments made by the Senate to the following House bill, seconded by Representative Evans.

H.B. No. 1101, HD 1, (SD 1)

The motion was put to vote by the Chair and carried, and the House agreed to the amendments made by the Senate to the noted House bill. (Representative Takai was excused.)

The Chair addressed the Clerk who announced that the record of votes for said measure had been received, and that the requisite number of House Conferees appointed have agreed to the amendments made by the Senate and have cast affirmative votes to report said measure to the Floor for Final Disposition.

H.B. No. 1101, HD 1, SD 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. 1101, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Mizuno, Karamatsu and Ward). Noes, none. Excused, none.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1101, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF HUMAN SERVICES," passed Final Reading by a vote of 50 ayes, with Representative Takai being excused.

At 12:18 o'clock p.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 1101, HD 1, SD 1

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House bills. (Representative Takai was excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House bills, seconded by Representative Evans.

H.B. No. 591, HD 1, (SD 2)
H.B. No. 1061, HD 1, (SD 1)

The motion was put to vote by the Chair and carried, and the House reconsidered its action previously taken in disagreeing to the amendments made by the Senate, and gave notice of intent to agree to such amendments for the noted House bills. (Representative Takai was excused.)

ANNOUNCEMENTS

Representative Choy: "Yes, Mr. Speaker. I'd just like to remind the Members that we have our end-of-session House celebration at the Pearl Ultra Lounge. The deadline for purchasing tickets is coming up rapidly. It's on Thursday, April 30th. I left a brochure on everybody's desk, and on the back of the brochure, we're soliciting any kind of door prizes that you can make. I would really appreciate that. Thank you, Mr. Speaker."

Representative Evans: "Mr. Speaker, I'd like to say a few words. Today is Pay Equity Day. Thank you. Pay Equity Day marks the days between January 1st, where a woman has to work to equal her male coworkers' pay. Hawaii woman's earning power ranks 30th out of the 50 states, earning 77 cents for every dollar her male counterpart earns in the workforce, according to an American Association of University Woman's Educational Foundation Report.

"Mr. Speaker, I'd also like to submit some remarks to the Journal, but in closing, I'd like to say that there's a terminology around this idea of pay equity, and it's called the 'pink paycheck.' I just want my colleagues to know that the 'pink paycheck' is really trying to bring to our attention that there truly is a difference between male and female paychecks for equal work. I want to thank my colleagues for keeping this in their mind. Thank you."

Representative Evans submitted the following:

"With the current economic downturn beginning in 2008, the disparity of pay not only affects the economic power of women who struggle to take care of their families as well as themselves today, but, it can also reduce retirement and social security income that could mean the loss of $1 million or more over one woman's lifespan.

"I acknowledge Equal Pay for Equal Work has been a roller coaster ride. Women sued over "comparable worth" after the passage of Title VII of the 1964 Civil Rights Act recognized jobs with comparable skills should be paid similar wages even if one job is dominated by women and another by men. By 1990, the courts had all but closed the door to women's complaints of discrimination by sex segregation.

"In his first bill signing, President Barack Obama signed the Lily Ledbetter Fair Pay Act into law on January 29th of this year. The Act restores the long-standing interpretation of civil rights laws and EEOC policies that allow employees to challenge any discriminatory paycheck they receive. It is named for a woman who worked for nearly two decades at the Goodyear Tire and Rubber Company in Alabama. Despite receiving top performance awards, Lily Ledbetter discovered that she had been paid significantly less than male co-workers with the same job. After retiring in November, 1998, she filed suit under Title VII of the Civil Rights Act of 1964 and was awarded back pay and other remedies in a jury trial. A 2007 Supreme Court 5 to 4 decision not only erased her award, but also left women, minorities, and others virtually no recourse to pay discrimination. The Act restores the remedy to achieve fairness and economic balance for women and their families.

"This is an important first step…but, there is more to be done.

"Currently before the United States Senate is the Paycheck Fairness Act (S.182), a comprehensive bill that updates the Equal Pay Act of 1963 by taking meaningful steps to create stronger incentives for employers to follow the law, empower women to negotiate for equal pay, and strengthen federal outreach and enforcement efforts. Passing this legislation, already approved by the House in January, is the next logical step following the recent enactment of the Lilly Ledbetter Fair Pay Act, which restored the ability of working women to have their day in court to combat wage discrimination. The Lily Ledbetter Fair Pay Act is the nail, but we need the Paycheck Fairness Act to be the hammer to make sure the job gets done.

"Pay Equity, it's about time! To all of you who believe closing the wage gap is inevitable. I respectfully disagree. Only with both women and men pressuring their bosses to make women's pay fair will it happen. Only with bringing attention to this matter and educating those entering the workforce on negotiating salaries will it happen.

"In closing, I thank all of those employers and executives who understand equal pay for equal work and who have created a culture at the office which allows equal opportunity and equal recognition for a job well done."

ADJOURNMENT

At 12:22 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, April 29, 2009. (Representatives Chang and Takai were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 28, 2009, 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 appointed as Conferees on the part of the House, for the consideration of amendments proposed by the House to the following Senate bill:

S.B. No. 532, SD1, HD1	Karamatsu, Chr.; Ito, Souki, Thielen

House Communication dated April 28, 2009, 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 its action taken in disagreeing to the amendments made by the Senate on April 16, 2009, and gives notice of intent to agree to the following House bill:

H.B. No. 591, HD 1, SD 2

House Communication dated April 28, 2009, 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 its action taken in disagreeing to the amendments made by the Senate on April 7, 2009, and gives notice of intent to agree to the following House bill:

H.B. No. 1061, HD 1, SD 1

House Communication dated April 28, 2009, 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 Bill on Final Reading:

H.B. No. 1101, HD 1, SD 1

FIFTY-SIXTH DAY

Wednesday, April 29, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:07 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Reverend Superintendent Filemone Ma'u, Senior Pastor of the Honolulu Tongan Assembly of God, after which the Roll was called showing all Members present with the exception of Representative Takai, who was excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Fifth Day was deferred.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 757) was received and announced by the Clerk and was placed on file:

Sen. Com. No. 757, dated April 28, 2009, informing the House that the Senate has on April 27, 2009, agreed to the amendments proposed by the House to the following Senate Concurrent Resolution and that said resolution was this day adopted by the Senate:

S.C.R. No. 121, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES, IN COOPERATION WITH THE DEPARTMENT OF AGRICULTURE, DEPARTMENT OF EDUCATION, AND THE HAWAII FARM BUREAU FEDERATION, TO CONVENE A WORKING GROUP OF STAKEHOLDERS TO CONSIDER THE FEASIBILITY OF ESTABLISHING A FARM TO SCHOOL PROGRAM IN HAWAII'S PUBLIC SCHOOLS."

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Sagum introduced members of the Kauai Hotel Association: Ms. Denise Wardlow, Mr. Nick Arruda, Mr. Nick Nacion, Ms. Hualani Duncan, Ms. Kristina Caminos, Ms. Purita Norial, Ms. Lynell Cabael and Mr. Rody Ganiron.

Representative Tokioka introduced additional members from the Kauai Hotel Association: Mr. Randy Asuncion; Mr. Elliot Mills, General Manager of Waiohai Kalapaki Bay; Steve Yanneral, General Manager of Waiohai Poipu Beach; Mr. Kaupena Kinimaka, Chief Security Officer at Marriott Kalapaki; Mr. Doug Sears, General Manager of the Grand Hyatt Poipu; Ms. Rosellyn Tan; Ms. Nancy Abigania; and Ms. Angela Hadler.

Representative Manahan introduced the Executive Director of the Hawaii Tourism Authority, Mr. Mike McCartney.

Representative Herkes further welcomed and recognized the Kauai Hotel Association delegation.

Representative Har introduced her constituent and member of the Kapolei Neighborhood Board, Mr. Keoni Dudley.

Representative Brower introduced his constituent, Mr. Alfred Herrera.

Representative Finnegan introduced former Representative Bev Harbin.

ORDER OF THE DAY

COMMITTEE REASSIGNMENT

The following measure was re-referred to committee by the Speaker:

H.R. No.	Re-referred to:
202	Committee on Hawaiian Affairs

STANDING COMMITTEE REPORTS

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1901) recommending that S.C.R. No. 89, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 89, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CLEAN UP AND INVESTIGATION OF ILLEGAL DUMPING AND ILLEGAL STRUCTURES AT LAUMAILE STREET IN KALIHI AND THE DEVELOPMENT AND IMPLEMENTATION OF MEASURES TO PREVENT ILLEGAL DUMPING AND ILLEGAL STRUCTURES IN THE AREA," was adopted, with Representatives C. Lee, Morita, Sagum, Saiki and Takai being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1902) recommending that S.C.R. No. 132, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 132, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE SENATE PRESIDENT AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO ESTABLISH A TASK FORCE TO DETERMINE THE ECONOMIC VALUE OF CONSTRUCTION IN HAWAII," was adopted, with Representatives C. Lee, Morita, Sagum, Saiki and Takai being excused.

CONFERENCE COMMITTEE REPORTS

At this time, the Chair stated:

"Members, please note the 48-hour notice for Conference Committee Reports Numbers 10 through 13, 59 and 60 as listed on pages 2 and 3."

Representative Karamatsu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 615, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 10) recommending that H.B. No. 615, 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. 10 and H.B. No. 615, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," was deferred for a period of 48 hours.

Representatives Ito and Morita, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 590, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 11) recommending that H.B. No. 590, 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. 11 and H.B. No. 590, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," was deferred for a period of 48 hours.

Representatives Cabanilla, Herkes and Sagum, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1071, HD 3, SD 2, presented a report

(Conf. Com. Rep. No. 12) recommending that H.B. No. 1071, HD 3, 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. 12 and H.B. No. 1071, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," was deferred for a period of 48 hours.

Representatives Tsuji, Morita and Ito, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1351, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 13) recommending that H.B. No. 1351, 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. 13 and H.B. No. 1351, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE AGRICULTURAL PARKS," was deferred for a period of 48 hours.

Representatives Souki 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. 714, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 59) recommending that S.B. No. 714, 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. 59 and S.B. No. 714, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," was deferred for a period of 48 hours.

Representatives Hanohano and M. Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 564, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 60) recommending that S.B. No. 564, 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. 60 and S.B. No. 564, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," was deferred for a period of 48 hours.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering certain House bills for Final Reading by consent calendar. (Representatives C. Lee, Morita, Sagum, Saiki and Takai were excused.)

FINAL READING

Representative B. Oshiro moved to agree to the amendments made by the Senate to the following House bills, seconded by Representative Evans.

H.B. No. 591, HD 1, (SD 2)
H.B. No. 1061, HD 1, (SD 1)

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like to request a ruling on a possible conflict on both of these bills. My law firm represents power purchase producers and private utilities."

At 12:16 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:17 o'clock p.m.

Representative Keith-Agaran continued, stating:

"As I mentioned, my law firm represents power purchase producers and private utilities. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments made by the Senate to the noted House bills. (Representatives C. Lee, Morita, Sagum, Saiki and Takai were excused.)

The Chair addressed the Clerk who announced that the record of votes for said measures had been received, and that the requisite number of House Conferees appointed have cast affirmative votes to report said measures to the Floor.

H.B. No. 591, HD 1, SD 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. 591, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 5 (Morita, Tsuji, Herkes, Wakai and Thielen). Noes, none. Excused, none.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 591, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Final Reading by a vote of 46 ayes, with Representatives C. Lee, Morita, Sagum, Saiki and Takai being excused.

H.B. No. 1061, HD 1, SD 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. 1061, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (Herkes, Karamatsu, Keith-Agaran and Marumoto). Noes, none. Excused, none.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1061, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Final Reading by a vote of 46 ayes, with Representatives C. Lee, Morita, Sagum, Saiki and Takai being excused.

At 12:18 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 591, HD 1, SD 2
H.B. No. 1061, HD 1, SD 1

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to a certain House bill. (Representatives C. Lee, Morita, Sagum, Saiki and Takai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House bill, seconded by Representative Evans.

H.B. No. 179, (SD 2)

The motion was put to vote by the Chair and carried, and the House reconsidered its action previously taken in disagreeing to the amendments made by the Senate, and gave notice of intent to agree to such amendments for the noted House bill. (Representatives C. Lee, Morita, Sagum, Saiki and Takai were excused.)

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative B. Oshiro moved to agree to the amendments made by the Senate to the following House Concurrent Resolutions, seconded by Representative Evans and carried. (Representatives C. Lee, Morita, Sagum, Saiki and Takai were excused.)

H.C.R. No. 97, HD 1, (SD 1)
H.C.R. No. 215, (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. 97, HD 1, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Finnegan and carried, H.C.R. No. 97, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE EFFECTS OF REGULATING RESPIRATORY CARE PRACTITIONERS," was Adopted, with Representatives C. Lee, Morita, Sagum, Saiki and Takai being excused.

H.C.R. No. 215, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Finnegan and carried, H.C.R. No. 215, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REVIEW AND ASSESS THE POLICIES AND PROCEDURES IMPLEMENTED BY HOSPITALS TO REDUCE ELECTIVE CESAREAN SECTIONS AND INDUCTION OF LABOR," was Adopted, with Representatives C. Lee, Morita, Sagum, Saiki and Takai being excused.

ANNOUNCEMENT

Representative Har: "Thank you, Mr. Speaker. Colleagues, one of the best parts about being in this job is getting to work with all of you. And, for me personally, it's been a wonderful experience because I get to be the Vice-Chair to, I think one of the most entertaining Representatives in the House. I'd like you to all join me because he was born 65 years ago, and he's now a wonderful blessing to all of us. Members, please join me in wishing a very happy birthday to Chair Ken Ito."

ADJOURNMENT

At 12:22 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 6:30 o'clock p.m. tomorrow, Thursday, April 30, 2009. (Representatives C. Lee, Morita, Sagum, Saiki and Takai were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 29, 2009, 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 16, 2009, and gives notice of intent to agree to the following House bill:

H.B. No. 179, SD 2

House Communication dated April 29, 2009, 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. 591, HD 1, SD 2
H.B. No. 1061, HD 1, SD 1

House Communication dated April 29, 2009, 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. 97, HD 1, SD 1
H.C.R. No. 215, SD 1

FIFTY-SEVENTH DAY

Thursday, April 30, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 6:38 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Representative Tom Brower, after which the Roll was called showing all Members present with the exception of Representatives Sagum and Takai, who were excused.

On motion by Representative Evans, seconded by Representative Pine and carried, reading of the Journal was dispensed with and the Journal of the Forty-Fifth day was approved. (Representatives Sagum and Takai were excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 306 through 324) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 306, dated April 29, 2009, informing the House that on April 28, 2009, 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. 1676 SD2

On April 28, 2009, Senate Bill No. 1676, entitled "A Bill for an Act Relating to Health" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to clarify that telemedicine is within the scope of a physician's practice and sets requirements and standards for the practice of telemedicine services. Telemedicine means the use of telecommunications services, such as video or web conferencing, telephone, or internet links between a physician and a patient to evaluate or treat a patient.

Modern technology has given us the ability to perform activities not imagined just a few years ago. The advent of telemedicine is a recent phenomenon that now allows patients to contact their doctor outside of the normal medical office arrangements. This technology also allows doctors to provide services to remote or hard to reach locations, as well as consult in real time video conferences with colleagues and specialists out of state who can help diagnose a disease or recommend a specific treatment program not available locally.

Senate Bill No. 1676 attempts to foster the use of telemedicine by better defining the practice, setting forth the circumstances under which treatment recommendations can be made, clarifying the medical licensing requirements for telemedicine practices, and reaffirming that medical insurance covers this technique for delivering medical services.

Modern technology also brings new issues and concerns that have not been adequately addressed in this bill. Three areas in particular are of concern to the medical community and deserve further attention in forthcoming legislative sessions.

First, there remains an understandable concern that a face-to-face relationship should be developed first between a primary care physician and a patient before the doctor is allowed to provide diagnoses or treatments via telemedicine. The Hawaii Medical Board has acknowledged this preference and believes it is fundamental to the delivery of appropriately provided medical services within generally accepted community standards of care.

Second, as written, the bill appears to allow both an individual patient, as well as that patient's doctor, to consult with and obtain treatments from an out-of-state physician or other non-Hawaii-based medical services provider. It would appear more prudent for these out-of-state consultations to be restricted to doctor-to-doctor discussions where the Hawaii-based physicians know their consulting colleague and can ensure the discussions are technically and medically accurate.

Third, enforcement oversight issues for out-of-state physicians have not been adequately addressed in this bill. Neither the Hawaii Medical Board nor the Regulated Industries Complaints Office of the State Department of Commerce and Consumer Affairs has jurisdiction over out-of-state practitioners and cannot sanction them for actions that may not meet Hawaii's standards of medical care. As the medical community seeks out and uses specialists and medical providers outside of Hawaii, it is important that states like Hawaii work with other jurisdictions to address how best to ensure that the out-of-state individuals providing medical advice meet the educational, licensing, and ethical standards we have established for our own medical community.

For the foregoing reasons, I allowed Senate Bill No. 1676 to become law as Act 20, effective April 28, 2009, without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 307, informing the House that on April 29, 2009, the following bill was signed into law:

H.B. No. 293, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTIVE PROCEEDINGS." (ACT 021)

Gov. Msg. No. 308, informing the House that on April 29, 2009, the following bill was signed into law:

H.B. No. 294, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL LIABILITY OF TRUSTEE TO THIRD PARTIES." (ACT 022)

Gov. Msg. No. 309, informing the House that on April 29, 2009, the following bill was signed into law:

S.B. No. 886, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION." (ACT 023)

Gov. Msg. No. 310, dated April 30, 2009, informing the House that on April 29, 2009, 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. 438

On April 29, 2009, Senate Bill No. 438, entitled "A Bill for an Act Relating to Board of Education Meetings" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to shorten the time requirement for posting Board of Education meeting notices, from six days to two days, if the agenda items are related to legislation pending before the Legislature.

Currently under the Sunshine Law, boards and commissions are able to file meeting notices less than six days prior to board meetings, as long as certain requirements are met pursuant to the emergency meetings provision of Section 92-8, Hawaii Revised Statutes. As stated by both the Office of Information Practices and the League of Women Voters of Hawaii, the Sunshine Law was enacted to facilitate public participation in government processes and should not be tinkered with for expediency's sake. As a result, I am concerned that making an exception to shorten the time requirement for filing meeting notices may not be the

correct approach for resolving the issue of responding to legislation in a timely manner.

I am also concerned that this bill will allow for special treatment of the Board of Education under the Sunshine Law, as no other board or commission will be provided with the same exception provided under this bill. This bill will require the Office of Information Practices to make a distinction for the Board of Education and treat it differently from the numerous other boards and commissions that must also respond to tight legislative deadlines. Moreover, because the Sunshine Law, like the Uniform Information Practices Act, is supposed to be administered uniformly across all agencies and boards, creating a special exception for only the Board of Education sets an unnecessary precedent.

I call upon the Legislature to address in a comprehensive manner the conflicts between the Sunshine Law and legislative notices that provide inadequate time for boards, commissions and the public to respond. At a minimum, the Legislature should consider revising emergency meeting procedures for all boards and commissions that should be afforded the opportunity to comment on pending legislation.

For the foregoing reasons, I allowed Senate Bill No. 438 to become law as Act 24, effective April 29, 2009, without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 311, informing the House that on April 30, 2009, the following bill was signed into law:

S.B. No. 880, entitled: "A BILL FOR AN ACT RELATING TO GAS PIPELINE SYSTEMS." (ACT 025)

Gov. Msg. No. 312, informing the House that on April 30, 2009, the following bill was signed into law:

S.B. No. 160, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL MEALS." (ACT 026)

Gov. Msg. No. 313, informing the House that on April 30, 2009, the following bill was signed into law:

S.B. No. 715, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION." (ACT 027)

Gov. Msg. No. 314, informing the House that on April 30, 2009, the following bill was signed into law:

S.B. No. 39, entitled: "A BILL FOR AN ACT RELATING TO REPORTS ON THE HAWAII CANCER RESEARCH SPECIAL FUND." (ACT 028)

Gov. Msg. No. 315, informing the House that on April 30, 2009, the following bill was signed into law:

S.B. No. 878, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF HEARING NOTICES." (ACT 029)

Gov. Msg. No. 316, informing the House that on April 30, 2009, the following bill was signed into law:

S.B. No. 528, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO." (ACT 030)

Gov. Msg. No. 317, informing the House that on April 30, 2009, the following bill was signed into law:

S.B. No. 163, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 031)

Gov. Msg. No. 318, informing the House that on April 30, 2009, the following bill was signed into law:

S.B. No. 947, SD 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT CONTRIBUTION RATES." (ACT 032)

Gov. Msg. No. 319, informing the House that on April 30, 2009, the following bill was signed into law:

S.B. No. 162, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 033)

Gov. Msg. No. 320, informing the House that on April 30, 2009, the following bill was signed into law:

S.B. No. 119, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM FOREIGN-COUNTRY MONEY JUDGMENTS RECOGNITION ACT." (ACT 034)

Gov. Msg. No. 321, informing the House that on April 30, 2009, the following bill was signed into law:

S.B. No. 164, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL GRANTS SEARCH, DEVELOPMENT, AND APPLICATION REVOLVING FUND." (ACT 035)

Gov. Msg. No. 322, informing the House that on April 30, 2009, the following bill was signed into law:

S.B. No. 933, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY LICENSURE OF DENTISTS." (ACT 036)

Gov. Msg. No. 323, informing the House that on April 30, 2009, the following bill was signed into law:

S.B. No. 426, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY." (ACT 037)

Gov. Msg. No. 324, informing the House that on April 30, 2009, the following bill was signed into law:

S.B. No. 862, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING." (ACT 038)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 758 through 761) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 758, transmitting H.C.R. No. 303, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PEACE CORPS EXPANSION ACT OF 2009," which was adopted by the Senate on April 29, 2009.

Sen. Com. No. 759, transmitting H.C.R. No. 309, entitled: "HOUSE CONCURRENT RESOLUTION DENOUNCING THE VIOLATION OF HUMAN RIGHTS IN TIBET," which was adopted by the Senate on April 29, 2009.

Sen. Com. No. 760, dated April 29, 2009, informing the House that the Senate has on April 28, 2009, agreed to the amendments proposed by the House to the following Senate Concurrent Resolution, and that said resolution was this day adopted by the Senate:

S.C.R. No. 38, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEVELOPMENT OF A PLAN FOR INCREASING AID AND ASSISTANCE TO CERTIFIED ORGANIC FARMERS."

Sen. Com. No. 761, dated April 29, 2009, informing the House that the Senate has disagreed to the amendments proposed by the House and has this day named conferees to the following Senate Concurrent Resolution:

S.C.R. No. 31, SD2, HD1 — Sakamoto, Chair; Tsutsui, Co-Chair; Hemmings

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 64 and 65) were received by the Clerk and were placed on file:

Dept. Com. No. 64, dated April 29, 2009, from Garrett Toguchi, Chairperson, State of Hawaii Board of Education, transmitting the Standards-Based Curriculum report prepared by the Department of Education in response to SB 3059, SD 2, HD 1, CD 1, Act 031 (SLH 2006).

Dept. Com. No. 65, dated April 29, 2009, from Garrett Toguchi, Chairperson, State of Hawaii Board of Education, transmitting the Report on Progress and Status of the Implementation of the Electronic CSSS prepared by the Department of Education in response to HB 0500, HD 1, SD 1, CD 1, Section 73, Act 213 (SLH 2007).

ORDER OF THE DAY

UNFINISHED BUSINESS

At this time, the Chair stated:

"Members, Conference Committee Reports Nos. 6 through 9, and 54 through 58, on pages 1 through 3, will be deferred to Tuesday, May 5, 2009."

Conf. Com. Rep. No. 6 and H.B. No. 1422, HD 1, SD 1, CD 1:

By unanimous consent, action was deferred to May 5, 2009.

Conf. Com. Rep. No. 7 and H.B. No. 1057, HD 1, SD 2, CD 1:

By unanimous consent, action was deferred to May 5, 2009.

Conf. Com. Rep. No. 8 and H.B. No. 876, HD 1, SD 2, CD 1:

By unanimous consent, action was deferred to May 5, 2009.

Conf. Com. Rep. No. 9 and H.B. No. 632, HD 1, SD 1, CD 1:

By unanimous consent, action was deferred to May 5, 2009.

Conf. Com. Rep. No. 54 and S.B. No. 1065, SD 2, HD 1, CD 1:

By unanimous consent, action was deferred to May 5, 2009.

Conf. Com. Rep. No. 55 and S.B. No. 281, HD 1, CD 1:

By unanimous consent, action was deferred to May 5, 2009.

Conf. Com. Rep. No. 56 and S.B. No. 711, SD 1, HD 2, CD 1:

By unanimous consent, action was deferred to May 5, 2009.

Conf. Com. Rep. No. 57 and S.B. No. 659, HD 1, CD 1:

By unanimous consent, action was deferred to May 5, 2009.

Conf. Com. Rep. No. 58 and S.B. No. 971, SD 2, HD 1, CD 1:

By unanimous consent, action was deferred to May 5, 2009.

STANDING COMMITTEE REPORTS

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1903) recommending that H.R. No. 202, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 202, HD 1, entitled: "HOUSE RESOLUTION SUPPORTING EFFORTS BY THE HAWAIIAN COMMUNITY TO ORGANIZE AND CONVENE A CONFERENCE TO BEGIN DISCUSSIONS FOR A NATIVE HAWAIIAN SELF GOVERNANCE AND RECONCILIATION PROCESS," was adopted, with Representatives Sagum and Takai being excused.

CONFERENCE COMMITTEES REPORTS

At this time, the Chair stated:

"Members, please note the 48-hour notice for Conference Committee Report Nos. 14 through 28, and 61 through 73, as listed on pages 4 through 9."

Representatives Ito and Morita, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 589, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 14) recommending that H.B. No. 589, 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. 14 and H.B. No. 589, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," was deferred for a period of 48 hours.

Representatives Cabanilla and Sagum, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1045, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 15) recommending that H.B. No. 1045, 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. 15 and H.B. No. 1045, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION," was deferred for a period of 48 hours.

Representatives Tsuji, Ito and Wooley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 975, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 16) recommending that H.B. No. 975, 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. 16 and H.B. No. 975, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SYSTEMS," was deferred for a period of 48 hours.

Representatives Hanohano and M. Lee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1152, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 17) recommending that H.B. No. 1152, 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. 17 and H.B. No. 1152, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS' ACCOUNTS," was deferred for a period of 48 hours.

Representatives Herkes, Karamatsu and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 618, SD 2, presented a report (Conf. Com. Rep. No. 18) recommending that H.B. No. 618, 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. 18 and H.B. No. 618, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS ACT," was deferred for a period of 48 hours.

Representatives Rhoads and Yamashita, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1479, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 19) recommending that H.B. No. 1479, 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. 19 and H.B. No. 1479, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," was deferred for a period of 48 hours.

Representatives Rhoads and Yamashita, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1676, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 20) recommending that H.B. No. 1676, 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. 20 and H.B. No. 1676, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," was deferred for a period of 48 hours.

Representatives Mizuno and Brower, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1103, SD 1, presented a report (Conf. Com. Rep. No. 21) recommending that H.B. No. 1103, 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. 21 and H.B. No. 1103, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FINANCIAL ASSISTANCE FOR INDEPENDENT LIVING SERVICES AND CENTERS," was deferred for a period of 48 hours.

Representative Herkes, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1070, SD 1, presented a report (Conf. Com. Rep. No. 22) recommending that H.B. No. 1070, 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. 22 and H.B. No. 1070, SD 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 Yamane, Wakai and Nishimoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 814, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 23) recommending that H.B. No. 814, 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. 23 and H.B. No. 814, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES," was deferred for a period of 48 hours.

Representatives Yamane, Karamatsu 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. 28, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 24) recommending that H.B. No. 28, 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. 24 and H.B. No. 28, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DEAD HUMAN BODIES," was deferred for a period of 48 hours.

Representatives Hanohano, Karamatsu and M. Lee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 358, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 25) recommending that H.B. No. 358, 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. 25 and H.B. No. 358, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG TREATMENT," was deferred for a period of 48 hours.

Representatives Herkes, B. Oshiro and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 262, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 26) recommending that H.B. No. 262, 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. 26 and H.B. No. 262, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," was deferred for a period of 48 hours.

Representatives Karamatsu and Wakai, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1415, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 27) recommending that H.B. No. 1415, 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. 27 and H.B. No. 1415, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS," was deferred for a period of 48 hours.

Representatives Takumi, Rhoads and C. Lee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 541, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 28) recommending that H.B. No. 541, 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. 28 and H.B. No. 541, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE PERSONNEL," was deferred for a period of 48 hours.

Representatives Rhoads, Mizuno 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. 1183, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 61) recommending that S.B. No. 1183, 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. 61 and S.B. No. 1183, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRACTICES," was deferred for a period of 48 hours.

Representatives Morita, Herkes 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. 868, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 62) recommending that S.B. No. 868, 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. 62 and S.B. No. 868,

SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," was deferred for a period of 48 hours.

Representatives Herkes, Karamatsu and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 470, HD 1, presented a report (Conf. Com. Rep. No. 63) recommending that S.B. No. 470, 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. 63 and S.B. No. 470, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," was deferred for a period of 48 hours.

Representatives 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. 203, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 64) recommending that S.B. No. 203, 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. 64 and S.B. No. 203, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," was deferred for a period of 48 hours.

Representatives 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. 35, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 65) recommending that S.B. No. 35, 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. 65 and S.B. No. 35, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES," was deferred for a period of 48 hours.

Representatives 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. 34, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 66) recommending that S.B. No. 34, 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. 66 and S.B. No. 34, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT," was deferred for a period of 48 hours.

Representatives Mizuno 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. 914, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 67) recommending that S.B. No. 914, 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. 67 and S.B. No. 914, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was deferred for a period of 48 hours.

Representatives Cabanilla 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. 440, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 68) recommending that S.B. No. 440, 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. 68 and S.B. No. 440, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," was deferred for a period of 48 hours.

Representatives Takumi, Tokioka 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. 389, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 69) recommending that S.B. No. 389, 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. 69 and S.B. No. 389, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," was deferred for a period of 48 hours.

Representatives McKelvey, Herkes 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. 300, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 70) recommending that S.B. No. 300, 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. 70 and S.B. No. 300, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," was deferred for a period of 48 hours.

Representatives Morita, Herkes, B. Oshiro and Coffman, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 605, SD 1, HD 3, presented a report (Conf. Com. Rep. No. 71) recommending that S.B. No. 605, 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. 71 and S.B. No. 605, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," was deferred for a period of 48 hours.

Representatives Morita, McKelvey and Coffman, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1066, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 72) recommending that S.B. No. 1066, 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. 72 and S.B. No. 1066, SD 2, 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.

Representative Herkes, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 55, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 73) recommending that S.B. No. 55, 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. 73 and S.B. No. 55, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," was deferred for a period of 48 hours.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering a certain House bill for Final Reading by consent calendar. (Representatives Sagum and Takai were excused.)

FINAL READING

Representative B. Oshiro moved to agree to the amendments made by the Senate to the following House bill, seconded by Representative Evans.

H.B. No. 179, (SD 2)

The motion was put to vote by the Chair and carried, and the House agreed to the amendments made by the Senate to the noted House bill. (Representatives Sagum and Takai were excused.)

The Chair addressed the Clerk who announced that the record of votes for said measures had been received, and that the requisite number of House Conferees appointed have cast affirmative votes to report said measure to the Floor.

H.B. No. 179, SD 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. 179, on the following showing of Ayes and Noes:

Ayes, 4 (Takumi, M. Lee, Nakashima and Finnegan). Noes, none. Excused, none.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 179, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FACILITIES," passed Final Reading by a vote of 49 ayes, with Representatives Sagum and Takai being excused.

At 6:48 o'clock p.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 179, SD 2

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House bills. (Representatives Sagum and Takai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House bills, seconded by Representative Evans.

H.B. No. 1362, HD 1, (SD 2)
H.B. No. 1538, HD 1, (SD 1)

The motion was put to vote by the Chair and carried, and the House reconsidered its action previously taken in disagreeing to the amendments made by the Senate, and gave notice of intent to agree to such amendments for the noted House bills. (Representatives Sagum and Takai were excused.)

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative B. Oshiro moved to agree to the amendments made by the Senate to the following House Concurrent Resolutions, seconded by Representative Evans and carried. (Representatives Sagum and Takai were excused.)

H.C.R. No. 76, HD 1, (SD 1)
H.C.R. No. 157, (SD 1)
H.C.R. No. 246, HD 1, (SD 1)
H.C.R. No. 266, (SD 1)
H.C.R. No. 298, 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. 76, HD 1, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 76, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SENATE PRESIDENT AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO ESTABLISH A TASK FORCE ON REINVENTING GOVERNMENT TO EXAMINE THE CURRENT OPERATIONS AND ORGANIZATION OF STATE GOVERNMENT AND MAKE RECOMMENDATIONS ON MAKING STATE GOVERNMENT MORE EFFICIENT," was Adopted, with Representatives Sagum and Takai being excused.

H.C.R. No. 157, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 157, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING PUBLIC AND PRIVATE AGENCIES TO ENCOURAGE THEIR PARENT CLIENTS TO TURN ON CLOSED CAPTIONING WHEN THEIR CHILDREN WATCH TELEVISION," was Adopted, with Representatives Sagum and Takai being excused.

H.C.R. No. 246, HD 1, SD 1:

Representative B. Oshiro moved that H.C.R. No. 246, HD 1, SD 1, be adopted, seconded by Representative Evans.

Representative Cabanilla rose to speak in support of the measure, stating:

"I rise in strong support, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.C.R. No. 246, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH A TASK FORCE TO DEVELOP A POLICY TO ADDRESS TEEN DATING VIOLENCE AND ABUSE," was Adopted, with Representatives Sagum and Takai being excused.

H.C.R. No. 266, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 266, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTIES TO CONSIDER ADOPTING GRAY WATER PROVISIONS OF THE UNIFORM PLUMBING CODE AND REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A PLAN TO AUTHORIZE GRAY WATER RECYCLING SYSTEMS FOR RESIDENTIAL PREMISES UNDER APPROPRIATE CIRCUMSTANCES," was Adopted, with Representatives Sagum and Takai being excused.

H.C.R. No. 298, HD 1, SD 1:

Representative B. Oshiro moved that H.C.R. No. 298, HD 1, SD 1, be adopted, seconded by Representative Evans.

Representative Cabanilla rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support of this measure."

The motion was put to vote by the Chair and carried, and H.C.R. No. 298, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES PRESIDENT, SENATE, AND HOUSE OF REPRESENTATIVES TO ENACT LEGISLATION TO EXPEDITE IMMIGRANT VISAS FOR FAMILY REUNIFICATION OF CERTAIN FILIPINO VETERANS OF WORLD WAR II," was Adopted, with Representatives Sagum and Takai being excused.

ANNOUNCEMENT

Representative Ward: "Mr. Speaker, on behalf of Representative Mizuno's office and my office, we are having a luncheon tomorrow, the Fellowship Luncheon. It's a free lunch for everyone. And because we're not in session until the afternoon, it will be from 11:30 to 1:00. We have former Judge Elwin Ahu, who is now a pastor at New Hope, who is going to be a guest speaker. So, 11:30 tomorrow at Room 437. Thank you."

At 6:52 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 6:53 o'clock p.m.

At this time, Representative Evans moved to keep the Journal open until 12:00 midnight this legislative day, seconded by Representative Pine and carried. (Representatives Sagum and Takai were excused.)

At 6:54 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives stood in recess until 6:30 o'clock p.m. tomorrow, Friday, May 1, 2009. (Representatives Sagum and Takai were excused.)

CONFERENCE COMMITTEE REPORTS

In accordance with the motion made, the following Conference Committee Reports (Conf. Com. Rep. Nos. 29 through 46; and 74 through 92) were received by the Clerk prior to 12:00 o'clock midnight this legislative day and the following action taken:

Conf. Com. Rep. No. 29 and H.B. No. 1696, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTAL INDUSTRY," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 30 and H.B. No. 643, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 31 and H.B. No. 31, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 32 and H.B. No. 1611, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LABELING OF MEAT AND FISH PRODUCTS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 33 and H.B. No. 1776, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 34 and H.B. No. 1316, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TORTS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 35 and H.B. No. 271, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 36 and H.B. No. 982, HD 3, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 37 and H.B. No. 1040, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 38 and H.B. No. 366, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MANTA RAYS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 39 and H.B. No. 983, 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, May 5, 2009.

Conf. Com. Rep. No. 40 and H.B. No. 813, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 41 and H.B. No. 1141, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THRILL CRAFT OPERATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 42 and H.B. No. 1379, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ORDERS FOR LIFE SUSTAINING TREATMENT," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 43 and H.B. No. 1512, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 44 and H.B. No. 640, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 45 and H.B. No. 1470, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC PROCUREMENT CODE," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 46 and H.B. No. 128, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 74 and S.B. No. 50, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY PRODUCERS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 75 and S.B. No. 892, 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, May 5, 2009.

Conf. Com. Rep. No. 76 and S.B. No. 1069, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 77 and S.B. No. 1107, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 78 and S.B. No. 1259, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 79 and S.B. No. 1338, 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, May 5, 2009.

Conf. Com. Rep. No. 80 and S.B. No. 19, 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, May 5, 2009.

Conf. Com. Rep. No. 81 and S.B. No. 1, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OPIHI," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 82 and S.B. No. 1268, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 83 and S.B. No. 91, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 84 and S.B. No. 536, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STARLIGHT RESERVE," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 85 and S.B. No. 1222, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HUMANE TREATMENT OF PET ANIMALS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 86 and S.B. No. 113, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 87 and S.B. No. 931, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 88 and S.B. No. 932, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INFECTIOUS DISEASE TESTING," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 89 and S.B. No. 1073, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 90 and S.B. No. 1195, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ECONOMY," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 91 and S.B. No. 764, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 92 and S.B. No. 1005, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 6:30 o'clock p.m. tomorrow, Friday, May 1, 2009.

HOUSE COMMUNICATIONS

House Communication dated April 30, 2009, 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 its action taken in disagreeing to the amendments made by the Senate on April 16, 2009 to the following House bills:

H.B. No. 1362, HD 1, SD 2
H.B. No. 1538, HD 1, SD 1

House Communication dated April 30, 2009, 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 bill on Final Reading:

H.B. No. 179, SD 2

House Communication dated April 30, 2009, 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. 76, HD 1, SD 1
H.C.R. No. 157, SD 1
H.C.R. No. 246, HD 1, SD 1
H.C.R. No. 266, SD 1
H.C.R. No. 298, HD 1, SD 1

FIFTY-EIGHTH DAY

Friday, May 1, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 6:40 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Representative Rida Cabanilla, after which the Roll was called showing all Members present with the exception of Representatives Bertram 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. 325 and 326) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 325, dated May 1, 2009, informing the House that on April 30, 2009, 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. 1108

On April 30, 2009, Senate Bill No. 1108, entitled "A Bill for an Act Relating to Native Hawaiians" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to extend from June 30, 2009 to June 30, 2011 the sunset date for the operation of the Aha Kiole Advisory Committee.

This Committee was established in 2007 to initiate a process for using indigenous best practices in managing State natural resources. This Administration supports the concepts embodied in the original bill which called for the adoption of traditional, community-based natural resource management techniques.

Unfortunately, the actual operations of the Committee have strayed from the original intent, to the extent that certain Native Hawaiian organizations are calling for the Committee to be abolished.

The concerns with this bill are twofold. First, it fails to address the need for a larger cross-section of the native Hawaiian community to be represented on the membership. Act 212 established a membership selection process that required the Governor to select names submitted by only one umbrella organization. There are many groups and individuals in the Native Hawaiian community who care deeply about the preservation and restoration of our ecosystems. It is unfortunate that the membership has come from only one portion of that community and no efforts were made to expand that membership in this bill.

Second, there is a growing concern about the focus and positions that this Advisory Committee has taken. The Committee has taken official stances on issues that appear to be outside of the scope of its intended jurisdiction, which are the natural resources of the State of the Hawaii. The Advisory Committee has weighed in on the issue of fisheries management in jurisdictions outside of this state, affecting other countries and their ability to oversee their own resources. Further, the Committee has acted in a manner that masks its advisory nature, blurring the lines between advising others and taking positions independent of the State or the Department of Land and Natural Resources. Again, this bill to extend the Committee fails to redefine and clarify the matters that the Committee should address.

This measure does not include an appropriation for the Advisory Committee. I believe it is incumbent upon the Legislature to review the sources of support the Aha Kiole Advisory Committee has used and determine if those sources have compromised the independence or objectivity of the Committee.

For the foregoing reasons, I allowed Senate Bill No. 1108 to become law as Act 39, effective April 30, 2009, without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 326, dated April 29, 2009, transmitting the report "Efforts to Increased [*sic*] the Number of High-Skilled Jobs in Targeted Industry Clusters" (Act 148, SLH 2003).

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 762 through 773) were received and announced by the Clerk:

Sen. Com. No. 762, dated April 30, 2009, informing the House that the Senate has on April 29, 2009, 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. 30, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A FEASIBILITY STUDY ON CONVERTING HARD COVER TEXT BOOKS TO E-BOOKS FOR USE IN PUBLIC SCHOOLS."

S.C.R. No. 188, SD 2, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ACCEPT THE RECOMMENDATIONS OF THE WORKING GROUP FORMED BY HAWAII'S CONGRESSIONAL DELEGATION TO DETERMINE THE MOST APPROPRIATE USES OF STATE FISCAL STABILIZATION FUND MONEYS, AND AUTHORIZE THE EXPENDITURE OF STATE FISCAL STABILIZATION FUND MONEYS IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE WORKING GROUP."

Sen. Com. No. 763, transmitting H.C.R. No. 4, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING THE FIRST WEEK IN FEBRUARY AS HAWAII TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK," which was adopted by the Senate on April 30, 2009.

Sen. Com. No. 764, transmitting H.C.R. No. 16, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING STATE AND COUNTY ACTION TO STIMULATE INDIVIDUAL SAVINGS AND DEVELOPMENT OF CREDIT AND TO FORMULATE AN INVENTORY OF BANKING SERVICES AVAILABLE TO LOW-INCOME PERSONS AND THOSE WITH NO CREDIT HISTORY IN THE STATE," which was adopted by the Senate on April 30, 2009.

Sen. Com. No. 765, transmitting H.C.R. No. 34, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO RAISE MEDICARE FEE SCHEDULE PAYMENT AMOUNTS FOR PHYSICIANS RENDERING SERVICES IN HAWAII," which was adopted by the Senate on April 30, 2009.

Sen. Com. No. 766, transmitting H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT, TO PROVIDE LIMITED ENFORCEMENT SERVICES AT NIGHT ON A REGULAR BASIS AND TO CONTINUE PROVIDING ENFORCEMENT SERVICES ON WEEKENDS AND HOLIDAYS AT KANEOHE BAY," which was adopted by the Senate on April 30, 2009.

Sen. Com. No. 767, transmitting H.C.R. No. 109, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR COLONOSCOPY COLORECTAL CANCER SCREENING," which was adopted by the Senate on April 30, 2009.

Sen. Com. No. 768, transmitting H.C.R. No. 113, 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 KAMUELA VACUUM COOLING PLANT," which was adopted by the Senate on April 30, 2009.

Sen. Com. No. 769, transmitting H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAII FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS," which was adopted by the Senate on April 30, 2009.

Sen. Com. No. 770, transmitting H.C.R. No. 214, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT FEDERAL FUNDING BE PROVIDED TO THE CENTERS FOR DISEASE CONTROL AND PREVENTION TO ESTABLISH A CHRONIC OBSTRUCTIVE PULMONARY DISEASE PROGRAM," which was adopted by the Senate on April 30, 2009.

Sen. Com. No. 771, transmitting H.C.R. No. 217, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO DEVELOP PLANS FOR A SCHOLARSHIP PROGRAM FOR HAWAII RESIDENTS TO STUDY ABROAD," which was adopted by the Senate on April 30, 2009.

Sen. Com. No. 772, transmitting H.C.R. No. 250, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW ALL BOARDS, COMMISSIONS, COUNCILS, COMMITTEES, WORKING GROUPS, AND TASK FORCES TO DETERMINE WHICH OF THESE CAN BE ELIMINATED," which was adopted by the Senate on April 30, 2009.

Sen. Com. No. 773, transmitting H.C.R. No. 251, entitled: "HOUSE CONCURRENT RESOLUTION URGING DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF AQUATIC RESOURCES, TO CONSULT AND CONFER WITH LICENSED SPECIALIZED FISHING PRACTITIONERS PRIOR TO IMPLEMENTING REVISED OR NEW REGULATIONS AFFECTING THESE STYLES OF NEAR-SHORE COMMERCIAL FISHING AND TO SEEK ADVICE FROM AND WORK COLLABORATIVELY WITH THEM ON ANY AND ALL FUTURE REGULATIONS RELATING TO COMMERCIAL FISHING," which was adopted by the Senate on April 30, 2009.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 66) was received by the Clerk and was placed on file:

Dept. Com. No. 66, dated May 1, 2009, from Marion Higa, State Auditor, transmitting their 2008 Annual Report.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Carroll introduced her shadows for the day, Mr. Richard Kinney of the Hawaiian Political Action Committee of Hawaii, Mr. Keoni Eggard of the Royal Order of Kamehameha I, Mr. Kale Gumapac of the Kanaka Council, and Mr. Ben Tajon of the Kanaka Council.

Representative McKelvey introduced his staff, Mr. Stewart Lambert.

Representative Finnegan introduced her intern from the University of Hawaii, Ms. Tania Kehau Cortez; and Ms. Maunalei Love from the Charter School Administrative Office.

At 6:48 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 7:08 o'clock p.m.

PETITION

At this time, the Chair addressed the Clerk who announced that the following Petition was received and read as follows:

"To the Speaker of the House of Representatives and the President of the Senate:

Your Petitioners, members of the House of Representatives and of the Senate of the Twenty-Fifth Legislature of the State of Hawaii, respectfully request an extension of two days beyond the sixtieth day of the Regular Session of 2009 of the Twenty-Fifth Legislature of the State of Hawaii.

Senators Kokubun, Tsutsui, Galuteria, Takamine, Sakamoto, Hooser, Hee, Mercado Kim, Nishihara, Kidani, Espero, Gabbard, Green, Tokuda, English, Fukunaga, Bunda, Taniguchi.

Representatives McKelvey, M. Oshiro, B. Oshiro, Evans, Cabanilla, Karamatsu, Hanohano, Berg, Morita, Choy, Belatti, Shimabukuro, Carroll, Rhoads, Awana, Chang, Tokioka, Sagum, Wakai, Keith-Agaran, Nakashima, Yamane, Mizuno, Aquino, Yamashita, Coffman, Ito, Tsuji, Magaoay, M. Lee, Brower, Chong, Har, Manahan, Souki, Nishimoto, Luke, C. Lee, Wooley."

The following Proclamation was received and read by the Clerk:

"PROCLAMATION

We, Colleen Hanabusa, President of the Senate, and Calvin K.Y. Say, Speaker of the House of Representatives, of the Twenty-Fifth Legislature of the State of Hawaii pursuant to the power vested in us by Section 10, Article III of the Constitution of the State of Hawaii, and at the written request of two-thirds of the members to which each house is entitled, do hereby extend the Regular Session of 2009 of the Twenty-Fifth Legislature of the State of Hawaii for a period of Two Days beyond the Sixtieth day of the 2009 Regular Session, excluding Saturdays, Sundays, holidays and any days in recess pursuant to a concurrent resolution.

/s/ Colleen Hanabusa
President of the Senate

/s/ Calvin K.Y. Say
Speaker of the House of Representatives"

INTRODUCTION OF RESOLUTION

The following House Concurrent Resolution was received and read by the Clerk:

H.C.R. No. 313, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS AND SESSION DAYS OF THE REGULAR SESSION OF 2009," was jointly offered by Representatives Say, Evans, Magaoay and B. Oshiro.

ADOPTION

Representative B. Oshiro moved that H.C.R. No. 313, be adopted, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Yes, Mr. Speaker. I rise to speak against the Resolution. Mr. Speaker, there is only one purpose for extending this Session, and that's so the Democrat Majority will be in a position to override Governor Linda Lingle's vetoes of tax measures. I oppose this extension, Mr. Speaker, and I believe that we should allow Governor Lingle to have her chance to veto measures, and we should live with that result.

"The taxes on our people are going to be very onerous. She's aware of that, and I don't like us to set up this Body to set forth an override of her vetoes."

Representative Ward rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I also rise in opposition to this measure. Mr. Speaker, time management experts tell us that a task either expands or contracts, according to the amount of time that you give it. The people of Hawaii have given us 60 days to do our business. We have a budget. In fact, we just came out of the Conference Committee that said, I think in the words of the President of the Senate, 'We have a budget surplus.' So, the biggest job that we were sent here to do, we've done.

"Now, is it because we don't have enough time to combat the Governor who said unequivocally, 'We can balance the budget without cutting jobs. We can balance the budget without raising taxes.' If we are extending to refute that, I think it's a futility. For those reasons, I oppose this motion."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Very briefly, I just want to rebut some of those comments. First and foremost, just to rebut this argument about time expanding or contracting. Let's be honest, all we're doing is really adding one calendar day. I think in these budgetary times, where we are crunched with some significant pressures, adding one legislative day is not really too much to ask, especially when we are looking at what the actual cost to this Body will be. And that will not be very excessive, because the Speaker has already said, unfortunately, our staff will be ending on the originally stated date of May 7th. And so if there are any costs for that one additional legislative day, it will be very minimal.

"Secondly, the argument about a surplus that will be carried over. I think that's a mischaracterization. If anything, Senator Kim said it was a slim, very slim surplus that we may have. And all of that is extremely contingent on every single one of these tax revenue proposals passing. If they don't pass, at that point, our budget falls apart. It's all out of kilter. It's all out of whack. And so, at that point, we need every single one of these measures to pass.

"Thirdly, this is about the balance and separation of powers. This is about checks and balances. And, they may not like the fact that there's a 2/3 majority in this Chamber that can override the Governor's veto, but that's the way it works. That's the way government works. There are checks and balances. We don't have to just abide by what one person decides is best for this State. Instead, it's a collective decision made by the 51 House Members and the 25 Members in the other Chamber. Thank you."

Representative Pine rose, stating:

"I just wanted a point of clarification, please. Yes, I was in that committee hearing where Senator Kim did speak, and we do have a recording of it. And, what she said was, with the tax increases, the many program cuts and layoffs, we will have enough money to make up for our budget shortfall, plus a surplus."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Mr. Speaker, I just wanted you to note my opposition to the extension, as well as just short comments. We've all been very careful with the timing of this Session, and I guess I'm also just curious as to why, knowing that we had less than nine days for the Governor to veto, and we needed an extension, why couldn't we have at least tried to do that business 10 days before the Session is over? And so, that would be my question to, I guess the Body, or to leadership. Could have done it with careful planning since it was just one overnight day with that particular bill.

"Mr. Speaker, I do speak in opposition because I voted against all those tax measures. I believe that, just like everyone out there in the public that has to deal with living within their means, I think we should do as well. Thank you."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Yes, Mr. Speaker. In opposition. I think it's bad enough to vote once to raise taxes, but to vote to override a veto of a tax increase is to vote twice for the same tax increase. I think it's doubly wrong. Thank you."

Representative B. Oshiro rose to a point of order, stating:

"Point of order, Mr. Speaker. We're not talking about the bills yet. This is just about the Resolution. Can we just focus on the Resolution? Thank you."

Representative Ching 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. I just want to say that if the Governor doesn't veto the bills, then we can go sine die on Thursday. Thank you."

Representative Thielen rose to respond, stating:

"Bingo, Mr. Speaker. Bingo. That's exactly the point. There's no question why this extension is being requested and pushed through by the Democrat Majority. Thank you."

The motion was put to vote by the Chair and carried, and H.C.R. No. 313, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS AND SESSION DAYS OF THE REGULAR SESSION OF 2009," was adopted, with Representatives Ching, Finnegan, Marumoto, Thielen and Ward voting no, and with Representatives Bertram, Souki and Takai being excused.

ORDER OF THE DAY

UNFINISHED BUSINESS

At this time, the Chair stated:

"Members, Conference Committee Reports Nos. 10 through 13, 59 and 60, as listed on pages 1 and 2, will be deferred one legislative day, to Tuesday, May 5."

Conf. Com. Rep. No. 10 and H.B. No. 615, HD 1, SD 2, CD 1:

By unanimous consent, action was deferred to May 5, 2009.

Conf. Com. Rep. No. 11 and H.B. No. 590, HD 1, SD 2, CD 1:

By unanimous consent, action was deferred to May 5, 2009.

Conf. Com. Rep. No. 12 and H.B. No. 1071, HD 3, SD 2, CD 1:

By unanimous consent, action was deferred to May 5, 2009.

Conf. Com. Rep. No. 13 and H.B. No. 1351, HD 2, SD 1, CD 1:

By unanimous consent, action was deferred to May 5, 2009.

Conf. Com. Rep. No. 59 and S.B. No. 714, SD 1, HD 2, CD 1:

By unanimous consent, action was deferred to May 5, 2009.

Conf. Com. Rep. No. 60 and S.B. No. 564, SD 2, HD 1, CD 1:

By unanimous consent, action was deferred to May 5, 2009.

STANDING COMMITTEE REPORTS

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1904) recommending that S.C.R. No. 183, SD 1, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.C.R. No. 183, SD 1, be adopted, seconded by Representative Evans.

Representative Cabanilla rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. I would like to rise in support of this very memorable area in my district. Thank you."

Representative McKelvey rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 183, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING FULL PRESERVATION OF THE WORLD WAR II HONOULIULI INTERNMENT CAMP AS A NATIONAL MONUMENT, MUSEUM, AND RESTORED MEMORIAL PARK FOR THE STATE OF HAWAII," was adopted, with Representatives Bertram, Say, Souki and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1905) recommending that S.C.R. No. 138, SD 1, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.C.R. No. 138, SD 1, be adopted, seconded by Representative Evans.

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 S.C.R. 138. The Falls of Clyde has a rich history and is one of the few remaining man built jewels of old Hawaii. She was launched in 1878 from Scotland and serves as a reminder of all the great contributions the Scotts have been making to Hawaii since their arrival in the late 1700's. The Falls of Clyde serviced the residents of Hawaii by carrying sugar from Hilo to San Francisco and in 1900 an act of Congress allowed the ship to fly both the U.S. and Hawaiian flag. Over the years tens of thousands of people have toured the Falls of Clyde and in 1989 she was named a National Historic Monument by the National Parks Service.

"This piece of legislation has been long overdue and as the founder of the Heritage Caucus I am very proud to have sponsored this measure on the House side. To have the Legislature recognize the historic importance of this distinguished ship is quite an exceptional accomplishment. As a result of this legislation we will be able to preserve and protect this ship for many years to come so that people of Hawaii can prosper both culturally and financially. Thank you."

Representative McKelvey 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 S.C.R. No. 138, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE TO RECOGNIZE THE HISTORICAL SIGNIFICANCE OF THE FALLS OF CLYDE AS A SAILING SYMBOL OF HAWAII," was adopted, with Representatives Bertram, Say, Souki and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1906) recommending that S.C.R. No. 152, SD 1, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.C.R. No. 152, SD 1, be adopted, seconded by Representative Evans.

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 to S.C.R. 152. As founder of the Heritage Caucus I believe this measure will be a valuable asset in the effort to secure Iolani Palace as a World Heritage Site. Being a World Heritage Site will raise the global awareness of Iolani Palace and in-turn will attract more visitors to Hawaii. I believe attracting more visitors to Hawaii during these economic times is vital to helping the tourism industry and our economy and I am in full support 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 S.C.R. No. 152, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR TO PLACE IOLANI PALACE ON THE NOMINATION LIST TO THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION FOR WORLD HERITAGE SITE DESIGNATION," was adopted, with Representatives Bertram, Say, Souki and Takai being excused.

CONFERENCE COMMITTEE REPORTS

At this time, the Chair stated:

"Members, please note the 48-hour notice for Conference Committee Reports Numbers 47 through 50, and 93 through 97, as listed on pages 4 and 5."

Representatives Karamatsu, Hanohano and Aquino, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1713, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 47) recommending that H.B. No. 1713, 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. 47 and H.B. No. 1713, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAZARDS," was deferred for a period of 48 hours.

Representatives McKelvey and Choy, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 994, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 48) recommending that H.B. No. 994, 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. 48 and H.B. No. 994, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," was deferred for a period of 48 hours.

Representatives Chang, Karamatsu 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. 1174, HD 3, SD 2, presented a report (Conf. Com. Rep. No. 49) recommending that H.B. No. 1174, HD 3, 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. 49 and H.B. No. 1174, HD 3, 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 Manahan, Tsuji and Tokioka, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1471, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 50) recommending that H.B. No. 1471, 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. 50 and H.B. No. 1471, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FARMS," was deferred for a period of 48 hours.

Representative 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. 1206, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 93) recommending that S.B. No. 1206, 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. 93 and S.B. No. 1206, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," was deferred for a period of 48 hours.

Representatives Chang, Rhoads 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. 1665, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 94) recommending that S.B. No. 1665, 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. 94 and S.B. No. 1665, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was deferred for a period of 48 hours.

Representatives Tsuji, Herkes and Wooley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1223, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 95) recommending that S.B. No. 1223, 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. 95 and S.B. No. 1223, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MADE PRODUCTS," was deferred for a period of 48 hours.

Representatives Hanohano and M. Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 539, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 96) recommending that S.B. No. 539, 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. 96 and S.B. No. 539, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," was deferred for a period of 48 hours.

Representatives Mizuno, Ito and Brower, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 851, SD 1, HD 3, presented a report (Conf. Com. Rep. No. 97) recommending that S.B. No. 851, 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. 97 and S.B. No. 851, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," was deferred for a period of 48 hours.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering certain House bills for Final Reading by consent calendar. (Representatives Bertram, Say, Souki and Takai were excused.)

FINAL READING

Representative B. Oshiro moved to agree to the amendments made by the Senate to the following House bills, seconded by Representative Evans.

H.B. No. 1362, HD 1, (SD 2)
H.B. No. 1538, HD 1, (SD 1)

The motion was put to vote by the Chair and carried, and the House agreed to the amendments made by the Senate to the noted House bills. (Representatives Bertram, Say, Souki and Takai were excused.)

The Chair addressed the Clerk who announced that the record of votes for said measures had been received, and that the requisite number of House Conferees appointed have cast affirmative votes to report said measures to the Floor.

H.B. No. 1362, HD 1, SD 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. 1362, HD 1, on the following showing of Ayes and Noes:

Ayes, 3 (Yamane, Wakai and Nishimoto). Noes, none. Excused, 1 (Finnegan).

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1362, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO GENETIC COUNSELORS," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Say, Souki and Takai being excused.

H.B. No. 1538, HD 1, SD 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. 1538, HD 1, on the following showing of Ayes and Noes:

Ayes, 4 (Yamane, Berg, Nishimoto and Ching). Noes, none. Excused, none.

Representative B. Oshiro moved that H.B. No. 1538, HD 1, SD 1, pass Final Reading, seconded by Representative Evans.

Representative Brower rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Mr. Speaker, I would just like to commend the author of this bill. It's my understanding that the bill's author is a child who spent a lot of time examining the architecture and custodial arts of

boys' lavatories of public schools. And from that time on, Mr. Speaker, the Representative from Kapahulu vowed that he would make it his life commitment to get environmentally-sensitive, green cleaning projects in our public schools. He's remained steadfast in his resolve, and now thousands of school children and teachers may have lavatories with the fragrances of citrus, lavender and sandalwood potpourri. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 1538, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTALLY-SENSITIVE PRODUCTS," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Say, Souki and Takai being excused.

At 7:22 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1362, HD 1, SD 2
H.B. No. 1538, HD 1, SD 1

At this time, Representative Evans moved to keep the Journal open until 12:00 midnight this legislative day, seconded by Representative Pine and carried. (Representatives Bertram, Say, Souki and Takai were excused.)

At 7:23 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives stood in recess until 9:00 o'clock a.m., Tuesday, May 5, 2009. (Representatives Bertram, Say, Souki and Takai were excused.)

CONFERENCE COMMITTEE REPORTS

In accordance with the motion made, the following Conference Committee Reports (Conf. Com. Rep. Nos. 98 through 166; and 168 through 172) were received by the Clerk prior to 12:00 o'clock midnight this legislative day and the following action taken:

Conf. Com. Rep. No. 98 and S.B. No. 464, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 99 and S.B. No. 695, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 100 and S.B. No. 1664, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 101 and S.B. No. 1250, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 102 and S.B. No. 1218, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATORS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 103 and S.B. No. 1164, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 104 and S.B. No. 266, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GLOBAL WARMING," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 105 and S.B. No. 1224, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 106 and S.B. No. 1352, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUREAU OF CONVEYANCES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 107 and S.B. No. 1345, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 108 and S.B. No. 1160, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 109 and S.B. No. 109, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR JUVENILES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 110 and S.B. No. 1461, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 111 and H.B. No. 381, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII ENDOWMENT FUND," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 112 and H.B. No. 1536, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 113 and H.B. No. 1016, HD 2, SD 1, 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, May 5, 2009.

Conf. Com. Rep. No. 114 and H.B. No. 1550, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 115 and H.B. No. 952, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 116 and H.B. No. 981, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 117 and H.B. No. 1166, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PASSENGER FACILITY CHARGE SPECIAL FUND," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 118 and H.B. No. 1552, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 119 and H.B. No. 610, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCIENCE AND TECHNOLOGY," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 120 and H.B. No. 586, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE KANEOHE BAY REGIONAL COUNCIL," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 121 and H.B. No. 1525, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 122 and H.B. No. 111, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE SALARIES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 123 and H.B. No. 343, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RURAL PRIMARY HEALTH CARE TRAINING," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 124 and H.B. No. 1692, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 125 and H.B. No. 1809, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 126 and H.B. No. 1807, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 127 and H.B. No. 371, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 128 and H.B. No. 986, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 129 and H.B. No. 1378, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 130 and H.B. No. 1504, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 131 and S.B. No. 1058, 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, May 5, 2009.

Conf. Com. Rep. No. 132 and S.B. No. 199, SD 1, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 133 and S.B. No. 917, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THIRD PARTY LIABILITY FOR MEDICAID," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 134 and S.B. No. 423, 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, May 5, 2009.

Conf. Com. Rep. No. 135 and S.B. No. 1677, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 136 and S.B. No. 387, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 137 and S.B. No. 427, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 138 and S.B. No. 1263, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 139 and S.B. No. 166, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 140 and S.B. No. 1202, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION ENERGY INITIATIVES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 141 and S.B. No. 912, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERMANENCY HEARINGS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 142 and S.B. No. 292, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 143 and S.B. No. 972, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 144 and S.B. No. 1142, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 145 and S.B. No. 415, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 146 and S.B. No. 496, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 147 and S.B. No. 1248, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 148 and S.B. No. 1674, SD 2, HD 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, May 5, 2009.

Conf. Com. Rep. No. 149 and S.B. No. 43, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN WORKFORCE ASSESSMENT," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 150 and S.B. No. 1329, 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, May 5, 2009.

Conf. Com. Rep. No. 151 and H.B. No. 427, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST ONE PLANET PACIFIC ENERGY, LLC, A PROCESSING ENTERPRISE," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 152 and H.B. No. 1627, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 153 and H.B. No. 1628, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIOENERGY HAWAII, LLC," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 154 and H.B. No. 1483, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR BETTER PLACE HAWAII, INC.," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 155 and H.B. No. 1678, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 156 and H.B. No. 34, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 157 and H.B. No. 35, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 158 and H.B. No. 1495, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE INCOME TAX," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 159 and H.B. No. 1544, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX EXEMPTIONS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 160 and H.B. No. 754, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 161 and H.B. No. 899, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 162 and H.B. No. 1364, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 163 and H.B. No. 183, 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, May 5, 2009.

Conf. Com. Rep. No. 164 and H.B. No. 1405, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 165 and H.B. No. 900, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 166 and H.B. No. 300, 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, May 5, 2009.

Conf. Com. Rep. No. 168 and S.B. No. 21, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 169 and S.B. No. 1678, SD 3, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 170 and S.B. No. 585, 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, May 5, 2009.

Conf. Com. Rep. No. 171 and S.B. No. 884, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 172 and S.B. No. 1350, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 9:00 o'clock a.m., Tuesday, May 5, 2009.

HOUSE COMMUNICATIONS

"HOUSE OF REPRESENTATIVES
STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

May 2, 2009
1:00 a.m.

MEMORANDUM

TO: All House Members

FROM: Speaker Calvin K.Y. Say /s/

RE: Extension of Conference Committee Report Filing Deadline

Prior to the convening of the 2009 session, the Senate President and I prepared an internal legislative timetable, setting May 1st 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 1l(c) that all Conference Committee reports shall be filed by 11:30 p.m. on Friday, May 1st.

As you know, several measures were being negotiated throughout the evening. 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 this evening.

The President and I are granting 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 the evening of May 1st.

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 this evening, the Clerks of the respective Chambers shall accept Conference drafts between 12:00 noon and 1:00 p.m. tomorrow Saturday, May 2nd.

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 May 1, 2009, 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. 496, SD2, HD2 — Added Representative Finnegan as a member.

House Communication dated May 1, 2009, 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. 1362, HD 1, SD 2
H.B. No. 1538, HD 1, SD 1

FIFTY-NINTH DAY

Tuesday, May 5, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 9:11 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Mr. Zach Thomson of Representative Carroll's staff, after which the Roll was called showing all Members present with the exception of Representatives Bertram and Takai, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Eighth Day was deferred.

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 327) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 327, dated April 30, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, pursuant to House Concurrent Resolution 126, HD 1, SD 1, Requesting the Department of Education and the Department of Health to Jointly Study the Feasibility of Integrating Rehabilitation Programs for Students with Anger Problems, Session Laws of Hawaii, 2008.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 774 through 778) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 774, transmitting H.C.R. No. 313, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS AND SESSION DAYS OF THE REGULAR SESSION OF 2009," which was adopted by the Senate on May 1, 2009.

Sen. Com. No. 775, transmitting H.C.R. No. 10, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ADJUTANT GENERAL TO IDENTIFY THE LOCATION OF EVERY PUBLIC SAFE ROOM IN THE COUNTY OF HAWAII PROVIDING SUITABLE SHELTER FROM VOG AND DEVELOP PLANS TO ESTABLISH SUCH SAFE ROOMS IN ADDITIONAL AREAS THAT NEED THEM," which was adopted by the Senate on May 1, 2009.

Sen. Com. No. 776, transmitting H.C.R. No. 13, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF VARIOUS UNRESOLVED ISSUES RELATING TO AGING," which was adopted by the Senate on May 1, 2009.

Sen. Com. No. 777, transmitting H.C.R. No. 92, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY, SHERIFF DIVISION, AND TO REPORT ON THE SUITABILITY OF THE ADMINISTRATIVE ORGANIZATION OF THE DEPARTMENT OF PUBLIC SAFETY AND SHERIFF DIVISION," which was adopted by the Senate on May 1, 2009.

Sen. Com. No. 778, dated May 1, 2009, informing the House that the Senate has made the following change to Senate Conferee assignments for the following bill:

S.B. No. 1350, SD 2, HD 1 — Senator(s) Tsutsui discharged as Co-Chair(s).

At 9:15 o'clock a.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:15 o'clock a.m.

LATE INTRODUCTIONS

The following late introductions were made to the Members of the House:

Representative Choy introduced 5th grade students from Punahou School, and their teachers, Ms. Carrieann Quinn and Ms. Angela Church.

Representative Marumoto further recognized and welcomed the 5th graders from Punahou.

Representative Rhoads introduced Miss Maya Hiraki in the 5th grade Punahou class, daughter of former Representative Ken Hiraki.

Representative Luke introduced Mr. Howard McPherson, one of the chaperones with the Punahou School students.

Representative Ward introduced Mr. Charlie Ota of the Chamber of Commerce.

ORDER OF THE DAY

SUPPLEMENTAL CALENDAR #1

At this time, the Chair stated:

"As you know, the Senate President and I waived the Friday night midnight deadline for the filings 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 2008, the Senate President and I prepared an internal legislative timetable, setting May 1, 2009 as the last day to file fiscal bills for constitutional decking purposes prior to Final Reading. On April 9th of this year, the President and I signed Conference Committee guidelines that provided in paragraph 11(c) that all Conference Committee Reports for fiscal bills should be filed by 11:30 p.m. on Friday, May 1st.

"However, 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 their measures, did not have the time to prepare and adequately review the Conference Reports and 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 12 noon and 1 p.m. on Saturday, May 2nd.

"The President and I felt that since the Conferees had reached timely agreement on their bills, allowing these measures to die based on an internal procedural deadline for filing their requisite paperwork with the Clerk's Office in each Chamber was not in the best interest of the people of Hawaii.

"Further, we felt it important to exercise the discretion that the guidelines gave us to waive that deadline and ensure that important initiatives 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 1 p.m. on Saturday, May 2nd, are listed on today's Supplemental Calendar of the Order of the Day. Please note that these measures and any Floor Amendments appropriately offered and acted upon today will receive the required 48-hour notice of final form as required by the Constitution and will be before this Chamber for Final Reading on Thursday, May 7th.

"Members, at this time, you have your Supplemental Calendar # 1, which I just shared with all of you which lists these particular measures filed on Saturday."

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. 200, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 167) recommending that H.B. No. 200, 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. 167 and H.B. No. 200, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," was deferred for a period of 48 hours.

Representatives 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. 1673, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 173) recommending that S.B. No. 1673, 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. 173 and S.B. No. 1673, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," was deferred for a period of 48 hours.

Representatives Yamane, Morita and Nishimoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 36, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 174) recommending that H.B. No. 36, 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. 174 and H.B. No. 36, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

Representatives Yamane, Herkes and Nishimoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 690, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 175) recommending that H.B. No. 690, 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. 175 and H.B. No. 690, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Representatives Morita, Cabanilla, Herkes and Coffman, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1464, HD 3, SD 2, presented a report (Conf. Com. Rep. No. 176) recommending that H.B. No. 1464, HD 3, 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. 176 and H.B. No. 1464, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," 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. 1260, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 177) recommending that H.B. No. 1260, 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. 177 and H.B. No. 1260, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," 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. 1404, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 178) recommending that H.B. No. 1404, 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 and H.B. No. 1404, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," was deferred for a period of 48 hours.

Representatives Yamane, Mizuno and Nishimoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 989, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 179) recommending that H.B. No. 989, 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. 179 and H.B. No. 989, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN'S HEALTH CARE," was deferred for a period of 48 hours.

Representatives Morita, Tsuji and Choy, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1271, HD 3, SD 2, presented a report (Conf. Com. Rep. No. 180) recommending that H.B. No. 1271, HD 3, 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. 180 and H.B. No. 1271, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was deferred for a period of 48 hours.

At this time, the Chair stated:

"Members, at this time we are back on the Order of the Day, and the Chair will now be taking certain items out of order."

Conf. Com. Rep. No. 113 and H.B. No. 1016, HD 2, SD 1, CD 1:

At this time, Representative Karamatsu offered Floor Amendment No. 6, amending H.B. No. 1016, HD 2, SD 1, CD 1, as follows:

SECTION 1. House Bill No. 1016, H.D. 2, S.D. 1, C.D. 1, is amended as follows:

1. By amending line 16 on page 4 to read:

"TOTAL (SECTION 1): $1,089,096.86"

2. By amending Section 9 to read:

"SECTION 9. This Act shall take effect upon its approval; provided that section 2 shall take effect on July 1, 2009."

Representative Karamatsu moved that Floor Amendment No. 6 be adopted, seconded by Representative B. Oshiro.

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I would request that I be excused from voting on Floor Amendment No. 6. I'm a partner in a law firm who has a direct interest in one of the items in the Floor Amendment."

The Chair responded, stating:

"You are excused from this particular vote, which is on the Floor Amendment. When we vote on Final Reading, you may make the same request once more, to be excused from that vote."

The motion was put to vote by the Chair and carried, and Floor Amendment No. 6, amending H.B. No. 1016, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," was adopted with Representatives Bertram, Keith-Agaran and Takai being excused.

At 10:22 o'clock a.m., the Chair noted that Floor Amendment No. 6 was adopted, and that H.B. No. 1016, HD 2, SD 1, CD 2, would be placed on the calendar for action on Thursday, May 7, 2009.

At 10:22 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 10:23 o'clock a.m.

Conf. Com. Rep. No. 8 and H.B. No. 876, HD 1, SD 2, CD 1:

At this time, Representative Mizuno offered Floor Amendment No. 7, amending H.B. No. 876, HD 1, SD 2, CD 1, as follows:

SECTION 1. House Bill No. 876, H.D. 1, S.D. 2, C.D. 1, is amended as follows:

1. By deleting the titles, "PART I" on page 1, line 1, "PART II" on page 2, line 3, and "PART III" on page 6, line 13.

2. By deleting Sections 1 and 2.

3. By renumbering "SECTION 3" to read "SECTION 1."

4. By renumbering "SECTION 4" to read "SECTION 2."

5. By renumbering "SECTION 5" to read "SECTION 3."

6. By renumbering "SECTION 6" to read "SECTION 4."

Representative Mizuno moved that Floor Amendment No. 7 be adopted, seconded by Representative B. Oshiro.

The motion was put to vote by the Chair and carried, and Floor Amendment No. 7, amending H.B. No. 876, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was adopted with Representatives Bertram and Takai being excused.

At 10:25 o'clock a.m., the Chair noted that Floor Amendment No. 7 was adopted, and that H.B. No. 876, HD 1, SD 2, CD 2, would be placed on the calendar for action on Thursday, May 7, 2009.

Conf. Com. Rep. No. 46 and H.B. No. 128, HD 1, SD 1, CD 1:

At this time, Representative Karamatsu offered Floor Amendment No. 8, amending H.B. No. 128, HD 1, SD 1, CD 1, as follows:

SECTION 1. H.B. No. 128, H.D.1, S.D.1, C.D. 1, RELATING TO ELECTIONS, is amended by amending section 11-II of section 2 to read as follows:

"§11-II Contributions to noncandidate committees; limits. No person shall make contributions to a noncandidate committee in an aggregate amount greater than $1,000 in an election. This section shall not apply to ballot issue committees."

Representative Karamatsu 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 H.B. No. 128, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was adopted with Representatives Bertram and Takai being excused.

At 10:26 o'clock a.m., the Chair noted that Floor Amendment No. 8 was adopted, and that H.B. No. 128, HD 1, SD 1, CD 2, would be placed on the calendar for action on Thursday, May 7, 2009.

Conf. Com. Rep. No. 75 and S.B. No. 892, SD 1, HD 2, CD 1:

At this time, Representative Herkes offered Floor Amendment No. 9, amending S.B. No. 892, SD 1, HD 2, CD 1, as follows:

SECTION 1. Senate Bill No. 892, S.D. 1, H.D. 2, C.D. 1 is amended by amending paragraph (1) of Section 20 so that Section 3 of the measure becomes effective on January 1, 2010 and Section 4 of the measure becomes effective on July 1, 2009, and to read as follow:

"SECTION 20. This Act shall take effect on July 1, 2009; provided that:

(1) Section 3 shall take effect on January 1, 2010;

(2) Section 9 shall take effect on July 1, 2010; and

(3) The amendments made to section 431:7-101(a), Hawaii Revised Statutes, in section 15 of this Act shall not be repealed when section 431:7-101(a), Hawaii Revised Statutes, is reenacted on June 16, 2010, pursuant to Act 177, Session Laws of Hawaii 2008."

Representative Herkes moved that Floor Amendment No. 9 be adopted, seconded by Representative B. Oshiro.

The motion was put to vote by the Chair and carried, and Floor Amendment No. 9, amending S.B. No. 892, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was adopted with Representatives Bertram and Takai being excused.

At 10:27 o'clock a.m., the Chair noted that Floor Amendment No. 9 was adopted, and that S.B. No. 892, SD 1, HD 2, CD 2, would be placed on the calendar for action on Thursday, May 7, 2009.

Conf. Com. Rep. No. 85 and S.B. No. 1222, SD 1, HD 1, CD 1:

At this time, Representative Karamatsu offered Floor Amendment No. 10, amending S.B. No. 1222, SD 1, HD 1, CD 1, as follows:

Section 1. Senate Bill No. 1222, S.D. 1, H.D. 1, C.D. 1, is amended by amending section 1 to read as follows:

"SECTION 1. Section 711-1109, Hawaii Revised Statutes, is amended by amending subsections (1) and (2) to read as follows:

"(1) A person commits the offense of cruelty to animals in the second degree if the person intentionally, knowingly, or recklessly:

(a) Overdrives, overloads, tortures, torments, beats, causes substantial bodily injury, or starves any animal, or causes the overdriving, overloading, torture, torment, beating, or starving of any animal[~~, or deprives~~]<u>;</u>

<u>(b)</u> <u>Deprives</u> a pet animal of necessary sustenance or causes such deprivation;

[~~(b)~~] (c) Mutilates, poisons, or kills without need any animal other than insects, vermin, or other pests;

[~~(c)~~] (d) Keeps, uses, or in any way is connected with or interested in the management of, or receives money for the admission of any person to, any place kept or used for the purpose of fighting or baiting any bull, bear, cock, or other animal, and includes every person who encourages, aids, or assists therein, or who permits or suffers any place to be so kept or used;

[~~(d)~~] (e) Carries or causes to be carried, in or upon any vehicle or other conveyance, any animal in a cruel or inhumane manner; [~~or~~]

(f) Confines or causes to be confined, in a kennel or cage, any pet animal in a cruel or inhumane manner;

(g) Tethers, fastens, ties, or restrains a dog to a dog house, tree, fence, or any other stationary object by means of a choke collar, pinch collar, or prong collar; provided that a person is not prohibited from using such restraints when walking a dog with a hand-held leash or while a dog is engaged in a supervised activity; or

[~~(e)~~] (h) Assists another in the commission of any act specified in subsections (1)(a) through [~~(1)(d).~~] (1)(g).

(2) Subsection (1)(a), (b), [~~(d), and~~] (c), (e), (f), (g), and (h) shall not apply to:

(a) Accepted veterinary practices;

(b) Activities carried on for scientific research governed by standards of accepted educational or medicinal practices; or

(c) Pest control operations conducted pursuant to chapter 149A by a pest control operator licensed pursuant to chapter 460J, if the pest control is performed under a written contract.""

Representative Karamatsu moved that Floor Amendment No. 10 be adopted, seconded by Representative B. Oshiro.

The motion was put to vote by the Chair and carried, and Floor Amendment No. 10, amending S.B. No. 1222, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HUMANE TREATMENT OF PET ANIMALS," was adopted with Representatives Bertram and Takai being excused.

At 10:28 o'clock a.m., the Chair noted that Floor Amendment No. 10 was adopted, and that S.B. No. 1222, SD 1, HD 1, CD 2, would be placed on the calendar for action on Thursday, May 7, 2009.

Conf. Com. Rep. No. 98 and S.B. No. 464, SD 2, HD 2, CD 1:

At this time, Representative Morita offered Floor Amendment No. 11, amending S.B. No. 464, SD 2, HD 2, CD 1, as follows:

SECTION 1. Section 1 of Senate Bill No. 464, S.D. 2, H.D. 2, C.D. 1 (RELATING TO TAXATION), is amended by amending subsection (b) of section 235-12.5, Hawaii Revised Statutes, to read as follows:

"(b) The amount of credit allowed for each eligible renewable energy technology system shall not exceed the applicable cap amount, which is determined as follows:

(1) If the primary purpose of the solar energy system is to use energy from the sun to heat water for household use, then the cap amounts shall be:

(A) $2,250 per system for single-family residential property;

(B) $350 per unit per system for multi-family residential property; and

(C) $250,000 per system for commercial property;

(2) For all other solar energy systems, the cap amounts shall be:

(A) $5,000 per system for single-family residential property; provided that if all or a portion of the system is used to fulfill the substitute renewable energy technology requirement pursuant to section 196-6.5(a)(3), the credit shall be reduced by thirty-five per cent of the actual system cost or $2,250, whichever is less;

(B) $350 per unit per system for multi-family residential property; and

(C) $500,000 per system for commercial property;

and

(3) For all wind-powered energy systems, the cap amounts shall be:

(A) $1,500 per system for single-family residential property; provided that if all or a portion of the system is used to fulfill the substitute renewable energy technology requirement pursuant to section 196-6.5(a)(3), the credit shall be reduced by twenty per cent of the actual system cost or $1,500, whichever is less;

(B) $200 per unit per system for multi-family residential property; and

(C) $500,000 per system for commercial property."

Representative Morita moved that Floor Amendment No. 11 be adopted, seconded by Representative B. Oshiro.

The motion was put to vote by the Chair and carried, and Floor Amendment No. 11, amending S.B. No. 464, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was adopted with Representatives Bertram and Takai being excused.

At 10:29 o'clock a.m., the Chair noted that Floor Amendment No. 11 was adopted, and that S.B. No. 464, SD 2, HD 2, CD 2, would be placed on the calendar for action on Thursday, May 7, 2009.

Conf. Com. Rep. No. 110 and S.B. No. 1461, SD 2, HD 1, CD 1:

At this time, Representative Chong offered Floor Amendment No. 12, amending S.B. No. 1461, SD 2, HD 1, CD 1, as follows:

SECTION 1. Senate Bill No. 1461, S.D. 2, H.D. 1, C.D. 1, is amended by designating sections 1 through 4 as Part I.

SECTION 2. Senate Bill No. 1461, S.D. 2, H.D. 1, C.D. 1, is amended by inserting the following:

"PART II

SECTION 5. Act 239, Session Laws of Hawaii 2007, is amended by amending section 4 to read as follows:

"SECTION 4. This Act shall take effect on January 1, 2008; provided that this Act shall be repealed on December 31, [~~2009,~~] 2010, and section 237-24.3, Hawaii Revised Statutes, and section 237-24.7, Hawaii Revised Statutes, shall be reenacted in the form in which they read on December 31, 2007."

SECTION 6. The aggregate tax exemption from the amendment in Act 239, Session Laws of Hawaii 2007, shall not exceed $400,000 per taxable year ending on or between January 1, 2010 and January 1, 2011."

SECTION 3. Senate Bill No. 1461, S.D. 2, H.D. 1, C.D. 1, is amended by renumbering sections 5 and 6 as sections 7 and 8 and by designating the newly renumbered sections as Part III.

SECTION 4. Senate Bill No. 1461, S.D. 2, H.D. 1, C.D. 1, is amended by amending the effective date to read:

"SECTION 8. This Act, upon its approval, shall apply to returns and payments due after May 31, 2009; provided that part II of this Act shall take effect upon approval."

Representative Chong moved that Floor Amendment No. 12 be adopted, seconded by Representative B. Oshiro.

The motion was put to vote by the Chair and carried, and Floor Amendment No. 12, amending S.B. No. 1461, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was adopted with Representatives Bertram and Takai being excused.

At 10:30 o'clock a.m., the Chair noted that Floor Amendment No. 12 was adopted, and that S.B. No. 1461, SD 2, HD 1, CD 2, would be placed on the calendar for action on Thursday, May 7, 2009.

At 10:30 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 10:31 o'clock p.m.

Conf. Com. Rep. No. 136 and S.B. No. 387, SD 1, HD 1, CD 1:

At this time, Representative Chong offered Floor Amendment No. 13, amending S.B. No. 387, SD 1, HD 1, CD 1, as follows:

SECTION 1. Senate Bill No. 387, S.D. 1, H.D. 1, C.D. 1, is amended by designating section 1 as Part I.

SECTION 2. Senate Bill No. 387, S.D. 1, H.D. 1, C.D. 1, is amended by deleting sections 2 and 3.

SECTION 3. Senate Bill No. 387, S.D. 1, H.D. 1, C.D. 1, is amended by inserting the following:

"PART II

SECTION 2. The purpose of this Act is to reorganize certain state executive branch departments to reflect the provisions of the General Appropriations Act of 2009.

SECTION 3. The purpose of this part is to transfer the position of tourism liaison from the department of business, economic development, and tourism to the office of the governor.

SECTION 4. Chapter 27, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

"**PART . TOURISM**

§27- Special advisor for tourism. (a) There is established within the office of the governor a special advisor for tourism who shall be appointed by the governor without regard to section 26-34. The special advisor shall not be subject to chapters 76 and 89.

(b) The special advisor for tourism shall serve as the liaison between the governor and the Hawaii tourism authority, department of business, economic development, and tourism, and other public and private parties on matters relating to tourism."

PART III

SECTION 5. The purpose of this part is to transfer the small business regulatory review board, with its statutory duties and powers, from the department of business, economic development, and tourism to the department of commerce and consumer affairs.

SECTION 6. Section 201M-5, Hawaii Revised Statutes, is amended to read as follows:

"**§201M-5 Small business regulatory review board; powers.** (a) There shall be established within the department of [~~business, economic development, and tourism,~~] commerce and consumer affairs for administrative purposes[~~,~~] a small business regulatory review board to review any proposed new or amended rule or to consider any request from small business owners for review of any rule adopted by a state agency and to make recommendations to the agency or the legislature regarding the need for a rule change or legislation. For requests regarding county ordinances, the board may make recommendations to the county council or the mayor for appropriate action.

(b) The board shall consist of eleven members, who shall be appointed by the governor pursuant to section 26-34. Nominations to fill vacancies shall be made from names submitted by the review board. The appointments shall reflect representation of a variety of businesses in the State; provided that no more than two members shall be representatives from the same type of business, and that there shall be at least two representatives from each county.

(c) All members of the board shall be either a current or former owner or officer of a business and shall not be an officer or employee of the federal, state, or county government. A majority of the board shall elect the chairperson. The chairperson shall serve a term of not more than one year, unless removed earlier by a two-thirds vote of all members to which the board is entitled.

(d) A majority of all the members to which the board is entitled shall constitute a quorum to do business, and the concurrence of a majority of all the members to which the board is entitled shall be necessary to make any action of the board valid.

(e) In addition to any other powers provided by this chapter, the board may:

(1) Adopt any rules necessary to implement this chapter;

(2) Organize and hold conferences on problems affecting small business; and

(3) Do any and all things necessary to effectuate the purposes of this chapter.

(f) The board shall submit an annual report to the legislature twenty days prior to each regular session detailing any requests from small business owners for review of any rule adopted by a state agency, and any recommendations made by the board to an agency or the legislature regarding the need for a rule change or legislation. The report shall also contain a summary of the comments made by the board to agencies regarding its review of proposed new or amended rules.

(g) The expenses of the board shall be funded entirely from the compliance resolution fund; provided that this provision shall not require the board to charge any fee for its service. The director of commerce and consumer affairs shall include, as part of any other fee charged to a person or organization, an amount with a reasonable nexus to the small business regulatory review activities of the board.

For the purpose of this subsection, "expenses" includes operating expenses, cash capital expenses, and debt service attributable to the board."

PART IV

SECTION 7. The purpose of this part is to the transfer the natural energy laboratory of Hawaii authority, with its statutory duties and powers, from the department of business, economic development, and tourism to the department of accounting and general services.

SECTION 8. Section 227D-2, Hawaii Revised Statutes, is amended by amending subsections (a) and (b) to read as follows:

"(a) There is established the natural energy laboratory of Hawaii authority, which shall be a body corporate and politic and an instrumentality and agency of the State. The authority shall be placed within the [~~department of business, economic development, and tourism~~] department of accounting and general services for administrative purposes[~~, pursuant to section 26-35~~]. The purpose of the natural energy laboratory of Hawaii authority shall be to facilitate research, development, and commercialization of natural energy resources and ocean-related research, technology, and industry in Hawaii and to engage in retail, commercial, or tourism activities that will financially support that research, development, and commercialization at a research and technology park in Hawaii. Its duties shall include:

(1) Establishing, managing, and operating facilities that provide sites for:

(A) Research and development;

(B) Commercial projects and businesses utilizing natural resources, such as ocean water or geothermal energy;

(C) Compatible businesses engaged in scientific and technological investigations, or retail, commercial, and tourism activities; and

(D) Businesses or educational facilities that support the primary projects and activities;

(2) Providing support, utilities, and other services to facility tenants and government agencies;

(3) Maintaining the physical structure of the facilities;

(4) Promoting and marketing these facilities;

(5) Promoting and marketing the reasonable utilization of available natural resources;

(6) Supporting ocean research and technology development projects that support national and state interests, use facilities and infrastructure in Hawaii, and foster potential commercial development; and

(7) Engaging in retail, commercial, and tourism activities that are not related to facilitating research, development, and commercialization of natural energy resources in Hawaii; provided that all income derived from these activities shall be deposited in the natural energy laboratory of Hawaii authority special fund.

(b) The governing body of the authority shall consist of a board of directors having eleven voting members. Three members from the general public shall be appointed by the governor for staggered terms pursuant to section 26-34, except that one of these members shall be a resident of the county of Hawaii. The members shall be selected on the basis of their knowledge, interest, and proven expertise in, but not limited to, one or more of the following fields: finance, commerce and trade, corporate management, marketing, economics, engineering, energy management, real estate development, property management, aquaculture, and ocean science. The chairperson and secretary of the research advisory committee shall serve on the board. The [~~director of business, economic development, and tourism, the~~] chairperson of the board of land and natural resources, the [~~president of the University of Hawaii,~~] comptroller, the mayor of the county of Hawaii, an appointed member from the board of the high technology development corporation, and an appointed member from the board of the Hawaii strategic development corporation, or their designated representatives, shall serve as ex officio, voting members of the board. The [~~director of business, economic development, and tourism~~] comptroller shall serve as the chairperson until such time as a chairperson is elected by the board from the membership. The board shall elect other officers as it deems necessary."

PART V

SECTION 9. The purpose of this part is to transfer the arts and culture development branch within the department of business, economic development, and tourism to the state foundation on culture and the arts, which is placed within the department of accounting and general services for administrative purposes.

SECTION 10. All rights, powers, functions, and duties of the arts and culture development branch of the department of business, economic development, and tourism are transferred to the state foundation on culture and the arts.

PART VI

SECTION 11. The purpose of this part is to transfer the film industry branch within the department of business, economic development, and tourism to the Hawaii tourism authority.

SECTION 12. Chapter 201B, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

"**PART . HAWAII TELEVISION AND FILM DEVELOPMENT**

§201B-A Definitions. As used in this part:

"Applicant" means a person applying for a grant or venture capital investment from the authority under this part.

"Board" means the Hawaii television and film development board.

"Eligible Hawaii project" or "project" means an entertainment project in which at least seventy-five per cent of the budget for the production costs, excluding salaries and costs for the producer, director, writer, screenplay, and actors in the project, is dedicated for the purchase or lease of goods or services from a vendor or supplier who is located and doing business in the State.

"Fund" means the Hawaii television and film development special fund.

"Venture capital investment" means any of the following investments in a project:

(1) Common or preferred stock and equity securities without a repurchase requirement for at least five years;

(2) A right to purchase stock or equity securities;

(3) Any debenture, whether or not convertible or having stock purchase rights, which is subordinated, together with security interests against the assets of the borrower, by their terms to all borrowings of the borrower from other institutional lenders, and that is for a term of not less than three years, and that has no part amortized during the first three years; and

(4) General or limited partnership interests.

§201B-B Hawaii television and film development board. (a) There is established the Hawaii television and film development board. The board shall be attached to the Hawaii tourism authority for administrative purposes only. The board shall administer the grant and venture capital investment programs and the Hawaii television and film development special fund established under this part. The board shall also assess and consider the overall viability and development of the television and film industries and make recommendations to appropriate state or county agencies.

(b) The board shall be composed of nine members, four of whom shall be appointed by the governor pursuant to section 26-34, and all of whom shall serve four-year staggered terms. One of the governor's appointments shall be made from a list of nominees submitted by the president of the senate and another appointment shall be made from a list of nominees

submitted by the speaker of the house of representatives. The four appointed members shall possess a current working knowledge of the film, television, or entertainment industry. The executive director of the Hawaii tourism authority and the chairs of the four county film commissions, or their equivalent, shall serve as ex officio voting members, who may be represented on the board by designees.

The chairperson and vice chairperson of the board shall be selected by the board by majority vote. Five members shall constitute a quorum, whose affirmative vote shall be necessary for all actions by the board. The members shall serve without compensation but shall be reimbursed for expenses, including travel expenses, necessary for the performance of their duties.

(c) The film industry branch development manager shall serve as the executive secretary of the board.

(d) The board may adopt rules pursuant to chapter 91 to effectuate the purposes of this part.

§201B-C Hawaii television and film development special fund. (a) There is established in the state treasury the Hawaii television and film development special fund into which shall be deposited:

(1) Appropriations by the legislature;

(2) Donations and contributions made by private individuals or organizations for deposit into the fund;

(3) Grants provided by governmental agencies or any other source; and

(4) Any profits or other amounts received from venture capital investments.

(b) The fund shall be used by the board to assist in, and provide incentives for, the production of eligible Hawaii projects that are in compliance with criteria and standards established by the board in accordance with rules adopted by the board pursuant to chapter 91. In particular, the board shall adopt rules to provide for the implementation of the following programs:

(1) A grant program. The board shall adopt rules pursuant to chapter 91 to provide conditions and qualifications for grants. Applications for grants shall be made to the board and shall contain such information as the board shall require by rules adopted pursuant to chapter 91. At a minimum, the applicant shall agree to the following conditions:

(A) The grant shall be used exclusively for eligible Hawaii projects;

(B) The applicant shall have applied for or received all applicable licenses and permits;

(C) The applicant shall comply with applicable federal and state laws prohibiting discrimination against any person on the basis of race, color, national origin, religion, creed, sex, age, or physical handicap;

(D) The applicant shall comply with other requirements as the board may prescribe;

(E) All activities undertaken with funds received shall comply with all applicable federal, state, and county statutes and ordinances;

(F) The applicant shall indemnify and save harmless the State of Hawaii and its officers, agents, and employees from and against any and all claims arising out of or resulting from activities carried out or projects undertaken with funds provided hereunder, and procure sufficient insurance to provide this indemnification if requested to do so by the department;

(G) The applicant shall make available to the board all records the applicant may have relating to the project, to allow the board to monitor the applicant's compliance with the purpose of this chapter; and

(H) The applicant, to the satisfaction of the board, shall establish that sufficient funds are available for the completion of the project for the purpose for which the grant is awarded;

and

(2) A venture capital program. The board shall adopt rules pursuant to chapter 91 to provide conditions and qualifications for venture capital investments in eligible Hawaii projects. The program may include a written agreement between the borrower and the board, as the representative of the State, that as consideration for the venture capital investment made under this part, the borrower shall share any royalties, licenses, titles, rights, or any other monetary benefits that may accrue to the borrower pursuant to terms and conditions established by the board by rule pursuant to chapter 91. Venture capital investments may be made on such terms and conditions as the board shall determine to be reasonable, appropriate, and consistent with the purposes and objectives of this part.

§201B-D Inspection of premises and records. The board shall have the right to inspect, at reasonable hours, the plant, physical facilities, equipment, premises, books, and records of any applicant in connection with the processing of a grant to the applicant."

SECTION 13. Part IX of chapter 201, Hawaii Revised Statutes, is repealed.

PART VII

SECTION 14. The purpose of this part is to conform various sections of the Hawaii Revised Statutes to the amendments made under more than one of the previous parts.

SECTION 15. Section 26-18, Hawaii Revised Statutes, is amended to read as follows:

"**§26-18 Department of business, economic development, and tourism.** [~~(a)~~] The department of business, economic development, and tourism shall be headed by a single executive to be known as the director of business, economic development, and tourism.

The department shall undertake statewide business and economic development activities, undertake energy development and management, provide economic research and analysis, plan for the use of Hawaii's ocean resources, and encourage the development and promotion of industry and international commerce through programs established by law.

[~~(b)~~] The following are placed in the department of business, economic development, and tourism for administrative purposes as defined by section 26-35: Aloha Tower development corporation, Hawaii community development authority, Hawaii housing finance and development corporation, high technology development corporation, land use commission, [~~natural energy laboratory of Hawaii authority,~~] and any other boards and commissions as shall be provided by law.

The department of business, economic development, and tourism shall be empowered to establish, modify, or abolish statistical boundaries for cities, towns, or villages in the State and shall publish, as expeditiously as possible, an up-to-date list of cities, towns, and villages after changes to statistical boundaries have been made."

SECTION 16. Section 201-2, Hawaii Revised Statutes, is amended to read as follows:

"**§201-2 General objective, functions, and duties of department.** It shall be the objective of the department of business, economic development, and tourism to make broad policy determinations with respect to economic development in the State and to stimulate through research and demonstration projects those industrial and economic development efforts that offer the most immediate promise of expanding

the economy of the State. The department shall endeavor to gain an understanding of those functions and activities of other governmental agencies and of private agencies that relate to the field of economic development. [~~It shall,~~] The department, at all times, shall encourage initiative and creative thinking in harmony with the objectives of the department.

The department of business, economic development, and tourism shall have sole jurisdiction over the land use commission under chapter 205, state planning under chapter 225M, and the Hawaii State Planning Act under chapter 226. Due to the inherently interdependent functions of development, planning, and land use, these functions shall not be transferred by executive order, directive, or memorandum, to any other department, nor shall these functions be subject to review or approval by any other department."

SECTION 17. Section 201-3, Hawaii Revised Statutes, is amended to read as follows:

"**§201-3 Specific research and promotional functions of the department.** Without prejudice to its general functions and duties the department of business, economic development, and tourism shall have specific functions in the following areas:

(1) Industrial development. The department shall determine through technical and economic surveys the profit potential of new or expanded industrial undertakings; develop through research projects and other means new and improved industrial products and processes; promote studies and surveys to determine consumer preference as to design and quality and to determine the best methods of packaging, transporting, and marketing the State's industrial products; disseminate information to assist the present industries of the State, to attract new industries to the State, and to encourage capital investment in present and new industries in the State; assist associations of producers and distributors of industrial products to introduce these products to consumers; and make grants or contracts as may be necessary or advisable to accomplish the foregoing;

(2) Land development. The department shall encourage the most productive use of all land in the State in accordance with a general plan developed by the department; encourage the improvement of land tenure practices on leased private lands; promote an informational program directed to landowners, producers of agricultural and industrial commodities, and the general public regarding the most efficient and most productive use of the lands in the State; and make grants or contracts as may be necessary or advisable to accomplish the foregoing;

(3) Credit development. The department shall conduct a continuing study of agricultural and industrial credit needs; encourage the development of additional private and public credit sources for agricultural and industrial enterprises; promote an informational program to acquaint financial institutions with agricultural and industrial credit needs and the potential for agricultural and industrial expansion, and inform producers of agricultural and industrial products as to the manner in which to qualify for loans; and make grants or contracts as may be necessary or advisable to accomplish the foregoing; and

(4) Promotion. The department shall disseminate information developed for or by the department pertaining to economic development to assist present industry in the State, attract new industry and investments to the State, and assist new and emerging industry with good growth potential or prospects in jobs, exports, and new products. The industrial and economic promotional activities of the department may include the use of literature, advertising, demonstrations, displays, market testing, lectures, travel, motion picture and slide films, and other promotional and publicity devices as may be appropriate;

(5) Tourism research and statistics. The department shall maintain a program of research and statistics for the purpose of:

(A) Measuring and analyzing tourism trends;

(B) Providing information and research to assist in the development and implementation of state tourism policy;

(C) Encouraging and arranging for the conduct of tourism research and information development through voluntary means or through contractual services with qualified agencies, firms, or persons; and

(D) Providing tourism information to policy makers, the public, and the visitor industry. This includes:

(i) Collecting and publishing visitor-related data including visitor arrivals, visitor characteristics and expenditures;

(ii) Collecting and publishing hotel-related statistics including the number of units available, occupancy rates, and room rates;

(iii) Collecting and publishing airline-related data including seat capacity and number of flights;

(iv) Collecting information and conducting analyses of the economic, social, and physical impacts of tourism on the State;

(v) Conducting periodic studies of the impact of ongoing marketing programs of the Hawaii tourism authority on Hawaii's tourism industry, employment in Hawaii, state taxes, and the State's lesser known and underutilized destinations; and

(vi) Cooperate with the Hawaii tourism authority and provide it with the above information in a timely manner;

and

(6) Self-sufficiency standard. The department shall establish and update biennially a self-sufficiency standard that shall incorporate existing methods of calculation, and shall reflect, at a minimum, costs relating to housing, food, child care, transportation, health care, clothing and household expenses, federal and state tax obligations, family size, children's ages, geography, and the number of household wage earners. The department shall report to the legislature concerning the self-sufficiency standard no later than twenty days prior to the convening of the regular session of 2009, and every odd-numbered year thereafter. The recommendations shall address, among other things, the utilization of any federal funding that may be available for the purposes of establishing and updating the self-sufficiency standard.

[~~The department shall be the central agency to coordinate film permit activities in the State.~~]"

PART VIII

SECTION 18. The purpose of this part is to provide for the transition of various state agencies and programs that are transferred under parts II, III, IV, V, and VI of this Act.

SECTION 19. (a) All rights, powers, functions, and duties of the agencies, divisions, or programs transferred under parts II, III, IV, V, and VI, are transferred to the successor agencies as provided under those parts.

(b) All officers and employees whose functions are transferred by this Act shall be transferred with their functions and shall continue to perform their regular duties upon their transfer, subject to the state personnel laws and this Act; except that an officer or employee whose position is no longer authorized under the General Appropriations Act of 2009 shall not be transferred.

(c) No officer or employee who has been transferred pursuant to subsection (b) and who has tenure shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave, or other employee benefit or privilege as a consequence of this Act.

(d) If a position held by an officer or employee having tenure is no longer authorized under the General Appropriations Act of 2009, the movement of an officer or employee to another position shall be subject to the appropriate collective bargaining agreement.

SECTION 20. (a) Nothing in this Act shall be deemed to affect the civil service status of any civil service member transferred to the Hawaii tourism authority pursuant to part VI of this Act as it existed on June 30, 2009; provided that upon the vacancy of any transferred position, the Hawaii tourism authority may hire an employee to fill the vacated position without regard to chapters 76 and 89, Hawaii Revised Statutes.

(b) No officer or employee of the State whose functions are transferred by part VI of this Act, and who is employed by the Hawaii tourism authority pursuant to this section, shall suffer any loss of salary, prior service credit, vacation, sick leave, or other employee benefit or privilege as a consequence of this Act.

(c) Any officer or employee having tenure whose office or position is abolished by part VI of this Act shall not thereby be separated from public employment, but shall remain in the employment of the State with the same pay and classification and shall be transferred to some other office or position for which the officer or employee is eligible under the personnel laws of the State as determined by the head of the department of the governor.

SECTION 21. All rules, policies, procedures, guidelines, and other material adopted or developed by an agency, division, or program transferred under parts II, III, IV, V, and VI, shall be transferred to the successor agency and shall remain in full force and effect until amended or repealed by the successor agency.

SECTION 22. All records, equipment, machines, files, supplies, contracts, books, papers, documents, maps, and other personal property heretofore made, used, or acquired or held by an agency, division, or program transferred under parts II, III, IV, V, and VI, shall be transferred to the successor agency.

SECTION 23. Unless specifically required by this Act, this Act shall not affect the membership or term of any appointed member of a board or other policy-making or advisory body transferred under parts II, III, IV, V, and VI. Such a member shall continue to serve on the board or other body for the member's term without necessity of reappointment.

SECTION 24. The legislative reference bureau shall review this Act for the purpose of making recommendations as to the appropriate placement of parts or chapters of the Hawaii Revised Statutes affected by this Act. The legislative reference bureau shall submit its findings and recommendations, accompanied by any necessary proposed legislation, to the legislature by January 1, 2010.

SECTION 25. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

PART IX

SECTION 26. The provisions of this part shall supersede section 15 of House Bill 1271 H.D. 3, S.D. 2, C.D. 1, of the 2009 regular session. There is established within the department of business, economic development, and tourism, the position of energy program administrator. The employment status of the incumbent employee occupying the energy program administrator position on the effective date of this Act shall retain the employee's civil service status which shall not be affected by any Act enacted in the regular session of 2009.

PART X

SECTION 27. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 28. This Act shall take effect upon its approval."

Representative Chong moved that Floor Amendment No. 13 be adopted, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in opposition to the proposed Floor Amendment, stating:

"Mr. Speaker, I'm in opposition to this amendment. I realize it does conform more or less to the budget, but nevertheless, I was opposed to the budget provisions of this area. This is not a friendly amendment. This is a very hostile one, and this one would blast the Department of Business and Economic Development to smithereens. It would take the small business …"

The Chair addressed Representative Marumoto, stating:

"Representative Marumoto, could you confine your remarks to the motion of the Floor Amendment? You may address the content of the amendment, because it is a Floor Amendment, which is before this Body, but please confine your remarks to the Floor Amendment."

Representative Marumoto continued, stating:

"Mr. Speaker, I cannot address the contents of the amendment? Okay, one provision of it would move the small business regulatory review board to the Department of Consumer Affairs, and this would …"

Representative B. Oshiro rose to a point of order, stating:

"A point of order, Mr. Speaker. I don't believe that issue is encompassed in this Floor Amendment."

Representative Marumoto continued, stating:

"I believe that it is. It's mentioned on the bottom of page one."

At 10:34 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:36 o'clock p.m.

Representative Marumoto continued, stating:

"Thank you, Mr. Speaker. Perhaps I'm reading the amendment incorrectly, but it did mention the Small Business Regulatory Board on the bottom of page one. I will certainly speak on this issue on Final Reading, but at this time, although you may purport to have improved the bill, as a whole, I am totally opposed to throwing out the Tourism Director and I hope she still has a job, but perhaps she's in the Governor's Office. And I will address the entire issue on Thursday. Thank you."

Representative Thielen rose to speak in opposition to the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I'm rising to speak against the amendment, and I don't believe it is a friendly amendment, Mr. Speaker. It's certainly not friendly to the Department of Business, Economic Development and Tourism, which was reorganized under the budget bill. A very strange way to do it when we're talking about a department that is absolutely critical to Hawaii, and to Hawaii's renewable energy future.

"I understand that the Deputy Director no longer will exist after a certain period of time. And while this is just merely cleaning up a bill, I think the bill was so defective because it was done in such a strange way in the budget. The bill should have had a hearing and gone through the whole process so people would be able to weigh in on this reorganization.

"I don't think this is going to help the renewable energy future of Hawaii. I oppose the unfriendly amendment. And I oppose the bill in chief and will do so more in detail on Thursday. Thank you."

Representative Ward rose to speak in opposition to the proposed Floor Amendment, stating:

"Mr. Speaker, I also rise in opposition to this amendment. Mr. Speaker, the purpose of DBEDT is economic development, job creation. It's not just creating busy work for reorganization. This is a time of dire economic need. We need the intelligentsia, we need the power, the brains, the wherewithal and the momentum in DBEDT to focus on the economy. Not focus on redesigning who they are and what they do. This is the wrong time for a bill like this. Thank you very much, Mr. Speaker. You can't avoid the appearance that it's punitive. Thank you."

Representative Finnegan rose and asked that the Clerk record a no vote for her on the proposed Floor Amendment, and the Chair "so ordered."

Representative Ching rose to speak in opposition to the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. I also oppose this amendment, and for the same reasons as the Representatives of Hawaii Kai and Kailua. I ask that their words be entered as my own," and the Chair "so ordered." (By reference only.)

Representative Pine rose and asked that the Clerk record a no vote for her on the proposed Floor Amendment, and the Chair "so ordered."

Representative Souki rose to speak in support of the proposed Floor Amendment with reservations, stating:

"Mr. Speaker, I wish to speak with strong reservations against this amendment. It has always been my displeasure at the way that this DBEDT shredding has been handled, and I am tempted to table this motion, but I will wait for House Bill 1260 and have further discussion on it. Thank you, very much."

Representative M. Oshiro rose to speak in support of the proposed Floor Amendment, stating:

"Mr. Speaker, I rise in strong support of this amendment. The purpose of this amendment is to fix several drafting errors that occurred when this measure was released from the Conference Committee, upon agreement of the Conferees. What this amendment would basically do, is it would correct an inadvertent drafting error, where the Aloha Tower Development Corporation was transferred to the Department of Transportation. As some of the members may know, in the ongoing discussions in public, through public hearings on House Bill 1260, we did solicit input and receive input and written testimony from the departments and various stakeholders. It was determined that that current move would probably be premature at this date in time. So, this amendment corrects that drafting error.

"It also would protect the rights under collective bargaining and civil service laws for the Film Industry Branch who will be transferred to the Hawaii Tourism Authority, and I'll say more on that on Thursday. And also, the rights, benefits and privileges under civil service and collective bargaining of the State Energy Program administrator. I'll save my remaining remarks for Thursday. Thank you, Mr. Speaker."

Representative McKelvey rose in support of the proposed Floor Amendment with reservations and asked that the remarks of Representative Souki be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and Floor Amendment No. 13, amending S.B. No. 387, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," was adopted with Representatives Ching, Finnegan, Marumoto, Pine, Thielen and Ward voting no, and with Representatives Bertram and Takai being excused.

At 10:41 o'clock a.m., the Chair noted that Floor Amendment No. 13 was adopted, and that S.B. No. 387, SD 1, HD 1, CD 2, would be placed on the calendar for action on Thursday, May 7, 2009.

Conf. Com. Rep. No. 160 and H.B. No. 754, HD 1, SD 1, CD 1:

At this time, Representative Manahan offered Floor Amendment No. 14, amending H.B. No. 754, HD 1, SD 1, CD 1, as follows:

SECTION 1. House Bill No. 754, H.D. 1, S.D. 1, C.D. 1, is amended by deleting Section 11 and replacing it with the following:

"SECTION 11. For fiscal year 2010-2011, after the revenues collected under chapter 237D, Hawaii Revised Statutes, are distributed pursuant to section 237D-2(b), Hawaii Revised Statutes, 12.5 per cent of the revenues derived under section 237D-2(b)(2), Hawaii Revised Statutes, shall be deposited into the tourism special fund established under section 201B-11, Hawaii Revised Statutes, and any excess revenues shall be deposited into the general fund."

Representative Manahan moved that Floor Amendment No. 14 be adopted, seconded by Representative B. Oshiro.

At 10:42 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 10:42 o'clock p.m.

Representative Finnegan rose to speak in opposition to the proposed Floor Amendment, stating:

"Mr. Speaker, actually, I'm going to be in opposition, but we're going to see this on Thursday, and I'm going to just review it a little bit more carefully, but for now, I'll be in opposition. Thank you."

Representative Ching rose and asked that the Clerk record a no vote for her on the proposed Floor Amendment, and the Chair "so ordered."

Representative Ward rose to speak in opposition to the proposed Floor Amendment, stating:

"Mr. Speaker, I'm inclined to vote 'no,' but I have a question to the Chair of Tourism, if I may ask. If you would …"

At 10:43 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:45 o'clock p.m.

Representative Ward continued, stating:

"Yes, my fears have been allayed, but yet increased, Mr. Speaker. The amount that we are assuming is going into marketing is presumed upon the new 2% increase in the TAT tax, which I think you and everyone knows I'm adamantly against. Thank you, Mr. Speaker."

Representative Marumoto rose to speak in opposition to the proposed Floor Amendment, stating:

"Yes, I am voting 'no' on this measure. I feel that this is another coffin nail in the Department of Business, Economic Development & Tourism. Thank you."

Representative Thielen rose to speak in opposition to the proposed Floor Amendment, stating:

"Thank you. Mr. Speaker, a 'no' vote for me too, because of the nexus with the increase in the TAT tax to the visitor industry."

Representative Pine rose and asked that the Clerk record a no vote for her on the proposed Floor Amendment, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and Floor Amendment No. 14, amending H.B. No. 754, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," was adopted with Representatives Ching, Finnegan, Marumoto, Pine, Thielen and Ward voting no, and with Representatives Bertram and Takai being excused.

At 10:46 o'clock a.m., the Chair noted that Floor Amendment No. 14 was adopted, and that H.B. No. 754, HD 1, SD 1, CD 2, would be placed on the calendar for action on Thursday, May 7, 2009.

Conf. Com. Rep. No. 132 and S.B. No. 199, SD 1, HD 1, CD 2:

At this time, Representative Wakai offered Floor Amendment No. 15, amending S.B. No. 199, SD 1, HD 1, CD 2, as follows:

SECTION 1. Senate Bill No. 199, S.D. 1 , H.D. 1, C.D. 2, is amended by deleting Section 2.

SECTION 2. Senate Bill No. 199, S.D. 1 , H.D. 1, C.D. 2, is amended by renumbering Section 3 as Section 2.

SECTION 3. Senate Bill No. 199, S.D. 1 , H.D. 1, C.D. 2, is amended by renumbering Section 4 as Section 3 and by amending subsection (a) in section 235-110.9, Hawaii Revised Statutes, to read as follows:

"(a) There shall be allowed to each taxpayer subject to the taxes imposed by this chapter a high technology business investment tax credit that shall be deductible from the taxpayer's net income tax liability, if any, imposed by this chapter for the taxable year in which the investment was made and the following four years provided the credit is properly claimed[~~.~~]; provided further that for investments made on or after May 1, 2009, and before January 1, 2011, the sum of all high technology business investment tax credits available (over five years as set forth below) to all taxpayers investing in a single qualified high technology business in a single calendar year shall not exceed $10,000,000; provided further that for investments made on or after May 1, 2009, and before January 1, 2011, high technology business investment tax credits may only be claimed to the extent that the qualified high technology business in which the investment was made has received credit allotments from the department, as set forth in subsection (i). The tax credit shall be as follows:

(1) In the year the investment was made, for investments made prior to May 1, 2009, thirty-five per cent[;], and for investments made on and after May 1, 2009, and before January 1, 2011, twenty per cent;

(2) In the first year following the year in which the investment was made, for investments made prior to May 1, 2009, twenty-five per cent[;], and for investments made on and after May 1, 2009, and before January 1, 2011, twenty per cent;

(3) In the second year following the investment, twenty per cent;

(4) In the third year following the investment, for investments made prior to May 1, 2009, ten per cent[;], and for investments made on and after May 1, 2009, and before January 1, 2011, twenty per cent; and

(5) In the fourth year following the investment, for investments made prior to May 1, 2009, ten per cent[~~;~~], and for investments made on and after May 1, 2009, and before January 1, 2011, twenty per cent;

of the investment made by the taxpayer in each qualified high technology business, up to a maximum allowed credit in the year the investment was made, [~~$700,000;~~] $700,000 for investments made prior to May 1, 2009, and $400,000 for investments made on and after May 1, 2009, and before January 1, 2011; in the first year following the year in which the investment was made, [~~$500,000;~~] $400,000 for investments made prior to May 1, 2009, and $400,000 for investments made on and after May 1, 2009, and before January 1, 2011; in the second year following the year in which the investment was made, $400,000; in the third year following the year in which the investment was made, [~~$200,000;~~] $200,000 for investments made prior to May 1, 2009, and $400,000 for investments made on and after May 1, 2009, and before January 1, 2011; and in the fourth year following the year in which the investment was made, [~~$200,000.~~] $200,000 for investments made prior to May 1, 2009, and $400,000 for investments made on and after May 1, 2009, and before January 1, 2011. For purposes of this section, "taxpayer" shall mean the taxpayer that is ultimately liable to pay any applicable taxes and shall not include a partnership, limited liability company, or other pass-through entity; provided that any direct or indirect investment made into a qualified high technology business by a partnership, limited liability company, or other pass-through entity shall be deemed to have been made by its respective partners, members, or other beneficial owners who are the taxpayers that are ultimately liable to pay any applicable taxes."

SECTION 4. Senate Bill No. 199, S.D. 1 , H.D. 1, C.D. 2 is amended by deleting subsection (i) in section 235-110.9, Hawaii Revised Statutes, and replacing it with a new subsection (i) to read as follows:

"(i) All claims of high technology business investment tax credits under this section for investments in qualified high technology businesses made after on and after May 1, 2009, and before January 1, 2011, shall be made subject to the following aggregate and periodic credit caps and credit allotment procedures:

(1) Aggregate and periodic credit caps for all new investments. The maximum amount of high technology business investment tax credits available under this section shall not exceed the following amounts for the following periods:

(A) $80,000,000 to be claimed over the five-year period set forth in subsection (a) for investments made beginning on May 1, 2009, and through December 31, 2009; and

(B) $80,000,000 to be claimed over the five-year period set forth in subsection (a), for investments made during the calendar year beginning on January 1, 2010, and ending on December 31, 2010, plus any carryover credit allotments available from unused credit allotments from the prior calendar years and in subparagraph (A).

(2) Credit allotments. Beginning on May 1, 2009, the department shall provide credit allotments to qualified high technology businesses up to the maximum amount of high technology business investment tax credits as provided in paragraph (1). A qualified high technology business may apply for a credit allotment of high technology business investment tax credits in any amount not to exceed an aggregate of $10,000,000 for investments it receives in a single calendar year (to be claimed over the five-year period set forth in subsection (a)) for investments, as defined in section 235-1, made in a qualified high technology business in the same calendar year. A qualified high technology business may apply for an allotment of high technology business investment tax credits, on a form prescribed by the department, or by a duly executed written letter or statement delivered to the department prior to the time that the department has established and published a prescribed form, on or after the day on which that qualified high technology business has received the investment for which that allotment is applied for; provided that in order to apply for that allotment, the qualified high technology business shall attest and declare to the department the amount of investment that the qualified high technology business has received for which it is applying for that allotment; provided further that the qualified high technology business submits to the department a copy of the checks, bank deposit receipts, wire transfer confirmations, or other evidence reasonably acceptable to the department to verify that the qualified high technology business has received the investment for which the allotment is being applied for. All allotments issued by the department shall be made on a first to apply basis only. Notices of all allotments and denials thereof shall be certified in writing and delivered to the respective qualified high technology business by the department by email, fax, United States Postal Service, or other means reasonably requested by the qualified

high technology business and approved by the department, within one business day of the department's receipt of the application for that allotment. If a qualified high technology business does not receive the full allotment of high technology business investment tax credits applied for, the qualified high technology business may, at an investor's option, refund to that investor all or any portion of that investor's investment for which allotment was applied for. An investor's right to receive such refund of its investment shall not negate or invalidate an investment's status as being nonrefundable or at risk, as required by section 235-1. Beginning no later than July 1, 2009, the department shall post on its website in a manner accessible to the general public the total amount of allotments made, and the total unused allotments of credits remaining available under this subsection, which posting shall be updated by the department within one business day of making any allotment of credits pursuant to this subsection.

(3) Non-transferable nature of allotments. All credit allotments issued by the department shall be non-transferable, non-negotiable, and non-assignable; provided that a statutory conversion in the form of business entity shall not be considered a transfer or assignment.

(4) Credit claims subject to audit. Notwithstanding a credit allotment under this section, every claim for credit shall be subject to audit or review by the department."

SECTION 5. Senate Bill No. 199, S.D. 1 , H.D. 1, C.D. 2, is amended by renumbering Sections 5, 6, 7, 8, 9, and 10, as sections 4, 5, 6, 7, 8, and 9, respectively.

Representative Wakai moved that Floor Amendment No. 15 be adopted, and requested a roll call vote at the appropriate time, seconded by Representative B. Oshiro.

Representative Wakai rose to speak in support of the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. And thank you for the Representative from Aiea. That was a pleasant surprise. Since tax credits are about numbers, let's take a look at some of the tech numbers in Hawaii. Over the past nine years, the State has created a $3 billion a year industry, and that industry is growing. The tech industry now accounts for about 5% of our entire economy. Today we have more than 31,000 tech jobs in the State. Each of those jobs pay an average wage of $63,000 dollars a year. That is 38% higher than the average wage-earner in the State.

"And these promising numbers are primarily due to the visionary tax incentive created in the year 2000. And during the course of Act 221, and then Act 215, during its 10 year lifespan, it's expected to cost us, as taxpayers through credits, $400 million. But, the upside is, it's generated $1.2 billion in investments. The two-for-one multiplier that is in the current Act 221 and 215, that multiplier is crucial to the viability of this tax incentive.

"The Floor Amendment you have in front of you has a number of significant changes, which I hope you will find acceptable. One, is that it provides a cap. A cap of $10 million per QHTB, or per tech company. The current language in our draft of S.B. No. 199 has absolutely no caps in it. It also has an aggregate cap, so industry wide, $80 million is the maximum the technology industry can take in tax credits on an annual basis.

"Those two caps themselves, actually will save the State of Hawaii, according to DoTAX's figures, $151 million. According to DoTAX figures, the current language of Senate Bill 199 will save us $149 million. So these caps will actually save us an extra $2 million in our budgetary constraints this year. And, the two-for-one ratio allocation is key to bringing in foreign and outside investments. And those who are outside of Hawaii have zero tax liability here, and need to be lured here with some type of incentive, and that is where the multiplier comes in. And in lieu of taking a tax credit, you get to exchange that tax credit with a local investor, and the Mainland investor gets a larger equity stake in the local startup. And potentially, when that startup becomes profitable, and hits a homerun, the investor, the outside investor, gets more of the profits from seeding that company and taking that initial risk.

"It would be very foolish for us to think that if we go back to a one-two-one ratio, that the local market will fill in this void in capital for these tech companies. These outside investors certainly need to have something to mitigate the risk that they're taking. And a disproportionate tax credit allocation is not new or unique, to Hawaii or this particular act. In fact, the new federal markets tax credits have the same feature, and as long as an investment is made subject to the federal guidelines, the tax credit can be allocated in any manner that is most beneficial to the project. So, having this multiplier here, as currently stated in Act 221, is acceptable to the feds, and hopefully should be acceptable to all of us.

"Also, we made a deal with tech companies back in 2000, in its more recent evolution to Act 215, and they're basing a lot of their financial plans on assuming the credits over the course of their business lifecycle. And tech companies are banking on these in their business plan, and I feel it's so wrong for us to be changing the rules of the game while the clock is still running on all of these tech companies. If you think that tech companies gather about 40% of their investment from outside Hawaii, and with the current multiplier, that would amount to about 80% of their investment coming due to this two-for-one ratio.

"You can see that 80% of the good that I mentioned at the top of this discussion of what Act 221 has done for us, 80% of that would potentially disappear and take away all the good jobs, all the high-paying jobs that we've grown accustomed to, and hopefully we want to see grow in the future. So, Members and Mr. Speaker, I hope that you will see the value of making these amendments and allowing Act 221 to continue to do its good work, and hope you will be voting in favor of this amendment. Thank you."

Representative Thielen rose to speak in support of the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. I'm rising in strong support of the amendment, Mr. Speaker, but not in support of the underlying bill. Mr. Speaker, let me just give a few examples of how Act 221 and this amendment has helped our local people. This is one of the people that contacted me, saying:

'My husband and I were laid off. We just bought our first starter home with our own savings, and a part of a cashed-in 401k. We found work doing production and animation. And this is where Act 221 comes in. A former co-worker formed a company that works in educational multimedia design and production. We have produced many interactive, educational DVDs that sell in China, US, UK and Mexico, and with the help of Act 221, we were the first company in Hawaii to release applications for the iPhone. With Act 221, we've been able to hire local teachers, writers, camera crew, developers, programmers, illustrators, animators, audio talent, audio engineers, audio crew, producers and actors. If Act 221 is pulled, or if this amendment does not pass, all of these people will have to look for work elsewhere. And for us, it will probably mean we will be forced to leave these islands, and yes, my husband was born and raised here.'

"I go to another one, a CEO of a high tech company that was founded by investors who took advantage of Act 221 tax credits:

'Our company is based on technology invented at the University of Hawaii, to which we pay royalties for each sale we make. We're strong and growing stronger. We started with three employees at the time of our first significant Act 221 investment in December '07, and today we have 20 employees and contracts with three global electronic manufacturers. We have hired every graduate of Dr. Chiu's program in the UH Mechanical Engineering Department, and are looking to hire more as they graduate. We have brought world class talent to Hawaii, reversing the brain drain.'

"Mr. Speaker, this amendment is absolutely essential if we're going to be able to keep these talented people, these local people, here in Hawaii.

Without the amendment, I think every Member in this Chamber knows what will happen. The 'brain drain' will go on. We'll lose our young people, who will go to the Mainland, and we'll lose being the center of a high tech economy in Hawaii. And even more, and I guess this is at the very basis of my deep support for the amendment, we have the Hawaii Clean Energy Initiative. We are not going to be able to accomplish this goal of 70% renewable energy by the year 2030, without local high tech involvement. And this kind of law, the Act 221, will help us to our clean energy future. I urge everyone in this Chamber to support this amendment. This is a friendly amendment, Mr. Speaker. This really is a friendly amendment. Thank you."

Representative McKelvey rose to speak in support of the proposed Floor Amendment, stating:

"Thank you very much, Mr. Speaker. In support. First of all, speaking to the Floor Amendment and solely to it, I think this builds upon the work of the Conferees, it doesn't take away from it. It adds a little extra savings to the savings they found, and I believe it strengthens and takes care of what we've all seen, proponents and those opposed alike, have been failings of Act 221, vis-à-vis the per company cap of $10 million and the aggregate cap of $80 million.

"The CD 2, while well-intentioned, I believe leaves a large gap, and without that aggregate cap, we don't know what the end result will be. This gives us that end result.

"Mr. Speaker, I would like to share with you and the Members, a product of an Act 221 investment. This little machine right here, Members, audience, is a liquid-cooling system for video graphics drivers. This is five times smaller than anything that's available in the industry standard. It was created by a Hawaii company that is going to stay in Hawaii, and manufacture in Hawaii. They have secured contracts with major Asian computer firms, so that this will be the de facto video graphics liquid cooler for the major computer industry of the world. And they're in Hawaii. This little device here, Mr. Speaker, is the fruit of this investment.

"The company that invented this, Mr. Speaker, has hired over 20 people, all of whom are University of Hawaii graduates. Many of whom would probably be working in other states, for other companies, or would venture overseas for other companies and firms.

"These are the kinds of things that are happening with this investment. The multiplier, Mr. Speaker, is important because what it does is it brings not only Mainland dollars, but foreign dollars to Hawaii. Let's be clear, everyone, since the Act 2 ruling, we are an investment basket case. We are not an attractive option for investors. People have pulled their money out of the stock market, they are holding onto it, as referenced by the increase in the savings index, and they're looking to see where they can put their money. What we're trying to do is keep a tool available so we can say, if you're going to invest, don't look to a 10-33 exchange, don't look to Mexico, don't look to Australia, of course being half Australian I have to apologize to my kinsmen, but look to Hawaii. Look here to Hawaii. This company had $6 million as a startup, $3 million of which came from the Mainland, Czechoslovakia, and other places, to a product that is going to basically be the industry standard.

"I will tell you, I do see that there's work to be done with this. It is by far not a perfect creature. But, it has a very promising result. History has, Mr. Speaker, melted financial institutions. We know in the past that people said, 'well, Silicon Valley companies want to be next to Silicon Valley, because that is where the money is, that's where the financial institutions are.' They are not there. But history has given us, ironically, an opportunity. An opportunity to be able to bring in these dollars to Hawaii.

"The hotel industry is important. Our military industry is important. But we need to look to the future, and we need to try to bring in investments. And I think, to be honest with you, one of the whole arguments is that we've been focusing on tech, and while tech is good, Act 221 to me is an investment tool that should be applied across a broad spectrum of sectors.

"I see it as something that could bring in investment to a lot of industries. Heck, organic farms. There's a lot of good that could come from this as far as bringing in capital into Hawaii. And I guess what I would like to say is, let's not throw the baby out with the bathwater. Let's not lose sight of the forest for the trees, Mr. Speaker.

"I share your concerns of the general fund impact, believe you me, I do. But I guess that what we need to do is let's not be so hasty that we forget what we are trying to do. Now, I've heard some of our colleagues say, 'Well, this is dollars out. Dollars out from the taxpayers.' How much money, Mr. Speaker, have we spent on STEM? How much? And what are we going to get for it? And the words of a Representative that contacted me, a friend of mine from another state said, 'Thank you for going ahead and educating our future workforce.' If we're going to put money into STEM, if we're going to put money into these things, then let's do something so that when these kids graduate, there is at least, there is no guarantee, but an opportunity.

"And I think this Floor Amendment, again, builds upon the work that was done. I see this as a constructive step forward, and I also see it as a way to ensure that no matter what happens, vis-à-vis the Executive branch, that we will have the tools in place for our budget. And so Members, I just humbly ask all of you, and I know feelings are strong on this, but just consider this amendment. Consider it as a step hopefully forward in the right direction. Thank you very much."

Representative Ward rose to speak in support of the proposed Floor Amendment, stating:

"Mr. Speaker, I rise in strong support. Mr. Speaker, I offer four reasons, if I may. First, this amendment will save Act 221. Essentially, without this amendment, Act 221 dies. The second reason, this amendment will save money. The bill that is going to be without this amendment, there's basically no difference, and this will save more money, because it's going to save Act 221. Thirdly, this amendment will create jobs. This is a job creator. This is what in hard economic times we've got to be thinking about. It will create jobs.

"Mr. Speaker, in an interesting way, we've got to ask ourselves, do we want our kids and our future to continue making beds and cleaning toilets in Waikiki as the main focus of our economy? Mr. Speaker, I think we want to get away from that. I was a Member of the Finance Committee that had the opportunity to go to Ni'ihau, and we were in the 5th grade in an all Hawaiian speaking classroom. I asked one of the young men, 'What do you want to be when you grow up?' To my surprise and chagrin, Mr. Speaker, he said, 'I want to be a high tech worker.' This is Ni'ihau now. Are they the ones who are isolated, or are we the ones who are isolated here, trying to quash what otherwise is a budding and beginning industry?

"And lastly, Mr. Speaker, this amendment gives us the biggest bang for the buck. Historical case in point. A hundred years it took us to build our tourism industry. A hundred years, we are now 7 million visitors. We've got all the Conde Nast awards, etc. That hotel industry brings in $6 billion. Here we have a high tech industry only 10 years old and brings in $3 billion. In just 10 years, we've got half of what we did with the tourism industry. So again I ask, do we have leverage for this? Of course we have, because we have a multiplier effect, Mr. Speaker. The way that we leverage the industries, for example, the multiplier effect of government is 1.5. Educational services get 2.1. The multiplier for health services, 2.3. Construction, 1.9. Agriculture, 1.9. Accommodations, 1.9. Retail trade, 1.8. Real estate, 1.4. But you know, Mr. Speaker, what high tech leverage is? 3.0 and above. Every dollar we put in, we get three out.

"For those who are saying that this costs too much money, well of course, if you only have a cost and no benefit, and a benefit and no cost. You've got to have both of those. So when you say, 'Here's the cost,' please do remember that there's a benefit with the cost. And those who are saying this is a drain on the treasury are simply saying this is a cost without benefit. Because the multiplier, Mr. Speaker, is really what this is all about. Restructuring the economy is what this is all about, and giving us something other than a visitor industry. We've got the movement.

We've got the roll. We have to stay with it. This is a very important bill, this is a very important amendment. Thank you, Mr. Speaker."

Representative Ching rose to speak in support of the proposed Floor Amendment, stating:

"Thank you. In support of the amendment, Mr. Speaker, however not in support of the underlying bill. I will not go on very long, because I think that points have been made by my colleagues, particularly the one from Maui and a few others, but I wanted to reiterate that the flow that this Act seems to have created, from not just the Mainland, but around the world. This is what the economy is today. We have a global economy, and incentives such as these create that flow. We don't want to cut off that flow.

"So, on that, as well as the support for the energy industry, I think that is the future. It is an opportunity for us, as well as keeping our word. I think keeping our word in business is an important part of knowing that we're open for business. Thank you."

Representative Finnegan rose to speak in support of the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. In strong support, but I just have a couple points. Thank you, very much. In my strong support, I do want to clarify a couple things, and that is, this is a compromise bill. The way that I see this in looking forward, when we talk about savings, savings in tax money in being able to balance the budget, you have to realize, for those who are strong Act 221 supporters, that anything that you try to restrict in tax incentives means that you're also restricting investment. So, the way that I see this, I think this is a very good compromise bill, where it allows us to take a look, and we need to understand that there are challenges in balancing the budget right now, and we're facing those challenges, so we need to compromise. However, this, in my opinion does also affect future investment that could come to this island because of the cap.

"But, this is the best thing that we can do for the future when we're strapped and we're trying to balance the budget, as well as continue investment in Hawaii.

"Mr. Speaker, another thing that I just kind of wanted to mention is, my husband and I went to visit the company that does this cooling device that the Representative from Maui was talking about. And just to put all of that into layman's terms, because I'm not a computer person, and I'm not a 'techie,' but my computer geek husband told me, 'Wow, that is so cool, and that is going to bring a lot of money into the State.'

"And the bottom line is that's what we're looking for. We're looking for innovative opportunities like that to help Hawaii build and be sustainable for a long time to come. Thank you."

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Yes, Mr. Speaker. I'd like to have a ruling on a possible conflict. I'm affiliated with a company that has invested in a qualified high tech company," and the Chair ruled, "no conflict."

Representative Choy rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I need a ruling on a potential conflict. My accounting firm services qualified high tech businesses. I also own investments in qualified high tech businesses."

At 11:07 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:12 o'clock p.m.

Representative Choy rose to disclose a potential conflict of interest, stating:

"Yes, Mr. Speaker. May I have a ruling on a potential conflict? My conflict is that I service qualified high tech businesses in my firm. I also own investments in a qualified high tech business," and the Chair ruled, "no conflict."

Representative Choy continued in opposition to the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. I'd like to rise in strong opposition of the Floor Amendment. Mr. Speaker, none of us in this room, I think, are against the high-tech industry. And none of us here are against diversifying the economy. But let's get to the crux of this thing, and it's the multiplier. This particular Floor Amendment keeps the multiplier. And everybody talks about two-to-one, but actually, it can be three-to-one, four-to-one, five-to-one. And any time we talk about a multiplier in tax credits, we're talking about a tax shelter.

"The underlying bill limits the multiplier to one-to-one. This particular Floor Amendment allows the multiplier to continue. What we're actually doing here, in our original bill, is to limit the multiplier to one-to-one. This Floor Amendment allows the multiplier to continue.

"I'd also like to speak to some of the remarks that were made. According to the DoTAX report, from the years 2002 to 2007, this particular credit generated 2,245 jobs. Not the 31,106, which is the entire tech sector. The other thing is, who claims these credits? Only 1,033 taxpayers claimed 95% of the credit. Now, the remark was made that this credit only cost us $400,000. Through a certain period of time, it did cost $400,000. But if you let the credit run its entire life, the total cost of the credit is over a billion dollars. And, DoTAX has also said each job created cost $533,000.

"As I said before, we are not against the tech industry or diversifying our economy. But the multiplier here is troublesome, because the multiplier constitutes a tax shelter, and right now, in our economic times, we cannot afford a tax shelter. If this amendment goes through, it's going to cost the State another, well this is a guess like anybody else, this is an estimate, another $160 million. That's a lot of money.

"Mr. Speaker, we spent the last couple of months increasing taxes, cutting benefits, reducing workforce, and yet, we're going to give the top taxpayers with AGIs over $200,000 continued tax breaks. Mr. Speaker, I'm in strong opposition to this amendment, and again, the multiplier is something that we need to remove. Thank you."

Roll call having been requested, the motion that Floor Amendment No. 15, amending S.B. No. 199, SD 1, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," be adopted, was put to vote by the Chair and failed to carry on the following show of ayes and noes:

Noes, 31: Aquino, Cabanilla, Carroll, Chang, Chong, Choy, Coffman, Evans, Har, Herkes, Ito, Karamatsu, M. Lee, Magaoay, Manahan, Marumoto, Mizuno, Nakashima, B. Oshiro, M. Oshiro, Pine, Rhoads, Sagum, Say, Souki, Takumi, Tokioka, Tsuji, Wooley, Yamane and Yamashita.

Ayes, 18: Awana, Belatti, Berg, Brower, Ching, Finnegan, Hanohano, Keith-Agaran, C. Lee, Luke, McKelvey, Morita, Nishimoto, Saiki, Shimabukuro, Thielen, Wakai and Ward.

Excused, 2: Bertram and Takai.

UNFINISHED BUSINESS

At this time, the Chair stated:

"Members, we are now back to Part I of the Order of the Day, fiscal House Bills and Senate Bills. The Conference Committee Reports listed in this section as reflected on pages 1 to 6 will be deferred to Thursday, May 7th. We will take these measures after passage of the State budget."

Conf. Com. Rep. No. 36 and H.B. No. 982, HD 3, SD 1, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 48 and H.B. No. 994, HD 1, SD 2, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 50 and H.B. No. 1471, HD 2, SD 1, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 77 and S.B. No. 1107, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 93 and S.B. No. 1206, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 94 and S.B. No. 1665, SD 2, HD 1, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 102 and S.B. No. 1218, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 104 and S.B. No. 266, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 106 and S.B. No. 1352, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 109 and S.B. No. 109, SD 2, HD 3, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 111 and H.B. No. 381, HD 2, SD 1, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 123 and H.B. No. 343, HD 1, SD 2, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 126 and H.B. No. 1807, HD 1, SD 2, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 130 and H.B. No. 1504, HD 1, SD 2, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 134 and S.B. No. 423, SD 1, HD 2, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 140 and S.B. No. 1202, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 148 and S.B. No. 1674, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 149 and S.B. No. 43, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 151 and H.B. No. 427, HD 1, SD 1, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 152 and H.B. No. 1627, HD 2, SD 2, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 153 and H.B. No. 1628, HD 1, SD 2, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 154 and H.B. No. 1483, HD 1, SD 1, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 155 and H.B. No. 1678, HD 1, SD 2, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 156 and H.B. No. 34, SD 1, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 161 and H.B. No. 899, HD 1, SD 1, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 162 and H.B. No. 1364, HD 1, SD 1, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 165 and H.B. No. 900, HD 2, SD 1, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 166 and H.B. No. 300, HD 1, SD 2, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 168 and S.B. No. 21, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

Conf. Com. Rep. No. 171 and S.B. No. 884, SD 2, HD 1, CD 1:

By unanimous consent, action was deferred to May 7, 2009.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House bills and Senate bills for Final Reading by consent calendar. (Representatives Bertram and Takai were excused.)

CONSENT CALENDAR

UNFINISHED BUSINESS

At this time, the Chair stated:

"Members, at this time there will be no discussion on these items which have been agreed upon by this Body for placement on the Consent Calendar. For those who would like to submit written comments for or against, you will be given the opportunity. Before we do that the Chair will remind you, please remember to submit to the Clerk the list of House Bills on the Consent Calendar which you will be inserting comments on, in support or opposition, into the Journal. This must be done before the adjournment of today's Floor Session."

Conf. Com. Rep. No. 6 and H.B. No. 1422, HD 1, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1422, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I rise in support of House Bill 1422 Conference Draft 1. This measure will allow the counties to remove abandoned motor vehicles from private roads. Through this measure the counties may remove abandoned vehicles on private roads if the vehicle is deemed inoperable and if the owner or at least one of the co-owners of the private road requests the county's authority, in writing, for the removal of the vehicle. The owner of the private road requesting the removal will be required to pay the county for the removal and also has to agree to indemnify and hold the county harmless for any claims against the county for the removal and disposal of the vehicle. This measure also has a life span of six months.

"Currently, the counties can remove abandoned vehicles that are on any public highway or other public property, but not on private roads. While the law already allows a property owner to remove vehicles abandoned on their private property, there are instances when your typical tow job will not suffice. Your Committees on Transportation and Judiciary received testimony from residents who live on private roads and those residents have stated that some of the abandoned vehicles are obviously inoperable and deteriorating and are posing safety and health risks to residents and could cause harm to the environment. There have even been instances where emergency vehicles could not access the homes in need of their services. Mr. Speaker, I have seen some of the photos that were submitted with the testimony and something needs to be done; tree branches are literally resting on some of these vehicles; when it rains water may collect inside these vehicles serving as breeding grounds for mosquitoes and who knows what other vermin may live in these vehicles. Another valid concern that was raised by residents who live on some of these private streets is that the vehicles mar the overall appearance of the street and devalue the homes there.

"Mr. Speaker, as written, this measure will have little to no fiscal impact to the counties as the owner of the private road requesting the removal of the vehicle will have to pay the county for the costs incurred for the removal and will also indemnify and hold the county harmless for any claims. For these reasons I 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. 1422, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 7 and H.B. No. 1057, HD 1, SD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1057, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII COLLEGE SAVINGS PROGRAM," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 9 and H.B. No. 632, HD 1, SD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 632, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO POLICY ADVISORY BOARD ON VETERANS' SERVICES," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 10 and H.B. No. 615, HD 1, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 615, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support HB 615, H.D. 1, S.D. 1, which beams Hawaii's harassment law directly into the Twenty-First Century. This bill would provide that protection from unwanted harassment extends to all forms of electronic communication, not just phone calls and emails: stalking by texting or 'tweep' is as menacing and unwelcome as other obsessive behavior. Today's evolving technology has given the villains among us other ways to harass and torment their victims. This bill updates our statute to help address this critical issue.

"I urge my colleagues to vote in favor of the bill."

Representative Karamatsu's written remarks are as follows:

"I rise in support of House Bill 618, House Draft 1, Senate Draft 2, Conference Draft 1, Relating to Harassment.

"The purpose of this measure is to keep up with technology by updating Hawaii's harassment and harassment by stalking laws by including the definition of electronic communication as defined in the Hawaii Revised Statutes section 711-1111(2), which means any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or part by a wire, radio, electromagnetic, photoelectronic, or photo-optical system. Unfortunately, many individuals are harassing and stalking others through the Internet. Harassment and stalking can cause annoyance, mental distress, and safety concerns. It is our goal to protect our community from harassment and stalking done in person or through technology. 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. 615, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 12 and H.B. No. 1071, HD 3, SD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1071, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 13 and H.B. No. 1351, HD 2, SD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1351, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE AGRICULTURAL PARKS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 15 and H.B. No. 1045, HD 1, SD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1045, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 16 and H.B. No. 975, HD 1, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 975, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker I rise in support of House Bill 975 Conference Draft 1. This measure will provide additional flexibility to the operations of the Agribusiness Development Corporation (ADC) by authorizing ADC to acquire, or contract to acquire by grant, purchase, or gift, the real,

personal, or mixed property comprising an agricultural water system to provide water for irrigation of agricultural lands.

"This bill will greatly assist the ADC in fulfilling its mission of facilitating the transition of former plantation land and water systems to diversified agriculture. Initially the City and County of Honolulu had concerns with this measure due to the possibility that lots may be subdivided and recorded without the approval of the county. If this happens, there would be no official record and the lots may not be recognized and could therefore hamper future building and or development permits. Mr. Speaker the bill was amended to alleviate the concerns of the City and County of Honolulu by clarifying that the conveyance of agricultural water system property to ADC will be exempt from county subdivision requirements so long as no additional lots of record are created.

"Mr. Speaker, as agriculture is a priority of the State, so is our irrigation systems. There is little reason to subject the transfers of water systems to an unnecessary regulatory process that will only take time and money and will not provide any additional benefit to the farmers of the State."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 975, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SYSTEMS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 18 and H.B. No. 618, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 618, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Karamatsu's written remarks are as follows:

"I rise in support of House Bill 618, Senate Draft 2, Conference Draft 1, Relating to the Uniform Prudent Management of Institutional Funds Act.

"The purpose of this bill is to enact the Uniform Prudent Management of Institutional Funds Act to conform the law governing the spending of charitable endowment funds with modern investment and expenditure practices.

"Hawaii law prohibits charities from expending endowment funds that fall below the principal of the endowment (historic dollar value). However, under current economic conditions, many endowments may be below their historic dollar value, preventing charities from funding their various programs.

"Under this bill, allowable endowment fund expenditures are based upon the value of the fund's entire portfolio, rather than its historic dollar value. This improves the ability of charities to address fluctuations in the value of the endowment.

"This bill also streamlines the process for releasing restrictions on the management, investment, or purpose of endowment funds that do not exceed certain value thresholds. Charities will be able to release these restrictions without court approval if the value of the fund is below $250,000 and after obtaining the Attorney General's consent. For funds with a value of less than $50,000, the charity may release restrictions without court approval after providing notice to the Attorney General. 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. 618, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS ACT," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 21 and H.B. No. 1103, SD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1103, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FINANCIAL ASSISTANCE FOR INDEPENDENT LIVING SERVICES AND CENTERS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 22 and H.B. No. 1070, SD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1070, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 23 and H.B. No. 814, HD 2, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 814, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Magaoay's written remarks are as follows:

"Mr. Speaker, I rise in strong support of House Bill 814 HD2, S.D. 2, C.D. 1, Relating to Nurse Aides.

"The purpose of House Bill 814 HD2, S.D. 2, C.D. 1 is to specify the renewal period for the recertification of certified nurse aides and to limit the number of continuing education hours for their certification.

"Mr. Speaker, this bill is important due to the fact it not only benefits our Filipino community who make up the majority of the certified nurse aide workforce but it will also benefit the people of Hawaii who are offered an alternative to expensive, institutional long term care services.

"Certified nurse aides play an integral role in providing quality health care services and serving to keep the cost of long term care affordable and available for Hawaii families. The clarification in training and recertification will ultimately benefit individuals who are in the care of certified nurse aides that work in nursing facilities participating in Medicare and Medicaid programs and in other state-licensed and state-certified health care settings.

"No compromise to the health or safety of the public will arise from this measure. Providers can still ensure licensees possess the necessary knowledge and skills while at the same time giving licensees an opportunity to update, improve, or refine their skills.

"I support the significant contributions health care professionals, volunteer nurses and instructors who dedicate themselves to improve the health of Hawaii's people and at the same time meet our high standards of health care. Thank you Mr. Speaker, and I ask my colleagues to support me 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. 814, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 24 and H.B. No. 28, HD 1, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 28, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I am in support of HB28 HD1 – Relating to Dead Human Bodies.

"This measure would prevent the commercial exploitation of human body remains by prohibiting the sale or display of dead human bodies

including human bodies or remains that have been plastinated through the use of polymers; unless it is for the purpose of medical education or research by a university, hospital or qualified institution or is in possession of a museum facility.

"This measure will also raise the monetary penalty for the misuse of a dead human body from $1,000 to $5,000, or imprisonment of up to one year or both.

"While medical research is beneficial to the understanding of the human body for medical treatment, the educational or health related values do not outweigh the moral and ethical concerns regarding the possible exploitation of unconsenting human beings. The selling and buying of dead human bodies or remains reduces the human body to an article of trade and opens the door to unscrupulous individuals attempting to profit financially from those less fortunate.

"Plastination, is a process wherein human tissue is preserved by the removal of liquids and fats and then injecting it with plastic polymer. Exhibitor's claim that it is safe and without public health risks, however there is evidence that if the plastination process is not cured properly, the bodies exhibited may leak liquefied fat. This poses potential health risks, which can be complicated further by the lack of donor consent and knowledge of body origin. California Assemblywoman Fiona Ma observed at a human remains exhibit in San Francisco, "The bodies on display were porous, leaked bodily fluids and immediately raised health concerns." Testimony submitted to the House Committee on Finance on March 2, 2009 by Dr. Scott Lozanoff, Chair of Anatomy Department of the University of Hawaii John A. Burns School of Medicine states " these remains could harbor disease that would be almost impossible to track…The 'Bodies Exhibit' recently shown at Ala Moana is an example [of] a commercial display that poses potential risk in terms of the origin of material, transportation, and handling. Commercial distribution of unclaimed human bodies and parts presents a significantly greater risk if used in commercially related activities involving anatomical dissection."

"Various exhibitions of plasticized cadavers arranged to demonstrate the workings of the human body have been travelling around the world. Exhibits have been set up in Atlantic City, Fort Lauderdale, Cincinnati, Las Vegas, and New York and internationally in Budapest, Hungary, Vienna, Austria, Santiago, Chile, Madrid, Spain and Paris, France.

"Here in Hawaii, an exhibit displaying dead human bodies opened on June 14, 2008 at Ala Moana Center and ran through January 18, 2009. There is no doubt that the exhibit is a dramatic display. However, the exhibitors admit that they could not verify where the bodies came from, and this means that the human beings, while they lived, may have and most likely did not give their consent for their bodies to be used in this way after they died.

"The issue of selling, donating or gifting one's body for research or an educational purpose is important, but not germane to the central concern regarding consent or lack thereof. In this instance, it is questionable that these people gave consent and if so, whether the people understood that they would be plasticized and propped up and exhibited in this manner. Anatomical or whole body donations are negatively impacted when the public perceptions of unethical procurement and display occur. These exhibits do not come from a philanthropic educational institution; although the exhibit promoters may claim that these displays are for the educational benefit of society, the true bottom line here is profits. In a press release dated October 17, 2008 from Bodies…The Exhibition by Premiere Exhibitions, Inc. indicates that its exhibit had been seen by more than 10 million visitors. At an entry fee of $25 to $30 per person, that calculates to approximately $300 million in revenue. According to testimony submitted February 10, 2009 to the House Committee on Judiciary by Executive Director of the Laogai Research Foundation, Harry Wu, the contract between Dalian Hoffen Bio Technique Company in China a supplier of plastinated specimens and Premiere Exhibition Inc. is worth about $25 million.

"These exhibits of plasticized cadavers have generated controversy over human rights violations. Questions of who are these people and where do they come from remain unanswered. New York Attorney General Andrew Cuomo concluded his investigation of one such exhibitor finding, "The grim reality is that Premier Exhibitions has profited from displaying the remains of individuals who may have been tortured and executed in China. Despite repeated denials, we now know that Premier itself cannot demonstrate the circumstances that led to the death of the individuals. Nor is Premier able to establish that these people consented to their remains being used in this manner. Respect for the dead and respect for the public requires that Premier do more than simply assure us that there is no reason for concern." On April 21, 2009, in Paris, France, a judge ordered the organizers of "Our Body: The Universe Within," which had been open to the public for the two months to shut down the exhibit or face a $25,862 a day fine. According to brietbart.com, a French news source, the court "ruled that seeking commercial gain from exhibiting dead bodies was a violation of the respect owed to the human body." In March 2009, in Venezuela, the government shut down an exhibit saying "organizers misled customs inspectors by describing the bodies as plastic."

"By banning the commercial display of dead human bodies, Hawaii becomes part of a greater global movement in ensuring the ethical treatment of human body remains, including those that have been plastinated. Respect for the human body does not cease with death and the decedents remains must be treated with dignity and decency.

"Mr. Speaker, I would also like to thank the following persons and organizations for their assistance and support for this measure: California Assemblywoman Fiona Ma and her staff, Pennsylvania Representative Mike Fleck and his staff, Sarah Redpath Director of No Bodies 4 Profit, Dr. Scott Lozanoff, Chair of Anatomy Department of the University of Hawaii John A. Burns School of Medicine, Dr. Marita Nelson, Professor Emeritus University of Hawaii Department of Pathology, Dr. Angel Yanagihara, University of Hawaii Pacific Biosciences Research Center, Mr. Harry Wu, Executive Director of the Laogai Research Foundation, Mr. John White, Mr. Richard Hennessey, and Dr. Hong Jiang, members of Falun Dafa, and Mr. Glennon Gingko a concerned citizen. A lot of credit should go to my session legislative aide, Carmen Rodrigues, for her efforts and good work ethic involved in making sure that the stakeholders and testifiers were kept abreast of the measure through each step in the process, and informed of the several different drafts of House Bill 28 and related measure, House Bill 29.

"For the reasons set forth above, I 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. 28, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DEAD HUMAN BODIES," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 29 and H.B. No. 1696, HD 2, SD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1696, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTAL INDUSTRY," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 33 and H.B. No. 1776, HD 1, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1776, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Mr. Speaker, I support HB 1776, H.D. 1, S.D. 1, C.D. 1. This bill will help ensure that only those legally entitled to public assistance benefits will receive financial help. Section 346-29(b), Haw. Rev. Stat. bars an applicant or recipient of public assistance who is also an inmate of any public institution from collecting public assistance from the State. However, the present administration, apparently, has failed to adequately coordinate communications between the Department of Human Services (DHS) (which administers public assistance) and the Department of Public Safety (PSD) (which manages the prison system) to identify those inmates

who are receiving public assistance while they are incarcerated. Passage of this measure is meant to prod both DHS and PSD into moving on this issue as a priority. With this change in place, enforcing the public assistance law with respect to inmates who are not entitled to receive public benefits because of their status as inmates should be more efficient.

"Under this bill, PSD will be required to provide the DHS with a monthly report listing any newly admitted inmates and requires the DHS to go over that monthly report to see if there are inmates who are simultaneously receiving public assistance. Coordination between these two departments will prevent squandering of public assistance funds.
I urge my colleagues to vote for this bill."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in strong support. This piece of legislation is a common sense approach to addressing a long overdue problem within government.

"Before this measure was introduced, thousands of labor hours and tax payer funds were being inefficiently used. A welfare recipient who became incarcerated continued to receive benefits. Instead of discontinuing said benefits before they entered prison, the Department of Human Services issued a demand for payment to parolees upon release, informing them that an overpayment was made. House Bill 1776 will mandate the Department of Public Safety to provide the Department of Human Services with a list of inmates who are on welfare to ensure that funds are no longer misallocated and labor hours are no longer misspent.

"A simple email can help to expedite efficient government. The additional number of positions needed – 0. The additional cost to implement this measure – 0. The savings to taxpayers and government employee labor hours – priceless. 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. 1776, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 35 and H.B. No. 271, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 271, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support HB 271, S.D. 1, which would allow the Registrar of the Bureau of Conveyances to accept electronic documents with electronic signatures for recording, provide electronic records in response to requests and convert existing records to electronic format. This measure will promote efficiency at the Bureau of Conveyances in processing title requests and reduce paper and mailing costs for consumers. Most significant, this change should also allow our residents and businesses on the Neighbor Islanders to be treated as equal citizens by giving them the same access to the critical records physically kept at the Bureau of Conveyances on Oahu.

"I urge my colleagues to vote in favor of the bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 271, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 37 and H.B. No. 1040, HD 1, SD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1040, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 38 and H.B. No. 366, HD 2, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 366, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Coffman's written remarks are as follows:

"I strongly support this bill and wish to note that the definition of "take" in accordance with Hawaii Administrative Rules, Title 13, Department of Land and Natural Resources, Subtitle 4 Fisheries, Part V Protected Marine Fisheries Resources Chapter 95.

""Take" means to fish for, catch, capture, confine, or harvest, or to attempt to fish for, catch, capture, confine, or harvest, aquatic life. The use of any gear, equipment, tool, or any means to fish for, catch, capture, confine, or harvest, or to attempt to fish for, catch, capture, confine, or harvest, aquatic life by any person who is in the water, or in a vessel on the water, or on or about the shore where aquatic life can be fished for, caught, captured, confined, or harvested, shall be construed as taking."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 366, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MANTA RAYS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 40 and H.B. No. 813, HD 1, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 813, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support HB 813, H.D. 1, which designates August as Language Access Month to promote the awareness and need for language access in government services and Hawaii as a whole. Census figures indicate that Hawaii is one of the most diverse states in the nation. The United States is a nation of immigrants and Hawaii is a State built on workers who came to our shores from other countries. Often that diversity comes with certain challenges – language barriers for residents who are not fluent in English.

"This measure is important to me personally, especially since I have family members who are not fluent English speakers. HB 813 promotes awareness about the continued need for language access services. This bill also lets the public know that we, as lawmakers, are doing our part to make government services and programs accessible to everyone, regardless of what language they speak.

"I urge my colleagues to vote in favor of the bill."

Representative Magaoay's written remarks are as follows:

"Mr. Speaker, I rise in strong support of House Bill 813, H.D. 1, S.D. 1, C.D. 1, Relating to Language Access which designates the month of August as "Language Access Month."

"Mr. Speaker this bill will foster strategic actions to raise community awareness, increase the public and private sectors knowledge of language access policies, and support government agencies in meeting their mission in building their capacity to provide language access for all.

"A month dedicated to language access, as this bill proposes, is essential for ensuring that those who have limited English proficiency continue to surmount barriers to their basic needs. A month dedicated to language access will also demonstrate Hawaii's continued sensitivity to, and acceptance of different cultures in this rich diverse State. This bill will foster family strength, inter-cultural communication, respect for

differences, and unity to help one another, especially during times of crisis and sacrifice.

"Finally, even though Hawaii was successful in enacting a Language Access Law, much work is yet to be done to support our government not only to comply but to ensure that government officials and their staff have the commitment to implement the intent of the law, in spite of our limited resources."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 813, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 43 and H.B. No. 1512, HD 1, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1512, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Karamatsu's written remarks are as follows:

"I rise in support of House Bill 1512, House Draft 1, Senate Draft 1, Conference Draft 1, Relating to Temporary Restraining Orders.

"Unfortunately, there are situations where animals are victims during a domestic dispute. This bill allows the court to issue a temporary restraining order enjoining or restraining both of the parties from taking, concealing, removing, threatening, physically abusing, or otherwise disposing of any animal identified to the court as belonging to a household, until further order of the court. In this draft of the bill, we decided to require both parties to be covered by the temporary restraining order to preclude the possibility that one party might misuse the temporary restraining order process with the intent of gaining control over and abusing an animal. We also deleted references and definitions of "pet animal" and "equine animal" that was in previous drafts to allow the court greater discretion in granting protection to animals. It is our hope that this measure will prevent the abuse of animals in the middle of domestic disputes."

The motion was put to vote by the Chair and carried, and, the report of the Committee was adopted and H.B. No. 1512, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 54 and S.B. No. 1065, SD 2, HD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1065, SD 2, 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 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 57 and S.B. No. 659, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 659, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I rise to speak in favor of Senate Bill No. 659, House Draft 1, Conference Draft 1, Relating to State Funds.

"This bill would amend the disclosure requirements for recipients of monetary awards from the State and require the Department of Accounting and General Services to manage and update the information posted on the website.

"The full disclosure of entities receiving State awards law was established pursuant to Act 272, Session Laws of Hawaii 2007. Although the funds appropriated for this Act were never released and the pilot project never completed, I remain optimistic that we, as a government, should strive to be as transparent as possible when dealing with the public's money.

"Based on this, I urge my colleagues to support this proposal to create greater transparency in the use of State funds. 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. 659, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 61 and S.B. No. 1183, SD 2, HD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1183, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRACTICES," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 62 and S.B. No. 868, SD 2, HD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 868, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 64 and S.B. No. 203, SD 2, HD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 203, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 67 and S.B. No. 914, SD 2, HD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 914, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 68 and S.B. No. 440, SD 2, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 440, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support SB 440, S.D. 2, H.D. 1, C.D. 1 which would streamline the process for a county's acceptance of infrastructure supporting an affordable housing project.

"Affordable housing is needed now more than ever with the ever present economic crisis of today. On Maui, there are several roads and other infrastructure built many years ago and constructed under older standards that have yet to be processed and accepted for dedication to the County. As a result, the residents of these areas have been kept in limbo regarding maintenance of those roads and drainage lines and wastewater connections serving those communities. An impasse occurs because a developer who has sold out a project is loathe to bring an undedicated roadway into compliance with changed building standards. The residents of a community are left at the mercy of this standoff.

"This bill would prevent any future community from having to suffer through a similar case of bureaucratic sluggishness and developer inertia.

A county's interest regarding infrastructure supporting affordable housing is dealt with during the entitlement process. The county's agencies comment on the projects and the county's elected policymakers – usually its county council members – determine whether a developer's requested waiver and variance from county standards are acceptable tradeoffs given the need for affordable housing. In other words, county agencies already determine the infrastructure needed and the public works standards to be met by a proposed development. This bill provides the counties a fair amount of time -- a total of ninety days --to accept or reject dedication of public infrastructure built as previously reviewed by its agencies and elected officials. I believe it achieves a reasonable balance.

"I urge my colleagues to vote in favor of the bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 440, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 69 and S.B. No. 389, SD 1, HD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 389, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 70 and S.B. No. 300, SD 2, HD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 300, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Final Reading by a vote of 47 ayes to 2 noes, with Representatives Choy and C. Lee voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 72 and S.B. No. 1066, SD 2, HD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1066, SD 2, 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 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 76 and S.B. No. 1069, SD 1, HD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1069, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 78 and S.B. No. 1259, SD 2, HD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1259, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 83 and S.B. No. 91, SD 2, HD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 91, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 86 and S.B. No. 113, HD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 113, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 87 and S.B. No. 931, SD 1, HD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 931, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 88 and S.B. No. 932, SD 2, HD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 932, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INFECTIOUS DISEASE TESTING," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 90 and S.B. No. 1195, SD 1, HD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1195, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak in support of SB 1195, S.D. 1, H.D. 2, C.D. 1 which would add references to science and technology initiatives into the Hawaii State Plan.

"On Maui, where the public-private efforts at the High Technology Research Park, and the growing significance of active technology-based education in our high schools, including such references in the State Plan certainly elevates these efforts with official acknowledgement, in theory.

"Unfortunately, some of the rhetoric exchanged this Session on supporting investment in locally-based science and technology businesses may raise questions regarding whether the State Plan is worth much more than the paper it's printed on, or as its exists digitally.

"I certainly support including Hawaii's science and technology initiatives in our planning documents. I would hope that we also work to provide concrete support for bringing those initiatives into fruition – not just with controversial tax credits – but by providing a workforce educated, trained and ready for knowledge industry jobs and by maintaining and improving what makes Hawaii a wonderful place to live and which will draw people and businesses to want to locate here.

"I urge my colleagues to vote in favor of the bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1195, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ECONOMY," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 92 and S.B. No. 1005, SD 2, HD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1005, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 100 and S.B. No. 1664, SD 2, HD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No.

1664, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 103 and S.B. No. 1164, SD 2, HD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1164, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Nishimoto's written remarks are as follows:

"Mr. Speaker, I speak in support of this measure.

"The overall purpose of the Interstate Compact is to remove educational barriers faced by children of military families due to frequent moves and deployment of military parents. States that sign onto the compact agree to work collectively with other compact states to create uniform standards of practice regarding the transfer of records, course placement, graduation requirements, redundant or missed testing, entrance age variations and other transition issues.

"With the passage of SB1164, Hawaii will join 15 other states that are part of this compact. These states include Alaska, Arizona, Colorado, Connecticut, Delaware, Florida, Indiana, Iowa, Kansas, Kentucky, Michigan, Mississippi, Missouri, North Carolina, Oklahoma and Virginia.

"The bill recognizes and addresses the issues and the uniqueness of Hawaii's state-wide school system, such as allowing Hawaii's tuberculosis clearance requirement and allowing the child of a deployed service member to continue and finish the school year at the school currently enrolled while in the custody of a guardian.

"Another unique aspect of the bill is the Interstate Commissioner selection process. Hawaii's Compact Commissioner will be recommended by the Superintendent with the approval of the Board of Education. Additionally, Senate Bill 1164 creates a State Council for Educational Opportunity for Military Children that includes the Superintendent, the three complex area superintendents, the DOE military liaison, representatives of all five military branches (including the Coast Guard), the education legislative committee chairs and other important key players.

"Since the 2008 Legislative Session, Representative K. Mark Takai and Ms. Lisa Vargas worked with numerous organizations and individuals to analyze how Hawaii supports children who frequently move into and out of our education system. Representative Takai has worked hard over the past 10 years to build a comprehensive partnership between the military and our school system to understand and recognize the unique challenges facing military children and their families. He understood that passage of this bill provides Hawaii and our schools the recognition that we deserve and tells people throughout the military circles that Hawaii's public schools are extremely supportive of our military children and their families.

"I wanted to take this opportunity to acknowledge and thank Representative Takai and Ms. Vargas for their commitment and tireless efforts to improve the quality of education for military children transitioning to and from the State of Hawaii.

"As you are aware, Representative Takai is currently Major Takai serving our country and State in the Middle East. Major Takai is serving as the Officer-in-Charge of the Camp Command for Camp Patriot, Kuwait. Despite his current duties, Major Takai continued to orchestrate and mobilize the effort to pass this bill. I want to thank Representative Takai/Major Takai for his tireless efforts in support of our nation and our State. 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. 1164, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 117 and H.B. No. 1166, HD 1, SD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1166, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PASSENGER FACILITY CHARGE SPECIAL FUND," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 118 and H.B. No. 1552, HD 2, SD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1552, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 119 and H.B. No. 610, HD 2, SD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 610, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCIENCE AND TECHNOLOGY," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 120 and H.B. No. 586, HD 1, SD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 586, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE KANEOHE BAY REGIONAL COUNCIL," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 122 and H.B. No. 111, SD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 111, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE SALARIES," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Finnegan voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 127 and H.B. No. 371, HD 2, SD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 371, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 47 ayes to 2 noes, with Representatives Brower and Pine voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 133 and S.B. No. 917, SD 2, HD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 917, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THIRD PARTY LIABILITY FOR MEDICAID," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 137 and S.B. No. 427, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 427, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Magaoay's written remarks are as follows:

"Thank you Mr. Speaker, I rise in support of Senate Bill No. 427, H. D. 1, C.D 1.

"Mr. Speaker, in Hawaii, TriWest is the only third-party administrator of a cost-effective, high quality network of health care providers for the nation's active and retired uniformed service members and their families, under a federal government program known as TRICARE, formerly known as CHAMPUS.

"The TRICARE program has established a managed health care program for members of the uniformed services and certain dependents. It was created in the early 1990s to supplement the existing military health care delivery system and provide health care services for active duty military personnel, military retirees, and their families by utilizing civilian health care providers. In Hawaii, these beneficiaries have access to military health care facilities, such as the TripIer Army Medical Center, and to health care clinics on military bases throughout the state. In addition, the beneficiaries also have access to medical services through the network of community health care providers that have been contracted by TriWest.

"TRICARE receives its funding as part of the annual defense appropriations budget and is administered by the TRICARE Management Activity a part of the United States Department of Defense an Office of the Assistant Secretary of Defense -Health Affairs.

"Mr. Speaker, TriWest is dedicated to providing the best possible service to military families and manages the TRICARE program for over 2.7 million beneficiaries - this is TriWest's only line of business. In Hawaii, they also employ approximately sixty employees.

"In the health care industry, TriWest's business would be characterized as a "third-party administrator." TriWest, known as a "managed care support contractor" in the applicable Federal laws and regulations, is a disbursing agent for the Federal Government in the western states, including Hawaii. Its job is to receive claims and invoices from healthcare providers, and then pay those claims according to the amounts and guidelines set by government reimbursement standards. The Government then reimburses TriWest for the amounts paid, and also pays TriWest an administrative fee for its services.

"TriWest pays Hawaii General Excise Tax on the amounts it receives from TRICARE as compensation for its services as *managed care contractor*, but it does not pay, and has never paid, tax on the reimbursement amounts. TriWest has been working with the Department of Taxation to seek confirmation that it is not subject to Hawaii General Excise Tax on such amounts. Department representatives generally have been sympathetic to TriWest's position and understanding of its desire for certainty as to its tax liability. In the process of reviewing TriWest's request for a definitive ruling in a letter from the Department, however, some technical concern was expressed as to the clarity of the legal basis for exempting such reimbursement amounts from Hawaii General Excise Tax. TriWest, therefore, is asking this body to clarify that such reimbursement amounts are not taxable to TriWest.

"Mr. Speaker, the measure we have before us is to make clear that the amounts received by TriWest from TRICARE as reimbursements are excluded from the imposition of the General Excise Tax. This clarification will be made by amending Section 237-24 of the Hawaii Revised Statutes to add a new subsection which reads, 'Amounts received by a managed care support contractor of the TRICARE program that is established under 10 United States Code chapter 55, as amended, for the actual cost or advancement to third party health care providers pursuant to a contract with the United States.'"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 427, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 138 and S.B. No. 1263, SD 2, HD 3, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1263, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 141 and S.B. No. 912, SD 2, HD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 912, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERMANENCY HEARINGS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 144 and S.B. No. 1142, SD 1, HD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1142, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 150 and S.B. No. 1329, SD 2, HD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1329, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 163 and H.B. No. 183, HD 1, SD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 183, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 170 and S.B. No. 585, SD 2, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 585, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support SB 585, S.D. 2 H.D. 1, C.D. 1 which will ensure access to prescription medications in rural and underserved areas. This measure allows remote dispensing pharmacies in health maintenance organization facilities, or in areas that are at least five miles from another pharmacy.

"This bill will alleviate hardships for a segment of our population who do not have convenient access to a pharmacy near their home or where the clinic does not have a pharmacist. The Island of Lanai, for example, will benefit from the enactment of this bill. Lanai is a community particularly affected by its remoteness and is an underserved population. Lanai has no pharmacy. Its residents have to travel to Oahu or Maui in order to obtain their medication. Passage of this bill will allow Lanai residents to obtain their medications from a remote dispensing pharmacy kiosk located in a clinic such as Lanai Community Health Center.

"This bill also benefits those who are members of Health Maintenance Organizations (HMO) that have clinics in rural areas, but have no pharmacist in the clinic. The HMOs, however, do have pharmacists in the hospital who can supervise the remote dispensing of medications in the clinic.

"I urge my colleagues to vote in favor of the bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 585, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

At 11:21 o'clock a.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1422, HD 1, SD 1, CD 1
H.B. No. 1057, HD 1, SD 2, CD 1
H.B. No. 632, HD 1, SD 1, CD 1
H.B. No. 615, HD 1, SD 2, CD 1
H.B. No. 1071, HD 3, SD 2, CD 1
H.B. No. 1351, HD 2, SD 1, CD 1
H.B. No. 1045, HD 1, SD 2, CD 1
H.B. No. 975, HD 1, SD 1, CD 1
H.B. No. 618, SD 2, CD 1
H.B. No. 1103, SD 1, CD 1
H.B. No. 1070, SD 1, CD 1
H.B. No. 814, HD 2, SD 2, CD 1
H.B. No. 28, HD 1, SD 2, CD 1
H.B. No. 1696, HD 2, SD 1, CD 1
H.B. No. 1776, HD 1, SD 1, CD 1
H.B. No. 271, SD 2, CD 1
H.B. No. 1040, HD 1, SD 2, CD 1
H.B. No. 366, HD 2, SD 2, CD 1
H.B. No. 813, HD 1, SD 1, CD 1
H.B. No. 1512, HD 1, SD 1, CD 1
S.B. No. 1065, SD 2, HD 1, CD 1
S.B. No. 659, HD 1, CD 1
S.B. No. 1183, SD 2, HD 2, CD 1
S.B. No. 868, SD 2, HD 2, CD 1
S.B. No. 203, SD 2, HD 1, CD 1
S.B. No. 914, SD 2, HD 2, CD 1
S.B. No. 440, SD 2, HD 1, CD 1
S.B. No. 389, SD 1, HD 2, CD 1
S.B. No. 300, SD 2, HD 2, CD 1
S.B. No. 1066, SD 2, HD 1, CD 1
S.B. No. 1069, SD 1, HD 2, CD 1
S.B. No. 1259, SD 2, HD 2, CD 1
S.B. No. 91, SD 2, HD 2, CD 1
S.B. No. 113, HD 1, CD 1
S.B. No. 931, SD 1, HD 1, CD 1
S.B. No. 932, SD 2, HD 2, CD 1
S.B. No. 1195, SD 1, HD 2, CD 1
S.B. No. 1005, SD 2, HD 2, CD 1
S.B. No. 1664, SD 2, HD 2, CD 1
S.B. No. 1164, SD 2, HD 2, CD 1
H.B. No. 1166, HD 1, SD 2, CD 1
H.B. No. 1552, HD 2, SD 2, CD 1
H.B. No. 610, HD 2, SD 2, CD 1
H.B. No. 586, HD 1, SD 1, CD 1
H.B. No. 111, SD 2, CD 1
H.B. No. 371, HD 2, SD 2, CD 1
S.B. No. 917, SD 2, HD 1, CD 1
S.B. No. 427, HD 1, CD 1
S.B. No. 1263, SD 2, HD 3, CD 1
S.B. No. 912, SD 2, HD 2, CD 1
S.B. No. 1142, SD 1, HD 1, CD 1
S.B. No. 1329, SD 2, HD 2, CD 1
H.B. No. 183, HD 1, SD 2, CD 1
S.B. No. 585, SD 2, HD 1, CD 1

At this time, the Chair stated:

"One more notice for all of you, please submit your written comments for or against, prior to the adjournment of session today."

At 11:22 o'clock a.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:26 o'clock a.m., with Vice Speaker Magaoay presiding.

LATE INTRODUCTIONS

The following late introductions were made to the Members of the House:

Representative Rhoads introduced his friend and neighbor, Mr. Kevin Mulligan.

Representative Ward introduced Mr. Tom Yamabe, a Kamilo Nui Valley farmer.

ORDINARY CALENDAR

UNFINISHED BUSINESS

Conf. Com. Rep. No. 11 and H.B. No. 590, HD 1, SD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 590, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 14 and H.B. No. 589, HD 1, SD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 589, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 17 and H.B. No. 1152, HD 1, SD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1152, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS' ACCOUNTS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 19 and H.B. No. 1479, HD 2, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1479, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. Thank you, Mr. Speaker. This bill requires DLIR to include in certified payroll records a fringe benefit reporting form, on which contractors and subcontractors itemize the cost of fringe benefits, paid to both union and non-union laborers who perform work for the construction, alteration, or repair of public buildings and public works.

"I don't believe that this measure is necessary, Mr. Speaker. A random review involving contractors and subcontractors on public works jobs was conducted in fiscal year '07. Specially, it included 107 random investigations of contractors and subcontractors on public works. It resulted in just four first notice of violations, or NOVs, Mr. Speaker. Issued with a total of $8,236 in wages over-time and penalties found due. $8,000. This amounts to less than 4% of those randomly reviewed having violation. Also in that year, there were nine notices of violation that were issued as a result of 26 complaints. However, even in the investigation into the complaints, DLIR stated that it found that most were in compliance.

"Clearly this is not a problem, and I am concerned about what this measure says about how we do business in the State, Mr. Speaker. There seems to be an underlying assumption that employers in the State are trying to do wrong things, and are trying to treat their employees in a bad way. As the statistics clearly show, they are not doing that.

"So, I don't think we need to subject them to additional burdens of yet another reporting requirement that adds to the cost of doing business in Hawaii.

"Mr. Speaker, I guess the bottom line with this particular measure is, as we're moving forward, I had a conversation with members in the Carpenters' Union, and they were stating to me that overall, they have 3,000 plus people who are unemployed at this moment in time.

"If there's any reason to vote 'no' for this bill, it's to help these businesses still remain in business, and not to overburden them with reporting, and help them keep their businesses afloat and keep people employed. Thank you, Mr. Speaker."

Representative Evans rose to speak in support of the measure, stating:

"I rise in support. Mr. Speaker, as the previous speaker said, it really shouldn't be a problem, because our department went out and did some random sampling and was able to get the information readily. So, I think asking this so we are very accountable and transparent on how taxpayers' dollars are spent is a good thing. And, it really is asking for information and certifying payroll records on a fringe benefit reporting form, and it's on public work buildings and public work projects for construction, alteration and repair. I think taxpayers do want to know how their money is spent, and I do believe the construction industry wants to know how money is spent. So, I think it's a good idea. Thank you."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I am in opposition to this measure and the next one. Basically, these two measures are purportedly for public works projects, but they are actually private construction jobs, but because they use special purpose revenue bonds, we have deemed them public projects. And because of that, they have to go through a more heavily regulated reporting process and more onerous work rules. And so this is actually slowing down projects and adding costs. And this is at a time when we would like to stimulate our economy. So, I am voting 'no' on this measure and the next one. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1479, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Final Reading by a vote of 45 ayes to 4 noes, with Representatives Ching, Finnegan, Marumoto and Thielen voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 20 and H.B. No. 1676, HD 1, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1676, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I am in opposition to this measure. Basically, this measure is purportedly for public works projects, but they are actually private construction jobs, but because they use special purpose revenue bonds, we have deemed them public projects. And because of that, they have to go through a more heavily regulated reporting process and more onerous work rules. And so this is actually slowing down projects and adding costs. And this is at a time when we would like to stimulate our economy. So, I am voting 'no' on this measure. Thank you."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I rise to ask for a ruling on a potential conflict for CCR No. 20, HB 1676. At my law firm, I do some work on labor standards for HECO. 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1676, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Final Reading by a vote of 45 ayes to 4 noes, with Representatives Ching, Finnegan, Marumoto and Thielen voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 25 and H.B. No. 358, HD 1, SD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 358, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG TREATMENT," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 26 and H.B. No. 262, HD 2, SD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 262, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 27 and H.B. No. 1415, HD 1, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1415, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Pine 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 Pine's written remarks are as follows:

"Mr. Speaker, I rise in Support with reservations on HB 1415 HD1 SD2 CD1, Relating to Service of Process.

"I rise in support with reservations due to the fact that the measure has an impact upon Planned Community Associations of which at this time, our State has no data on how many Planned Community Associations there are, where they are, and the size of each Planned Community Association pertaining to the number of its members.

"I quote testimony by the Department of Commerce and Consumer Protection that read, "Current law does not require planned community associations that choose to be unincorporated to make a filing with the Department and thus the Department maintains no records or filings for them."

"Mr. Speaker, two Sessions ago, efforts were made to provide numerous protection measures that are available to homeowners subjected to condominium regime laws and have these laws be made applicable to homeowners in Planned Community Associations. The Chair of the House Consumer Protection and Commerce Committee would not pass any Planned Community Association bills stating that until we know where they are, and how many and what size, no advancement of measures would transpire. Efforts were then made to pass resolutions to facilitate the answers but nothing has been done.

"Therefore Mr. Speaker, in keeping with the justification by the Chair of Consumer Protection and Commerce, the following sentence in the bill is problematic which reads:

"A cooperative housing corporation or planned community association shall make a printed copy of the policy required by this chapter available at all times at the principal point of entry to the building or community.

"Mr. Speaker, just exactly what is the principal point of entry to a Planned Community Association that has over ten roads to access it? Does this mean then that if this bill passes, the Planned Community Association within my district will be required to make a posting at each entrance since there is no principal point of entry: no gate, no marker?

"Thank you for allowing me to rise 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. 1415, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 28 and H.B. No. 541, HD 1, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 541, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

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. 541, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE PERSONNEL," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

At 11:36 o'clock a.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 590, HD 1, SD 2, CD 1
H.B. No. 589, HD 1, SD 2, CD 1
H.B. No. 1152, HD 1, SD 1, CD 1
H.B. No. 1479, HD 2, SD 1, CD 1
H.B. No. 1676, HD 1, SD 2, CD 1
H.B. No. 358, HD 1, SD 1, CD 1
H.B. No. 262, HD 2, SD 2, CD 1
H.B. No. 1415, HD 1, SD 2, CD 1
H.B. No. 541, HD 1, SD 1, CD 1

Conf. Com. Rep. No. 30 and H.B. No. 643, HD 2, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 643, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Har rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I get a ruling on a potential conflict? At my law firm, I represent contractors. 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. I rise in opposition of this measure, Mr. Speaker. This bill grants the Contractors License Board the power to suspend, revoke, or refuse to renew a contractors' license for employing a worker on a public work project who is ineligible under federal law to work in the United States. I support the intent of the bill, Mr. Speaker, and I want to make that clear, that I do support the intent of the bill. I do not want to see ineligible workers taking eligible workers' jobs.

"The problem that I have with this bill deals with the practicality of the measure, Mr. Speaker. The bill specifically allows for the punishment of contractors who knowingly or intentionally hire an illegal worker. But how do we determine if the contractor knowingly or intentionally did that?

"The measure does not provide a way for employers to check employees who are truly documented. It merely imposes harsh penalties for hiring undocumented workers. Being able to identify whether a worker is legal or not is a difficult process. It is one of the reasons why there are so many illegal immigrants working in the U.S.

"The U.S. Government and Accounting Office, the GAO, pointed to this problem in 2006. In their 2006 report, observed that document fraud, use of the counterfeit documents, and identity fraud, fraudulent use of valid documents, or information belonging to others, have undermined the employment verification process by making it difficult for employers who want to comply with the process to ensure they hire only authorized workers, and easier for unscrupulous employers to knowingly hire unauthorized workers with little fear of sanction. This means that it is increasingly difficult to determine that the employer knowingly or intentionally hired an illegal worker.

"In 2007, Congress attempted to address this problem through the creation of an electronic verification system, but the measure failed, along with the rest of the comprehensive illegal immigration reforms measure. In the absence of that, we are left with the present flawed system that has proven to be difficult to enforce.

"I think before we institute the punishments that are in this bill, we need to address the verification issue to be able to conclusively prove that a contractor knowingly hired an illegal worker. Otherwise, all this bill accomplishes is creating a punishment without the means for its effective enforcement.

"At this point in time, like I said, it's all about jobs at this moment, and we should err on the side of being able to keep jobs in Hawaii, and be able to keep people employed in Hawaii. If there should be a mistake because we have a flawed system of verifying, Mr. Speaker, I'm just afraid that we're doing more harm than good. Thank you."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. It's my understanding that the E-verify system did not fail with the immigration reform bill of a year or so ago. In fact, if you look at the website for the Department of Homeland Security, I'm just reading from it. 'E-verify is an internet based system, operated by the Department of Homeland Security, in partnership with the Social Security Administration. E-verify is free and voluntary in the best means available for determining employment eligibility of new hires and the validity of their social security numbers.'

"So, I think any company that uses E-verify, which I just said is free, it's extremely unlikely that the Contractors Board will say, you knowingly or intentionally hired somebody you weren't supposed to. Mahalo."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. And I think that's my point, Mr. Speaker. Still in opposition. The point that I was trying to make is, as I try to let you know by reading the specific words, 'of fraudulent use of valid documents or information belonging to others.' You can put in a social security number, and it might be somebody else's. How do you knowingly, when you were given this information, they can't tell if you knowingly or intentionally did it. Because the person might not know who's checking this and putting that particular social security number into this e-verification system.

"Mr. Speaker, that's the cloudiness of it all, and that's why I had the words that I had spoken earlier. It's difficult to do. They're having a problem with it, Mr. Speaker. Thank you, and that's why I'm in opposition."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Very briefly, just to clarify. On June 9th, 2008, President Bush issued Executive Order Number 13465, which

basically required contractors to use E-verify. Contrary to the statements made by the previous speaker, E-verify is a very secure system, and is very easy to use. And so, I think the overall intent is that contractors should at least do some due diligence, in terms of making sure that those people that they hire are legally present. Because if they are not, then they're taking away jobs from people who should be getting it, who should be, because they will pay their taxes, and I think that's the concern that we have, and that's why I support this measure. 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 however with reservations to H.B. 643 - Relating to Contractors.

"I support the intention of this bill to protect worker rights. However my reservations lie with how to determine if the contractors 'knowingly' hire an illegal worker. This bill does not provide a way for employers to check that the employees are truly documented. It merely imposes harsh penalties for hiring undocumented workers.

"The Contractors Licensing Board testified, 'The Board supports the intent of the bill, which is to prevent employers from hiring ineligible workers; however, we question the need for specific penalties for contractors. There are federal statutes and enforcement agencies already in place to address this issue, and employers must submit employment verification forms indicating that the individual is authorized to work in the U.S. We feel that any employer using ineligible workers should be dealt with by the proper authorities, whether or not the employer is a contractor, and regardless of whether the employee was hired for a public works project.' 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. 643, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Finnegan voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 31 and H.B. No. 31, SD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 31, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Final Reading by a vote of 43 ayes to 6 noes, with Representatives Ching, Finnegan, Marumoto, Pine, Thielen and Ward voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 32 and H.B. No. 1611, HD 2, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1611, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In support. Just very brief comments. At the end of the day, this is a consumer empowerment tool. All it does is notify the consumers when they go to purchase their meats, that this product has been gasified as to appear fresher, and that it may not be as fresh as meat that is freshly cut. I know I'm using the word over and over again.

"And at the end of the day, eating something, Mr. Speaker, is the most intimate thing a human being can do. You're putting it inside your body, and to know that this thing has been gasified, I think is something that we should know. When you have pistachio nut food scares, salmonella food scares, spinach food scares, I think that giving consumers the tools to be able to make an educated choice for themselves is a very small thing that we in government can do to promote food safety and awareness. 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. 1611, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LABELING OF MEAT AND FISH PRODUCTS," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Finnegan voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 34 and H.B. No. 1316, HD 2, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1316, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

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 of House Bill 1316, House Draft 2, Senate Draft 1, Conference Draft 1.

"This bill helps to address the concerns of Hawaii's design professional companies (professional engineer, architect, surveyor, or landscape architect licensed under Chapter 464) in regards to joint and several liability. In any case involving tort claims relating to the design, construction, and maintenance of highways, where a design professional is determined to be a joint tortfeasor along with one or more other joint tortfeasors, and the degree of negligence of the design professional is ten per cent or less, including the vicarious liability of the design professional for the negligent acts or omissions of the officers and employees of the design professional, the liability of the design professional for more than the design professional's pro rata share of negligence shall not exceed the available policy limits of the design professional's professional liability coverage; provided that one of the following applies:

(1) The contract amount for design professional services relating to the tort claim is $500,000 or less and the design professional is covered for the claim by a professional liability insurance policy with limits of no less than $1,000,000 per occurrence and $1,000,000 in the aggregate; or

(2) The contract amount for design professional services relating to the tort claim is $1,000,000 or less and the design professional is covered for the claim by a professional liability insurance policy with limits of no less than $1,000,000 per occurrence and $2,000,000 in the aggregate.

"This section of the law shall not apply to any design professional with a gross annual revenue of $10,000,000 or more during any of the three calendar years immediately preceding the effective date of the contract for design professional services relating to the tort claim. Information produced pursuant to this section relating to gross revenue shall be confidential and used only for purposes of this section unless otherwise ordered by the court. Thank you."

Representative Har rose to disclose a potential conflict of interest, stating:

"May I get a ruling on a potential conflict? At my law firm, I represent design professionals. 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. 1316, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TORTS," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Rhoads voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 39 and H.B. No. 983, HD 1, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 983, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative M. Lee rose to speak in support of the measure, stating:

"In strong support of this Majority package measure, and I'd like to insert written comments."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of HB983 HD1 SD2 CD1, the Majority Package Safe Routes to School Bill.

"We all know rush hour traffic is horrendous. This is in large part because too many of Hawai`i's 180,000 public school students are personally driven to school by their parents, who feel the roads are too dangerous for their *keiki* to walk or bike there, themselves.

"There is a federal program, started four years ago, to mitigate this situation by funding the creation of Safe Routes to School (SRTS). This program was intended to provide funds for programs like the walking school bus and the installation of traffic calming road treatments around Hawai`i's 257 public schools. The funds were also earmarked for community-based planning projects and school-based workshops.

"There has been little action on the part of our responsible state agency to fully implement this program. After five years and $5 million federal dollars appropriated, 82 percent of those funds are still waiting to be used.

"HB983 HD1 SD2 CD1 requires the Department of Transportation (DOT) to disburse these federal Safe Routes to School program funds ASAP, and to do so in consultation with the DOE, Department of Health, and Hawai`i Association of Independent Schools.

"This version requires each SR2S grant proposal to identify the modes of travel and number of students using each mode, and to survey parents regarding the factors involved in their transportation choices. Where students are driven to school, the first prerequisite is to indentify what would need to change for parents to permit their children to bike or walk.

"HB983 also requires the DOT to work with the community organizations that have received or applied for SRT2S grants to streamline the funding process. Helping these community organizations help Hawai`i's kids get on bikes and walk to school is a crucial part of the SR2S vision.

"HB 983 requires the DOT to come back to the Legislature and report on the program's efforts and progress, so we can see improvements in multi-modal, balanced transportation planning and the creation of Safe Routes to School.

"By passing HB983, these federal funds will start working to help reduce vehicular travel and congestion by encouraging walking and bicycling and, most importantly, empowering the community to come together to solve the traffic problem. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I have reservations on this particular bill, on CCR 39. The Department of Transportation had some concerns. The bill is pretty prescriptive, but it may be also outside of the federal use of these funds.

"So, it's just a reservation, as much as we want to promote safety in our routes to school. 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. 983, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 41 and H.B. No. 1141, HD 1, SD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1141, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THRILL CRAFT OPERATION," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Thielen voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 42 and H.B. No. 1379, HD 2, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1379, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of HB 1379 HD 2 CD 1.

"This bill will ensure that an individual's personal wishes regarding end-of-life care are known and followed allowing the use of a standardized "Physician Orders for Life Sustaining Treatment" form in all healthcare settings.

"HB 1379 seeks to address inadequacies in the current law. That Act authorized the creation of a rapid identification document, replacing the "comfort care only - do not resuscitate bracelet system." However, the implementation of the document system was "hung up" for a number of reasons, which this bill seeks to correct.

"As it stands, if someone is having a medical emergency and 911 is called, paramedics are still mandated to attempt resuscitation -- except if the ill or injured has one of the state-issued "comfort care only; do not attempt resuscitation" bracelets, necklaces or forms. For those who wish to die a natural death, there are many difficulties with this system which we need to fix.

"First, obtaining a "Comfort Care Only" form is made difficult by bureaucratic hurdles. The person first must have a terminal condition, then, they must apply through the State Department of Health, via the State Emergency Medical Services office, with a form filled out by their physician. HB 1379 allows for a form that can be easily obtained which is signed after a discussion with a physician.

"The current system only offers a "yes or no" answer to emergency responders who find a person without a pulse or not breathing. HB 1379 provides clear orders which address medical interventions when there is a pulse and breathing, the use of antibiotics and the use of artificially administered nutrition. It can also provide orders for the full range of aggressive life-sustaining treatment.

"POLST documents allow patients to request trial treatments, with instructions to stop these treatments if improvements do not occur.

"HB 1379 provides for the in-depth discussion on how an individual wishes to be treated in the face of chronic or life threatening disease, from how the person wants their pain to be treated, to the use of hospice or the support of clergy. Like a living will, HB 1379 provides a guideline to assist families and healthcare providers in making these important decisions, but it gives instructions that are clear and actionable and has the force of physician's orders.

"Physician Order's for Life Sustaining Treatment give EMS personnel the ability to make rapid, interpretive decisions during an emergency call. Unlike the current system, these orders can be communicated to the receiving Emergency Room and allow for the ER Physician to quickly initiate the discussion with the family for an immediate treatment plan.

"The current bracelet system has been proven to be ineffective in honoring people's wishes, and it needs to be replaced. The assumption is that advance care directives cover these concerns, or that a living will is sufficient to communicate one's wishes regarding end-of-life treatment, however, those who work in the field of hospice and palliative care will tell you -- in the current system, this is not true.

"The choices provided by HB 1379 are clinically meaningful. By clarifying these choices, we are respecting the patient's autonomy to a much greater extent than current practice permits. Through HB 1379, we will make clear articulation of a person's choice and allow healthcare providers across the medical spectrum -- from EMS to ERs to ICUs to nursing homes – to quickly and unambiguously honor them, improving the delivery of healthcare in Hawai'i.

"For all these reasons I urge the members 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. 1379, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ORDERS FOR LIFE SUSTAINING TREATMENT," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

At 11:47 o'clock a.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 643, HD 2, SD 2, CD 1
H.B. No. 31, SD 1, CD 1
H.B. No. 1611, HD 2, SD 2, CD 1
H.B. No. 1316, HD 2, SD 1, CD 1
H.B. No. 983, HD 1, SD 2, CD 1
H.B. No. 1141, HD 1, SD 1, CD 1
H.B. No. 1379, HD 2, SD 2, CD 1

Conf. Com. Rep. No. 44 and H.B. No. 640, HD 1, SD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 640, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Thielen voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 45 and H.B. No. 1470, HD 1, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1470, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you very much. Just real briefly on H.B. No. 1470. 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. 1470, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC PROCUREMENT CODE," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 47 and H.B. No. 1713, HD 2, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1713, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I have very short comments with reservations for CCR 47. This is the bill that allows the Governor to authorize designated State employees to enter private property at reasonable times to mitigate hazardous situations.

"Mr. Speaker, I'm going to go ahead and support this bill. As we know, those things are important to do. The problem that I have is that it doesn't mention anything about liability. So if this is on a private property and the boulder is coming loose, and you don't have control over it, and it kills someone, is that the private property owner's liability now? Or is it the State? I don't believe that this bill addresses that. As well as, just the liability if the Governor's office maybe, or the State says 'No, we're not going to do it,' and because this gives them the opportunity to go in, and they say, 'No, I'm not going to do it,' does that mean there's a liability issue there for the State.

"As you know, lawsuits can be very expensive, Mr. Speaker. So, those are my 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. 1713, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAZARDS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 49 and H.B. No. 1174, HD 3, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1174, HD 3, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Chang rose in support, stating:

"Mr. Speaker, I rise in support and would like to submit written comments."

Representative Hanohano rose to speak in opposition to the measure, stating:

"Mahalo ka ha'i 'ōlelo. Ke kū nei au me ko'u mana'o i ke kū'ē'ē e pili ana no kēia pila hale maka'āinana ho'okahi kaukani ho'okahi hanele a me kanahiku kūmāhā. 'O keia pila 'a'ohe pono ka mana'o a me nā kumu like 'ole e pili ana ka mālama ana no Mauna Kea a me Poli'ahu. E ho'opa'a kēia pila a hiki ke pane no ke 'aha kanawai. E hele akahele kākou ma kēia papa hana nui.

"Na ka pomaika'i a me ka maluhia kā kākou i kā kākou hana mua no kā kākou holo mua.

"'Ua mau ke ea o ka 'āina i ka pono.

"Mahalo."

[Translation provided by Representative Hanohano:

Thank you, Mr. Speaker. I rise in opposition to House Bill 1174. This bill is not efficient to take care of Mauna Kea and Poli'ahu. This bill needs to be held until the court case is settled. There is no need to rush this bill.

May the blessing and peace be with all of us as we work towards a better future.

The life of the land is preserved in righteousness.

Thank you.]

Representative Chang rose to respond, stating:

"Could I instead say a few words in rebuttal? Mr. Speaker, I think we all can agree that in the past, serious mistakes were made, and in the absence of best practices, damage was done and Mauna Kea was not given the respect it deserves. While much has been said about this bill, we must

wade through the rhetoric and the years of mistrust, and see this bill for what it really is; a chance for the University of Hawaii, and for all of us, to do the right thing for Mauna Kea.

"Much groundwork was done prior to the introduction of this bill. We've seen the establishment of the Office of Mauna Kea Management. The creation of the 2000 Master Plan, which created the Kahu Ku Mauna Council, who incidentally supports this bill, who's made up of Native Hawaiians serving the University as volunteers, and charged with the specific responsibility of advising the Chancellor of UH Hilo on the importance of Hawaiian culture as is relates to Mauna Kea. Also, the establishment of the Mauna Kea Ranger Corp to protect the mountain from inappropriate behavior. And most recently, the completion and final acceptance by the State Land Board of the Mauna Kea Comprehensive Master Plan.

"These are all important pieces that need one thing to bring them all together. The ability to promulgate and enforce culturally sensitive and appropriate rules to manage the Mauna Kea lands. And this, Mr. Speaker, is what this bill does. There are statements that this bill directly contradicts the Land Board's ruling that would allow the University to restrict public access, would limit cultural practices and establish a private police force. I can assure you that these statements are absolutely not true. What is true is that the Chair of the Land Board has testified in support of granting UH rulemaking authority. Both the University and DLNR has acknowledged that the Land Board has the final authority to approve all land uses within its conservation lands, and all uses will be subject to final review and approval by the Land Board.

"This bill will also not allow the University to restrict public access or limit cultural practices. This bill will establish a private police force. Currently, the Ranger Corp, under the jurisdiction of the Office of Mauna Kea Management, can only witness the desecration and damage being inflicted upon the mountain. By granting rulemaking and enforcement authority and allowing the University to assess and collect administrative fines, we can truly protect and preserve this culturally and ecologically important area.

"To encourage transparency and community input, this bill requires that the Board of Regents hold at least one public hearing, in addition to the public hearing at which decision-making is made, to be held on the Big Island of Hawaii. Also to provide legislative oversight, the Board of Regents shall report annually to the Legislature the activities, current and pending lease agreements and fees, the status of current and pending administrative rules, income and expenditures of the Mauna Kea Lands Special Fund and any other issue that may impact the activities of the Mauna Kea lands.

"This, Mr. Speaker, is a complete and comprehensive bill that deserves our unanimous vote to truly protect and preserve this important area."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker, in support of the measure. I am in support of the measure, but I just wanted to know and verify that that was indeed the points made by the Representative from the Big Island. I am asking perhaps if the Representative of Aina Haina would translate for the Representative of the Big Island, just for clarity? 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 Puna be entered into the Journal as my own. Thank you. Just a few comments. I appreciate the Chair of Higher Education's work in making this a little bit better than it was when it left and came back to us. For me, again, because of the court case pending, I think that we need to be cautious, and most importantly, there is a line in here that continues to be repeated in any version of this bill, 'that access for traditional and customary Native Hawaiian cultural and religious purposes shall be accommodated.'

"'Accommodated' is a very transient and a very superficial kind of word, Mr. Speaker, and I hope that we can, as we watch this as well, will look at accommodation as actually moving toward emanating that the cultural and religious purposes of Mauna Kea will be the foundation upon which decisions are made. So, thank you very much."

Representative Ching rose, stating:

"I just wanted to thank the Representative, and for the sake of debate, I like to know what's being said. Thank you."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"I'd like to ask for a ruling on a potential conflict. At my law firm, I represent the plaintiffs that have sued the Board of Land and Natural Resources. Thank you," and the Chair ruled, "no conflict."

Representative Tsuji rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker, in support. This bill helps the University to improve its obligations relating to activities in the uses of Mauna Kea that UH leases and over which UH has jurisdiction. It clearly defines the law regarding the University's authority to manage the lands, and it also requires annual reports to the Legislature.

"There should not be any ambiguity, and as the Legislative Auditor found in its audits, the University is the best entity to develop rules and also to enforce them. Mauna Kea is a unique place not only in our State, but also the world both geographically and culturally. We must advocate for assurances that its integrity will not be compromised. Thank you very much."

Representative Hanohano rose to respond, stating:

"Mahalo. This time I'll say it in English so everybody knows, but it's not really the same thing I said earlier.

"I stand to speak in opposition to House Bill 1174, which seeks to give the University of Hawaii authority over Mauna Kea. Many revere Mauna Kea as a temple, a sacred summit. It is also public land. Land protected by State law, as a conservation district for the benefit of all of Hawaii's people. Unfortunately, the University's use of the summit for astronomy research continues to compromise the public's enjoyment of this magnificent region. Its unique ecosystem destroyed. Its sanctity desecrated. Its open accessibility undermined. Yet, instead of improving oversight and accountability for activities at the summit, this bill seeks to tighten the University's control over the public's land, based on the claim of educational autonomy.

"While it is true the bill requires the University to consult with the Office of Hawaiian Affairs, and be consistent with existing regulations, the Legislature did not grant the University autonomy so it could dictate the use and exploitation of public land, especially where the University's interest in using the land directly contradicts the public's interest in protecting it.

"Mauna Kea is protected by law as a conservation district, a place where construction is assumed to be prohibited. The University however, uses a portion of the summit for the sole purpose of constructing telescopes. In fact, plans for new, giant 30 meter telescopes are already underway.

"This Legislature should not undermine the public's interest by giving the developer more control over the management of the public's conservation lands. Unfortunately, that is precisely what House Bill 1174 would do. House Bill 1174, House Draft 3, Senate Draft 2, Conference Draft 1, would establish a special fund and authorize the University to draft new rules to regulate public and commercial access draft lease agreements, collect fees, and issue fines. Granting such authority means the University will be subject to less public oversight and accountability when the University's appalling history on the summit warrants more public oversight, not less.

"Instead of approving House Bill 1174, I urge my fellow Representatives to proceed with caution before making drastic changes to

the management of Mauna Kea. The Hawaii Intermediate Court of Appeals still must decide the final outcome of Mauna Kea Ainahou vs. the Board of Land and Natural Resources, the lawsuit brought by the members of the public to uphold the conservation laws that govern the summit. In addition, the Board of Land and Natural Resources gave the University a year to complete its proposal for future use of the summit. Until these decision-making processes are complete, it is not clear what changes, if any, will be needed to improve the management of Mauna Kea.

"The Legislature's decisions affecting the management structure of the summit should remain based on the outcome of these decisions, not in spite of them. Therefore, I strongly urge all of my fellow Representatives to vote against House Bill 1174 at this time. Mahalo."

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 stand in support of CCR49 – HB1174 HD3 SD2 CD1: Relating to the University of Hawaii.

"The University of Hawaii leased the Mauna Kea Science Reserve area for 65 years in 1968 to be used as a scientific complex.

"The purpose of this bill is to enable the University to better manage the activities and uses that take place on the Mauna Kea lands that it leases by establishing the Mauna Kea Lands Management Special Fund and adopting rules to regulate public and commercial activities.

"I realize the issue regarding ceded lands is causing some to oppose the intent of the bill, but I believe that since the University of Hawaii is responsible and sensitive to the cultural significance of the Mauna Kea Science Reserve area, they should have the authority to protect the resources they lease.

"Thank you, Mr. Speaker."

Representative Carroll rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. With all due respect to the Chair of Higher Education, I am in opposition to this bill for several reasons. I'd like to ask that the words of the Representative from Puna be inserted as my own in the Journal and just give a few words now.

"*Poliahu: Ka wahine kapuhao anu o Mauna Kea*. Poliahu: The woman who wears the snow mantel of Mauna Kea. Poliahu is the goddess of snows. Her home is on Mauna Kea. I oppose this bill for several reasons also, because one, it did not come to the Hawaiian Affairs Committee, and this is a ceded lands issue. It's a very sensitive place where our religious rights have been violated. When I took my Committee, on another measure, to Keaukaha, many spoke about this bill, even though it wasn't in my Committee.

"Another reason is that this is a place where many of our practitioners, as the Representative from Kuliouou mentioned, that as the host culture, you don't accommodate us. This is part of our rights. Our Native Hawaiian rights. And by just accommodating us, it makes us feel as we are second to our own land. So, with that, I ask that my colleagues please oppose this measure, and also take the advice of our gracious Representative from Puna. Thank you."

Representative Morita rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I stand in opposition, and I would like to have the words from the Representative from Puna adopted as my own, both in English and *'olelo Hawaii*."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you. Mr. Speaker, in support. And my apologies to my neighboring Representative from Puna. Mr. Speaker, I spent many days on this magnificent mountain. And it is a very, very special place. I have struggled for years with the telescopes on that mountain. And the only way that I've been able to resolve it in my own mind is that the Polynesians were among the world's greatest explorers, and what those telescopes are allowing for is this magnificent mountain to be looking into our history. Looking into space.

"For the casual hunter, and others that go on the mountain, if they don't know, for example where the adze factory is, they could inadvertently pick up a rock, or pick up a stone that is something maybe an adze that was broken. All of those very special places need to be identified and have some way to preserve them, or else they will be lost. Thank you, Mr. Speaker."

Representative Nakashima rose to speak in support of the measure, stating:

"Mr. Speaker, I will stand in support. I believe that this measure here before us today is an important first step in moving forward and addressing many of the concerns that have been expressed on the Floor today. I would like to submit further written comments if I may be allowed," and the Chair "so ordered."

Representative Nakashima's written remarks are as follows:

"Mr. Speaker, this is important legislation which would address many of the concerns expressed by the opponents of this bill. HB1174 authorizes the University of Hawaii Board of Regents to adopt rules to protect the Mauna Kea lands and to establish a viable authority and presence on Mauna Kea that is necessary to regulate public and commercial activities on the mountain.

"This measure also establishes the Mauna Kea Lands Management Special Fund for the University of Hawaii under direction of the Office of Mauna Kea Management that will return authority and control of the University's stewardship from Oahu to the Big Island. The University has acknowledged the shortcomings of its stewardship of the Mauna Kea lands, and I believe that this measure is the first step in addressing the concerns expressed by the community."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1174, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Final Reading by a vote of 39 ayes to 10 noes, with Representatives Belatti, Berg, Carroll, Hanohano, C. Lee, Luke, Morita, Saiki, Shimabukuro and Wooley voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 55 and S.B. No. 281, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 281, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ward rose to disclose a potential conflict of interest, stating:

"I have a potential conflict and I request a ruling. I own, and I campaign on a Segway," and the Chair ruled, "no conflict."

Representative Ward then asked that his written remarks in support of the measure be inserted in the Journal, and the Chair "so ordered."

Representative Ward's written remarks are as follows:

"This bill allows counties to prohibit or regulate electric personal assistive mobility devices on sidewalks. Segways do not need to be regulated. Segways have been operating fine for many years without the need of regulation.

"This bill would allow the regulation of Segways, but also persons operating push carts, skates, sleds and toy vehicles.

"As an owner of a Segway we must be cautious with the implementation of this bill. People, including the Honolulu Police Dept. have been operating these devices for years with no major impact. Requiring additional manpower to regulate these devices would only take police manpower away from enforcing more serious crimes

"The law should allow for usage of motorized vehicles for handicapped persons on sidewalks, and in my own experience it is too dangerous to ride a Segway on the roadway with cars. A Segway is slow and needs to have balance at all times and forcing them off the sidewalks is unwise. While on the sidewalks however, I suggest that the regulation be that Segways yield right of way to pedestrians and all other users of the sidewalk, Wakiki has very busy sidewalks, and the use of Segways and motorized scooters can be very dangerous for pedestrians (WIA)."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 281, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 56 and S.B. No. 711, SD 1, HD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 711, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I just wanted to express my reservations on this measure. I see here that this is to provide greater efficiency on the movement of passengers through public transit systems, by allowing larger articulated buses to operate on public roadways. I think that's a good thing, that's a good intent.

"However, just a report from my district. This trend towards larger and larger and larger vehicles is really a hardship on some of our districts, and particularly in my district. Some of the vehicles that have gotten so big have thereby created where parking in residential areas has to be condemned. So, a number of my residents reported to me this year that they were not even able to hold Thanksgiving dinner because there's no parking on the street, just to accommodate larger vehicles. So, with that, I hope that it will stay to this type of a vehicle, and not create a trend. Thank you."

Representative Awana rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. The purpose of this measure is to allow the use of articulated buses for public transit purposes. These buses will be greater in length than our traditional buses, up to 82 feet in length. Honolulu will soon have a mass transit system, and the larger articulated buses will be the perfect compliment, adding value to Honolulu's transit program to become the most efficient in our country.

"The larger articulated buses provide for the opportunity to move up to 150 people at a time, and therefore would help to reduce traffic. The proposed buses meet all federal requirements and actually have a smaller turning radius than articulated buses currently in use.

"For the forgoing reasons, I respectfully ask Members to support the passage of Senate Bill 711, as we seek to modernize Hawaii's public transit system for the 21st century. And just as a closing remark, I appreciate the comments from the Representative from Liliha, and hopefully with the passage of this measure, you'll have less people parking on the side of the roads, and more people in their buses. Thank you."

Representative McKelvey rose in support of the measure and asked that the remarks of Representative Awana be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. I'd like the words of the speaker from Nanakuli to be placed in the Journal as if they were my own. I just wanted to add a few more comments, Mr. Speaker. Thank you, very much.

"When we compare the articulated bus to a standard sized bus, it provides a lot more passenger space. In fact, a standard bus has the capacity of 57 passengers, and the new articulated bus has the ability to accommodate 150 passengers. Currently, the articulated buses in question are operational worldwide. These buses meet all federal requirements. In fact, the articulated buses have lower emissions per seat, and the best miles per gallon per seat of any transit bus.

"Further, these buses are not only environmentally friendly, but they are energy efficient. These buses will most definitely reduce traffic, and will help to improve the quality of service, primarily in the urban areas, where we have high ridership, and therefore provide more seating capacity than our traditional buses. The articulated buses will upgrade our aging bus fleet with better, more modern and environmentally friendly buses to ensure that our riders get the ride they deserve.

"Mr. Speaker, I respectfully request Members to support the passage of Senate Bill 711. Thank you."

Representative Ching rose to respond, stating:

"Thank you, Mr. Speaker. Still in support, with just reservations. I do not contradict, or am opposed to the energy efficiency. I think I stated that earlier. Energy efficiency is an important goal, but it is not incongruent with another goal, which is urban design. And urban design, we know that the wider our streets are, the longer it takes for our elders to traverse that, and we increase the fatalities on the road.

"So, I'm just saying that I'm all for the energy efficiency. I'm glad that we have additional passengers. I think that we have to just be mindful of the fact that we don't want this in certain areas. Thank you."

Representative Cabanilla rose to speak in opposition to the measure, stating:

"In opposition, Mr. Speaker. The articulated buses cost $1.2 million. The current hybrid buses the City and County has now cost $600 million. The current bus schedule right now is that they usually come every half an hour. I would rather have buses that come more often than those more expensive buses.

"Considering the economic conditions of the City and County, Mr. Speaker, I think that we're better off with what we have right now. It's good to have newer buses, but whose back is it coming from, the cost of it? If we buy these more expensive buses, we're just going to hike the fares. So, we all would suffer with that improvement. Thank you."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Thank you. Just in explanation, since I will be voting 'no.' The City and County testified in opposition to this, citing the fact of the greater wear and tear on the street surface. The fact is that in the Downtown area, the longer buses take a greater bus stop area, and in some cases, they don't have the extra space. That was the reason for my 'no' vote."

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker and Members. I wish to articulate in favor of this measure. Mr. Speaker and Members, for those of you fearful that you may find these buses running all through the little streets in Honolulu, it merely provides an option. It's up to the City and County of Honolulu if they wish to use the articulated buses. It's just an option at this point. 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. 711, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Final Reading by a vote of 47 ayes to 2 noes, with Representatives Cabanilla and Marumoto voting no, and with Representatives Bertram and Takai being excused.

At 12:15 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 640, HD 1, SD 2, CD 1
H.B. No. 1470, HD 1, SD 1, CD 1
H.B. No. 1713, HD 2, SD 2, CD 1
H.B. No. 1174, HD 3, SD 2, CD 1
S.B. No. 281, HD 1, CD 1
S.B. No. 711, SD 1, HD 2, CD 1

LATE INTRODUCTIONS

The following late introductions were made to the Members of the House:

Representative Awana introduced supporters of the Aloha 'Aina Earth Day Recycling program:

Coordinator, Ms. Rene Mansho, Schnitzer Steel Hawaii;
Ms. Tracy Mukia, Access Information Management;
Ms. Denise Tanaka, Goodwill Industries of Hawaii, Inc.;
Mr. Andre, Mr. Anthony, and Ms. Pleiades Dolor, Hagadone Printing Co.;
Mr. Joe Francher, Hawaii Lions District 50;
Mr. Dale Rosin, Hawaiian Earth Products;
Mr. Craig Matsuo, Honolulu Recovery Systems;
Mr. Mike Owens, Intrade Corporation;
Mr. Darryl Otaguro, Menehune Water Co.;
Mar. Brian Perry, Penske Truck Rental;
Mr. Nik Nikolaidis, T&N Computer Recycling Services;
Ms. Kini Santana, Walmart; and
Mr. Mike Tanaka and Ms. Yolanda Tanaka, Alliance Trucking.

Representative Wakai also acknowledged and thanked Ms. Rene Mansho and the supporters of the Aloha 'Aina Earth Day program for their contribution to the community.

Representative Marumoto, on behalf of Kalani High School and the community, thanked the supporters of the Aloha 'Aina Earth Day program.

Representative McKelvey introduced his friend, Ms. Connie Smales.

ORDINARY CALENDAR

UNFINISHED BUSINESS

Conf. Com. Rep. No. 58 and S.B. No. 971, SD 2, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 971, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of this measure. Mr. Speaker, there's a saying: 'Give credit where credit is due,' and I would like to thank the Chair of Finance for how excellent this bill has come out. It has extricated the pension area. Having said that, Mr. Speaker, it's a good bill, but it was one of those heading in the wrong direction. But he, using his wisdom, better judgment, and for the sake of our seniors now and forever, that will never return, hopefully. 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. 971, SD 2, HD 1, CD 1, 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 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 59 and S.B. No. 714, SD 1, HD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 714, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 60 and S.B. No. 564, SD 2, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 564, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak to in opposition of SB 564, S.D. 2, H.D. 1, C.D. 1 Relating to Fire Protection.

"Everyone rightly shares the goal of safety and that is the mission of our hardworking firefighters throughout the islands. However, I believe that reducing current safety standards to simply reflect budget or personnel limitations is not good policy. As I understand the testimony from the Fire Council, reducing the frequency of inspections from two years to five years is based largely on the strain on staff. I suspect that if building safety inspections were a priority, however, the frequency would not be such a crucial problem. My understanding is that Maui firefighters have qualms about simply increasing the period of inspections and for that reason I will support the firefighters of my county in protesting this change.

"Please record my no vote for 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. 564, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Keith-Agaran voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 63 and S.B. No. 470, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 470, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, in opposition, Mr. Speaker. The purpose of this bill is to make various administrative and technical amendments to the liquor license and liquor tax laws. Included in these amendments is an objectionable provision that allows the issuance or renewal of a liquor license if the applicant has entered into an installment plan agreement with DoTax for not paying their taxes.

"I believe that at a time when the State desperately needs revenue, this measure will harm its tax collection, as passage of this measure means that there will no longer be a guaranteed flow of tax revenue because a licensee can extend his or her tax obligations, while still obtaining a temporary license if they enter into a payment plan.

"Our State is in a fiscal crisis and we should not harm any effort to collect revenue, no matter how small the revenue may be. I think that what concerns me the most about this piece of legislation is there are many companies in the State of Hawaii that are also suffering in this economy, and are having a difficult time paying their taxes to the State of Hawaii, but we don't seem to be making the same type of exceptions in statute for many of those other companies. But we are making an exception, specifically to those people who serve liquor to the people of Hawaii. And as I said throughout the Legislative Session, I just believe that this sends a bad message to the people of Hawaii."

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you. I also would like to express my strong reservations on this, because I believe that of all the businesses we have, the contracting industry, or another industry that requires tax collection prior to license renewal, and they're hurting from the faltering economy. So, to me, I still take some umbrage of the fact that we are helping, of all the industries, we help this one first when we do have some major problems with alcohol-related accidents in the State of Hawaii.

"I see here that there's, in addition to allowing no more than 10% of the yearly Liquor Commission fines to be used for funding public liquor-related educational enforcement programs, and I think that's a good thing. And so, I changed my 'no' vote to an aye with reservations. Thank you."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. In the written testimony submitted by Kurt Kawafuchi, Director of Taxation to the Finance Committee on April 2nd, 2009, he states in pertinent part that the Department is concerned with this measure that would no longer ensure a guaranteed flow of tax revenues, as a licensee can extend their tax obligations over time, and still obtain a temporary license if they enter into a payment plan.

"The reason for this measure is that under the current laws of the City and County of Honolulu, you need to have a clearance before your liquor license permit will be extended or awarded. Director Kawafuchi goes on to also state that, 'However, simultaneously, the Department understands that it allows for a tax clearance to be issued in order for businesses to stay open, sell more liquor, generate more money, which would be used ultimately, to pay their taxes owed.' Thank you."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. On this bill, I am in opposition and I just have short comments. Mr. Speaker, on this particular issue, I would normally be for something like this, but the only thing that I don't like that's missing in this bill is there is no sunset date that I know of in reviewing this bill. And the incentive to be able to catch up with your taxes should have some kind of, especially because this is hopefully a very temporary situation we are in with our economy, that there needs to be an incentive to get back on track, pay your taxes and get your tax clearance. Without having something like this, I think that it will just keep on moving forward, and we should have some incentives, like a repeal date on this. Thank you, Mr. Speaker."

Representative Pine rose to respond, stating:

"I just wanted to give some examples of what I was talking about earlier. In opposition again, and in rebuttal. I don't see equality in this bill. For example, the contracting business is another industry that requires a tax clearance prior to getting a license renewal, and I'm sure everyone knows that a lot of the general contractors out there are suffering because of this bad economy. So why aren't we also putting in statute that they would be allowed to have the same agreement where they can still be paying their taxes and still be making lots of money, and in turn giving more money to our State revenues. I just don't believe that government should pick and choose which industry has the ability to enter in these installment plans. If one business can benefit from this arrangement, then it should mean that all licensees should have the same ability."

Representative Chong rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support and in rebuttal to the various prior comments. The reason for this and not, say contractors, is because liquor licenses are handled by the counties. And the reason why we have to do this is because the counties do not accept conditional tax clearances. So, now we have to amend our statute, because the counties won't allow it. So, if the prior Representative wants to have the sunset clause, we should have the sunset with the counties. And I'm all for 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. 470, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Final Reading by a vote of 43 ayes to 6 noes, with Representatives Choy, Finnegan, C. Lee, Nakashima, Pine and Wooley voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 65 and S.B. No. 35, SD 1, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 35, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Choy rose to disclose a potential conflict of interest, stating:

"I request a ruling on a potential conflict. I'm a certified public accountant," 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. 35, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 66 and S.B. No. 34, SD 1, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 34, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

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:

"I rise to speak with reservations concerning SB 34, which excludes real estate brokers and salespersons from the definition of distressed property consultants. The bill also prohibits certain conduct relating to the acquisition of an ownership interest in distressed property by licensed real estate brokers and salespersons.

"The bill seeks to amend Act 137—the Mortgage Foreclosure Rescue Fraud Prevention Act—which became law less than a year ago. It was designed to protect consumers from foreclosure rescue scams and fraudulent distressed property consultants who offer so-called "help" to homeowners who are in arrears or foreclosure.

"This "help" usually comes from individuals who take a fee for negotiating with a distressed homeowner's mortgage company. Frequently, this results in the homeowner getting little or nothing for their fee and the consultant disappearing with the money. An even more insidious form of the scheme involves the consultant taking title to the property and the homeowner staying on as a renter in an attempt to buy it back over the next few years.

"While I appreciate the challenges Act 137 presents for real estate brokers and salespersons, I do not believe a wholesale exemption of the

industry is the best solution. If current law is causing problems for the real estate industry, this bill—even with its most recent amendment prohibiting licensees from acquiring ownership of distressed property within a year after a listing agreement has expired—is not the best way to solve them. I express my reservations in the hope that a better bill might emerge from further discussion next year."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 34, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 71 and S.B. No. 605, SD 1, HD 3, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 605, SD 1, HD 3, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Pine rose to speak in support of the measure with reservations, stating:

"Yes, I'm rising in support, but with some reservations, and a couple comments. I think this is a great bill that relates to noise and decibel weighing. I think the biggest frustration we've had in my community is, while we have set in statute a typical noise level that's allowed by law, what my residents have been seeing is, we call the police and they can't enforce it, because unfortunately the police don't have these noise measuring monitors.

"And so it seems like we're passing a good-feeling bill, but I can tell you it's really not going to help the people of my community who are very concerned with the noise. It's very problematic, especially since the Department of Health only has two of these noise monitors for the whole entire State. So, while I think this is a great bill, it's going to make us feel good. It would've been much better if we would also allocate money where we can also enforce the law."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In support, and after having to live in Waikiki and experience this, I can definitely see the value in this. And just on a final note: *boom, boom, boom, boom, boom.*"

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. With the regard to the question of whether it will actually be enforced. The Liquor Commission already has decibel meters to do the enforcement. So, I think this will be more than just a gesture. Thank you."

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 605, Conference Draft 1. For urban areas, this bill is responsive to the many complaints lodged by residents who are confronted with deep, low-frequency noises on a nightly basis. Although critics of the dBC weighting system raise concerns with implementation, expense, and inadvertent consequences, this bill has been specifically tailored to: (1) enable the Department of Health to have both the dBC and dBA systems in place; (2) impose reasonable maximum sound levels in accordance with the dBC weighting system at narrowly tailored times and in the urban land use district; and (3) empower the counties through their liquor commissions to effectively develop recommendations and implement the maximum sound levels set forth in this bill. As an important step in addressing noise concerns in the urban core, I stand in support of this Senate Bill 605, Conference Draft 1."

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 to S.B. 605 – Relating to Noise.

"This bill requires the Department of Health to add the dBC decibel weighting system to the current dBA decibel weighting system for purposes of community noise control and sets permissible maximum sound levels for nighttime in any urban land use district and grants the DOH and the county liquor commission the authority to enforce these limits. I believe strongly that noise is an overlooked issue in the State, and this is why I support this bill.

"The City & County of Honolulu stated, "This bill is a major positive addition to noise regulation which currently does not adequately address the problem of deep, low frequency sounds from powerful speakers. These low frequency sounds do not register on the dBA decibel scale, but can be most disturbing, even to the point of vibrating the steel reinforcement bars within poured concrete buildings."

"The Department of Health's *Noise Reference Manual, Oahu Edition*, pages 4-5, from the section titled, Noise As A Public Health Issue: 'The quality of the environment has continued to be a major concern of the general population. Along with air and water contaminants, noise has been recognized as a serious pollutant. As environmental noise levels have increased, the effects of noise have been more pervasive and more apparent.... Noise annoys, awakens, angers, and frustrates people. It disrupts communication and individual thoughts, and affects performance capabilities... The numerous effects of noise combine to detract from the quality of people's lives and the environment ...'

"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. 605, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

At 12:31 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 971, SD 2, HD 1, CD 1
S.B. No. 714, SD 1, HD 2, CD 1
S.B. No. 564, SD 2, HD 1, CD 1
S.B. No. 470, HD 1, CD 1
S.B. No. 35, SD 1, HD 1, CD 1
S.B. No. 34, SD 1, HD 1, CD 1
S.B. No. 605, SD 1, HD 3, CD 1

Conf. Com. Rep. No. 73 and S.B. No. 55, SD 1, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 55, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Choy rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I need a ruling on a potential conflict. I own a public accounting firm. 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. 55, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Final Reading by a vote of 45 ayes, with Representatives Bertram, Chang, McKelvey, Rhoads, Takai and Takumi being excused.

Conf. Com. Rep. No. 74 and S.B. No. 50, SD 1, HD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 50, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I was going to speak with serious reservations, but in thinking this over, I am going to cast a 'no' vote on this measure. Mr. Speaker, I'd like to explain my 'no' vote. This is Senate Bill No. 50, Relating to Renewable Energy Producers.

"What it does is, in my reading of the bill, it really allows ranchers to trump renewable energy, and that concerns me, because I think the two can coexist. Hawaii has to look at mixed uses on properties. There has been an example on Kauai where this has actually worked very well with ranchers on State lands and a renewable energy producer. And, the producer actually paid for improvements to the ranch lands, and multiple ranchers subleased areas for the renewable energy producer.

"When you take a look at the total land in Hawaii, you'll see why this is of concern. We have 4 million acres, and if you subtract 2 million acres for watersheds, steep slopes, etc., and you subtract 500,000 acres for urban areas or ag. subdivisions, we end up with 1.5 million acres. Of that land, 1 million acres is controlled by ranchers. The total revenue for the ranching industry, according to the Cattleman's Strategic Plan, is $60 million annually, versus the total send out of Hawaii for energy costs is $2 billion annually. So, we have $60 million annually, and most of those cattle, by the way, are shipped to the Mainland for consumption, so it's not a Hawaii food security industry. But we're sending $2 billion out of State annually for energy costs.

"So, we have to take a look at using land that may be in cattle use at this point, and do coexisting kinds of projects. A $60 million a year industry can't have exclusive control over more than half of the developable land in this State. We have to have mixed use if we're going to have renewable energy and keep some of that $2 billion a year in the State.

"So, I think this bill trumps the renewable energy projects and at least it puts them at risk, and I have to come down on the side of mixed use, cattle and renewable energy. Not just cattle first. Thank you."

Representative Evans rose to speak in support of the measure, stating:

"I rise in support. Mr. Speaker, this bill came about because the Department of Land and Natural Resources, after a family on the Big Island with many generation cattle farmers, all of a sudden without any notice, without talking to the family, withdrew it and put it up for lease, and was working on a renewable energy lease. That is not respectful. It doesn't honor the generational use. It doesn't take into account, yes, we're in a transitional period. And yes, we want to move to renewables. But there is a proper way to do this. There is a respectful way to do it. I think this bill really tries to address the transition from where we are today, to the future, but also respects families and generations and uses that we currently have.

"It's a very balanced bill, and I respectfully ask my colleagues to support it. Thank you."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to SB 50. Thank you. We're talking about process. I wanted to just comment in that regard. This measure sets stringent requirements for leases of public lands to renewable energy producers. It requires these companies to present conceptual designs by natural plans and other project descriptions at two public hearings, where outlines will be distributed and commented on by interested parties, including competing renewable energy producers.

"Unfortunately, very few companies will be willing to invest the capital needed to produce these kinds of descriptions, when they know their detractors and competitors will have the opportunities to snipe them on the last leg of their leasing process.

"This Legislature wants to raise the Barrel Tax to promote energy sustainability, allow clotheslines to conserve energy, and refocus DBEDT on the Hawaii clean energy initiative.

"We've put on a very eco-friendly front, yet here we are again, imposing unnecessary hurdles to the development of renewable energy and standing in the way of its progress. And that's why I'm in opposition. 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. 50, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY PRODUCERS," passed Final Reading by a vote of 43 ayes to 2 noes, with Representatives Finnegan and Thielen voting no, and with Representatives Bertram, Chang, McKelvey, Rhoads, Takai and Takumi being excused.

Conf. Com. Rep. No. 79 and S.B. No. 1338, SD 2, HD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1338, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise in support, with some reservations. Mr. Speaker, my district in Hawaii Kai has a number of high rise condos. They were very concerned about this bill. They were fearing that the spalling effect would not only harm the aesthetics, but also the deterioration of these high rise buildings. The Governor vetoed that bill. It's now back and it's going through a couple of reiterations. The language is better than it was before, but given the misinterpretation of that, I was assured, and I thank again the Chair of Finance, that in the Committee Report it says that it does not pertain to high rise condominiums.

"So, Mr. Speaker, on the basis of that trust, I will assume that this bill does not and will not be applicable to high rise condominiums. Now, having made that observation, Mr. Speaker, I will bring to mind the bill that this Body, particularly the Majority had an opportunity to literally ban all fossil fuel burning electrical plants."

Representative B. Oshiro rose to a point of order, stating:

"Mr. Speaker, a point of order. He is not talking about the current bill."

The Chair addressed Representative Ward, stating:

"Representative Ward, please keep your comments to the bill that we have at hand."

Representative Ward continued, stating:

"It's simple. Instead of a really giant footprint, we've got this *manini* clothesline bill where we could ban for the first time in the history of this country, the burning of coal, fossil fuel."

Representative B. Oshiro: "A point of order, Mr. Speaker. He's continuing. Will you call him out of order? Thank you."

Vice Speaker Magaoay: "Representative Ward, you stood up with strong reservations, so please confine your remarks."

Representative Ward: "Mr. Speaker, this is leading to household energy demand. Is that not energy demand? Hawaiian Electric is burning fossil fuel right now. I think I'm rather relevant. But the point has been made, we've got a *manini* step, a loosey-goosey bill, but we've blown the big 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. 1338, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSEHOLD

ENERGY DEMAND," passed Final Reading by a vote of 45 ayes, with Representatives Bertram, Chang, McKelvey, Rhoads, Takai and Takumi being excused.

Conf. Com. Rep. No. 80 and S.B. No. 19, SD 1, HD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 19, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to this measure. Thank you, Mr. Speaker. This bill will decrease the bid amount of a bidder by 5% on a public works contract with a value of not less than $250,000 if the bidder is a party to an apprenticeship agreement registered with DLIR. I object to this bill, because it grants preferential treatment to one group of construction contractors over another. There are currently over 18 State-certified apprentice programs. All but one of these programs are based on trade groups that have collectively bargained contracts. The result of this is an uneven bidding situation for contractors who are affiliated with unions and those who are not.

"Certified apprentice programs require the employer to be fully staffed with workers to be able to provide the necessary supervision and training. Many of our small construction firms are not big enough, or do not have resources that are needed to maintain apprenticeship program. They should not be punished for not being able to afford this.

"Mr. Speaker, we talk about small business, and this would fall into the small business category, where you start to push out these smaller contractors from being able to competitively bid. Apprenticeship programs are useful training programs, but they are not essential to ensuring the qualification of contractors to perform work and State work. And they are certainly not vital enough to have the State give preferential treatment for one group of contractors over another. I also think that we need to acknowledge that workforce training has changed over the years. The rapid changes in technology have meant that more training takes place in our high school classrooms to keep pace with new development. We're talking about how construction at times, in past debates on the construction industry, of how our kids aren't ready to even do simple math when they get into doing construction work.

"And some of these different small contractors may make contributions in different ways. They may help with a school. They may sponsor a program or do other things like that with STEM. So, I think they may decide that we're going to be contributing to the construction industry in a different way.

"So, Mr. Speaker, I just think that what we're doing in this particular legislation, it doesn't necessarily encourage and help with fairness in bidding for these jobs. Thank you."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Very briefly, I'd just like to counter some of those comments. Primarily, in 2005 with Act 50, we passed what is now known as HRS 103D-906, Preference for small businesses; set asides use as subcontractors. And what that law did was it actually required the use of set asides, so that specific contracts by the government would actually be set aside for small businesses, which is a permissible set aside allowance that is commonly used under the federal government.

"Unfortunately, to date there still has not been a single contract issued under this law that's now nearing four years old. So the question becomes, how do we actually get this done, if we pass a law, we pass a policy, and nothing gets done? At that point, what we need to do is look at other alternatives to try to create and promote small businesses. To try to ensure that local businesses can get these contracts. To try to ensure that local workers can actually continue to work. And that is what this bill is doing. It is trying to look at innovative approaches through an apprenticeship program that creates a preference for those local businesses, if they have that type of training. For those reasons, I stand in support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 19, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Final Reading by a vote of 43 ayes to 2 noes, with Representatives Finnegan and Marumoto voting no, and with Representatives Bertram, Chang, McKelvey, Rhoads, Takai and Takumi being excused.

At 12:43 o'clock p.m. Representative Tokioka 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.

The Chair the announced:

"Members, I was hoping we could finish one more page. But it is 12:45 and I think we should recess until 1:30 for lunch."

At 12:45 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:48 o'clock p.m.

At this time, the Chair announced:

"Members, for your information, the Senate has adjourned at 1:08 p.m.

"Prior to the recess, we were on page 19. Conf. Com. Rep. No. 81 and S.B. No. 1 will be deferred to the end of the day."

Conf. Com. Rep. No. 81 and S.B. No. 1, SD 1, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 82 and S.B. No. 1268, SD 2, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1268, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

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 stand in support of CCR82 – SB1268 SD2, HD1, CD1: Relating to Affordable Housing.

"I support the bill for the following reasons:

- Under the current law, DHHL does NOT receive an affordable housing credit when it develops a unit, even though it serves the neediest of families.

- Unlike a developer, DHHL does NOT recapture land, and infrastructure cost (roads, water, sewer, public facility, engineering design, construction management and interim financing cost) when it sells a home. This allows DHHL to sell its homes $150,000 - $200,000 less than a non-DHHL affordable unit. However, no affordable housing credit is issued.

- The passage of SB 1268 would substantially increase the total number of affordable housing units coming to market in the short term by:

  - Increasing DHHL's production rate at a one for one basis. For every unit DHHL is currently building, the legislation could potentially add or subsidize an additional unit.

- o Bringing non-DHHL affordable housing units to market faster by providing developers a tool to help their projects financially 'pencil-out'.

- o Establishing an incentive for entitled projects that are deemed not financially viable to be back on the table for consideration.

- The bill will play a critical role in getting the construction industry kick-started again and will be a key component of getting our labor community back to work.

"Like in all residential development projects, the respective developer, DHHL included, must interface with their respective county leadership throughout the course of the project, in order for a project to be successful. While SB1268 may diminish a county's role in influencing where an affordable housing unit is built in a county, it maintains authority over all other approvals (including, but not limited to sewer, water, drainage, public safety, horizontal and vertical permits, etc.). In other words, the county will continue to maintain a significant amount of leverage over DHHL and their respective developer.

"This bill is definitely a win-win situation for all parties concerned."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1268, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Final Reading by a vote of 43 ayes to 2 noes, with Representatives Berg and Wakai voting no, and with Representatives Bertram, Chang, McKelvey, Rhoads, Takai and Takumi being excused.

At 1:50 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 55, SD 1, HD 1, CD 1
S.B. No. 50, SD 1, HD 2, CD 1
S.B. No. 1338, SD 2, HD 2, CD 1
S.B. No. 19, SD 1, HD 2, CD 1
S.B. No. 1268, SD 2, HD 1, CD 1

Conf. Com. Rep. No. 84 and S.B. No. 536, SD 1, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 536, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Thielen rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising in strong support. This is the Starlight Reserve Bill. Mr. Speaker, if you lived on a Neighbor Island or on the Big Island, and you stretched out on the grass and looked overhead, you would see a sky just filled with stars, and it's beautiful. If you lived on the Windward side of Oahu, downtown Honolulu, most areas on Oahu, you would see urban light, blocking out all of the stars.

"Mr. Speaker, this is a wonderful bill. I like to call it Starlight Express, because it will be an express-way to viewing our skies again. Thank you."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Once again, in strong support, and I echo the words of the Representative from Kailua. And, just to add, there are so many costs to the irresponsible use of electricity, and at the same time, we must protect, again, I reiterate the pockets of excellence that we have, one being Mauna Kea.

"If anyone's had the chance to see the movie, Earth that is playing in some of the theaters right now, you'll see a sky that is truly without lights and what it originally looked like. Thank you."

Representative C. Lee rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative C. Lee's written remarks are as follows:

"I think this is a great step forward for our environment, and it will help ensure that our children will be able to look up in wonder at our night sky as our grandparents and great grandparents once did. I want to thank Mr. Richard Wainscoat at the Institute for Astronomy and everyone who worked so hard to make this a reality. 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. 536, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STARLIGHT RESERVE," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 89 and S.B. No. 1073, SD 1, HD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1073, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this measure. Mr. Speaker, this is a well-intended bill. It has health implications, but it also has psychological implications and I think it's potentially dangerous. The effect of this bill literally forces everyone who is a prisoner to stop smoking immediately. 'Cold turkey.' Wham.

"My fear is that this bill is playing with criminal minds in ways that may be dangerous. Will they strike out? Will they compensate with other aggressive behavior? Or, are there things that we should learn, by having upwards of 75% of the prisoners smoke. That's an estimate. That's double what otherwise we think of as all Asians are big smokers.

"So, if we're going to do this by one swoop bill, I think we have to be mindful of unintended consequences and what we're dealing with in an institutional setting, where people are basically caged up, and their only retreat, psychologically or where they may be free, is their tobacco.

"Now, I don't want to promote tobacco, but I also don't want to promote more criminal behavior of criminals. So, Mr. Speaker, I think we have to really watch the unintended consequences of this, and watch it and measure it very, very effectively and astutely. Thank you."

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I stand in support, with just some reservations. Actually the reverse argument to some extent, is that we should be making sure that everyone does not smoke, and my understanding is that the prison guards, etc. will be allowed to smoke. It's just the prisoners that are not allowed to smoke. So to me, it should be everybody. Everybody on the property, in the direction of health. Thank you."

Representative M. Lee rose to speak in support of the measure, stating:

"Mr. Speaker, I'm in support of the measure. I actually do agree with Representative Ching, in that I think it probably would be a good idea that we didn't have a specific smoking area for the staff, because as we know, smoking has long term health effects. And I think it's actually a good thing that we're doing for prisoners. Many of them are there for many years, and this is one way we can start them on the way for a healthy life.

"I have to disagree with the tobacco advocate across the aisle. We've heard a lot of information from him that's false in the past when we were discussing smoking, but there's no doubt scientific evidence tells us that smoking causes lung cancer and other kinds of diseases. We are responsible for the healthcare of prisoners, and to have them refrain from tobacco is to our advantage. Thank you."

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, I'm standing in support. I would like to address actually, some of the comments made by all three of the previous speakers, even though some are with reservations. In regards to why this bill came forward, this was at the request of the Public Safety Department. Basically, the bill was intended to make the corrections facilities fall in line with the rest of the State buildings and codes that we passed previously, regarding smoking prohibitions.

"Mr. Speaker, these facilities house people 24-hours a day, and require that we have skilled ACOs work and monitor the inmates, as well as for their own safety. The reason why there was a provision put in to allow a designated area by the warden for them to smoke, Mr. Speaker, is that for some of these people who work there, they smoke by their own choice, since smoking is a legal choice. It's an addiction. It's a poor health choice, but it's still their right, as adults to smoke.

"Mr. Speaker, these facilities are designed to be enclosed at a high security level. And so the question that came before this Committee was the issue of not only ensuring the safety of the inmates, but ensuring that the people who chose this habit be able to have it in a safe and protected area, as well as for them to have the ability to respond during a crisis, rather than them being allowed to be off-campus, which would then impede potentially some security concerns.

"So, Mr. Speaker, this was a good compromise between the union, as well as the Department, and I stand in strong support. Thank you."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I stand in opposition and just have a few comments. Mr. Speaker, I hate smoking. I don't like smoking. When I'm next to people who smoke, I sometimes shame them into not smoking anymore around me. But, one of the difficulties that I have with this bill is, like any piece of legislation that we take a look at, we have to say 'How realistic is it? What kind of problems and consequences do you get from making a law like this?' And, I'm just envisioning, you have, say 70% of the population who are prisoners at a correctional facility, and they're going 'cold turkey' and not being able to smoke. Okay, great. It will be great for their health.

"The problem that I have is, I've been around a person in my family who tried to quit, and it was miserable. Are there going to be other things out there that are going to assist them in not smoking? What kind of programs are there going to be? To take something like this that is an addiction, that has 70% of the population who are smokers in a prison facility, to just all of a sudden stop smoking. I'm imagining that it's not going to go all that smoothly.

"So, as a normal person, a lay person who's looking into this situation, I think there should be some kind of ability to help these smokers get back on track. There's other things, like 70% of our disease in our health costs have to do with preventable types of health issues and disease. Are we going to mandate that now in the prison, because it's better for their health to go and eat only organic fruits and vegetables, and no more sodas, I don't even know if they have sodas there. Do they have a nutrition program for them and mandate that everybody exercises?

"So, I'm just looking at the reality of this. And then on top of that, you go and you say, okay, but there are exceptions. And the exception is for volunteers who come in, as well as the workers there, to have a place to smoke. So, you're not mandating that they quit smoking.

"Mr. Speaker, I'm sure many of the people on this Floor have been to Halawa Prison, or some of those other prisons and did a walk around tour and a visit. I would just hate for a situation to get violent, because these people who have an addiction and stop, and 70% of them, according to the previous speaker, are smokers. I don't know, I think that's a recipe for disaster. I hope everyone else is right, and I hope that it'll be a smooth transition and there won't be danger and more fights within the prison system, or whatever it might be, but I have just got to remind everybody that this is an addiction, and as much as we want to stop people from smoking, I seriously think that it could have some negative consequences. Thank you."

Representative Ward rose, stating:

"Mr. Speaker, I rise in point of personal privilege. Mr. Speaker, I resent being called on this Floor an, 'advocate of tobacco.' I'm not an advocate of tobacco. When earlier I was called an advocate of tobacco, it's referenced to when I had spoken for those who are the less economically-able to buy cigarettes when the tax went up. Is speaking up for the poor an advocate for tobacco? For those who are in prison who have a psychological problem, because of committing murder, or other things, and I speak up for them, am I an advocate for tobacco? I think not, and I think that needs to be corrected in the record. Thank you."

Representative Brower rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. A couple years ago on a site-visit, I was at OCCC, and I was noticing how the inmates were smoking in the prison. And, I got an idea, and I later learned that for the most part, State prisons had banned smoking, or were in the process of banning smoking. And, there were some issues where the prison guards would have to light cigarettes of those State inmates. And, the prison guards believed that the prisoners deliberately were blowing smoke back in their face. So, that's one of the reasons I support this bill."

"Also, there are a number of law abiding citizens who aren't allowed to smoke in State facilities or restaurants, and other areas throughout the community. And, I've talked with a number of individuals who are the pro-smoking lobby and explained my point of view, and to an extent, they supported me. So, I think that this is a step in the right direction, and that smoking is a privilege, not a right, and that prisons will be a better place if we remove smoking from there. For the most part in all prisons in the State, smoking has already been removed, but now with this law passing, it will be on the books. Thank you."

Representative Yamane rose to respond, stating:

"Thank you, Mr. Speaker. In rebuttal. Mr. Speaker, in regards to the comments made by my fellow Health Committee member and Minority Leader, the fact that you have to keep in mind is that cigarettes are a contraband in the prisons. So, if inmates are smoking, they are breaking the rules within the prison, because they're holding contraband, unless they are proposing to change those rules amongst the prisoners. But if the intent is to support the prisoners being allowed to break prison rules, then I can understand that position.

"Mr. Speaker, the other question is regarding the concern about people's safety during the period of withdrawals. What better place than a prison? They are being monitored 24/7. They can get medical care. They are in a place that is safe for themselves and others. I rest my case. Thank you, Mr. Speaker."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. I stand in opposition. The Chair makes some good points in regards to it being contraband, so I guess we don't have a problem. Then just go ahead and take away the cigarettes. Then they shouldn't be in there. Then there's some kind of leak, or there's other problems that gets this contraband material into the prison system, and maybe you should take a look at doing that.

"Mr. Speaker, I guess there's much breakdown in the prison system if they're allowing contraband, and them smoking right in front of them. I think that that needs to be addressed, Mr. Speaker, but I'm still in opposition to the bill. Thank you."

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. I speak in favor, but I'm tempted to call a recess so they can go and speak to one who knows all about the prison system. She's right over there. Go and ask her what it's all about. Maybe you can ask for a recess. 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. 1073, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," passed Final Reading by a vote of 47 ayes to 2 noes, with Representatives Finnegan and Ward voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 91 and S.B. No. 764, SD 2, HD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 764, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Har rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I get a request on a potential conflict? My law firm represents a landowner who could potentially be impacted by this legislation, and for which I am not assigned to and have done no work for. Thank you," and the Chair ruled, "no conflict."

Representative Thielen rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak in strong support of the measure. Mr. Speaker, some of us may have received an unsolicited opinion from a deputy attorney general who is not a scholar in constitutional law. I wanted to make sure that the Members would be able to see the opinion from a true constitutional scholar, Professor Jon Van Dyke, who has been a renowned expert in constitutional law for probably over 30 years. I was privileged to be able to take Con Law from him at the University of Hawaii Law School, and from firsthand experience, I can tell you, he is extremely knowledgeable.

"I would like to have permission to insert portions of his opinion in the Journal. And, Mr. Speaker, I wanted to just explain to the Members again why, just one human reason why, that this bill is so important. When we were hearing this measure, a young man from Maui who had been hired by this Mainland operation, which was opposing the bill, was given his directions by the Mainland operation - go in and present the reasons why the Committee should not pass the bill. He did so. He did a very credible job, was very articulate, and when the Committee decided to move ahead with the bill and things backfired because this Mainland operation had a 'gag order' on the tenants, preventing them from talking to each other. This Mainland operation fired the Maui kid. Not for cause, not for anything. Just for doing his job, doing what they had told him to do. And they fired him. So, this is the kind of operators these local companies are dealing with. Our local small businesses are dealing with what I call, the 'Darth Vader 'of landlords. Thank you."

Representative Thielen submitted the following:

"….

The letters by the Department of the Attorney General suggest that the language in S.B. 764 seeking to clarify provisions of commercial leases may violate the Contract Clause and the Taking Clause of the U.S. Constitution. It is notable, however, that the Department's letters are couched in careful language and avoid any definitive conclusion. The April 23 letter says only I that "it *appears* this bill *may* violate the Contracts Clause" (page 6, emphasis added) and the April 28 letter says only that "in addition to the bill's proposals *possibly* violating the Contracts Clause and being found unconstitutional, the proposals *may also* constitute 'takings' that give rise to a right to receive compensation from the sovereign" (pages 2-3, emphasis added).

The April 23 letter acknowledges that the Contract Clause "is liberally construed and prohibits only unreasonable impairment" (page 3), but then goes on (at page 5) to assert that the government "must use the least intrusive means to achieve its goals" and "is not free to impose a drastic impairment when an evident and more moderate course would serve its purposes equally well." The error in this part of the letter is that these statements on page 5 are drawn from a case involving a governmental body seeking to adjust its own contractual obligations (*United States Trust Co. v. New Jersey*, 431 U.S. 1 (1977)), whereas S.B. 764 relates only to contracts between private parties. It is blackletter hornbook law that "[t]he current law under the contracts clause distinguishes government interference with private contracts from government interference with its own contractual obligations." ERWIN CHEMERINSKY, CONSTITUTIONAL LAW: PRINCIPLES AND POLICIES 635 (3d ed. 2006). "[I]t is clear that laws impairing the government's obligations under its own contracts will be subjected to much more careful review than will laws interfering with private contracts." *Id.* at 639. Although something akin to "strict scrutiny" judicial review applies to statutes relating to government contracts, *id.*, "state and local laws are upheld, even if they interfere with contractual rights, so long as they meet a rational basis test," and "[n]ot surprisingly, virtually all laws have been found to meet this deferential scrutiny." *Id.* at 637.

Under the deferential scrutiny that applies to statutes relating to private contracts, such statutes are upheld unless they substantially impair a contractual relationship *and* fail to have a rational relationship to a significant and legitimate public purpose. *Id.* at 636. The Hawaii Supreme Court in *In re Herrick*, 82 Hawaii 329, 922 P.2d 942 (1996), used this same general formula, indicating that Hawaii follows federal law in utilizing this test. This opinion says at one point the state law should be "a reasonable and narrowly-drawn means of promoting the significant and public purpose," *id.* at 340, 922 P.2d at 953, and later that the law must be "a reasonable and appropriate mechanism" to achieve the government's goals. *Id.* at 342, 922 P.2d at 955. In applying this test, the Court makes it clear that governmental bodies have some leeway in achieving their goals and need not use the least restrictive, least drastic, or least intrusive alternative. *Id.*

The language in S.B. 764 does not substantially impair any contractual relationship, it only clarifies terms in existing leases, and it has a rational and logical relationship to the goals set out in Section 1 of the Bill. The Department is incorrect in asserting (at page 5 of its April 23 letter) that this Bill "must use the least intrusive means to achieve its goals."

The Department's April 28 letter discussing the Takings Clause is also flawed in its analysis. Surprisingly, it relies heavily on two Texas cases that have no precedential force in Hawaii. The only U.S. Supreme Court cases cited are *Penn Central Transp. Co. v. City of New York*, 438 U.S. 104 (1978), where the Court rejected a challenge based on the Takings Clause by explaining that the historical landmark law did not deny the owners all profitable use of Grand Central Terminal and, in fact, permitted some development of the air rights above the building, and *Keystone Bituminous Coal Ass'n v. DeBenedictis*, 480 U.S. 470 (1987), where the Court ruled that the Takings Clause had not been violated by a Pennsylvania law that restricted the removal of coal from underneath buildings. In other words, the Department's letter offers no caselaw support for its conclusion, and, in fact, no cases can be found to support its concerns. A recent survey of U.S. Supreme Court decisions concludes that "the Court has not found a taking so long as the government regulation met a rational basis test and so long as the regulation did not prevent almost all economically viable use of the property." ERWIN CHEMERINSKY, CONSTITUTIONAL LAW: PRINCIPLES AND POLICIES 658 (3d ed. 2006). Under this test, the language of S.B. No. 764 is certainly constitutional. It permits "economically viable use of the property" by the landowners and its clarifying language is rationally related to the purposes listed in Section 1.

In my professional judgment, the concerns raised by the Department of the Attorney General in its letters dated April 23 and April 28 are without merit, and Bill 764, if challenged, would, without question, be upheld as constitutional.

Sincerely yours,
/s/
Jon M. Van Dyke"

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 and incorporate my comments made on HB 1593 (Relating to Real Property) on March 10, 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. 764, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Final Reading by a vote of 40 ayes to 9 noes, with Representatives Berg, Hanohano, Har, C. Lee, Morita, Nishimoto, Saiki, Takumi and Tokioka voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 95 and S.B. No. 1223, SD 1, HD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1223, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in strong support. I think I've spoken on this measure before, so I'll try to make it brief, but I still want to reiterate that I think it's always a good direction when we promote products that are made in our State. There are examples of other destinations in the world that make complete use out of their attractiveness. Tahiti is one. Oftentimes we say things like, Tahiti vanilla, Tahiti this. Hawaii has that same attractiveness, and we want to make sure that we're using it to our utmost ability, and help our people who are making things in Hawaii. 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. 1223, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MADE PRODUCTS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 96 and S.B. No. 539, SD 1, HD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 539, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Finnegan voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 97 and S.B. No. 851, SD 1, HD 3, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 851, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

At 2:10 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 536, SD 1, HD 1, CD 1
S.B. No. 1073, SD 1, HD 2, CD 1
S.B. No. 764, SD 2, HD 2, CD 1
S.B. No. 1223, SD 1, HD 2, CD 1
S.B. No. 539, SD 1, HD 1, CD 1
S.B. No. 851, SD 1, HD 3, CD 1

Conf. Com. Rep. No. 99 and S.B. No. 695, SD 1, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 695, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

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. 695, SD 1, HD 1, CD 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, Pine, Thielen and Ward voting no, and with Representatives Bertram, Hanohano and Takai being excused.

Conf. Com. Rep. No. 101 and S.B. No. 1250, SD 1, HD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1250, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Hanohano and Takai being excused.

At 2:11 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 2:12 o'clock p.m.

Conf. Com. Rep. No. 105 and S.B. No. 1224, SD 1, HD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1224, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONS," passed Final Reading by a vote of 47 ayes to 1 no, with Representative Thielen voting no, and with Representatives Bertram, Hanohano and Takai being excused.

Conf. Com. Rep. No. 107 and S.B. No. 1345, SD 1, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1345, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. A 'no' vote, please. And, Mr. Speaker, this is another instance where renewable energy will have a harder time moving forward, and I'd like to reference my remarks on Senate Bill 50, Conf. Com. Rep. No. 74. 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. 1345, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Final Reading by a vote of 47 ayes to 1 no, with Representative Thielen voting no, and with Representatives Bertram, Hanohano and Takai being excused.

Conf. Com. Rep. No. 108 and S.B. No. 1160, SD 2, HD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1160, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

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:

"I have reservations. There is a section in this bill that requires legislative approval for the sale of public housing projects. A significant

percentage of public housing is on ceded land, and the rest of it is on public land. I do not support the sale of ceded or public land.

"Furthermore, this bill absolves HPHA from its failure to utilize the existing process to evict tenants, a process which is the result of many negotiations between HPHA, tenants, and advocates. By moving to a grievance and then eviction board, HPHA is effectively moving all issues small and large to the eviction board level. Under the current process, small issues, like miscalculation of rent or utility charges can be dealt with informally. This new process will require a hearing officer for all matters, and result in unnecessary increased costs to the State.

"Finally, the consideration of school attendance and school records of minor children in an eviction proceeding seems beyond the scope of the Public Housing Authority. In what other landlord-tenant situation do we consider school attendance and allow a hearings officer or group of citizens to review a matter that is beyond the direct scope of the eviction at hand?"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1160, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Hanohano and Takai being excused.

At 2:14 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 695, SD 1, HD 1, CD 1
S.B. No. 1250, SD 1, HD 1, CD 1
S.B. No. 1224, SD 1, HD 2, CD 1
S.B. No. 1345, SD 1, HD 1, CD 1
S.B. No. 1160, SD 2, HD 2, CD 1

At 2:14 o'clock p.m. Representative Marumoto requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:15 o'clock p.m.

Conf. Com. Rep. No. 112 and H.B. No. 1536, HD 2, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1536, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

At 2:15 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 2:16 o'clock p.m.

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 House Bill No. 1536, House Draft 2, Senate Draft 1, Conference Draft 1, Relating to Salaries.

"This bill seeks to reduce the cost of government during these austere economic times by rolling back the salaries of government officials over the next two fiscal years. More specifically, this bill:

- Reduces the annual salaries of the Governor, the Lieutenant Governor, the Justices and Judges of all State courts, the Administrative Director of the State, and the department heads or executive officers and the deputies or assistants to the department heads or executive officers of the 16 State departments by 5% of what the salary will be as of June 30, 2009, between July 1, 2009 and June 30, 2011;

- Reduces the annual salaries of members of the legislature by 5% of what the salary will be as of June 30, 2009, between July 1, 2009 and June 30, 2009;

- Provides that the salaries be reinstated on July 1, 2011 at the level it would have been with salary increases recommended by the Commission on Salaries taking effect on July 1, 2012 and January 1, 2012, respectively for the Executive, Judicial and Legislative Branch officers and employees;

- Stipulates that leaves of absences for vacation and sick leave, with pay, for affected employees be the same as those negotiated, mediated, or arbitrated under collective bargaining for unit 13, so long as on July 1, 2011, the leaves of absences will be restored to the level they would have been on July 1, 2009; and

- Clarifies that this Act not be construed to impart any right to additional compensation previously authorized through the adoption of the commission on salaries' recommendations that were previously approved by the 2007 Legislature.

"By way of background, in November 2006, a constitutional amendment approved by the voters of Hawaii established the Commission on Salaries (Commission), which was tasked to provide salary recommendations for executives in all three branches of government on a six-year basis. The first recommendations for the period between 2007 and 2013 were submitted by the Commission in March 2007 and automatically took effect when they were not disapproved by the Legislature during the 2007 Regular Session.

" For the record, I would like three charts to be inserted that show the recommendations approved in 2007 for the Executive, Legislative, and Judicial branch officials. These charts were provided by the Office of the Governor from testimony submitted on this bill.

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2004 SALARY COMMISSION

Annual Salary Recommendation for the Governor (Gov)
Lieutenant Governor (LG), Administrative Director of the State (ADS)
Department Heads and Deputy Department Heads

Attachment 5
(amended 2/23/04)

Dept		No. of Ees	Present Salary	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
	Gov	1	94,780.00	--	--	112,000.00	114,240.00	116,524.80	118,855.30	121,232.40	123,657.05	126,130.19	128,652.79
	Lt. Gov	1	90,041.00	--	--	100,000.00	102,000.00	104,040.00	106,120.80	108,243.22	110,408.08	112,616.24	114,868.57
	ADS	1	90,041.00	--	--	100,000.00	102,000.00	104,040.00	106,120.80	108,243.22	110,408.08	112,616.24	114,868.57
AG	Dept Head	1	85,302.00	105,000.00	107,100.00	109,242.00	111,426.84	113,655.38	115,928.48	118,247.05	120,612.00	n/a	n/a
	Deputy	1	72,886.00 77,966.00	91,350.00 96,600.00	93,177.00 98,532.00	95,040.54 100,502.64	96,941.35 102,512.69	98,880.18 104,562.95	100,857.78 106,654.21	102,874.94 108,787.29	104,932.44 110,963.04	n/a	n/a
DOH, DOT, DAGS, DCCA, TAX, B&F	Dept Heads	6	85,302.00	100,000.00	102,000.00	104,040.00	106,120.80	108,243.22	110,408.08	112,616.24	114,868.57	n/a	n/a
	Deputies	11	72,886.00 77,966.00	87,000.00 92,000.00	88,740.00 93,840.00	90,514.80 95,716.80	92,325.10 97,631.14	94,171.60 99,583.76	96,055.03 101,575.43	97,976.13 103,606.94	99,935.65 105,679.08	n/a	n/a
DHS, DLIR, DLNR, DBEDT	Dept Heads	4	85,302.00	95,000.00	96,900.00	98,838.00	100,814.76	102,831.06	104,887.68	106,985.43	109,125.14	n/a	n/a
	Deputies	5	72,886.00 77,966.00	82,650.00 87,400.00	84,303.00 89,148.00	85,989.06 90,930.96	87,708.84 92,749.58	89,463.02 94,604.57	91,252.28 96,496.66	93,077.32 98,426.60	94,938.87 100,395.13	n/a	n/a
DHRD, HHL, DOA, PSD	Dept Heads	4	85,302.00	90,000.00	91,800.00	93,636.00	95,508.72	97,418.89	99,367.27	101,354.62	103,381.71	n/a	n/a
	Deputies	6	72,886.00 77,966.00	78,300.00 82,800.00	79,866.00 84,456.00	81,463.32 86,145.12	83,092.59 87,868.02	84,754.44 89,625.38	86,449.53 91,417.89	88,178.52 93,246.25	89,942.09 95,111.17	n/a	n/a

Footnotes:

1. Abbreviations: Gov = Governor; Lt. Governor = Lieutenant Governor; ADS = Administrative Director of the State (Chief of Staff).
   AG = Attorney General; DOH = Department of Health; DOT = Department of Transportation; DAGS = Department of Accounting and General Services; DCCA = Department of Commerce and Consumer Affairs; TAX = Department of Taxation; B&F = Department of Budget and Finance; DHS = Department of Human Services; DLIR = Department of Labor and Industrial Relations; DLNR = Department of Land and Natural Resources; DBEDT = Department of Business and Economic Development and Tourism; DHRD = Department of Human Resources Development; HHL = Department of Hawaiian Home Lands; DOA = Department of Agriculture; PSD = Department of Public Safety
2. After initial recommended salaries (effective July 1, 2004, for Department Heads and Deputies; effective 2006, for the Governor, Lieutenant Governor and Administrative Director of the State), all subsequent figures represent an annual two percent compounded adjustment made annually for all these salaries/salary ranges for their respective time periods.
3. After reviewing the salary of the Deputy to the Superintendent of Education, the Commission decided to recommend deferring to the Board of Education on this matter.

2007 SALARY COMMISSION

Table 3 - Legislative Salaries and Costs

Position		No. of Empl.	Current 1/1/2007 Annual Salary	Current 1/1/2007 Total Salaries	1/1/2009 Annual Salary	1/1/2009 Total Salaries	1/1/2010 Annual Salary	1/1/2010 Total Salaries	1/1/2011 Annual Salary	1/1/2011 Total Salaries	1/1/2012 Annual Salary	1/1/2012 Total Salaries	1/1/2013 Annual Salary	1/1/2013 Total Salaries	1/1/2014 Annual Salary	1/1/2014 Total Salaries	Total Salaries 1/1/2009 to 12/31/2014
House Speaker/Senate President	Current	2	43,400	86,800	45,000	90,000	45,000	90,000	46,700	93,400	46,700	93,400	46,700	93,400	46,700	93,400	553,600
					29.5%		3.0%		3.0%		3.1%		3.1%		3.1%		
	Recommend	2	43,400	86,800	56,208	112,416	57,912	115,824	59,676	119,352	61,500	123,000	63,396	126,792	65,352	130,704	728,088
Representative/Senator	Current	74	35,900	2,656,600	37,500	2,775,000	37,500	2,775,000	39,200	2,900,800	39,200	2,900,800	39,200	2,900,800	39,200	2,900,800	17,153,200
					35.7%		3.5%		3.5%		3.5%		3.5%		3.5%		
	Recommend	74	35,900	2,656,600	48,708	3,604,392	50,412	3,730,488	52,176	3,861,024	54,000	3,996,000	55,896	4,136,304	57,852	4,281,048	23,609,256
Total Current Salaries		76		2,743,400		2,865,000		2,865,000		2,994,200		2,994,200		2,994,200		2,994,200	17,706,800
Total Recommended Salaries		76		2,743,400		3,716,808		3,846,312		3,980,376		4,119,000		4,263,096		4,411,752	24,337,344
Difference between Recommended Salaries and Current Approved Salaries						851,808		981,312		986,176		1,124,800		1,268,896		1,417,552	6,630,544
Percent Increase						29.7%		34.3%		32.9%		37.6%		42.4%		47.3%	37.4%
Year-to-year increase in Recommended Salaries						973,408		129,504		134,064		138,624		144,096		148,656	
Percent Increase						35.5%		3.5%		3.5%		3.5%		3.5%		3.5%	

Note: Legislative Salaries costed by calendar year due to the increases becoming effective January 1 of each year beginning in 2009.

Effective 7/1/2012

Current salaries approved to 12/31/2012. 1/1/2013 and 1/1/2014 current costs computed at 12/31/2012 rates.

2009 SALARY COMMISSION

Table 1 - Executive Salaries and Costs

Position		No. of Empl.	7/1/2006 Current Annual Salary	7/1/2006 Current Total Salaries	7/1/2007 5.0% Annual Salary	7/1/2007 5.0% Total Salaries	7/1/2008 5.0% Annual Salary	7/1/2008 5.0% Total Salaries	7/1/2009 5.0% Annual Salary	7/1/2009 5.0% Total Salaries	7/1/2010 3.5% Annual Salary	7/1/2010 3.5% Total Salaries	7/1/2011 3.5% Annual Salary	7/1/2011 3.5% Total Salaries	7/1/2012 3.5% Annual Salary	7/1/2012 3.5% Total Salaries	Total Salaries 7/1/2007 to 6/30/2013
Governor[1]	Current	1	112,000	104,825	114,240	114,240	116,525	116,525	118,855	118,855	121,232	121,232	123,657	123,657	126,130	126,130	720,640
	Recommend	1	112,000	104,825	117,600	117,600	123,480	123,480	129,660	129,660	134,196	134,196	138,888	138,888	143,748	143,748	787,572
Lieutenant Governor[2, 3]	Current	1	100,000	95,850	102,000	102,000	104,040	104,040	106,121	106,121	108,243	108,243	110,408	110,408	112,616	112,616	643,428
	Recommend	1	100,000	95,850	105,000	105,000	120,444	120,444	126,468	126,468	130,896	130,896	135,480	135,480	140,220	140,220	758,508
Tier 1	Current	1	100,000	95,850	102,000	102,000	104,040	104,040	106,121	106,121	108,243	108,243	110,408	110,408	112,616	112,616	643,428
Admin. Dir. of the State[2, 3]	Recommend	1	100,000	95,850	105,000	105,000	120,444	120,444	126,468	126,468	130,896	130,896	135,480	135,480	140,220	140,220	758,508
Tier 1 Dept. Head	Current	1	109,242	109,242	111,427	111,427	113,655	113,655	115,928	115,928	118,247	118,247	120,612	120,612	120,612	120,612	700,482
Attorney General	Recommend	1	109,242	109,242	114,708	114,708	120,444	120,444	126,468	126,468	130,896	130,896	135,480	135,480	140,220	140,220	768,216
Tier 2 Dept. Heads	Current	6	104,040	624,240	106,121	636,725	108,243	649,459	110,408	662,448	112,616	675,697	114,869	689,211	114,869	689,211	4,002,753
DOH, DOT, DAGS, DCCA, TAX, B&F	Recommend	6	104,040	624,240	109,248	655,488	114,708	688,248	120,444	722,664	124,656	747,936	129,024	774,144	133,536	801,216	4,389,696
Tier 3 Dept. Heads[4]	Current	4	98,838	395,352	100,815	403,259	102,831	411,324	104,888	419,551	106,985	427,942	109,125	436,501	109,125	436,501	2,535,077
DHS, DLIR, DLNR, DBEDT	Recommend	4	98,838	395,352	103,776	415,104	108,960	435,840	120,444	481,776	124,656	498,624	129,024	516,096	133,536	534,144	2,881,584
Tier 4 Dept. Heads[3, 4]	Current	4	93,636	374,544	95,509	382,035	97,419	389,676	99,367	397,469	101,355	405,418	103,382	413,527	103,382	413,527	2,401,652
DOA, DHHL, PSD, DHRD	Recommend	4	93,636	374,544	98,316	393,264	108,960	435,840	120,444	481,776	124,656	498,624	129,024	516,096	133,536	534,144	2,859,744
Tier 1 Deputy Dept. Head	Current	1	100,503	100,503	102,513	102,513	104,563	104,563	106,654	106,654	108,787	108,787	110,963	110,963	110,963	110,963	644,443
Attorney General	Recommend Range	1	95,041 - 100,503	100,503	99,792 - 105,528	105,528	104,784 - 110,808	110,808	110,028 - 116,352	116,352	113,880 - 120,420	120,420	117,864 - 124,632	124,632	121,992 - 129,000	129,000	706,740
Tier 2 Deputy Dept. Heads	Current	12	95,717	1,148,602	97,631	1,171,574	99,584	1,195,005	101,575	1,218,905	103,607	1,243,283	105,679	1,268,149	105,679	1,268,149	7,365,065
DOH, DOT, DAGS, DCCA, TAX, B&F	Recommend Range	12	90,515 - 95,717	1,148,602	95,040 - 100,500	1,206,000	99,792 - 105,528	1,266,336	104,784 - 110,808	1,329,696	108,456 - 114,684	1,376,208	112,248 - 118,692	1,424,304	116,172 - 122,844	1,474,128	8,076,672
Tier 3 Deputy Dept. Heads[4]	Current	5	90,931	454,655	92,750	463,748	94,605	473,023	96,497	482,483	98,427	492,133	100,395	501,976	100,395	501,976	2,915,338
DHS, DLIR, DLNR, DBEDT	Recommend Range	5	85,989 - 90,931	454,655	90,288 - 95,472	477,360	94,800 - 100,248	501,240	104,784 - 110,808	554,040	108,456 - 114,684	573,420	112,248 - 118,692	593,460	116,172 - 122,844	614,220	3,313,740
Tier 4 Deputy Dept. Heads[3, 4]	Current	6	86,145	516,871	87,868	527,208	89,625	537,752	91,418	548,507	93,246	559,478	95,111	570,667	95,111	570,667	3,314,279
DOA, DHHL, PSD, DHRD	Recommend Range	6	81,463 - 86,145	516,871	85,536 - 90,456	542,736	94,800 - 100,248	601,488	104,784 - 110,808	664,848	108,456 - 114,684	688,104	112,248 - 118,692	712,152	116,172 - 122,844	737,064	3,946,392
Total Current Salaries		42		4,020,534		4,116,728		4,199,063		4,283,044		4,368,705		4,456,079		4,462,968	25,886,586
Total Recommended Salaries		42		4,020,534		4,237,788		4,524,612		4,860,216		5,030,220		5,206,212		5,388,324	29,247,372
Difference between Recommended Salaries and Current Approved Salaries						121,060		325,550		577,172		661,515		750,133		925,356	3,360,786
Percent Increase						2.9%		7.8%		13.5%		15.1%		16.8%		20.7%	13.0%
Year-to-year increase in Recommended Salaries						217,254		286,824		335,604		170,004		175,992		182,112	
Percent Increase						5.4%		6.8%		7.4%		3.5%		3.5%		3.5%	

Deputy Department Head salaries costed at recommended range maximum.

[1]Governor: Current annual salary of $112,000 effective 12/4/2006.
7/1/2006 total salaries = $94,780/annum @ 5 mos + $112,000/annum @ 7 mos = $104,825.00

[2]Lt. Governor, Admin. Director of the State: Current annual salary of $100,000 effective 12/4/2006.
7/1/2006 total salaries = $90,041/annum @ 5 mos + $100,000/annum @ 7 mos = $95,850.42

[3]Effective 7/1/2008
Lt. Governor, Admin. Director of the State: 14.7% increase
Tier 4 Dept. Heads, Tier 4 Deputy Dept. Heads: 10.8% increase

[4]Effective 7/1/2009
Tier 3 and 4 Dept. Heads, Tier 3 and 4 Deputy Dept. Heads: 10.5% increase

Effective 7/1/2012
Current salaries for Dept. Heads and Deputy Dept. Heads approved to 6/30/2012. 7/1/2012 current costs for these positions computed at 7/1/2011 rates.

2007 SALARY COMMISSION

Table 2 - Judicial Salaries and Costs

Position		No. of Empl.	7/1/2006 Current Annual Salary	7/1/2006 Current Total Salaries	7/1/2007 10.0% Annual Salary	7/1/2007 10.0% Total Salaries	7/1/2008 3.5% Annual Salary	7/1/2008 3.5% Total Salaries	7/1/2009 10.0% Annual Salary	7/1/2009 10.0% Total Salaries	7/1/2010 3.5% Annual Salary	7/1/2010 3.5% Total Salaries	7/1/2011 10.0% Annual Salary	7/1/2011 10.0% Total Salaries	7/1/2012 3.5% Annual Salary	7/1/2012 3.5% Total Salaries	Total Salaries 7/1/2007 to 6/30/2013
Chief Justice, Supreme	Current	1	144,900	144,900	149,972	149,972	155,221	155,221	160,654	160,654	166,277	166,277	172,097	172,097	172,097	172,097	976,318
	Recommend	1	144,900	144,900	159,396	159,396	164,976	164,976	181,476	181,476	187,824	187,824	206,604	206,604	213,840	213,840	1,114,116
Associate Justice, Supreme	Current	4	139,725	558,900	144,615	578,460	149,677	598,708	154,916	619,664	160,338	641,352	165,950	663,800	165,950	663,800	3,765,784
	Recommend	4	139,725	558,900	153,696	614,784	159,072	636,288	174,984	699,936	181,104	724,416	199,212	796,848	206,184	824,736	4,297,008
Chief Judge, Intermediate	Current	1	134,550	134,550	139,259	139,259	144,133	144,133	149,178	149,178	154,399	154,399	159,803	159,803	159,803	159,803	906,575
	Recommend	1	134,550	134,550	148,008	148,008	153,192	153,192	168,516	168,516	174,420	174,420	191,868	191,868	198,588	198,588	1,034,592
Associate Judge, Intermediate	Current	5	129,375	646,875	133,903	669,515	138,590	692,950	143,441	717,205	148,461	742,305	153,657	768,285	153,657	768,285	4,358,545
	Recommend	5	129,375	646,875	142,308	711,540	147,288	736,440	162,012	810,060	167,688	838,440	184,452	922,260	190,908	954,540	4,973,280
Circuit Court Judge	Current	33	125,856	4,153,248	130,261	4,298,613	134,820	4,449,060	139,539	4,604,787	144,423	4,765,959	149,478	4,932,774	149,478	4,932,774	27,983,967
	Recommend	33	125,856	4,153,248	138,444	4,568,652	143,292	4,728,636	157,620	5,201,460	163,140	5,383,620	179,460	5,922,180	185,736	6,129,288	31,933,836
District/Family/Per Diem Court Judge	Current	46	118,611	5,456,106	122,762	5,647,052	127,059	5,844,714	131,506	6,049,276	136,109	6,261,014	140,873	6,480,158	140,873	6,480,158	36,762,372
	Recommend	46	118,611	5,456,106	130,476	6,001,896	135,048	6,212,208	148,548	6,833,208	153,744	7,072,224	169,116	7,779,336	175,032	8,051,472	41,950,344
Total Current Salaries		90		11,094,579		11,482,871		11,884,786		12,300,764		12,731,306		13,176,917		13,176,917	74,753,561
Total Recommended Salaries		90		11,094,579		12,204,276		12,631,740		13,894,656		14,380,944		15,819,096		16,372,464	85,303,176
Difference between Recommended Salaries and Current Approved Salaries						721,405		746,954		1,593,892		1,649,638		2,642,179		3,195,547	10,549,615
Percent Increase						6.3%		6.3%		13.0%		13.0%		20.1%		24.3%	14.1%
Year-to-year increase in Recommended Salaries						1,109,697		427,464		1,262,916		486,288		1,438,152		553,368	
Percent Increase						10.0%		3.5%		10.0%		3.5%		10.0%		3.5%	

Effective 7/1/2012

Current salaries approved to 6/30/2012. 7/1/2012 current costs computed at 7/1/2011 rates.

"Among other things, the Commission recommended that the salary increases be implemented on a staggered basis -- for the Legislative Branch, the salaries were to go into effect on January 1st, and for the Executive and Judicial Branches, the salaries were to go into effect on July 1st.

"**Per the Commission's recommendations, the Legislature did not receive its first salary increase until January 1, 2009**, at which time, the salary of the Speaker of the House of Representatives and the President of the Senate went from **$43,400 to $56,208**. For all other legislators, their salaries went from **$35,900 to $48,708**. To avoid conflicts of interest, the Legislature, does not approve or pass a law to get pay raises. The law created provides for the **disapproval** of all pay raises by concurrent resolution passed by the Legislature. Because legislatures are convened on a biennial basis, an increase authorized under the 24th Legislature cannot go into effect until the next Legislature is elected.

"According to the Commission's report:

". . . In formulating recommendations on salary adjustments for members of the State Legislature, the Commission reviewed and evaluated the duties, responsibilities, and estimated time commitments of State legislators; conducted a comparative analysis with the duties, responsibilities, estimated time commitments and salaries of county council members, evaluated the ability of State legislators to supplement their legislative salary with a profession, business or other employment; evaluated the salaries of legislative staff; reviewed non-salary benefits of legislators; ***considered the fact that legislative salaries remained unchanged for twelve years from 1993 to 2005; took into account that legislative salary adjustments offered by the Commission will not go into effect until 2009;*** *and considered several other items of relevance and interest. . ."* [Emphasis added.]

"The Commission further found that:

". . . Requirements and expectations placed upon legislators by constituents, along with the increasing complexity of issues that come before the Legislature, necessitate legislators to expend extensive amounts of time and effort on legislative matters during the months that the Legislature is in session and during the interim period between their annual and special legislative sessions. While legislators are considered to be part-time employees, it is apparent that their duties and responsibilities require more than that of a part-time employee. They perform many complex and time-consuming duties both during the legislative session as well as during the interim period between sessions. During session, legislators are involved with daily legislative sessions, public hearings, decision-making meetings on a wide variety of bills and resolutions, meetings and discussions with advocates, community meetings, and meetings and discussion on constituent concerns and inquiries. During the interim period between legislative sessions, legislators are often involved with community meetings, conducting site visitations and research, researching and drafting of legislative bills and resolutions, and the handling of constituent inquiries and concerns. . . The many demands imposed upon State legislators and the time required to fulfill their duties and responsibilities, restrict the ability of legislators to supplement their salary with a profession, business or other employment. The legislators' ability to supplement their income is further limited by conflicts, or a perception of conflict, with legislative responsibilities and duties. Fortunately, qualified individuals have been willing to serve despite concerns regarding compensation. ***However, inadequate compensation, coupled with the restrictions to supplement the compensation, may limit the number of qualified individuals willing to serve as State legislators in the future****. . ."* [Emphasis added.]

"These words were prophetic. During the Election of 2008, more incumbents were reelected unopposed than at any previous time since statehood. In fact, 24 of the 51, or nearly half of the House seats were filled without a general election.

"It is unfortunate that the economic downturn coincided at the time the first salary increase went into effect for the Legislature. Thanks, in large part, to the Governors' rhetoric, only the Legislature appears to be criticized for its pay increases. In order to set the record straight, I note that:

- The Governor has received annual salary increases since 2006. Her salary went from $94,780 to $123,480 as of July 1, 2008; a 30% increase.
- The highest paid member of the Governor's cabinet, the Attorney General was getting paid $85,000 in 2002. As of July 1, 2008, that has increased to $113,655; a 33.7% increase.
- In contrast, legislators were getting paid $32,000 in 1993. The January 1, 2009 raise puts legislators at $48,708 – nearly 1/3 the salary of the Governor and less than 1/3 the salary of the Attorney General.

"Unfortunately, the once blue skies we saw in 2007 have darkened considerably in light of the $2.1 billion shortfall we face for fiscal year 2009 and beyond, and we are all frightened at the prospects of the future. It is understandable that people are quick to respond when they see that we received a salary increase on January 1st.

"I wholeheartedly agree that we must lead by example, and during these austere times, we must all tighten our belts. But we must do it in a fair manner.

"It goes without saying that the Legislature will continue to be criticized and it will be up to each and every one of us to go to our constituents and explain this issue to them. What we do today is fair and responsible. Thank you."

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations and some comments. Thank you, Mr. Speaker. I know that I have the opportunity to insert written comments, but I think it would be much better if we spoke what our reservations are. The public is watching us carefully on this bill. I'm grateful that we have moved towards a 5% reduction across the board. I think we comply with constitutional requirements here.

"My one reservation, Mr. Speaker, is that as we move forward into the summer, as we look at all the cuts that are going to have to be made, as we look at what the Governor is going to be asking of our State employees, I'm not certain, I'm not sure that this 5% is enough. Thank you, Mr. Speaker."

Representative Pine rose to speak in support of the measure with reservations, stating:

"No need for written comments. I'd just like to use the words of the previous speaker as my own," and the Chair "so ordered."

Representative Say rose to speak in support of the measure, stating:

"Yes, may I insert written comments in strong support of the 5% reduction and the suspension of our pay raise to January 1st, 2010. Thank you."

Representative Say's written remarks are as follows:

"Mr. Speaker, I rise in support of HB1536.

"This is an important bill and I am VERY proud of the Majority members in advancing this bill which reduces anticipated pay raises for the Legislature, Judicial and Executive Branches set by the Salary Commission. Legislators took the symbolic step of taking and enacting a 5% salary reduction, for as leaders, we must share in the State's burden. Many Majority members argued for even greater reductions, including a full roll back of the raises. However, because of differing opinions, this was the full extent of agreement. But, it is important to recognize these Members, and I wanted to sincerely thank them for considering and being willing to take deeper salary cuts."

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 to H.B. 1536 – Relating to Salaries.

"This bill reduces the salaries of the Governor, Lieutenant Governor, justices and judges of all State courts, Administrative Director of the State, departmental directors and deputy directors, and members of the Legislature.

"The downturn in the United Sates and global economy caused by the credit crisis, mortgage and financial securities market volatility, oil price fluctuations, and resulting uncertainty has impacted Hawaii and its residents. Unemployment has risen in the State and additional declines in tourism and retail sales are anticipated. This measure is necessary to help narrow the massive shortfall in the State budget. But even more importantly, we as leaders need to send the message to the citizens of Hawaii that we are in this together, and that we are doing everything we can to battle the economic hardships facing the State and taxpayers.

"In addition to salary deferrals, I support amendments to this measure for any salary rollbacks or furloughs taken by government employees as a result of collective bargaining discussions also apply to those covered by this bill; namely the Governor, Lt. Governor, State legislators, judges, department deputy directors, etc.

"State leaders must lead by example in this time of economic crisis by accepting the proposed salary deferrals in this measure, but we must also take on any salary rollbacks or furloughs taken by government employees as a result of collective bargaining discussions. Thank You."

Representative Aquino rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Aquino's written remarks are as follows:

"The intent of House Bill 1536 is to tighten our own belts as legislators during these times, and I believe this bill does just that. Leaders from all government branches will be affected by the proposed reduction and it tells the people of Hawaii that we are willing to do our part, including forgoing future salary adjustments."

Representative C. Lee rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative C. Lee's written remarks are as follows:

"I wasn't around when the Salary Commission approved the salary increases the Judiciary, Executive and Legislature recently received, but their timing could not be worse. I understand the level of the increase was out of the Legislature's hands, but this bill is not. I think it's important that if State employees might have to take a cut in pay or lose benefits, we should be the first to, and I encourage everyone to vote yes 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. 1536, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 114 and H.B. No. 1550, HD 2, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1550, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure, stating:

"Just short comments in support. I'm just glad that this doesn't have tax on the pensions. Thank you."

The motion was put to vote by the Chair and carried, and report of the Committee was adopted and H.B. No. 1550, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 115 and H.B. No. 952, HD 1, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 952, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I am in opposition. This bill is the 'card check' bill, and a lot of business people are in opposition to it. There are a lot of other people who realize that this may damage our economy when it is especially weak at this time. The bill that is passing does not affect that many businesses. I'm not sure how many it would affect. But it probably would affect one or two very large agricultural interests.

"But on the other hand, I feel that once this law is in place, it will spread out and encompass more and more businesses in the State. In fact, in its earlier permutation, the bill would have had a very broad impact.

"I'd like to cite an op. ed. that was inserted in the *Honolulu Advertiser* by Dean Okimoto, who is the head of the Farm Bureau and a very prominent Waimanalo farmer. On March 29th, he said:

'The bill [as introduced] in the State Legislature would have a broad impact. It would apply to workers covered by Hawaii Employment Relations Act, Chapter 377. In addition to most agricultural workers, it affects non-retail businesses with less than $50,000 in annual sales. Retail businesses with less than $500,000 in annual sales. Small non-profit organizations, daycare centers with less than $250,000 in gross annual revenues, and hotels, motels, apartments and condominiums with less than $500,000 in annual revenues. It also will impact taxi cab companies with less than $500,000 in total annual revenues …'"

Representative Takumi rose to a point of order, stating:

"Mr. Speaker, a point of order. The current bill before us only applies to companies that gross more than $5 million a year. The current speaker is clearly talking about businesses that make way, way less than $5 million."

Representative Marumoto: "Are you speaking for the bill, Mr. ..."

The Chair addressed Representative Marumoto, stating:

"Representative Marumoto, can you confine your remarks to the substance of the bill."

Representative Marumoto continued, stating:

"Yes, I am referring to the bill before us as introduced by many of you here.

'It will also impact taxi cab companies with less than $500,000 in total annual revenues. Law firms and legal aid programs with less than $250,000 in gross annual revenue. Some art museums, and colleges, universities, and secondary schools with less than $1 million in annual revenue.'

"So, this is a scary bill that we're starting. It's a foot in the door, and this process may spread to more and more companies, smaller firms, more than agricultural entities. Please be very careful of what we're doing here. I would urge you to vote 'no' and stop it right now. 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 opposition to the measure, stating:

"Just in opposition. I talked to my grandmother about this bill, and she was a part of the ILWU for many years when they worked on the plantation, and many of my family members helped to come together, so they could at least have decent wages, and some benefits. But she was also very concerned about this bill. I want to repeat what was stated, I guess at First Crossover, by Senator McGovern about what he said about card check, and he's a passionate defender of unions.

"And he says: 'I'm sad to say it runs counter to the ideals that were once at the core of the labor movement. And instead of providing a voice for the unheard, card check risks silencing those who would speak.'"

Representative Evans rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. Yes, I wanted to clarify what the previous speaker spoke about when she mentioned the $500,000. When you look at the bill on page 2 it clearly states, 'it's provided that the employee is employed by an employer with an annual gross revenue of more than $5 million.'

"So, I do think for clarity that there might be a misunderstanding, and it does apply to the large employers, and not to the small ones of the State. Thank you."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this card check measure. Thank you. Mr. Speaker, the problem that I have with the card check measure is not necessarily who it actually applies to, whether you're a small business or a big business. I rise in strong opposition to this, because it effectively eliminates the secret ballot in union organizing elections. And I did want to also refer to, or if you could include my remarks from the Third Reading that I had said, and I have additional remarks here. Thank you.

"It cannot be emphasized enough. The secret ballot is the corner stone of our democracy. It gives the person the right to a personal, anonymous vote that is free from peer pressure, intimidation, or coercion. This is why we use it in all of our elections, and it is why it must be preserved in union organizing elections. A secret ballot prevents most ills, since no one knows how an employee will vote or voted, irrespective of signing a card. Conversely, a serious flaw in the public card check process is that it is inherently rife with the potential for intimidation, Mr. Speaker.

"Even the AFL CIO acknowledges the superiority of the secret ballot. It argued before the NLRB that secret ballot elections, 'provide the surest means of avoiding decisions which are the result of group pressure, and not individual choices.' Now, the AFL CIO made this quote to argue against decertification petitions, a process by which it is determined a union no longer represents a majority of the employees.

"I believe that if the secret ballot must be preserved to protect the integrity of the decertification election, then it must also be preserved to maintain the integrity of a certification election.

"So, Mr. Speaker, it's very clearly stated that the secret ballot is something that we should stick to, no matter if you're certifying a union or decertifying a union. It cannot be used to just say we want to favor one side or the other. Almost a week ago on this Floor, the investor Warren Buffet was brought up in a debate over tax increases. Mr. Buffet was praised for economic insight and beliefs, and he was used to help justify those tax increases. If Mr. Buffet's judgment on that issue should be listened to, then his opinions on card check should also be of great interest. He is opposed to card check.

"In a recent television interview, he stated, 'I think the secret ballot's pretty important in this county. You know, I'm against card check to make a perfectly flat statement.'

"I want to acknowledge that there are some issues in labor organizing that need to be looked at, but the answer to those issues is not elimination of the secret ballot. Let's do away with this radical measure and solve these and other issues, while still preserving the workers' right to cast a vote in private. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. Two brief points, Mr. Speaker. One, for those of you who thought my colleague possibly misinterpreted the bill, if everyone would recall, that was what the bill began with. It morphed into the $5 million and above. But the question is, what will it morph into next year? Will it go beyond what she has read, and what is all encompassing, everywhere, anytime, anyone to become a union. That's point number one."

"Point number two is, we should be aware, Mr. Speaker, that in the State of Hawaii, that the Congress, the federal government, and the Body there has put a slowdown or a check on the card check bill. The potential to slow the economy at this particular time cannot be overstated. And that's why I think Washington in its second thought after the great enthusiasm, they're saying, 'We better go slowly, and we better go surely.' Thank you, Mr. Speaker."

Representative Rhoads rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. With regard to the secret ballot issue, and I know it sounds good, and there are many advantages to a secret ballot, but I think the point that's missed is the context of the secret ballot. If you look at the secret ballot that we use in State elections, for example, not only do you get to go into a voting booth and close the drape behind you, but the people who work at the school that you vote at, they're not allowed to try to influence your vote. They have to remain entirely neutral in the process, and if they don't, I believe it's a criminal offense. Likewise, you can't campaign within 500 feet of a polling place. Again, there's a criminal penalty for doing so.

"My point is that the secret ballot, in and of itself does not guarantee a fair election. It's the secret ballot, plus all these other methods that we use to keep things fair. The problem is that in a labor election, none of these other things are in place. And just like any other method, this can be manipulated if enough of the other safeguards are not available.

"So, when you have an election where one side gets to do all the campaigning. One side knows who the constituent group is. One side stands there by the secret ballot point and makes it clear to people going in that they're supposed to vote a certain way. And one side has all the advantages, it's no wonder that the secret ballot doesn't always work.

"What this bill tries to do in a very limited way, because the State just doesn't have very much jurisdiction over this issue, and even if you took all of the jurisdiction that we have, we would have very little. But because the final draft did have a $5 million limit, it's just, I think, eight or nine companies are the only ones that are going to be affected by this. Opponents say, 'Well, what about next year?' Well, next year, even if we went all the way to the extreme line of our State jurisdiction, you would still only have about 15 companies affected by it. So it's a red herring to say that somehow we're going to go a long way from here. Now, if the federal government, if Congress does pass a card check law, now that's where the jurisdiction is, because that goes to the extent of interstate commerce, and that's almost everything.

"Also, I wanted to say that this is a compromise bill. There were provisions in earlier versions of this bill that were removed because I and others thought that they were too big a step to take at this time. For example, the final bill has penalties for unfair labor practices, for both employees and employers. Originally when it was introduced, they could only be applied against employers, and I and others didn't think that was fair. That's why we have what is very much a compromised position here. Thank you."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Just in opposition, and I ask that the words of the Minority Leader be entered as my own. Thank you. Mr. Speaker, I too agree that labor unions started as a very important part of making sure our people, our children, child labor laws, a wonderful, honorable beginning. In all things, there is balance. Balance creates health. The thing is that this offsets balance. And right now, in a bad economy, I want to make sure we're back on our way to health.

"So, to me, the evidence is all around. If you want to look at Detroit, or if you want to look at parts of our State and hospitals. So, it affects all our people. No matter how many companies it is, it affects all our people. Again, balance. Thank you."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. Just a quick rebuttal to the Chair of Labor. Thank you. The way that I see this, in regards to a compromise on a secret ballot, it's like saying, 'Okay, well, I'm just going to close one eye while I watch you vote.' Thank you."

Representative Tokioka rose in opposition to 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:

"Thank you, Mr. Speaker, for allowing me to insert written remarks in opposition to HB 952. Mr. Speaker, I believe that taking away the rights to secret ballot forces the voter's hand, and that this measure could cause serious problems for small businesses. Finance Chair, Representative Marcus Oshiro and the Conference Committee worked extremely hard to come up with language to structuralize who will be adversely affected if this measure was enacted. Although HB 952 has gone through numerous changes, I still see this as a bad bill."

Representative Marumoto rose to respond, stating:

"Thank you, Mr. Speaker. Still in opposition. I didn't quite understand the Chair of Labor's remarks of talking about a secret ballot, or some other type of secret ballot. To me, a secret ballot is a secret one, and if it's not secret, it's not secret. So, I didn't quite understand what he meant.

"I thought I made it clear. The bill I was talking about was in the House Bill 952. And, Mr. Okimoto was referring to this same bill in an earlier form, as introduced by many members in this House. So, it covered a wide variety of firms in Hawaii, profit and non-profits. So it was very broad in scope. This is what I'm afraid of. In future years, we can always change it so that it will cover more entities and we will lose our secret ballot provisions, which protects us from intimidation from management and from labor. So, I warn you, this one is a real watershed bill, and I would be very careful with it. Thank you, very much."

Representative Rhoads rose to respond, stating:

"Mr. Speaker, still in support. The point I was trying to make about the secret ballot is that Saddam Hussein's Iraq had the secret ballot. It did not guarantee that the elections were fair. The Soviet Union had the secret ballot. Those elections weren't fair either. You have to have guarantees beyond just a secret ballot to be sure that things are fair.

"We're also comparing a labor election, which is very different from the kinds of elections that all of us are used to. Only one side really gets to campaign, and that is problematic. That's why card check is a fair way, and it's a fairer way than what we currently have. Thank you."

Representative Pine rose to respond, stating:

"Just a point of clarification. I just wanted to make sure that everyone knows that we're in the United States and that things are very different than with Saddam Hussein or in other countries. But, may I continue? In opposition.

"I think to claim that it only affects companies $5 million or more is really irrelevant to the conversation, because it's really going to be those employees now that we're discriminating against and imposing this horrible law on them. Saying only one side gets to campaign is just not true. We're actually changing the law then to make only one side being able to campaign, and that's through card check, which is very intimidating. And so, I think we're really going on a slippery slope, and we're not helping the people of Hawaii in any way."

Representative Evans rose to speak in support of the measure, stating:

"I rise in support. Mr. Speaker, any time there's an organization of employees into a union, it's extremely emotional. It's very emotional for employees, as well as employers. One of the things that I like about this bill is now there is a penalty in there to address intimidation by either employee or employer. And it doesn't matter, again if it's secret ballot or card check. People seem so worried that somehow a secret ballot is not going to keep the emotions away and people feeling that they might be intimidated on the way to the secret ballot, or on the way to filling out a card check.

"This law is not going to stop the emotions. It's not going to stop how strongly people feel about having a union or not having a union. But the thing the bill does is it gives our working class, our working people the ability to organize if they feel like they want a union. It gives them a way, another option to create that union. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, just a brief historical footnote. After working five years in the Office of Democracy of USAID. Eastern Europe in the Soviet Union did not have a secret ballot. You were punished if you didn't show up, and you were punished if you didn't vote the correct person. I think it's a distortion of what the secret ballot is by using those examples. Thank you."

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 House Bill No. 952, House Draft 1, Senate Draft 2, Conference Draft 1, Relating to Labor.

"This bill establishes an alternative method for employees to certify a representative for collective bargaining. This alternative method allows a majority of employees within a unit appropriate for bargaining to sign valid authorizations designating an individual or organization to represent them. If the Hawaii State Labor Relations Board determines that a majority of the employees have signed valid authorizations, and that no other individual or labor organization is currently certified or recognized as the exclusive representative, then the Board would be required to certify the individual or labor organization.

"The bill also establishes procedures to facilitate the initial collective bargaining of the newly certified representative and the employer.

"Furthermore, the bill stipulates that the sections establishing the alternative method of certification apply to an "employee" defined in Section 377-1, Hawaii Revised Statutes, who "is employed by an employer with an annual gross revenue of more than $5,000,000."

"The definition of "employee" in Section 377-1, Hawaii Revised Statutes, is already very narrow. Among other things, the statute provides that "employee":

". . . shall not include . . . any individual subject to the jurisdiction of the Federal Railway Labor Act or the National Labor Relations Act, as amended from time to time. . ."

"The National Labor Relations Act specifically excludes agricultural workers. As such, by definition, agricultural workers would fit this

definition, and this bill would apply to them. The same can be said for railway workers.

"The definition further adds that "employee":

". . . includes any individual subject to the jurisdiction of the National Labor Relations Act, as amended from time to time, but over whom the National Labor Relations Board has declined to exercise jurisdiction or has indicated by its decisions and policies that it will not assume jurisdiction."

"This portion of the definition creates uncertainty since it is unclear how the National Labor Relations Board will act in the future.

"The bill further narrows the application of this bill by stipulating that of those employees who fit within the definition of "employee", this bill will apply to an employee who is "employed by an employer with a gross revenue of more than $5,000,000." According to latest census, there are only eight (8) farms with sales exceeding $5,000,000 with operations in the State of Hawaii, of which four employ more than 100 employees each.

"Mr. Speaker, it can't be overemphasized that this bill does not do away with the "secret ballot" procedure. Because this bill provides an alternative method for certification applicable to only those employees employed by employers with a gross revenue of more than $5,000,000, the "secret ballot" procedure will still be required for all other businesses that fit within the parameters of the "employee" definition.

"For these reasons, I respectfully urge my colleagues to support this bill. Thank you."

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I strongly support HB 952, H.D. 1, S.D. 2, C.D. 1 which symbolically levels the playing field for workers who want to form a union so that they can collectively bargain with their employers over the terms and conditions of their employment. It's symbolically because the Conference draft limits the effect of the bill on relatively few operations in the islands. Rather than a particular number of employees, the bill will cover any employer with annual revenues of $5 million or more. The National Labor Relations Act controls most of this area and only a national counterpart of this bill will change the process for union building for most companies in Hawaii.

"Let's be clear that this bill only adds an option for workers; it doesn't change the existing process which allows calling a certification vote by ballot. This present bill, commonly referred to as "card check" bill, will provide an alternative and streamlined certification of a labor organization to represent employees in accordance with signed valid authorizations by a majority of employees where no other representatives are certified as the exclusive bargaining representative. It also establishes a mandatory procedure for facilitating an initial collective bargaining agreement.

"But the fundament issue in this debate is the employee's right to join a union, as guaranteed by federal and State law and affirmed by Hawaii's State Constitution. The basic intent of this bill is to facilitate the process for workers to join a union. Under current laws and regulation, the employees' desire to join or organize a union is difficult. The employer has the tools and wherewithal to stymie efforts by employees to unionize the workplace.

"Opponents of the bill continually harp on the sanctity of a "secret ballot" that takes place after a union has crossed the initial threshold to call for such secret election. But a secret ballot does not guarantee democracy as numerous unfair labor practice charges filed and won by unions throughout the country and in Hawaii will attest. Employers have an inherent advantage over those who want to organize. Employers control the livelihood of the workers and have ultimate power over the worker's job. Employers can exert subtle or even overt pressure to an employee who is inclined to join a union. The union has no such power to intimidate or coerce. Therefore, there is no level playing field in the current system.

"Those opposed to this bill claim that the union will coerce workers into signing cards. The statistics belie this argument. Academician and labor relations expert Gordon Lafer of the University of Oregon pointed out that in 60 years, only 42 cases *throughout the country* have ruled against unions for any type of coercive behavior compared with the hundreds of cases where employers have been found to have committed unfair labor practices.

"I feel compelled to respond to an argument raised by the State Department of Labor and Industrial Relations ("DLIR"). DLIR argues that workers, especially agricultural workers who do not have English as their first language, will not understand the difference between signing a card and voting in an election. This is a misconception based on plain stereotyping of immigrant workers prevalent in the agriculture industry. Most unions employ organizers who speak the language of the employees, or at least get a co-worker who is bilingual to explain the process to the non-English speaking employee. Moreover, the employees themselves know about their working conditions, their pay, and the benefits they may or may not receive, and they themselves know without the benefit of translation if they want a better workplace or not.

"The Senate draft added teeth to the original House language by providing civil penalties imposed on employers who willfully or repeatedly commit unfair or prohibited practices that interfere with the statutory rights of employees or discriminate against employees for the exercise of protected conduct. This provision is necessary to ensure that employers will not rely on what is common practice in the current system, where delay tactics with little or no risks in the event the employers do not prevail are often used to thwart organizing efforts. The civil penalty was reduced from $20,000 per violation contained in the Senate draft to $10,000 in the Conference version and will apply to employee as well as employer violations. The compromise reached in the Conference Committee strikes a fair and reasonable balance to impose a substantial fine for willful violation of the law.

"For all of these reasons, I support this measure and I ask my colleagues to join me in voting in favor of its passage."

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of HB952 HD1 SD2 CD1.

"With the federal stimulus package underway, we need to focus on the rebuilding of our economy. Unions are one of the best tools for creating an economy that works for everyone.

"There is a disturbing trend in the country that has led to the erosion of health care coverage and pension security—coupled with rising food costs and foreclosure anxiety, a stable workforce is a formidable goal, and working people are bearing the brunt of today's troubled economy.

"Across the country, union membership has decreased, partly due to an election process that vests the majority of power in the employer and often opens the door to intimidation and threat of job loss.

"The Employee Free Choice Act is a way to restore a fair and equitable process for employers and employees, rebuild the labor unions, and in turn rebuild the middle class.

"The majority sign up process is not new. In fact a number of major companies such as AT&T Wireless and Kaiser Permanente have long recognized that it is a fairer, less disruptive process to determine workers' will. It simply provides workers with another option to express their desire to self-organize.

"The growing inequality we see between employer and employee is a backward trend. It will take more than economic stimulus to address this.

"This bill applies only to companies with annual gross revenues of $5 million or more. If passed, it will level the playing field by restoring employee's choice to form unions and bargain for fair wages and benefits."

Representative Marumoto rose, stating:

"Mr. Speaker, before we vote, may I request that on the 'card check' bill, Conference Committee Report 115, that Mr. Okimoto's entire article be inserted into the Journal in its entirety. Thank you," and the Chair, "so ordered."

Representative Marumoto submitted the following editorial:

"March 29, 2009
New economy calls for more flexibility
Con: Union do's and don'ts

By Dean Okimoto
The Hawaii Farm Bureau Federation recognizes the role unions and union workers have played in Hawai'i and the support they have given to our agriculture industry. At the same time, everyone must recognize that the world economy has changed and agriculture is changing with it. To compete in the global economy, Hawai'i's agriculture industry needs dynamic companies, innovative farmers and flexible workers who can adapt quickly to changes in the market. That's why it's disturbing to see legislation, referred to as "card check," pending in the Hawai'i Legislature and in the U.S. Congress.

The major benefit of a union is to improve the plight of the worker. Hawai'i's low unemployment rate means that employers are competing for a limited workforce. According to the Hawai'i Department of Agriculture, the average wage paid for the period of Jan. 11-17, 2009, was $12.69 per hour in Hawai'i. This compares to $11.16 per hour in California and $10.93 per hour nationally (excluding Alaska).

Our farmers and ranchers often compete against other economic sectors for their workers and pay higher salaries and benefits to not only get but to retain workers. Hawai'i's prepaid medical laws provide benefits to workers that may not be the norm in other areas of the country.

According to The Chamber of Commerce of Hawaii, a recent national survey showed that three out of four voters (74 percent) oppose the "The Employee Free Choice Act"; 74 percent of union households also strongly oppose the measure.

The bill in the state Legislature would have a broad impact. It would apply to workers covered by the Hawai'i Employment Relations Act, Chapter 377.

In addition to most agricultural workers, it affects non-retail businesses with less than $50,000 in annual sales; retail businesses with less than $500,000 in annual sales; small nonprofit organizations; daycare centers with less than $250,000 in gross annual revenues; and hotels, motels, apartments and condominiums with less than $500,000 in annual revenues. It also will impact taxicab companies with less than $500,000 in total annual revenues; law firms and legal-aid programs with less than $250,000 in gross annual revenue; some art museums; and colleges, universities, and secondary schools with less than $1 million in annual revenue.

Agriculture in Hawai'i is already at a competitive disadvantage due to the cost and availability of land and water, transportation costs, and the impact of invasive species. Worker productivity is key to viability.

If passed, this bill will stall our efforts to become more self-sufficient in food production and will lessen opportunities for agricultural workers. Technology is changing rapidly and workers must be able to do different tasks at different times and in different ways without having to check in with a supervisor or union boss. The days of extensive labor-intensive operations are gone — maximum productivity equals mechanization, and automation involving skill sets that require continuous learning.

The only common element at farms large and small across the state today is diversity. Although some of the seed companies in Hawai'i today approach the size of what were our smaller sugar cane and pineapple operations, these companies and their workers are highly flexible and must remain so to compete.

We must empower Hawai'i's workers by giving them the training they need to help grow the agricultural industry in our state. Unions can have a seat at the table as we discuss the way forward, but the traditional union model can't be part of the deal. I know what we are suggesting is difficult. But all of us in the business world are making difficult decisions. We need to set the stage for the new tomorrow.

The future of Hawai'i's agriculture industry is in question and the card check measure will thwart the progress we've made. Legislators should oppose this bill so that agriculture can continue to evolve into a strong, sustainable industry for Hawai'i's future.

Dean Okimoto is the president of the Hawaii Farm Bureau Federation. He wrote this commentary for The Advertiser. Jim Tollefson, president and CEO of The Chamber of Commerce of Hawaii, contributed to this commentary.

The Honolulu Advertiser"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 952, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Final Reading by a vote of 39 ayes to 10 noes, with Representatives Berg, Ching, Coffman, Finnegan, Har, Marumoto, Pine, Thielen, Tokioka and Ward voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 116 and H.B. No. 981, HD 2, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 981, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

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 for Conference Committee Report No. 116, House Bill 981, House Draft 2, Senate Draft 2, Conference Draft 1, Relating to Highway Safety. As this Body recalls, we passed Act 171 in the 2008 legislative session to implement the framework for the ignition interlock device to combat the problem of drunk driving in the State of Hawai`i. Act 171 further created the Ignition Interlock Implementation Task Force, which developed recommendations for the implementation of ignition interlock. This bill implements recommendations of the taskforce. The Ignition Interlock Task Force was comprised of an inclusive group of stakeholders including, but not limited to the Department of Transportation, the Department of Health, the Department of the Attorney General, the Judiciary District Court, the police departments from each county, the Office of the Public Defender, the City & County of Honolulu Department of Motor Vehicles, the County of Maui Department of Motor Vehicles, the University of Hawai`i, Mothers Against Drunk Driving (MADD), the Office of the Prosecuting Attorney from each county, the Administrative Driver's License Revocation Office, and the legislature.

'While there were differing House and Senate positions on various portions of this bill, the Conference Committee was able to reach consensus and the final version of the bill includes several important points necessary for the implementation of the ignition interlock program.

"This measure will, among other things, make mandatory installation of the ignition interlock for all drunk drivers, including first-time offenders. This bill will require installation of an ignition interlock device on any vehicle operated by the person, with the cost of installation, maintenance, and calibration paid for by the offender, with the exception of those below 125% of the official poverty line, for whom the cost of installation would be covered by an ignition interlock fund. In addition, there will be a requirement for community service work, prison time, and a fine. Among

other things, this bill will authorize the Director of Transportation to create and promulgate rules for the implementation of the ignition interlock program, require the Director of Transportation to select a single vendor to install and maintain ignition interlock devices, and eliminate the provision allowing for emergency override of the ignition interlock system. It also reestablishes the "look back period" at five years rather than ten years and amends various periods of administrative revocation of license and privilege to operate a vehicle, based on the number of prior alcohol or drug enforcement contacts. This measure will provide penalties for people who fail to install an ignition interlock device during the revocation period, reestablish the maximum prison time at five days for a first or second offense, eliminate different administrative revocation and criminal sentencing provisions for highly intoxicated drivers, establish an absolute prohibition from driving while on probation if the person does not have a vehicle in which an ignition interlock device can be installed, eliminate the provision limiting the admissibility of the refusal to submit to a test of a person's breath or blood for legally arrested individuals under the age of 21, and establish mandatory terms of probation for repeat OVUII offenders. This bill also extends the taskforce until July 2011.

"While certain recommendations of the task force were not adopted such as setting the refusal to submit to a chemical test as a petty misdemeanor or setting the look back period for repeat offenders set at ten years, other amendments such as giving the director the authority to promulgate rules to enact the interlock program will make the bill better.

"What our state needs is a change of mentality towards drunk driving. Among other things, we must be individually responsible by drinking within limit and urge others to drink responsibly. We also need ignition interlock to change the mentality towards drinking and driving. I thank all members for support of this bill, and commend my colleagues in the House and Senate for their dedicated effort to make this bill happen. 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. 981, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 121 and H.B. No. 1525, HD 1, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1525, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

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 to speak in strong support of HB 1525, which relates to the awarding of Medicaid contracts by the Department of Human Services to both non-profit and for-profit insurance entities. As the introducer of a related bill, I speak with great concern on behalf of my many Wai'anae Coast constituents who have long depended on services offered by a non-profit health center through a locally-owned non-profit insurance plan.

"With the awarding of contracts to two for-profit companies—relatively unknown in Hawaii and with questionable performance nationally—I fear that my constituents will lose the culturally sensitive care they have become accustomed to; and I have a greater fear that in this current economic crisis some will be left with no healthcare at all.

"When the bill was first heard, it received strong and supportive testimony from community-oriented agencies and individuals. Opposing testimony came from for-profit entities beholden to stockholders. Objections to the bill also came from state agencies, expressing concern that it would stifle competition and deny competitors a "level playing field" … yet a non-profit that has regularly underbid other plans submitted a bid to DHS for the QExA program that was returned unopened. So much for level playing fields!

"I believe there is room in Hawaii's healthcare arena for providers and health plans of every description—non-profit and for-profit alike. For this reason, I regard the CD1 version of this bill as an improvement over the original draft which recognized only non-profits. This bill, by requiring stringent and detailed reporting requirements for all Medicaid insurance plan contracts, will ensure that the people of Hawaii are receiving quality care at a fair price from all healthcare providers.

"I urge my colleagues to join me in supporting this bill."

Representative Mizuno rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of this measure. Thank you very much, I appreciate it. If there is one word that can describe this bill, it would be, 'transparency.' It makes common sense to have transparency when we review information, which will help determine the qualifications of entities, which we may be awarding a Medicaid contract to, maybe in the amount of a billion dollars or so.

"Case in point. On February 1, 2008, the State of Hawaii awarded a $1.5 billion contract. This is its largest Medicaid contract ever. There were two Mainland for-profit health plans. This is Unitedhealth, parent company of Evercare, they're doing business in Hawaii, and WellCare, which is the parent company of Ohana Health Plan doing business in Hawaii.

"This $1.5 billion Medicaid contract is to cover 37,000 aged, blind, and disabled citizens in the State of Hawaii. And, I had a big concern about this from the get-go. At one of the informational briefings, when we were talking about some of the concerns we had with those two companies, the Department of Human Services' administrator made a statement that which I thought was quite shocking. He said ,'it doesn't matter what happened on the Mainland.' He was talking about the civil and criminal actions and settlements that were going on with these two companies.

"On February 19th, 2009, the United States Senators for Medicare and Medicaid Services prohibited WellCare from enrolling new members in its Medicare health plan and prescription drug plan in all 50 states. CMS stated that the sanctions are a result of WellCare's, 'longstanding and persistent failure to comply in its rating as one of the overall worst performers among all plans.' CMS also accuses WellCare's agents of misleading beneficiaries and misrepresenting WellCare plans at sales events in December of 2008, and failing to discover forged applications through its own monitoring system.

"When we talk about United Health, I'm a little concerned about that company also. On January 15 of 2009, United Health agreed to $350 million to settle three class action lawsuits filed by physicians and health plan members, because they were understating reimbursements by as much as 20% in some of the cases over the last 10 years. In fact, New York State Attorney General Andrew Cuomo stated, 'With this agreement, the tide is turning against the corrupt reimbursement system that took hundreds of millions of dollars from the pockets of patients nationwide.'

"Again, that quote that I heard from that administrator from DHS, 'It doesn't matter what happened on the Mainland.' I completely disagree with that. I could not understand what he was talking about. We need to improve patient care. In order to do this, we need transparency to review information, and to determine the qualifications of business entities before we reward billion-dollar-plus Medicaid contracts.

"Mr. Speaker, I wanted to share with you a conversation I had with the Ohana Health executive director. He gave me a call yesterday and it actually wasn't on this bill, House Bill 1525. I was on something else. But after a few minutes, I asked him about this measure, and to my pleasant surprise, he stated to me that if it was important to have transparency, and if this would help the people of Hawaii trust his company, and reduce the fear of doing business with Ohana Health, then he's okay with this measure. He stated that his goal was to provide healthcare to his clients. I think that's a good start. I really do.

"I anticipate there may be some Members that may have opposition to this measure and I welcome your comments, and I welcome you to call the executive director if you'd like to, because he's okay with this measure, and I have his card here. So, if you want to meet me at recess, I'd be happy to give you his number.

"But again, I think this measure is very important, as it deals with transparency, and it provides us with a better guide to make the proper decisions. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in support of the measure, stating:

"Mr. Speaker, I just wanted to stand up in support of the bill. I'm not sure who's going to go against the bill, but I will support it."

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 to H.B. 1525 – Relating to Medicaid. This bill requires the Department of Human Services to include specified reporting requirements in all Medicaid healthcare insurance plan contracts. Faith Action for Community Equality stated, 'This bill will ensure that these for-profits will operate in our culture and allow transparency of their business practices and that of their home corporate offices that operate outside of our oversight on the mainland US.'

"I am in support of the transparency of this bill ensuring that the procurement of all Medicaid contracts in the State, DHS shall solicit proposals only from nonprofit insurance entities and award contracts only to nonprofit insurance entities. 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. 1525, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 124 and H.B. No. 1692, HD 2, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1692, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Shimabukuro rose to speak in opposition to the measure, stating:

"Mr. Speaker, I would like a 'no' vote, and I have some brief comments. Mr. Speaker, our State Constitution protects people from being denied housing based on familial status. I'm concerned that this bill may discriminate against families with children, since other classes of people are protected from the five-year time limit.

"But, the larger concern is that the State has not invested adequately in low-cost housing to ensure that tenants are able to transition out of public housing. The other day, I was at McDonald's in Waianae, and the cashier pleaded with me to help her extend her two year time limit at the Ohana Ola O Kahumana transitional shelter. She works full time, has young children, and has been a good tenant. But she said that she's searched high and low for a rental that she can afford, but a McDonald's salary is just not enough. I have heard this over and over again from tenants and from people who work at transitional and emergency shelters, that unfortunately there is nowhere for tenants to transition to once their time limits are up.

"My research revealed that most emergency and transitional shelters cannot achieve their time limits due to federal funding restrictions. So, these tenants will most likely end up on our streets and the beaches. This bill would place public housing tenants in the same predicament as those who are in emergency and transitional shelters.

"I understand the concern that the waiting list is long, and that there are some 'bad eggs' in public housing. But, we should not punish people like that McDonald's cashier; people who are working and doing everything they can, but they simply cannot afford rent in today's housing market. 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. 1692, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Final Reading by a vote of 46 ayes to 3 noes, with Representatives Belatti, Manahan and Shimabukuro voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 125 and H.B. No. 1809, HD 2, SD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1809, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

At 2:48 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1536, HD 2, SD 1, CD 1
H.B. No. 1550, HD 2, SD 1, CD 1
H.B. No. 952, HD 1, SD 2, CD 1
H.B. No. 981, HD 2, SD 2, CD 1
H.B. No. 1525, HD 1, SD 2, CD 1
H.B. No. 1692, HD 2, SD 2, CD 1
H.B. No. 1809, HD 2, SD 1, CD 1

At 2:49 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 2:49 o'clock p.m.

Conf. Com. Rep. No. 128 and H.B. No. 986, HD 1, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 986, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure, stating:

"Mr. Speaker, thank you. Mr. Speaker, I rise in strong support of House Bill 986. This bill requires the construction and renovation of public school facilities to meet the collaborative or high performance school standards. The bill also requires replacement of old portable buildings with high performance classrooms, and also requires a prioritization of public school facilities projects that are in accord with certain criteria.

"This is something that is long overdue. It's a great measure, and a great idea. DBEDT has been working since at least 2005 with DOE and other State agencies to lead by example in the implementation of energy efficiency in high performance buildings in our State. DBEDT developed the Hawaii High Performance School Guidelines for energy efficiency, improvements to many major renovations of schools in Hawaii.

"The DOE currently uses these guidelines in designs for all new school facilities to meet the requirements of Leadership in Energy and Environmental Design, LEED, silver. This bill would extend and expand the State's commitment to high performance buildings, by requiring buildings that are undergoing repair or maintenance to meet the CHPS rating system criteria. The CHPS mission is to facilitate the design, construction, and operation of high performance schools. Environments that are not only an energy and resource efficient, but also healthy, comfortable, more lit, and containing the amenities for a quality education. CHPS helps facilitate and inspire change, positive change in our educational system.

"These changes will hopefully increase student performance with better design, healthier facilities, raise awareness of the impact and advantages of

high performance schools, provide professionals with better tools to facilitate effective design, construction, and maintenance of high performance schools. It will increase school energy and resource efficiency, and reduce peak electric loads.

"So, Mr. Speaker, I thank you for allowing me to rise in support of this very important measure. Thank you."

Representative Finnegan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I just have short comments in support. Thank you. Actually, I want to do a positive plug for the Charter Schools in regards to public schools, as we try to move the Department of Education into high performance school standards in regards to energy efficiency and technology, that we're starting to see some really remarkable things happening in some of the Charter Schools.

"For example, Waimea has an LEED building, a green building that they have just built. We have another school that's totally 'off the grid.' And we have another school that has their building through a public-private partnership that is, I forget what the wording is, but is solar, and they're just doing really magnificently, without needing legislation to head in this direction.

"So, I just thought that that would be a good, positive thing to say about public schools having energy efficiency type of buildings. 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 strong support. The costs of utilities are rising and facilities are in need of repair. This measure helps to address these challenges. Energy efficiency and environmental standards in our public schools is a common sense approach that is long overdue. The location of many public schools makes them a reasonable and convenient place at the heart of our communities' renewable energy initiative. We need to take advantage of their large spaces on campuses that could provide for such technologies as solar, wind, and ocean energy.

"Coincidentally leaders in my community have requested that I introduce a measure such as this. I would like to commend the representative from Kauai for drafting this measure in which I had the honor of signing onto. Thank you, Mr. Speaker."

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 strong support of this House Majority Package bill. While we all know that an investment in public education reaps huge benefits for us as a society, the environment in which our children learn can be an important factor in contributing to our children's educational success. The premise of this bill is very simple, if we make the right kinds of design and material choices in the construction or repair and maintenance of schools, including portable buildings, we not only provide an excellent learning environmental but we can save money too.

"This bill will require public school projects to meet the Collaborative for High Performance Schools (CHPS) rating system. The mission of the CHPS is to facilitate the design, construction and operation of high performance schools: environments that are not only energy and resource efficient, but also healthy, comfortable, well lit, and containing the amenities for a quality education. Secondly, this bill pushes the envelope in promoting energy efficiency by requiring 40% less energy demands compared to the International Energy Conservation Code. By designing to these standards it is anticipated that this type of design and construction will result in a 25% lower life-cycle cost than a traditionally designed building. These are real savings that can be put back into the classroom instead.

"Mr. Speaker, I was shocked to learn that in our public school system we have 677 portable classrooms that are between 20 and 30 years old, 567 that are between 30 and 40 years old and 436 that are over 40 years old. These buildings will need to be replaced or repaired in the near future and this bill will help to raise the bar in the design and construction of these buildings.

"Lastly, Mr. Speaker, while we anticipate passage of this bill this afternoon, Congress is discussing legislation to make huge investments in the "greening" of our schools. By adopting these kinds of aggressive building standards for our public schools, it will signal to our federal partners our commitment to invest in Hawaii's clean energy future to greatly benefit our children.

"I ask for my colleagues support for this very important Majority Package bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 986, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 129 and H.B. No. 1378, HD 2, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1378, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Karamatsu rose to speak in opposition to the measure, stating:

"I rise in opposition of House Bill 1378. Mr. Speaker, the intent of this measure is very good, however this bill would allow advanced practice registered nurses to open clinics as primary care providers and expand their medical authority without any physician oversight. Under joint and several liability, physicians will face greater liability costs.

"Earlier this Legislative Session, we had a number of bills aimed at reducing liability costs for Hawaii's physicians by adjusting our tort laws, creating incentives to reduce liability insurance costs, and informing the task force to implement a state-wide health information technology system to reduce errors and omissions. All these measures had great discussion however they are not before us today.

"I oppose this measure because it will take us in the opposite direction by increasing the liability costs for our physicians. Thank you. I also ask for written comments in the Journal. Thank you."

Representative Karamatsu's written remarks are as follows:

"Mr. Speaker, I rise in opposition of House Bill 1378, House Draft 2, Senate Draft 2, Conference Draft 1.

"This bill would allow Advanced Practice Registered Nurses to open clinics as primary care providers and expand their medical authority without any physician oversight. Under joint and several liability, physicians will face greater liability costs. Earlier this Legislative Session, we had a number of bills aimed at reducing liability costs for Hawaii's physicians by adjusting our tort laws, creating incentives to reduce liability insurance costs, and forming a taskforce to implement a statewide health information technology system to reduce errors and omissions, all of which had a great discussion, but are not before us today. I oppose this measure because it will take us in the opposite direction by increasing the liability costs for our physicians.

"Thank you."

Representative Sagum rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Ching rose to disclose a potential conflict of interest, stating:

"I ask for a ruling on a potential conflict. My husband is a medical doctor and care provider," and the Chair ruled, "no conflict."

Representative Ching continued in opposition to the measure and asked that the remarks of Representative Karamatsu be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Marumoto rose in opposition to the measure and asked that the remarks of Representative Karamatsu be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative M. Lee rose to speak in support of the measure, stating:

"Mr. Speaker, I'd like to speak in support of the measure. Before I speak, I must declare that I may have a potential conflict. I've been a registered nurse for almost 40 years," and the Chair ruled, "no conflict."

Representative M. Lee continued, stating:

"Thank you. Members, we have been moving steadily, relentlessly toward more autonomy and responsibility, advancing ever more boldly in the last few years, into territory previously controlled by physicians. The issue is whether nurses with advanced training should be allowed to deliver primary healthcare on their own. Primary healthcare refers to the first contact a patient has with the healthcare system. It's the basic initial care that you receive when visiting a clinic or a doctor's office, the care you get before being referred, if necessary, to a specialist.

"If you didn't know it, registered nurses have been delivering this kind of care for decades. In recent years, however, nurses with advanced training, such as nurse practitioners and nurse midwives have been moving toward greater independence. This has occurred as the country has experienced a growing shortage of primary care physicians. In many states, including New York, nurse practitioners are allowed to write prescriptions and be reimbursed by third-party insurers.

"A growing number of Health Maintenance Organizations are using nurses as primary care providers, and some nurse practitioners are going into practice on their own.

"Mr. Speaker, as long as nurses were working for doctors, there wasn't much of a problem. The nurses lighten the workload, and they help bolster profits. For routine visits, the doctor told the patient, in effect to, 'See the nurse, and then have your insurance company send me a check.'

"Recent discussions on healthcare reform packages emphasizing primary care have added considerable weight to the move toward greater responsibility for advance practice nurses.

"Unfortunately, the American Medical Association has criticized virtually every argument on behalf of greater autonomy for nurses. The AMA even rejected the idea that nursing care is less expensive than physician care. There is no convincing evidence that nurses are more cost effective healthcare providers, was one of their contentions. This is particularly interesting when you consider that the average income for doctors last year was $170,600. But for nurse practitioners it was $43,600.

"But the cornerstone of the doctors' argument is that nurses acting independently would be a threat to the health of their patients. There does not seem to be any evidence at all for that argument. Mary Mundinger, who is the Dean of the Columbia University School of Nursing noted nurse practitioners have been delivering primary care since 1965, and that hundreds of studies have examined the quality of their work, including their diagnostic ability and management effectiveness. There's not a single study that shows any lapses, said Ms. Mundinger, and most of the studies had been done by physicians. When asked if any studies had shown any problems with the quality of care delivered by advance practice nurses, Dr. Lonnie Bristow, former AMA chairman said, 'No, certainly not. In fact, we believe the quality of care is quite good.'

"With healthcare costs creating economic havoc, it is not likely that doctors or anyone else will be able to slow the movement toward greater independence for advance-practice nurses. If nurses with special training are delivering high quality care at a reasonable cost, then we need a reason other than doctor's anxiety to stop them.

"The argument being made by the Representative from Waipahu are the same old tired arguments I've heard since 1965. This year, our Legislature has made fantastic progress in improving access to care to patients in rural areas and underserved communities. We've heard for several years the need to increase the supply of primary care practitioners. Through this bill, HB No. 1378, the Physician Assistant Bill, the bill which will allow a collection of data regarding the numbers of physicians serving our islands are beginning to make a dent in the primary care shortage. Let's not let the 'scope of practice' bugaboo keep us from doing the right thing.

"I urge the Members to support this. Dieticians, physical therapists, occupational therapists, social workers, and others work alongside of physicians, and we don't worry they are going to cause liability for the physicians. We just passed a bill, and we didn't even take it off of the Consent Calendar, which gives Physician's Assistants the right to practice independently. The right to practice independently. And now we're criticizing this bill.

"There will be a two-year report by the Insurance Commissioner on how well this new law is going. Any problem can be taken care of then. I urge the Members' support."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In very strong support. At Ka'u Hospital, for example, an APRN drives 60 miles, five days a week from Hilo to cover a full shift. Without her, we would be without that care. In a lot of the rural areas, we would welcome more APRNs because without them, my people would be self-medicating, and that's not good."

Representative Morita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support, and I would like to adopt the words from the Representative from Mililani as my own. Thank you," and the Chair "so ordered." (By reference only.)

Representative Finnegan rose in opposition to the measure and asked that the remarks of Representative Karamatsu be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Belatti rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support of House Bill 1378, Conference Draft 1. Thank you. Before anyone suggests that I might also have a conflict of interest, I'd like to disclose that my husband is a registered nurse. Not an advanced practice registered nurse, but a registered nurse," and the Chair ruled, "no conflict."

Representative Belatti continued, stating:

"Thank you, Mr. Speaker. This bill directly addresses the lack of access to healthcare in our rural communities by removing barriers and enhancing the full use of APRNs in the private primary healthcare sector.

"As we learned during this bill's movement through the legislative process, there are numerous studies and professional experiences documented that demonstrate that care by APRNs is safe, effective and well accepted by consumers. This Body is well aware of the shortage of doctors and healthcare workers throughout the State. But, this is not simply a problem faced here by the State. It's faced nationally.

"In a recent *New York Times* article, the headline reads, 'Shortage of Doctors an Obstacle to Obama Goals.' The article proceeds to say that it's not simply a shortage of doctors. I's a shortage of primary care doctors. At the national level, the solutions that people are looking at include increasing enrollment in medical schools and residency training programs, expanding the National Health Service Corps, which would deploy doctors and nurses in rural areas in poor neighborhoods, increasing the Medicare reimbursement system to favor primary care doctors, some say to the

detriment of specialists. And a fourth solution is encouraging the greater use of nurse practitioners and physician assistants.

"During these times when we cannot raise and increase the Medicaid reimbursement rate when the federal government is struggling to increase the Medicare reimbursements for primary care doctors, which is causing huge debates among the medical community, and in fact causing a split between primary doctors and specialist, I think that this proposal that enables us to take more advantage of the skills and expertise of APRNs is a revenue neutral bill that enables us to address the very real needs of people in the rural communities.

"So, for those reasons, Mr. Speaker, I ask this Body to support House Bill 1378. Thank you."

Representative Aquino rose to disclose a potential conflict of interest, stating:

"I'd like to request a ruling on a potential conflict. My better half is a registered nurse. Thank you," and the Chair ruled, "no conflict."

Representative Cabanilla rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I also rise for a ruling of a possible conflict. I'm a registered nurse," and the Chair ruled, "no conflict."

Representative Cabanilla continued in support of the measure, stating:

"And I'd like to add a few comments, short comments in support. I just would like to say that this bill will be a monumental statement for the recognition, a long-deserved recognition for APRNs; for their service, their profession, as well as to the community. Thank you."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Thank you. I think one of the concerns that seems to be sort of implied here is that somehow APRNs won't know what to do if something comes up that is too complicated for them. That they're going to mess it up somehow.

"I would just say that a General Practitioner has the same kind of problem every time he treats a patient. If for some reason the illness is unusual or particularly complicated, the general practitioner has to use their best judgment to say, 'You know what? I don't know what do here. I'm going to refer you to a specialist,' and probably everyone in this room has been referred to a specialist for that very reason at one time or another.

"There's no reason that APRNs can't do the same thing when they realize that something's outside their knowledge, or they're not comfortable with treating it, they'll do like GPs do and refer the patient to a specialist. Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1378, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," passed Final Reading by a vote of 38 ayes to 11 noes, with Representatives Chang, Ching, Finnegan, Ito, Karamatsu, Marumoto, McKelvey, Pine, Sagum, Thielen and Ward voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 131 and S.B. No. 1058, SD 2, HD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1058, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

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 rise to speak in favor of SB 1058 SD2 HD2 CD1. Part II of the bill calls for a task force within the Department of Public Safety to review the effects of salvia divinorum and its primary psychoactive ingredient, salvinorin A and recommend appropriate legislation to address the sale and use of it in Hawaii.

"Countries in which there is some form of control include: Australia, Belgium, Denmark, Estonia, Finland, Germany, Italy, Spain, and Sweden. In the U.S., Louisiana, Missouri, Tennessee, Ohio, Oklahoma, Delaware, Illinois, and North Dakota have so far passed laws prohibiting salvia divinorum. Louisiana has provisions that allow possession of the plant when it is not intended for human consumption and in Oklahoma natural strength salvia divinorum is legal - only extract-enhanced leaves are prohibited. Maine has passed a bill to prohibit sale to minors only, effectively approving its use for adults.

"While all the effects of salvia are still unknown, it is clear that use of the drug is growing in popularity. Abusers typically experience vivid hallucinations. High doses of the drug can cause unconsciousness and short term memory loss. Anecdotal information provided by abusers of the drug suggests that the long term effects may be similar to that of other hallucinogens such as LSD, including depression and schizophrenia.

"Salvia looks like a simple house plant without any distinguishing characteristics or smells. The drug can be either smoked or eaten and usually takes effect within 30 seconds, with strong highs that last between 30 minutes to one hour. It is currently available legally to all ages for about $75/oz. at head shops.

"A taskforce would be a prudent step to determine the depth of the problem of salvia use and to evaluate the necessity of regulating it."

The motion was put to vote by the Chair and carried, and report of the Committee was adopted and S.B. No. 1058, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Finnegan voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 132 and S.B. No. 199, SD 1, HD 1, CD 2:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 199, SD 1, HD 1, CD 2, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, just a ruling on a possible conflict. I'm affiliated with a company that has invested in a qualified high-tech business," and the Chair ruled, "no conflict."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I am in strong support and may I submit written comments?"

Representative Choy rose to disclose a potential conflict of interest, stating:

"May I have a ruling on a potential conflict, please? My conflict is as stated before. Thank you," and the Chair ruled, "no conflict."

Representative Nishimoto rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Wakai rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this measure. Mr. Speaker, we're telling the public that we're making tough choices this Session, and yes we are. Look at us, we're cutting services, firing employees, and raising taxes.

All have immediate impacts on the State budget. What troubles me during this Legislative Session is that we aren't paying much attention to the least painful solution, and that's to broaden the tax base. Get a little out of more businesses, rather than more out of a few businesses. That discussion isn't taking place because we're so wound up in short-term solutions. We should examine how we can add technology growth to our cocktail of ideas and revenue generation options.

"This bill would cripple Act 221, and it's not visionary. It simply represents complacency. It will snuff out the burgeoning technology industry and put all of our eggs into tourism, real estate, and agricultural baskets. Relying on these traditional economic engines means we will continue to provide our children with a future in service or labor intensive industries. Let's give future generations more options by paving the way for careers that finally utilize their brains. The technology is currently a goose laying some silver eggs. Let it mature and one day those eggs will turn golden.

"This change in the bill would essentially neuter this fertile goose. We are treating the technology industry as if we can toss them around, depending upon the ups and downs of economic factors. We need a commitment to nurture this industry and let them balance their books with the tax incentives that we promised them. It is wrong to delete the two-for-one incentive before it sunsets next year.

"Some say the State should directly invest into the technology industry. We tried that. Five years ago, we discussed SPIF, the State Private Investment Fund. Then we floated the idea of creating a government funded $100 million capital pool. Those ideas never materialized. No venture capital incentives exist today. Without capital, there is no technology industry. And, in the absence of any other tools, Act 221 is all we have.

"I spoke earlier about all the good jobs and the money being spent in Hawaii due to technology growth. Act 221, and this two-for-one ratio are luring money to the islands. When Walmart and Macy's sell their goods to our neighbors, by the end of the business day, they're wiring all that money back to their home offices on the Mainland. With Act 221, we are finally turning the tables and attracting outside money here, and that's good for all of us.

"We should allow Act 221 to quietly go away next year without tinkering with it. In a moment, we will all have to make a choice, to be visionary or complacent. When your grandchildren can walk into a wet lab at the University of Hawaii and someday find the cure for cancer, or perhaps that son or daughter or grandchild will be able to be part of a team that builds a base camp on the moon, I hope you will be able to say that in 2009 you were visionary. Thank you, Mr. Speaker."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this bill. Mr. Speaker, we should have a moment of silence rather than a speech, but since we do that at the end, I won't call for it now. Essentially, this bill is the death now of what otherwise was a booming high-tech industry. What otherwise was the beginning of not relegating the future of Hawaii to making beds and cleaning toilets.

"The hotel industry now is clearly going to be king, forever and ever, despite what we've said about high tech, because this was the one that got the money in. This was the one that gave the incentives for people to put the money in. And as I said earlier in my speech, with the amendment, this venture, this Act 221 has actually built in 10 years what it took 100 years to do with the hotel industry. We've virtually built half of the amount of money that the hotel industry brings in, in just 10 years. And now, this one scuttles it. It turns aside. It smashes the hopes of those who would look for a better future. It'll create the 'brain drain' again. It'll make those who are looking for the jobs which were $76,000 and above go to the Mainland, rather than being able to stay here. It'll discourage some of those companies that are here from staying here or trying to get more money.

"It was a dream. It was a hope. It was something that many of us are going to be very sad about. In retrospect, it will have been 'pennywise and pound foolish.' But like the 'Recreational Renaissance,' I hope that the industry takes strength from this, even in a defeat, that the high tech vision will not be totally caved in, even though the incentives have been taken away, and that the spirit of what we know is the potential for Hawaii will still live on. Thank you, Mr. Speaker."

Representative Choy rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. All this doom and gloom about the tech industry going down. If you just watch how hard they lobby, if they had put that effort into their business, I guarantee you that industry is not going to be in trouble.

"Also, I'd like to just say that there are some benefits that Act 221 companies get, that I, as a businessman do not have, and let me go through just some of them. They get a research and development credit, which is 20%, which can apply to wages, supplies, and contracts, and it's refundable. And, you can add the federal research and development credit to that. They have an income tax exclusion. No income tax on dividends on Act 221 stock. No capital gains on the sale of 221 stock partnership or LLC interests. No income tax from stock options from Act 221 companies. Mr. Speaker, I'm a businessman. I don't get any of that.

"This also will have an income tax exclusion for royalties. There's no income tax on royalties derived from patents, copyrights, or trade secrets developed by Act 221 companies. And, if the Act 221 company is in an Enterprise Zone, you know the benefits they get from being in an Enterprise Zone. If they do scientific work, and they contract with the federal government, Mr. Speaker, they get a general excise tax exclusion. If they are a film production company, they get refundable tax credits, up to 15% to 20%. Mr. Speaker, I don't get that.

"There are other benefits, including getting grants from the government, or even film production credits that Act 221 companies get. I don't get that, Mr. Speaker.

"And lastly, Mr. Speaker, they're investors. They still get a one-for-one investment credit. I never got that in 30 years, Mr. Speaker. Thank you."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, instead of submitting written comments, may I just have some time to read some comments today? Act 221 gives much and gets little back. Act 221 as currently written and implemented is welfare for the rich with no strings attached. The law enacted in 2001 provides significant tax credits for people who invest in high technology in Hawaii. The idea was to create more highly technical, well-paying jobs for island people.

"As previously noted in the early discussion on the amendment, according to a DoTax report, from its inception to 2007, it has done the following things, and these points need to be made. For $657 million of credits, they produce 2,245 jobs. 2,245 jobs. Compare that to the jobs we have in Hawaii today of 621,000 jobs. So, out of the 621,000 jobs, it can contribute 2,245 jobs to the high tech industry.

"So, I think the point was well made. Representative Choy stated that it's about $533,000 per job. That's an extraordinary …"

Representative Finnegan rose, stating:

"Mr. Speaker, I was just wondering if the speaker is supposed to use the names of the individual speakers. Thank you."

Representative M. Oshiro continued, stating:

"Oh, I stand corrected. I mean, the freshman Representative from Manoa. I did mention that it came out to about half a million dollars of taxpayers' money per job. He also pointed out that it benefited 83 corporations. He also pointed out that it benefitted a little over a thousand

taxpayers who are able to claim almost 95% of their tax credits and place them into their tax shelters. Who are these people? These are people with adjusted gross incomes of $200,000 or more.

"Mr. Speaker, the intent was not to create a 'boondoggle' for the wealthy; or a tax shelter or haven for those who claim the credit. The intent was to create a high technology industry. But that intent has not been realized because so-called investors can qualify for the handout, even if they do not create a single new job. Some have created jobs anyway, but then a few years later moved those jobs to the Mainland, or even further away from our shores, outside the United States, to foreign countries.

"Act 221 credits have already cost Hawaii's taxpayers $747 million. And according to the Department's report, that could exceed a billion dollars over the next three to five years. But despite the high cost, the public does not know who the beneficiaries are or how we benefit. For example, we do not know how many Act 221 companies have moved away from Hawaii, or the number that are still viable. We also do not know how many new jobs resulted from Act 221, or how many of these jobs in fact still exist. That's been one of the problems.

"Finally, Mr. Speaker, throughout the Session over the last three months, this has been a battle waged between recipients, the beneficiaries of Act 221 credits, and we as the legislators on behalf of our constituents, who do not have the wherewithal, the financing, the special interest lobbying expertise in time, to be here, knocking on our doors and faxing us and emailing us. So we have stood in the gap between these few fortunate, lucky ones and the general population of our constituents.

"Act 221 partisans have passionately fought every effort for greater accountability and transparency on their benefits, and the costs of our taxpayers. They are incredibly well-financed and well-connected, and their leaders have the ability to assemble strong, thoughtful, and well-coordinated email, telephonic messaging, and fax transmissions.

"If we, on behalf of the regular people do not take an interest in this discussion and decision today, Act 221 supporters will probably get their way. The public will remain in the dark, and the welfare will continue to flow. Thank you, Mr. Speaker."

Representative C. Lee rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative C. Lee's written remarks are as follows:

"Mr. Speaker, I rise in opposition to this measure. The amendment offered was a good compromise that would save the State money, and would also ensure the high tech industry the support it needs. I believe SB 199 as drafted, goes too far toward choking off support for our high tech industry at such a difficult economic time, and I must oppose this bill."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition, and I'm trying to decide whether I should do written comments or speak. I'll just speak. Thank you.

"Mr. Speaker, to try to explain how Act 221 works, in being able to bring in money; there's no easy way of explaining on how it works. But it brings in money that otherwise would not come here, because we need to incentivize and attract people to come and invest here locally. I remember a time when we looked to the Department Head for DBEDT, and the director said that we should use some of our ERS money to invest locally, because it's so difficult getting local investors to invest here, as well as foreign investors to invest here. And that's what Act 221 does.

"But one of the biggest things is when people say that it's going to cost us, but this is money that has already been invested in the State. So, we've actually allowed the $1.4 billion dollars to circulate amongst our people here in the State. And then after the fact, when they have a tax liability, then they can claim the credit. Mr. Speaker, that's why I see such a huge benefit in this, because we keep on trying to get money from outside, coming in. That's just the opposite of what we do with energy when we're buying a barrel of oil. We're taking our money and we're buying outside. So, we're doing the opposite. We're trying to bring outside money in, and that's what Act 221 does. That money circulates in our economy, and that money, through salaries, yields income taxes. Through buying and purchasing of services, that's more money that goes through our restaurants, where we get GE tax from. All of this $1.4 billion that gets invested into Hawaii, it comes through our system, and we do get tax revenue from other than the corporations, or the QHTBs.

"Mr. Speaker, we have this whole thing about welfare for the rich, or we try to condemn the rich for making money, in some of the conversations that we have on the Floor. When you think about that, one person that may make a high income, they pay way more in taxes. And those taxes actually benefit our everyday people, whether it be a government worker, or public project that we do. And so, it strikes me a little that we keep on saying that we have to protect our average-day taxpayer, when the more money that we can get into this economy, the more that we're able to support all of us here.

"Mr. Speaker, again, this is $1.4 billion, as of, I believe the last record, and we'll see more if we allow Act 221 to thrive. But if not, then I think that we're actually not allowing the recovery of our economy by doing this. Thank you."

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Act 221/215 is probably the most aggressive package of tax incentives in the USA, providing a 100% tax credit against Hawaii State taxes for equity investments in qualified high tech companies. Other benefits include a 20% refundable tax credit for research and development, no Hawaii income tax on royalty income paid on the licensing of intellectual property, and more. Non-profit investors or those without Hawaii income tax liabilities (e.g., investors from out of state) can have their investment claimed by other investors in the deal who do have Hawaii tax liabilities although the additional credit is capped at 1.5 times the Hawaii taxpayer's investment.

"The former State Tax Director, who was the lawyer who wrote the law, is now in private practice helping business take advantage of the law.

"Economist Paul Brewbaker is not a fan of Act 221. He finds it "neither necessary nor sufficient" for Hawaii to demonstrate our openness to business. He stated in a recent interview that "Act 221 (and its predecessor, Act 215) is a clear signal that political pressures, with little economic foundation, are the dominant determinant of the character of Hawaii's business climate.

"The generous tax credits we have been giving away are now not as possible given the revenue shortfall we face. The credit will continue until its sunset in 2010 but at 80% rather than 100%. An evaluation of the usefulness of the credit should be done concurrently."

Representative McKelvey rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

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 199, Conference Draft 2. This bill has been sold to the Legislature as a means to rein in the tax credits afforded to wealthy investors through Act 221 which was intended to help build the high-tech industry here in Hawaii. However, without caps per qualified high technology businesses for investments made or without aggregate caps on the investments per year for which credits may be claimed, the important effect touted by this bill's supporters is speculative at best.

"Moreover, at a time when we should be fostering those industries that have the best chance of offering high-paying jobs in the future, this bill undermines the efforts of Act 221 that have been taking root over the past 8 years and simply makes it difficult for knowledge-based, idea-based, technology-based industries from staying here in Hawaii. Coupled with this Legislature's imposition of increased taxes on the tourist industry through the transient accommodations tax during a time when our tourist industry is seeing huge dips in people travelling to Hawaii, I am very concerned that our overall tax policy does not look to building jobs for the future and is simply too anti-business."

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 rise in opposition to S.B.199 – Relating to Taxation. This bill lessens allowable tax credits for high-tech businesses. Unfortunately, this measure would effectively kill Act 221/215 and eliminate any hope of diversifying our economy with environmental and high-tech industries. This bill changes the rules in the middle of the game resulting in a black eye for business.

"High-tech industries already give us a 3:1 ratio of private sector dollars invested for every dollar of Act 221/215 tax credits claimed. I believe this bill may send a clear message to high-tech industries and investors that they should take their investment dollars elsewhere. Given the current economic state it is now more important that we promote and diversify new 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 S.B. No. 199, SD 1, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 35 ayes to 14 noes, with Representatives Belatti, Berg, Brower, Ching, Finnegan, Hanohano, Keith-Agaran, Luke, McKelvey, Morita, Saiki, Thielen, Wakai and Ward voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 135 and S.B. No. 1677, SD 1, HD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1677, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Carroll rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. To all my colleagues, it is with heartfelt aloha that I humbly ask your patience and allow me to share a few of my thoughts to be included in the Journal. All Session, this issue has been a major concern of the State, especially among the Native Hawaiian community. Senate President Colleen Hanabusa said it clearly on Opening Day as well, 'We know we must address the sense of betrayal that many in our Native Hawaiian community feel on the issue of ceded lands, and in particular the case now pending before the U.S. Supreme Court. We will not turn a deaf ear to these questions, as difficult as they may be. We have heard the call of the people, and we must respond.'

"Leading up to today, the Legislative Hawaiian Caucus, the University of Hawaii law students of Kupu'aina Coalition, Hawaiian Civic Clubs, the Royal Order of Kamehameha, the Kanaka Council, and many other groups provided an ongoing forum that involved the public in the discourse, and allowed lawmakers to hear arguments from different sides of the ceded lands debate. I want to thank everyone who provided unwavering support for a full moratorium.

"In the beginning of the Session, many factors were taken into account in the decision to pursue a legislative mandated moratorium. Issues, such as the length of the moratorium, its effect on the State's bond rating, the need for reconciliation, and potential lawsuits resulting without a moratorium, were all presented to lawmakers at the public Legislative Hawaiian Caucus *kukakuka* meetings.

"There was much discussion that took place among this body, out in the communities, and with the general public. Even after the U.S. Supreme Court's ruling, many felt that a full moratorium is the policy. However, with much discussion and negotiation, a compromise was born, and today we are voting on this Senate Bill 1677, Conference Draft 1. For the record, I would like to let everyone know here that I believe there is fiduciary responsibility of the State to Native Hawaiians.

"Furthermore, I have always and will continue to support a full moratorium, because I believe that we need to protect the Trust until Native Hawaiians have relinquished their claims and reconciled. As we vote today on Senate Bill 1677, this legislation will provide a *kapa* over our lands, and serve as a protection to the sacred lands from being sold. Now, do you feel the *kapa* is well-made for this task? As a Native Hawaiian, we were brought up to understand that it is our *kuleana* to serve as stewards of these lands. We need to be sure that these lands remain intact, for perpetuity, so that those who are unborn will be able to live and sustain themselves from these lands. I am not that confident that this legislation will protect our sacred lands from being sold. I see *puka's* in the *kapa*.

"Another reason for my opposition to this bill is that in December in 1986, a final report on the Public Land Trust was completed by the Legislative Auditor, and the report was made to the Legislature of the State of Hawaii. In this final report, on the Public Land Trust, Chapter Four, reported on the inventory of the public lands. In this Chapter, it states that the Department of Land and Natural Resources is responsible for all public lands used by or under the management control of all agencies, except the University of Hawaii, and the Hawaii Housing Authority.

"Later in Chapter Four, the report talks about the problems with the inventory. The inventory was done by the DLNR, and they were the first to admit that the inventory contains inaccuracies. The inaccuracies are in the classification of land, as ceded or non-ceded, and as trust land or non-trust land and the acreages of parcels.

"My point is that until a complete, accurate inventory is completed, I don't feel that the State should be selling ceded lands. We need to protect the corpus of the Trust. And while I appreciate having somewhat of a policy in place, I strongly feel that it is not good enough to protect our *'aina*, or more importantly, protect the public Trust entirely. Furthermore, I cannot support Senate Bill 1677 in its current form. Thank you."

Representative Shimabukuro rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I have reservations about this measure. Mr. Speaker, I know that my colleagues have a lot of aloha for Hawaiians and I sincerely hope that the approval and disapproval process in this bill will provide protection for ceded land, while claims to the Hawaiian people are still in dispute. As a non-Hawaiian, I have concerns about the whole concept of selling or exchanging State land. In this island state, where land is extremely scarce, we have had to take the extraordinary action necessary to force landowners to sell their land. The controversial lease-to-fee conversions have always struck me as inherently unfair. Of course landowners will believe that no amount of money can compensate on this tiny island, where land really is power.

"Based on these concerns, both for non-Hawaiians and Hawaiians alike, I believe it's very dangerous to set up a procedure as described in this bill. As I said earlier, I know that all of you share my concerns for the fate of Native Hawaiians and for the rest of the Public's Land Trust, which is held by our State. But what if the make-up over this Legislature changes dramatically in five or ten years? And what if those future lawmakers do not share our aloha for Hawaiians or for the value of our State's land trust? We have no control over that, but we do have control over the policy we set in motion today. We should not allow sells or exchanges of the land we hold and trust, period."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I am speaking in favor of this measure, but with some reservations. First of all, I want to congratulate the House Conferees for working with the Senate on a very difficult measure. And, I think it's a fair compromise, except for one area that I am concerned about, which is the roads and streets. Previously, S.B. No. 1677 provided us an exemption on the streets and roads. This draft does not. You would still need to come to the Legislature and get the two-thirds approval before you can go ahead on that.

"If we don't make any changes in the future, I think it can provide some real problems in future land exchanges, developments, etc., and it will certainly provide a nexus for problems. I can only ask that someday, hopefully we'll look at this again, examine that again, and see if we can make the appropriate changes at that time. Thank you, very much."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. With reservations. And, may I have the comments of the Representative from Waianae entered into the record as if they were my own? And, I just want to make a brief note that if we're so concerned about protecting our bond rating, then we should be concerned about protecting the corpus, because if you diminish the corpus, and therefore you diminish your assets, and therefore you diminish your bond rating. Thank you."

Representative Awana rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in support with reservations, and I ask that the comments made from the Representative from Makaha be entered into the Journal as if they were my own, except for the part of not being part Hawaiian. I also ask to insert written comments. Thank you."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations. Initially, I was concerned about the changes that were made in other committees before arriving in our House Finance Committee. However, as this measure proceeded through the legislative process I decided to allow the measure to run its course. The merits of this measure have come to a compromise where there will be a 2/3 approval process instead of a 2/3 disapproval process and when I asked Clyde Namuo about how OHA beneficiaries would receive the 2/3 disapproval process, he stated, "They would be irate." He then added that the 2/3 approval process would be much more palatable.

"Based on these issues, I am supporting this measure. With that said, I would like to have seen a moratorium included in this bill until all State lands could be properly inventoried so all ceded lands could be identified before even thinking about moving forward and this is my reservation. Thank you, Mr. Speaker."

Representative Berg rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to this bill. I think you all know by now how I feel about the selling of public lands, and much less how we're tinkering with the ceded lands. I really urge our colleagues to think very seriously and deliberately about not only what we're doing here, but definitely what we're doing with regards to the lands.

"There are court cases pending. I know we can do a lot of things. We can interfere, we can stop, we can block, we can promote, but more importantly, I hope that we will really listen to the words of the Representative from the Leeward Coast, and pay attention to who we are today here, and the needs of our Hawaiian people. Thank you."

Representative C. Lee rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative C. Lee's written remarks are as follows:

"Mr. Speaker, while I rise in support of this measure, I still believe we should have a full moratorium on the sale of ceded lands until Native Hawaiian claims can be resolved. Our State Constitution places these lands in a public trust that we cannot allow to be broken. Land is the most important asset we have. Any sales of these lands and all public lands should be held to the highest scrutiny, especially if claim to them is challenged."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1677, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed Final Reading by a vote of 45 ayes to 4 noes, with Representatives Berg, Carroll, Hanohano and Shimabukuro voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 139 and S.B. No. 166, SD 1, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 166, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"I rise in support of this measure which would make access to oral chemotherapeutic agents available as conveniently as intravenous agents.

"Chemotherapy is used to treat various types of carcinoma, and new oral agents are being developed every day. Often both an oral and intravenous agent of the same name and purpose are available.

"Because of differences in reimbursement, there have been problems with access to the oral agents among some patients. This bill would ask insurers to find an equitable way to insure patients for whom oral agents are the physician's choice for treatment.

"The advantages of access to oral agents are many. They are easily administered and the patient may be treated at home; therefore, there are no associated travel or hotel costs. Oral agents do not require IV access or a surgical port and there is no need for a nurse to monitor the patient while the drug is being administered. Patients without IV access or a port are less susceptible to infection.

"As time goes by the drugs used for cancer therapy will become more sophisticated. Those that can be orally administered provide a tremendous advantage to the patient and his family related to safety and quality of life. This bill helps to provide access to life saving drugs and assures the consumer will be able to afford the treatment which is most appropriate for his needs.

"I urge the passage of this measure."

Representative Aquino rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Aquino's written remarks are as follows:

"The purpose of Senate Bill 166 is to ensure that oral chemotherapy treatments are covered by health insurance. It would also require health insurance providers to provide parity of coverage for oral and intravenous chemotherapy. I believe cancer treatment should be available to all people, including those with limited economic means. I support this measure for it will be able to provide the most effective methods for cancer treatment available, especially those who need access while at home."

Representative Finnegan rose to speak in support of the measure, stating:

"Mr. Speaker, on Conf. Com. Rep. 139, I'm going to support it, but I do have some concerns, as it exempts the sunrise analysis and sets some precedents. 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. 166, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

At 3:37 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 986, HD 1, SD 1, CD 1
H.B. No. 1378, HD 2, SD 2, CD 1
S.B. No. 1058, SD 2, HD 2, CD 1
S.B. No. 199, SD 1, HD 1, CD 2
S.B. No. 1677, SD 1, HD 2, CD 1
S.B. No. 166, SD 1, HD 1, CD 1

Conf. Com. Rep. No. 142 and S.B. No. 292, SD 1, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 292, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

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. 292, Senate Draft 1, House Draft 1, Conference Draft 1, Relating To Funds.

"The purpose of the measure is to reallocate for six (6) years, from July 1, 2009 to July 1, 2015, the distribution of funds in the Hawaii Tobacco Settlement Special Fund.

"The change in allocation is as follows:

- The amount to the Emergency and Budget Reserve Fund shall be reduced from 24½% to 15%;
- The amount to the Department of Health shall be reduced from 35% to 25%;
- The amount to the Hawaii Tobacco Prevention and Control Trust Fund shall be reduced from 12½% to 6½%; and
- 25½% shall be deposited to the credit of the State general fund.

"The expected revenue gain for the general fund is $12.million per year for 6 years. It should be noted that the Tobacco Prevention and Control Trust Fund has approximately $38 million in its fund balance. Examining the expenditures on an annual basis, it has ranged from a low of about $3 million, to a high of $7 million. Additionally, the Fund will continue to receive about $3 million per year under the new allocation. Considering the alternative of having to make additional cuts to State programs in the State budget, I believe this to be a fair compromise.

"For these reasons, I respectfully urge my colleagues to support this bill. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 292, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," passed Final Reading by a vote of 45 ayes to 4 noes, with Representatives Berg, Brower, C. Lee and Saiki voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 143 and S.B. No. 972, SD 2, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 972, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. With reservations. I don't think this measure is going to bring in the money the DoTax is peddling it will. I think this is going to end up just in lawsuits, and just another great idea from the 'brain trust.' Thank you very much."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Chong rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. I think this has been a bill that has gone through the process with quite a bit of tinkering. We believe that this is a fair and balanced approach to try and collect money from those who do not pay their fair share, and I would point to this as one of those bills, as somebody had asked for, that tries to tax a broader group. 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. 972, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 145 and S.B. No. 415, SD 2, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 415, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

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:

"Mr. Speaker, I rise in support.

"Home care agencies provide valuable home care services, such as personal care, homemaker assistance, and respite care to an increasing segment of Hawaii's residents. Especially with Hawaii's large elderly population, there is more demand for home care services. Therefore it is necessary to license providing agencies to ensure that minimum standards of quality, safety, and responsibility are met for consumer protection. Requiring the licensure of home care agencies in the State will help protect vulnerable consumers who utilize these services.

"I note that the bill language requires the Department of Health to report to the Legislature, before the 2010 Session, its recommendations to ensure the prevention of financial exploitation of home care agency clients and to improve the home care licensing program. Together these provisions would give greater assurance that vulnerable individuals will have quality environs where safety is primary."

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support.

"Home care is a rapidly growing sector of the health care continuum. It is a cost-effective service for many individuals who are recuperating from a hospital stay and also for many who, because of a functional or cognitive disability, are unable to take care of themselves. As more elderly and disabled individuals require such care, the need becomes more urgent for the monitoring of the agencies and individuals providing such care.

"Elderly and disabled people increasingly prefer to remain at home rather than being institutionalized. Home care reinforces and supplements care provided in the home by family members and friends, maintaining the

recipient's dignity and independence. Unfortunately, home care is often confused with other types of health care. Home health agencies are currently licensed by the Department of Health. Home health is directed by a physician and focuses on services provided by licensed professionals, such as registered nurses, physical and occupational therapists, and speech therapists.

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"Home care may be provided by professionals, as well as ancillary personnel and homemakers. Currently, many families using the services of home care agencies no doubt think that the industry is regulated, but it is not. Without licensure, the safety of those who receive home care is at risk, especially since home care is provided to frail and elderly consumers in many cases. The measure would also benefit the family caregiver who use home care services such as respite and homemaker services. Licensure of the agencies would give them peace of mind.

"The State has an obligation to protect consumers from improper care, exploitation, and abuse. At a minimum, the competence of home care agency employees should be established, and criminal background checks should be performed.

"The mandatory licensure of home care agencies is designed to assure the public that the services provided by such agencies comply with appropriate standards. Without mandatory licensure, these assurances cannot be given. 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. 415, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 146 and S.B. No. 496, SD 2, HD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 496, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. Thank you, Mr. Speaker. This is basically the Charter School Bill, Mr. Speaker, and at the last time that we had seen this bill on Third Reading, there was a 'no' vote from the Republican Caucus. There's been significant improvement to this bill, and so I did want to thank both Education Chairs of the House and the Senate for really taking a look at this bill and working with the Charter School community.

"This bill alters the Charter Schools' per pupil funding formula and allows them to submit a CIP budget request. Mr. Speaker, what I would like to say is that I also want to thank the Finance Chair, because I'm sure that we needed his approval to move forward with this bill. I would also like to say that this bill is good. They're still going to have to struggle with a lot of the funding issues. But, this bill gives them some hope that we do support Charter Schools. 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. 496, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 147 and S.B. No. 1248, SD 1, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1248, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

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:

"Mr. Speaker I support this measure.

"SB 1248 SD1 HD1 CD1 improves upon the State Enterprise Zone Program by extending for an additional three years EZ tax credits and exemptions for businesses engaged in the manufacturing of tangible personal property or in the producing or processing of agricultural products. The legislative intent behind this measure is for the EZ program to extend its existing seven year tax exemptions and credits for an additional three years, for a grand total of ten years. This additional enhancement will support the enterprise zones mission for many years.

"The bill also extends the definition of "qualified business" and "service business" to include limited liability companies; and fine-tunes qualification requirements by allowing the receipts, sales, and employees of a business's establishments in all EZs located within a single county to count towards those requirements.

"These provisions would foster continued growth of Hawaii's agricultural industry by benefiting agricultural producers with an extension of EZ tax credits and neighborhood revitalization programs that would create agricultural jobs.

"Such steps are necessary if we are to support a more diversified ag industry that is at once self-sustaining and competitive in the global marketplace and I urge my colleagues to join me in voting aye."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1248, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Wooley voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 157 and H.B. No. 35, HD 1, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 35, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

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 House Bill No. 35, House Draft 1, Senate Draft 1, Conference Draft 1, Relating to Income Tax Credit.

"The purpose of this bill is to meet the requirements of Article VII, section 6, of the Hawaii Constitution which mandates that a tax refund or tax credit be provided to Hawaii taxpayers when the state general fund balance at the close of each of two successive fiscal years exceeds five percent of the general fund revenues for each of the two fiscal years.

"For taxable year 2009, the general income tax credit is equal to $1 and shall be deducted from income liability computed under Chapter 235, Hawaii Revised Statutes. The estimated revenue loss is at $1.1 million.

"In 2008 and 2007, the constitutional requirement for a tax credit was also met. In 2008, the tax credit was also $1. In 2007, the distribution of the credit was based on the taxpayer's federal adjusted gross income; which allowed us to return about $25 million to low income taxpayers.

"As you can see, Mr. Speaker, when times were good, we gave back more. Times are definitely not good right now. However, despite the budgetary constraints placed on us by current economic conditions, the Legislature is obligated to comply with the State Constitution and provide a tax refund to the taxpayers of the State. 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. 35, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 158 and H.B. No. 1495, HD 1, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1495, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. There are some chuckles over here, and I just wonder why. I wish to speak with some reservations on this measure. I believe this is a very unfair bill, Mr. Speaker. If you make money wagering, you must include it in your tax papers. If you lose money, you cannot. So, there seems to be some unfairness there. Some bias against gaming. I think we need to look at this issue again, Mr. Speaker. Thank you."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In support. I share the thoughts of my colleague from Wailuku, but you know what? We shouldn't allow those who bet badly to be able defer their expenses. If you're going to bet on the Bulls, you get the 'horns.' 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. 1495, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE INCOME TAX," passed Final Reading by a vote of 47 ayes to 2 noes, with Representatives Hanohano and Nishimoto voting no, and with Representatives Bertram and Takai being excused.

At 3:44 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 292, SD 1, HD 1, CD 1
S.B. No. 972, SD 2, HD 1, CD 1
S.B. No. 415, SD 2, HD 1, CD 1
S.B. No. 496, SD 2, HD 2, CD 1
S.B. No. 1248, SD 1, HD 1, CD 1
H.B. No. 35, HD 1, SD 1, CD 1
H.B. No. 1495, HD 1, SD 1, CD 1

Conf. Com. Rep. No. 159 and H.B. No. 1544, HD 1, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1544, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to Conf. Com. Rep. No. 159. Thank you, Mr. Speaker. This bill is relating to taxation. This bill amends Hawaii's Tax Code to phase out personal exemptions for single taxpayers earning $75,000 or more, and taxpayers filing jointly who earn $112,000 or more.

"The more money an individual makes, the less that individual can claim as a personal exemption. On the federal level, the IRS also phases out personal exemptions. Hawaii's personal exemption is very different from the federal version, though. Currently, each Hawaii taxpayer may take a personal exemption of $1,040, but the federal exemption is $3,500. Given the high cost of living in Hawaii, the current personal exemption is nominal already, and phasing out an already low exemption will basically eliminate the personal exemption for these individuals. This is just another effort to squeeze every drop of tax revenue out of the citizens of Hawaii. Thank you."

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 rise in opposition to H.B. 1544 - Relating to Tax Exemptions.

"I do not believe in raising taxes on middle income families during an economic crisis. The Department of Taxation testified, 'Given Hawaii's high cost of living, the current $1,040 personal exemption is nominal, at best.' With Hawaii's taxes already high taxes it is my belief that now is not the time to be phasing out personal exemptions. Thank you."

Representative Chong rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in strong support."

Representative Marumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Just for the Members' edification, this has a fiscal impact of $10.5 million every year, starting in fiscal year 2010. 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. 1544, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX EXEMPTIONS," passed Final Reading by a vote of 43 ayes to 6 noes, with Representatives Ching, Finnegan, Marumoto, Pine, Thielen and Ward voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 164 and H.B. No. 1405, HD 2, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1405, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. With reservations. Just as a matter of history. I worked with the good Representative from Manoa on this measure as it moved through our Committee, and I like the idea. I thought this was a really good, thought-out approach. But as we even discussed among ourselves, with deference to the good Representative from Wailuku, this was a 'roll of the dice,' so to speak. And, the roll of the dice being that the programs, like Amazon and others would end their reseller relationship with Hawaii and/or file suit.

"At the time that this measure was moving through, it would appear that they were not going to challenge the New York ruling, but it now appears that they are. It also appears that a letter we got in Conference, that they are ready to end their reseller relationships here in Hawaii and/or file suit.

"And so, my concern is that the anticipated revenue coming in may not materialize given these factors, and it could cause a problem with the budget. I do support the underlying concept, but I just have concerns, given these new developments. 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. 1405, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Final Reading by a vote of 40 ayes to 9 noes, with Representatives Belatti, Brower, Ching, Finnegan, Luke, Marumoto, Pine, Thielen and Ward voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 169 and S.B. No. 1678, SD 3, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1678, SD 3, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Chong rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support. This is the Streamline Sales Tax Bill. It's been in this Body before. While there are, and always has been some concerns regarding this issue, I do think it's something that we need to take a look at. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. Mr. Speaker, this is a job-killer and anti-small business. A tax increase is something that we don't need, as we're trying to revive our economy in Hawaii. Thank you."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. Again, with reservations. And the only reason why is, well actually, I prefer the other bill over this approach. I just think given the experiences of Rhode Island, and from what I've heard with people who dealt with the Streamline Sales Tax, that I don't think that this is going to produce the revenue that it's expected, leaving a hole in the budget, and that we are going to be at the mercy of a commission to change our tax laws when they change theirs. And, I've heard that in other states, the cost of implementing these things far outweigh the returns. So, I just have those concerns. Thank you, very much."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition to the Streamline Sales Tax. I really take issue with the name, 'streamlining,' because I believe that it is very cumbersome and it will cause a lot time and trouble and energy. So, I am voting 'no' on this."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1678, SD 3, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 42 ayes to 7 noes, with Representatives Brower, Ching, Finnegan, Marumoto, Pine, Thielen and Ward voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 172 and S.B. No. 1350, SD 2, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1350, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

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 1350, Conference Draft 1. The Kakaako District has been mired in development controversy for decades. At a time when the largest landowners are finally underway with their master planning processes that will incorporate mixed-use development, the imposition of this bill's higher set-aside requirements is questionable. This bill may also place unrealistic economic burdens on developers that will only further stymie thoughtful development in the Kakaako area. Finally, it is also not clear whether simply increasing set-asides will result in a well-designed urban community that is the ultimate goal of the master planning process. For these reasons, I oppose Senate Bill 1350, Conference Draft 1."

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 Conference Committee Report 172, S.B. 1350, SD2, HD1 CD 1, Relating to Kakaako. Mr. Speaker, this bill increases the reserved housing requirements for development in Kakaako based on a sliding scale of square footage to be developed. Specifically, this bill increases the reserved housing requirements for residential development from 20% to 30% and commercial developments from 0% to 20% if the land area to be developed is 80,000 square feet or more. The bill further keeps the existing reserved housing requirement at 20% for residential development where the land owned is greater than 20,000 and less than 80,000 square feet, but now increases the reserved housing requirement for commercial development from 0% to 10% where the land to be developed is between 20,000 and 80,000 square feet. These percentages will increase by 5% in five years unless the Legislature determines there is adequate reserved housing at that time. Other notable provisions in this bill include incentives for developers of land over 80,000 square feet such as providing an offset of one-half of one reserved housing credit if a unit remains an affordable RENTAL for twenty years, and providing a developer who transfers land to the authority with a one-half of one reserved housing requirement credit for units developed by the authority. Other noteworthy provisions in this bill include requirements such that for-sale reserved housing units remain affordable for at least ten years and that the authority require parking stalls consistent with county requirements.

"Mr. Speaker, while opponents of this bill will contend that we must veer from the percentage requirement for reserved housing in Kakaako in order for affordable housing to be built, let us keep certain facts in mind: first and foremost, the landowners in Kakaako provided assurances to the State that it would provide affordable housing if the State of Hawaii made infrastructure improvements in the district. Accordingly, the State of Hawaii invested over HALF A BILLION dollars in public funds for infrastructure in the Kakaako district which has irrefutably increased the value of land in Kakaako. This public investment has sparked an increase in private investment and development plans for the area YET development projects in recent years have focused primarily on luxury condominiums which can hardly be considered affordable. So while the State kept its part of the bargain by investing in Kakaako's infrastructure, where are the affordable units that were promised to the State?

"Secondly, the Kakaako Development Plan initially called for over 70% affordable housing. This bill keeps the affordable housing requirement at 20% for residential development in land areas of 20,000-79,999 square feet, but now includes a 10% affordable requirement for commercial development which had previously not existed. While the bill increases the reserved housing requirement from 20% to 30% for the landowners owning over 80,000 square feet, developing these affordable units is not insurmountable particularly in light of the fact that this bill clearly delineates what the floor area which shall be subject to the reserved housing requirement and explicitly excludes areas such as parking facilities, driveways, lanais, and covered rooftop areas. Given that the Kakaako Development Plan originally called for over 70% affordable housing in Kakaako, the Legislature has been fair in keeping the reserved housing requirements at a percentage that is viable for all stakeholders of Kakaako.

"Finally, as Kakaako is a high-density neighborhood with adequate land infrastructure paid for by the taxpayers, it can provide the economic stimulus that the construction industry needs at this time. Possibilities include 3,400 construction jobs from at least 13 affordable housing projects in Kakaako over the next 10 years. Mr. Speaker, this bill truly represents a collaboration between the House and the Senate and I want to thank the Senators from Moanalua, Manoa, and Volcano, along with the Chairs of the Committee on Housing and Water, Land, and Ocean Resources for their hard work in coming up with a Conference draft that will hopefully provide us with the affordable units in Kakaako for our future generations. 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. 1350, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," passed Final Reading by a vote of 39 ayes to 10 noes, with Representatives Belatti, Berg, Carroll, Hanohano, Keith-Agaran, C. Lee, Luke, Morita,

Saiki and Takumi voting no, and with Representatives Bertram and Takai being excused.

At 3:51 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1544, HD 1, SD 1, CD 1
H.B. No. 1405, HD 2, SD 2, CD 1
S.B. No. 1678, SD 3, HD 1, CD 1
S.B. No. 1350, SD 2, HD 1, CD 1

At 3:52 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.

At 3:54 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 3:55 o'clock p.m.

Conf. Com. Rep. No. 81 and S.B. No. 1, SD 1, HD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OPIHI," passed Final Reading by a vote of 31 ayes to 18 noes, with Representatives Aquino, Berg, Carroll, Choy, Coffman, Finnegan, Hanohano, Har, Karamatsu, Keith-Agaran, C. Lee, Marumoto, McKelvey, Nakashima, Pine, Thielen, Tokioka and Yamane voting no, and with Representatives Bertram and Takai being excused.

At 3:57 o'clock p.m., the Chair noted that the following bill passed Final Reading:

S.B. No. 1, SD 1, HD 2, CD 1

ANNOUNCEMENT

Representative Karamatsu: "Mr. Speaker, on behalf of the Sergeant-at-Arms' Office, they want to let everyone know that all materials not picked up by our staff will be delivered by their office, either this evening or tomorrow morning."

ADJOURNMENT

At 3:58 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, May 6, 2009. (Representatives Bertram and Takai were excused.)

HOUSE COMMUNICATION

House Communication dated May 5, 2009, 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:

HB No. 28, HD 1, SD 2, CD 1
HB No. 31, SD 1, CD 1
HB No. 35, HD 1, SD 1, CD 1
HB No. 111, SD 2, CD 1
HB No. 183, HD 1, SD 2, CD 1
HB No. 262, HD 2, SD 2, CD 1
HB No. 271, SD 2, CD 1
HB No. 358, HD 1, SD 1, CD 1
HB No. 366, HD 2, SD 2, CD 1
HB No. 371, HD 2, SD 2, CD 1
HB No. 541, HD 1, SD 1, CD 1
HB No. 586, HD 1, SD 1, CD 1
HB No. 589, HD 1, SD 2, CD 1
HB No. 590, HD 1, SD 2, CD 1
HB No. 610, HD 2, SD 2, CD 1
HB No. 615, HD 1, SD 2, CD 1
HB No. 618, SD 2, CD 1
HB No. 632, HD 1, SD 1, CD 1
HB No. 640, HD 1, SD 2, CD 1
HB No. 643, HD 2, SD 2, CD 1
HB No. 813, HD 1, SD 1, CD 1
HB No. 814, HD 2, SD 2, CD 1
HB No. 952, HD 1, SD 2, CD 1
HB No. 975, HD 1, SD 1, CD 1
HB No. 981, HD 2, SD 2, CD 1
HB No. 983, HD 1, SD 2, CD 1
HB No. 986, HD 1, SD 1, CD 1
HB No. 1040, HD 1, SD 2, CD 1
HB No. 1045, HD 1, SD 2, CD 1
HB No. 1057, HD 1, SD 2, CD 1
HB No. 1070, SD 1, CD 1
HB No. 1071, HD 3, SD 2, CD 1
HB No. 1103, SD 1, CD 1
HB No. 1141, HD 1, SD 1, CD 1
HB No. 1152, HD 1, SD 1, CD 1
HB No. 1166, HD 1, SD 2, CD 1
HB No. 1174, HD 3, SD 2, CD 1
HB No. 1316, HD 2, SD 1, CD 1
HB No. 1351, HD 2, SD 1, CD 1
HB No. 1378, HD 2, SD 2, CD 1
HB No. 1379, HD 2, SD 2, CD 1
HB No. 1405, HD 2, SD 2, CD 1
HB No. 1415, HD 1, SD 2, CD 1
HB No. 1422, HD 1, SD 1, CD 1
HB No. 1470, HD 1, SD 1, CD 1
HB No. 1479, HD 2, SD 1, CD 1
HB No. 1495, HD 1, SD 1, CD 1
HB No. 1512, HD 1, SD 1, CD 1
HB No. 1525, HD 1, SD 2, CD 1
HB No. 1536, HD 2, SD 1, CD 1
HB No. 1544, HD 1, SD 1, CD 1
HB No. 1550, HD 2, SD 1, CD 1
HB No. 1552, HD 2, SD 2, CD 1
HB No. 1611, HD 2, SD 2, CD 1
HB No. 1676, HD 1, SD 2, CD 1
HB No. 1692, HD 2, SD 2, CD 1
HB No. 1696, HD 2, SD 1, CD 1
HB No. 1713, HD 2, SD 2, CD 1
HB No. 1776, HD 1, SD 1, CD 1
HB No. 1809, HD 2, SD 1, CD 1
SB No. 1, SD 1, HD 2, CD 1
SB No. 19, SD 1, HD 2, CD 1
SB No. 34, SD 1, HD 1, CD 1
SB No. 35, SD 1, HD 1, CD 1
SB No. 50, SD 1, HD 2, CD 1
SB No. 55, SD 1, HD 1, CD 1
SB No. 91, SD 2, HD 2, CD 1
SB No. 113, HD 1, CD 1
SB No. 166, SD 1, HD 1, CD 1
SB No. 199, SD 1, HD 1, CD 2
SB No. 203, SD 2, HD 1, CD 1
SB No. 281, HD 1, CD 1
SB No. 292, SD 1, HD 1, CD 1

SB No. 300, SD 2, HD 2, CD 1
SB No. 389, SD 1, HD 2, CD 1
SB No. 415, SD 2, HD 1, CD 1
SB No. 427, HD 1, CD 1
SB No. 440, SD 2, HD 1, CD 1
SB No. 470, HD 1, CD 1
SB No. 496, SD 2, HD 2, CD 1
SB No. 536, SD 1, HD 1, CD 1
SB No. 539, SD 1, HD 1, CD 1
SB No. 564, SD 2, HD 1, CD 1
SB No. 585, SD 2, HD 1, CD 1
SB No. 605, SD 1, HD 3, CD 1
SB No. 659, HD 1, CD 1
SB No. 695, SD 1, HD 1, CD 1
SB No. 711, SD 1, HD 2, CD 1
SB No. 714, SD 1, HD 2, CD 1
SB No. 764, SD 2, HD 2, CD 1
SB No. 851, SD 1, HD 3, CD 1
SB No. 868, SD 2, HD 2, CD 1
SB No. 912, SD 2, HD 2, CD 1
SB No. 914, SD 2, HD 2, CD 1
SB No. 917, SD 2, HD 1, CD 1
SB No. 931, SD 1, HD 1, CD 1
SB No. 932, SD 2, HD 2, CD 1
SB No. 971, SD 2, HD 1, CD 1
SB No. 972, SD 2, HD 1, CD 1
SB No. 1005, SD 2, HD 2, CD 1
SB No. 1058, SD 2, HD 2, CD 1
SB No. 1065, SD 2, HD 1, CD 1
SB No. 1066, SD 2, HD 1, CD 1
SB No. 1069, SD 1, HD 2, CD 1
SB No. 1073, SD 1, HD 2, CD 1
SB No. 1142, SD 1, HD 1, CD 1
SB No. 1160, SD 2, HD 2, CD 1
SB No. 1164, SD 2, HD 2, CD 1
SB No. 1183, SD 2, HD 2, CD 1
SB No. 1195, SD 1, HD 2, CD 1
SB No. 1223, SD 1, HD 2, CD 1
SB No. 1224, SD 1, HD 2, CD 1
SB No. 1248, SD 1, HD 1, CD 1
SB No. 1250, SD 1, HD 1, CD 1
SB No. 1259, SD 2, HD 2, CD 1
SB No. 1263, SD 2, HD 3, CD 1
SB No. 1268, SD 2, HD 1, CD 1
SB No. 1329, SD 2, HD 2, CD 1
SB No. 1338, SD 2, HD 2, CD 1
SB No. 1345, SD 1, HD 1, CD 1
SB No. 1350, SD 2, HD 1, CD 1
SB No. 1664, SD 2, HD 2, CD 1
SB No. 1677, SD 1, HD 2, CD 1
SB No. 1678, SD 3, HD 1, CD 1

SIXTIETH DAY

Wednesday, May 6, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:08 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Representative Pono Chong, after which the Roll was called showing all Members present with the exception of Representatives Bertram, M. Oshiro and Takai, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Ninth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 328 through 330) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 328, informing the House that on May 5, 2009, the following bill was signed into law:

S.B. No. 1327, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RATE OF INTEREST APPLICABLE TO OVERPAYMENTS OF TAX." (ACT 040)

Gov. Msg. No. 329, informing the House that on May 5, 2009, the following bill was signed into law:

S.B. No. 501, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TEACHER EDUCATION COORDINATING COMMITTEE." (ACT 041)

Gov. Msg. No. 330, dated May 6, 2009, informing the House that on May 5, 2009, 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. 1260 SD1 HD1

On May 5, 2009, Senate Bill No. 1260, entitled "A Bill for an Act Relating to Air Pollution Fees" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to eliminate the cap on air pollution fees for covered air pollution sources permitted under the federal Clean Water Act. The federal government allowed states to set caps in recognition of the impact high fees would have on the users of electricity. Currently, Section 342B-29, Hawaii Revised Statutes, allows the Department of Health to assess fees for the first 4,000 tons of air pollutants from a covered air pollution source. This legislation would remove the cap which will result in an increase in fees for certain entities, most notably larger power plants.

At most times and in most places in Hawaii, we enjoy some of the best air quality in the nation. This is reaffirmed through the fact that the State meets the federal Environmental Protection Agency's air pollution attainment standards. The Department of Health works diligently to regulate and monitor air pollution sources and has the authority to assess fees to support programs to improve our air quality statewide.

While enactment of this bill may provide an incentive for certain large power plants to reduce their emissions, we must be mindful of the fact that any increase in fees will almost certainly be passed on to the consumer through higher electric utility rates. This bill attempts to address renewable energy goals through punitive measures that adversely impact our residents rather than through the positive, proactive approaches my Administration has implemented through our Hawaii Clean Energy Initiative. In these difficult economic times, we cannot continue to operate government programs and services by burdening consumers with higher taxes and fees.

For the foregoing reasons, I allowed Senate Bill No. 1260 to become law as Act 42, effective May 5, 2009, without my signature.

Sincerely,

/s/
LINDA LINGLE"

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 779 and 780) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 779, dated May 5, 2009, informing the House that the following bills have this day passed Final Reading in the Senate:

HB No. 28, HD 1, SD 2, CD 1
HB No. 31, SD 1, CD 1
HB No. 262, HD 2, SD 2, CD 1
HB No. 271, SD 2, CD 1
HB No. 358, HD 1, SD 1, CD 1
HB No. 366, HD 2, SD 2, CD 1
HB No. 589, HD 1, SD 2, CD 1
HB No. 590, HD 1, SD 2, CD 1
HB No. 615, HD 1, SD 2, CD 1
HB No. 618, SD 2, CD 1
HB No. 632, HD 1, SD 1, CD 1
HB No. 640, HD 1, SD 2, CD 1
HB No. 643, HD 2, SD 2, CD 1
HB No. 813, HD 1, SD 1, CD 1
HB No. 814, HD 2, SD 2, CD 1
HB No. 952, HD 1, SD 2, CD 1
HB No. 981, HD 2, SD 2, CD 1
HB No. 1040, HD 1, SD 2, CD 1
HB No. 1070, SD 1, CD 1
HB No. 1141, HD 1, SD 1, CD 1
HB No. 1316, HD 2, SD 1, CD 1
HB No. 1351, HD 2, SD 1, CD 1
HB No. 1378, HD 2, SD 2, CD 1
HB No. 1379, HD 2, SD 2, CD 1
HB No. 1415, HD 1, SD 2, CD 1
HB No. 1422, HD 1, SD 1, CD 1
HB No. 1470, HD 1, SD 1, CD 1
HB No. 1479, HD 2, SD 1, CD 1
HB No. 1512, HD 1, SD 1, CD 1
HB No. 1611, HD 2, SD 2, CD 1
HB No. 1696, HD 2, SD 1, CD 1
HB No. 1809, HD 2, SD 1, CD 1
SB No. 1, SD 1, HD 2, CD 1
SB No. 19, SD 1, HD 2, CD 1
SB No. 34, SD 1, HD 1, CD 1
SB No. 35, SD 1, HD 1, CD 1
SB No. 50, SD 1, HD 2, CD 1
SB No. 55, SD 1, HD 1, CD 1
SB No. 113, HD 1, CD 1
SB No. 166, SD 1, HD 1, CD 1
SB No. 203, SD 2, HD 1, CD 1
SB No. 281, HD 1, CD 1
SB No. 300, SD 2, HD 2, CD 1
SB No. 440, SD 2, HD 1, CD 1
SB No. 470, HD 1, CD 1

SB No. 536, SD 1, HD 1, CD 1
SB No. 539, SD 1, HD 1, CD 1
SB No. 564, SD 2, HD 1, CD 1
SB No. 585, SD 2, HD 1, CD 1
SB No. 605, SD 1, HD 3, CD 1
SB No. 695, SD 1, HD 1, CD 1
SB No. 711, SD 1, HD 2, CD 1
SB No. 714, SD 1, HD 2, CD 1
SB No. 764, SD 2, HD 2, CD 1
SB No. 851, SD 1, HD 3, CD 1
SB No. 868, SD 2, HD 2, CD 1
SB No. 912, SD 2, HD 2, CD 1
SB No. 917, SD 2, HD 1, CD 1
SB No. 931, SD 1, HD 1, CD 1
SB No. 932, SD 2, HD 2, CD 1
SB No. 1005, SD 2, HD 2, CD 1
SB No. 1058, SD 2, HD 2, CD 1
SB No. 1065, SD 2, HD 1, CD 1
SB No. 1069, SD 1, HD 2, CD 1
SB No. 1073, SD 1, HD 2, CD 1
SB No. 1142, SD 1, HD 1, CD 1
SB No. 1183, SD 2, HD 2, CD 1
SB No. 1195, SD 1, HD 2, CD 1
SB No. 1223, SD 1, HD 2, CD 1
SB No. 1250, SD 1, HD 1, CD 1
SB No. 1259, SD 2, HD 2, CD 1
SB No. 1263, SD 2, HD 3, CD 1
SB No. 1268, SD 2, HD 1, CD 1
SB No. 1338, SD 2, HD 2, CD 1
SB No. 1350, SD 2, HD 1, CD 1
SB No. 1677, SD 1, HD 2, CD 1

Sen. Com. No. 780, dated May 5, 2009, informing the House that the Senate has on April 29, 2009, reconsidered its action taken on April 16, 2009, in disagreeing to the amendments proposed by the House to the following Senate bills and have moved to agree to the amendments, and that said bills have this day passed Final Reading:

S.B. No. 309, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

S.B. No. 420, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHIC MEDICINE."

S.B. No. 777, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE SEXUALITY HEALTH EDUCATION."

S.B. No. 937, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

S.B. No. 967, SD 2, HD 3, entitled: A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

S.B. No. 1008, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY STANDARDS."

S.B. No. 1568, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE."

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 May 5, 2009, from David McClain, President, University of Hawaii System, transmitting the Report to the Legislature on the Security Breach at Kapi'olani Community College, University of Hawai'i (Section 487N-4, Hawaii Revised Statutes) as requested by the Legislature.

INTRODUCTION

The following introduction was made to the Members of the House:

Representative Sagum introduced friends from Kauai, Ms. Theri Martin and Mr. Travis Haumea.

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to a certain House bill. (Representatives Bertram, M. Oshiro and Takai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House bill, seconded by Representative Evans.

H.B. No. 426, HD 1, (SD 1)

The motion was put to vote by the Chair and carried, and the House reconsidered its action previously taken in disagreeing to the amendments made by the Senate, and gave notice of intent to agree to such amendments for the noted House bill. (Representatives Bertram and Takai were excused.)

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative B. Oshiro moved to agree to the amendments made by the Senate to the following House Concurrent Resolutions, seconded by Representative Evans.

H.C.R. No. 37, (SD 1)
H.C.R. No. 51, (SD 1)
H.C.R. No. 55, (SD 1)
H.C.R. No. 60, (SD 1)
H.C.R. No. 94, HD 1, (SD 1)
H.C.R. No. 135, (SD 1)
H.C.R. No. 148, (SD 1)

Representative Souki rose, stating:

"Mr. Speaker, I have a question; a point of information. On these resolutions, I was recently listening to the Senate on television, and they had a resolution on Islam. Was that in any of these measures? I may have missed some of these resolutions that concern Islam. None? Thank you."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments made by the Senate to the noted House Concurrent Resolutions. (Representatives Bertram and Takai were excused.)

FINAL ADOPTION

The following House Concurrent Resolutions were taken from the Clerk's desk and the following action taken:

H.C.R. No. 37, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 37, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING RELIGIOUS AND FAITH-BASED ORGANIZATIONS TO DEVELOP APPROPRIATE WAYS TO RESPOND TO THE NEEDS OF VICTIMS OF DOMESTIC VIOLENCE," was Adopted, with Representatives Bertram and Takai being excused.

H.C.R. No. 51, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 51, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO INCREASE EDUCATIONAL EFFORTS TO PREVENT AND ERADICATE CERVICAL CANCER," was Adopted, with Representatives Bertram and Takai being excused.

H.C.R. No. 55, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 55, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CENTERS FOR MEDICARE & MEDICAID SERVICES TO INCREASE REIMBURSEMENT TO HAWAII PROVIDERS," was Adopted, with Representatives Bertram and Takai being excused.

H.C.R. No. 60, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 60, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE NA ALA HELE ADVISORY COUNCIL TO CONVENE A SERIES OF DISCUSSIONS ON THE SAFE USE OF HUNTING DOGS ON TRAILS THAT CROSS PUBLIC HUNTING AREAS," was Adopted, with Representatives Bertram and Takai being excused.

H.C.R. No. 94, HD 1, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 94, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A REVIEW OF THE PERFORMANCE OF THE MANAGEMENT OF THE PUUWAI MOMI AND WEST OAHU ASSET MANAGEMENT PROJECTS (KNOWN AS AMP 30 AND AMP 44) TO COMPARE THE PERFORMANCE OF STATE OPERATED AND PRIVATELY OPERATED PUBLIC HOUSING PROPERTIES; AND TO DETERMINE THE RELATIVE CONTRIBUTIONS OF FUNDING LEVELS, MISMANAGEMENT, AND TENANT AND VISITOR ACTIONS TO THE FAILURE TO MEET PERFORMANCE STANDARDS FOR THESE PROPERTIES," was Adopted, with Representatives Bertram and Takai being excused.

H.C.R. No. 135, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 135, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY SUPPORTING THE CONCEPT OF ESTABLISHING A SYSTEM OF JUVENILE INTAKE AND ASSESSMENT CENTERS, AS EMBODIED BY THE PROPOSED PILOT BIG ISLAND JUVENILE INTAKE AND ASSESSMENT CENTER, THROUGHOUT THE STATE," was Adopted, with Representatives Bertram and Takai being excused.

H.C.R. No. 148, SD 1:

Representative B. Oshiro moved that H.C.R. No. 148, SD 1, be adopted, seconded by Representative Evans.

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, I'm standing in strong support for HCR 148, SD1. Mr. Speaker, this Resolution came about by working in collaboration with the Senate, the Department of Health and the various stakeholders of the Health Information Exchange and Technology Group. This is a good compromise. We also wanted to note that we are currently working with the Department to write a Memorandum of Agreement with the same stakeholders, so that way the future of technology in healthcare will be moving forward as a public-private partnership. Thank you."

The motion was put to vote by the Chair and carried, and H.C.R. No. 148, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO DESIGNATE, AND ASSERTING THE LEGISLATURE'S ENDORSEMENT OF, THE HAWAII HEALTH INFORMATION EXCHANGE, INC. TO SERVE AS THE STATE'S QUALIFIED STATE-DESIGNATED ENTITY TO EFFECTIVELY COORDINATE HEALTH INFORMATION EXCHANGE TECHNOLOGY INITIATIVES TO ENSURE THAT HAWAII IS ABLE TO RAPIDLY RESPOND TO AND QUALIFY FOR GRANT FUNDING THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FOR HEALTH CARE INFORMATION EXCHANGE TECHNOLOGY," was Adopted, with Representatives Bertram and Takai being excused.

ANNOUNCEMENT

Representative B. Oshiro: "Mr. Speaker, I wanted to take this opportunity to thank the public and everybody in the House of Representatives for participating in our annual Penny Wars fundraiser. This year, we were able to raise $863.70. The winner of the contest was none other than our House Majority Staff Office, who had a total of 10,163 points, for a combined total of $113.43. As a reward for their winnings, they will be getting a pizza party. We also created a newly fashioned Penny Wars title belt, kind of like the WWF ones, or the boxing ones. So that will be the trophy that will be carried on and passed on for years to come, if this continues.

"The second place runner-up was LRB, who had 8,768 points, for a total of $88.83. Third place went to Rep. Denny Coffman's office, who was awarded 6,111 points, for a total of $61.21. But, the office that had the most amount of money, with $145.51, well, that was mine. But, unfortunately, that was due mostly to a bunch of silver coins and dollar bills. The irony of it all is, even though I had the most amount of money, we still lost.

"So, on behalf of the Hawaii Foodbank, I just wanted to thank everybody for participating for this worthy cause, and we look forward to, perhaps, next year's competition."

ADJOURNMENT

At 12:18 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 10:00 o'clock a.m. tomorrow, Thursday, May 7, 2009. (Representatives Bertram and Takai were excused.)

HOUSE COMMUNICATIONS

House Communication dated May 6, 2009, 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 its action taken in disagreeing to the amendments made by the Senate on April 16, 2009, and gives notice of intent to agree to the following House bill:

H.B. No. 426, HD 1, SD 2

House Communication dated May 6, 2009, 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. 37, SD 1
H.C.R. No. 51, HD 1
H.C.R. No. 55, SD 1
H.C.R. No. 60, SD 1
H.C.R. No. 94, HD 1, SD 1
H.C.R. No. 135, SD 1
H.C.R. No. 148, SD 1

SIXTY-FIRST DAY

Thursday, May 7, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 10:07 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Mr. Jensen Chang, son of Representative Chang, after which the Roll was called showing all Members present with the exception of Representatives Bertram and Takai, who were excused.

On motion by Representative Evans, seconded by Representative Pine and carried, reading of the Journal was dispensed with and the Journals of the Forty-Sixth, Forty-Seventh, Forty-Eighth and Forty-Ninth days were approved. (Representatives Bertram and Takai were excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 331 through 342) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 331, informing the House that on May 6, 2009, the following bill was signed into law:

S.B. No. 896, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW." (ACT 043)

Gov. Msg. No. 332, informing the House that on May 6, 2009, the following bill was signed into law:

H.B. No. 1414, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO METAL." (ACT 044)

Gov. Msg. No. 333, informing the House that on May 6, 2009, the following bill was signed into law:

S.B. No. 979, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS." (ACT 045)

Gov. Msg. No. 334, informing the House that on May 6, 2009, the following bill was signed into law:

S.B. No. 1056, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS." (ACT 046)

Gov. Msg. No. 335, informing the House that on May 6, 2009, the following bill was signed into law:

H.B. No. 267, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY." (ACT 047)

Gov. Msg. No. 336, informing the House that on May 6, 2009, the following bill was signed into law:

H.B. No. 319, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE." (ACT 048)

Gov. Msg. No. 337, informing the House that on May 6, 2009, the following bill was signed into law:

H.B. No. 1075, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE." (ACT 049)

Gov. Msg. No. 338, informing the House that on May 6, 2009, the following bill was signed into law:

H.B. No. 1270, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY." (ACT 050)

Gov. Msg. No. 339, informing the House that on May 6, 2009, the following bill was signed into law:

S.B. No. 161, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 051)

Gov. Msg. No. 340, informing the House that on May 6, 2009, the following bill was signed into law:

S.B. No. 537, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE." (ACT 052)

Gov. Msg. No. 341, informing the House that on May 6, 2009, the following bill was signed into law:

H.B. No. 1436, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE." (ACT 053)

Gov. Msg. No. 342, informing the House that on May 6, 2009, the following bill was signed into law:

S.B. No. 718, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION." (ACT 054)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 781 through 785) were received and announced by the Clerk:

Sen. Com. No. 781, transmitting H.C.R. No. 27, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF DISPARATE TREATMENT IN HAWAII'S CRIMINAL JUSTICE SYSTEM," which was adopted by the Senate on May 6, 2009.

Sen. Com. No. 782, transmitting H.C.R. No. 49, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING FULL PRESERVATION OF UNITED STATES MARINE CORPS AIR STATION EWA AS A NATIONAL MONUMENT, MUSEUM, AND RESTORED PARK FOR THE STATE OF HAWAII," which was adopted by the Senate on May 6, 2009.

Sen. Com. No. 783, transmitting H.C.R. No. 100, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION PROCLAIMING SEPTEMBER 24, 2009, AS ISLAM DAY," which was adopted by the Senate on May 6, 2009.

Sen. Com. No. 784, transmitting H.C.R. No. 207, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A JOINT AGENCY STUDY ON THE IMPACT OF ILLEGAL IMMIGRATION IN HAWAII," which was adopted by the Senate on May 6, 2009.

Sen. Com. No. 785, transmitting H.C.R. No. 304, entitled: "HOUSE CONCURRENT RESOLUTION CONDEMNING THE HUMAN-RIGHTS ATROCITIES AND VIOLENCE AGAINST CHILDREN IN NORTHERN UGANDA AND THE DEMOCRATIC REPUBLIC OF THE CONGO, AND URGING CONGRESS TO LEAD THE INTERNATIONAL COMMUNITY IN EFFORTS TO PROTECT THE CHILDREN OF UGANDA AND THE DEMOCRATIC REPUBLIC OF THE CONGO," which was adopted by the Senate on May 6, 2009.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Manahan introduced his legislative staff, Mr. Felix Yaranon, Jr., Ms. Karen Kawamoto, Ms. Doreen Tanaka, and Office Manager, Ms. Lori Tomczyk.

Representative McKelvey introduced ILWU members from Maui, Mr. Steve West from South Maui, and Mr. Jason Medeiros.

Representative M. Lee introduced her legislative staff, Ms. Ramona Ferreira and her family visiting from New York City: Ms. Carmin Carminderios, mother; Ms. Carmen Perez, grandmother; Mr. Deonis Taveras, brother; and Mr. Jaden Taveras, nephew. They were accompanied by legislative staff, Mr. Shawn Leavey and Mr. Lloyd Nakahara.

Representative M. Lee also introduced nursing leaders in Hawaii, in honor of Nurses' Day: Dr. Steve Kula, Chair of the Board of Nursing; Ms. Kathy Yokouchi, Director of the Board of Nursing; Ms. Gail Tiwanak, Executive Director of the Hawaii State Center for Nursing; Ms. Barbara Matthews, founding Executive Director of the Hawaii State Center for Nursing; Ms. Mary Boland, Dean of the UH Manoa School of Nursing; Mr. Wailua Brandman, President of the Hawaii Association of Professional Nurses; and Mr. Kevin Mulligan, Board Member of the Hawaii State Center for Nursing.

Representative Chang introduced his son, Mr. Jensen Chang, his daughter-in-law, Mrs. Kammy Chang, and grandsons, Calib, Seth, and Jedediah Chang.

Representative Finnegan introduced constituents from Foster Village, Mr. Bob and Mrs. Ingrid Kilthau.

Representative Evans introduced former Big Island resident, Mr. Mark McGuffie with Enterprise Honolulu, and former Big Island Mayor, Mr. Dante Carpenter.

Representative Wooley introduced her constituent, Mr. Robert Harris, Director of the Sierra Club.

Representative Pine introduced the head of the Hawaii Republican Assembly, Mr. Paul Smith.

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House bills and Senate bills for Final Reading by consent calendar. (Representatives Bertram and Takai were excused.)

UNFINISHED BUSINESS

Conf. Com. Rep. No. 167 and H.B. No. 200, HD 1, SD 1, CD 1:

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 200, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative M. Lee.

At 10:19 o'clock a.m. Representative Pine requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:20 o'clock a.m.

Representative M. Oshiro rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I rise in support of this measure. Let me begin this morning by thanking Chair Kim and the members of the Senate Committee on Ways and Means and the Ways and Means staff. I want to extend my sincere gratitude to all of you for your hard work and dedication. I can say without a doubt that this has been the most difficult year in my legislative career. However, none of the difficulty has stemmed from my dealings and negotiations with my counterpart, Ways and Means Chairperson, Donna Mercado Kim.

"Mr. Speaker, I can recall my first year as Chair of Finance in 2007, when there was a 'feast,' and my job was made easy by the experienced staff that I had inherited from previous Chair Takamine. 2007 wasn't that long ago, but I couldn't imagine how difficult it would be to learn this job this year. This has truly been on the job training in a hot kitchen, baptism by fire. And to Chair Kim, I appreciate all your efforts, your demeanor, candor and honesty throughout the process.

"I also want to thank the members of the Finance Committee. You know who you are, and the long hours we spent together. The moments we spent yesterday to take pause and reflect upon the good work that we've done over these past several months was important for me. I consider us amongst the privileged. And those who sit on the Finance Committee, I have got to tell each of you, 'Thank you. Mahalo.'

"I'd also like to thank and give a special acknowledgement to Representative Barbara Marumoto, who joined us on the Conference Committee, representing the Minority Caucus of this Chamber. Mr. Speaker, we have been through a lot this year, and I truly appreciate your support, input and guidance, and that of leadership, as we developed this budget. We have much work to do in the interim, and I look forward to working with all of you in the coming months.

"I also want to thank publicly my Vice Chair, Representative Marilyn Lee. Without her support, my job would certainly be much more difficult. Finally, I'd like to thank the Finance Committee staff, both the full time and session staff, the researchers, and analysts, for all the long hours and research and the support, not only in the budget, but in all of the Committee hearings. Their work was daunting, but without the leg work and logistical support they provided, we wouldn't be here today. And, Mr. Speaker, if I may take pause and ask for your permission, I'd like them to stand and be recognized by this Body. Please stand.

"Thank you, Mr. Speaker. Thank you, Members. And I ask that my Journal comments memorializing this cadre of analysts and researchers be entered into the Journal."

Representative M. Oshiro submitted the following:

"But, before I proceed, I need to recognize some very important people whose hard work and inquisitive natures continue to serve us well. These are the Finance Committee Permanent and Session Staff:

- Tracy Kubota – Administrative Assistant
- Jo Hamasaki – Zookeeper / Iron Chef Finance / Research and Budget Assistant
- Carmen Rodrigues – Legislative Aide
- Taryn Lum – Legislative Aide
- Lei Learmont – Legislative Aide
- Sallie Hamada – Legislative Aide
- Randall Hiyoto – Research Chief
- Stacey Tagala – Research Supervisor
- Erik Abe – Researcher
- Nicole Saul – Researcher
- Jennifer Taylor – Researcher
- Michael Ng – Budget Chief
- Eric Nouchi – Budget Supervisor
- Puna Chai – CIP Specialist
- David Hawkins – Budget Analyst
- Tijay Syn-Rodrigues – Budget Analyst
- Jonathan Conner – Budget Analyst
- Susan Fernandez – Budget Analyst
- Alexandra Coelho – Budget Analyst
- Michael Bomhoff – Budget Analyst
- Leslie Goo – Budget Analyst
- Nandana Kalupahana – Committee Clerk"

Representative M. Oshiro continued, stating:

"And finally, Mr. Speaker, I want to thank the public and those in the gallery here today, as well as in the past, and those watching us on TV.

You are the ones who elected us to make these difficult decisions. You are the ones that we are ultimately accountable to. Our system of government relies on your input and your participation.

"Mr. Speaker, in a difficult year like this, we must all take responsibility and make hard decisions. We are proposing to cut services. This will have real impacts on real people. We are also proposing to raise taxes. No one will be completely happy with this budget. To those who want us to cut even more from the budget, my reply to them is this: We tried. We gave it our best. The House draft of the budget had over 300 cuts or layoffs and eliminated three programs. The Senate draft of the budget had different cuts and eliminated other programs. Both Chair Kim and I received tremendous criticism for our decisions.

"When we asked the Governor to offer alternatives, her simple reply was, 'No. Use my plan.' It was, 'my way or the highway.' Her plan, Mr. Speaker, would involve furloughs, and she wanted us to include the salary cuts …"

Representative Magaoay rose to yield his time, and the Chair "so ordered."

Representative M. Oshiro continued, stating:

"Thank you, Vice Speaker. And she wanted us to include these proposed salary cuts in the budget. Mr. Speaker, the Legislature has never interfered in the labor and negotiations process before. When times were better, the Legislature never set aside a pot of money for raises. Now that times are not good, why would the Legislature set aside a 'place order' for reductions? The negotiation process involves two parties. For the Legislature, or any third party to interfere with negotiations would be to taint the entire process. And because the Governor and the respective unions are still in the negotiation process, the exact dollar amount is unknown. I've heard this amount go from $96 million, to $278 million, to $203 million.

"Mr. Speaker, if the Governor's budget was a construction project, it would be over-budgeted, over-sized, under-funded, and delayed from all the numerous change orders described in numerous, frequent, and late Governor's messages. For example, there was a late request to find $14 million to fund HHSC, our community hospitals. We also received a late request to fund $8 million for Adult Mental Health Service. And as late as April 17th, another change order was sent down to find $50 million to address a Medicaid shortfall.

"Mr. Speaker, I support this budget, not because I like what it does, but in spite of what it does. The honest truth is this budget cuts important programs, heavily in the big four. the Departments of Health, Human Services, Education, and Higher Ed. The Governor had the easy task of plucking the low hanging fruit. More than 50% of the Governor's proposed cuts, about $100 million per year came from the assumption that she would be able to refinance debt, bond debt over the next 13 months.

"We, on the other hand, had to cut both marrow and bone. Reflecting upon the scale and scope of these cuts leaves me somber and solemn, and I feel that the people who need us the most, the aged, the mentally challenged, the physically impaired, the socially-wanting, the diseased, the despondent, and the afflicted, will bear the greatest impact. History reveals the tragic pattern again and again, that those who need government the most, often influence government the least. The squeaking wheel may get the oil, but the voiceless pool, only get the spoils.

"So, I still do support this budget, Mr. Speaker, because working with the Chairs of Education, Higher Education, Health, and Human Services, who have been the voice to the voiceless, the guardians of the common good, fought for restoration of several programs cut by the Governor. Because of their insistence and leadership, we were able to restore funding of core services.

"Finally, Mr. Speaker, in speaking about this budget, I'm going to use the 'B' word. The 'B' word. Yes, Mr. Speaker, we got bailed out. Yes, we had to make extremely difficult choices in budgets and raising taxes, but we also got tremendous help from the federal government. The State of Hawaii did get a bailout. This budget appropriates about $942 million in federal stimulus funds over the next two years. These funds will help mitigate the decline in State funds. But, it is important to remember that these federal stimulus funds have strings attached to them, and we can't spend them on anything we want. And they will be gone, come July 2011."

Representative Har rose to yield her time, and the Chair "so ordered."

Representative M. Oshiro continued, stating:

"Thank you, Mr. Speaker. We cannot squander this opportunity. We need to spend the upcoming interim developing strategies to reinvent, right-size, invigorate our government and government services. It was the hope of Ways and Means Chair Kim and myself, that we could get the discussion of the core functions of government this Session. And that is why, Mr. Speaker, we redesigned our budget testimony format. The submittals requested and provided by the departments were supposed to rank and rate each and every program of State government. Unfortunately, the vast majority of agencies, departments, and divisions refused or were unable to provide prioritization of their programs and functions. There could be no excuse to not pursue these goals during the upcoming interim. I sincerely hope the Governor and her Administration will actively participate with us in this process.

"Mr. Speaker, at the beginning of the Session, you challenged us to treat this budget crisis as an opportunity for reform. We should not be afraid to change when for the common good. Challenge requires solutions that may unleash our creativity, overturn conventional thinking, and remove barriers of political fear. Mr. Speaker, we have taken your words to heart and been encouraged by them.

"When we made an attempt to reprioritize and reorganize functions in State government, change what is broken, fix what is flawed, and seek the common good, we have sought to use the budget crisis to assess where we are and where we can be and should be. But has it been easy? Certainly not. Still, the need and the seeds of change are planted in this budget, and it will eventually bear good fruit. I am proud of the work done by this Legislature, in considering, debating and wrestling with options to balance the budget. We have done so honestly, openly and respectfully. Mr. Speaker, you yourself have shown great foresight and courage in exposing a reluctant Body to the inevitable choices we soon face in addressing government costs in an era of declining revenues. Thank you, Mr. Speaker for bringing us to those bridges we soon have to cross, for patience in delaying that cross, and for leading the way for a better and safer cross in the near future.

"The Governor had celebrated much promise of working together which withered away too soon. Her 'my-way-or-the-highway' approach drew only deeper lines in the sand. The irony in the Governor's attacks is that she maligns us with doing what she has been unwilling to do: provide leadership. Provide clear and honest answers. Promote the common good. Foster *laukahi*, *laulima* and *aloha*. The Governor's reckless attacks, threats and innuendos have only one goal: to divide our communities and constituencies, to pit neighbor against neighbor, friend against friend, public against private, town against country, Neighbor Islands against Oahu, to foster a wedge of resentment between our people. This is not aloha, and this is not Hawaii.

"Rather than dividing our communities, we should be uniting them, reminding each other that we are in this place together. That we are linked, and that we should, and we must bring out the best in each other. We will not survive these turbulent waters if we only think about ourselves. One man alone cannot move such a large canoe.

"Mr. Speaker, I do not believe our work ends here. To the contrary. It begins here. Indeed, we have been reprieved from further and deeper cuts for now. Reprieve from large and more taxing proposals to be considered for now …"

Representative Rhoads rose to yield his time, and the Chair "so ordered."

Representative M. Oshiro continued, stating:

"Thank you. I'll be winding up soon. Reprieve from large and more taxing proposals for now, but let's not slumber in our sleep, for that perfect storm still approaches from outside shores. And, it is just below the horizon, steady in pace, gaining in speed, but predictable in arrival. We need to realize that someday soon, we will actually have to get our fiscal house in order for this new economy and this new century.

"A year ago, we warned of declining revenues. We sounded alarm to the Governor that you cannot have it all. We faced condescension and reproach from above. But through it all, we maintained our focus upon our mission and goal. A balanced budget for all, with budget burden shared by all.

"Finally, in closing, please know, Mr. Speaker, that I am still hopeful that collaboration is possible, that reconciliation can be achieved, the compromise can bring us all together on common ground. In the true meaning of the Aloha Spirit, we will persevere. In time, these rough seas will pass and we will enter into calmer, more peaceful waters. We will be stronger as a community, more caring as a people, more understanding, and more unified in purpose than we were just a few months ago. Let's get to work. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with strong reservations. Mr. Speaker, I'm indebted to the words of the Finance Chair, however, I think he's reading from a different Constitution. The Constitution of the State of Hawaii says, we, the House of Representatives is responsible for the budget. Not the Governor in all of this divisiveness that he is actually sowing, rather than solving. So, Mr. Speaker, we, when everybody in the State of Hawaii says 'Why did you do this?' We are the ones who passed it, and that's what we're doing today, Mr. Speaker. Let us be very clear on that.

"Mr. Speaker, let's give some background on what this budget's all about. It's based upon tax increases. It's based upon 'blood on the floor' of cutting employees. The context of that, the background, the environment that we're in. Hotel occupancy is at a 22 year low. Visitor arrivals down 14%. Spending down 18%. Foreclosures up 500%. Construction down 8%. We've lost 32,000 jobs.

"Mr. Speaker, with that background, why are we raising the TAT tax? 1% equals 3,200 jobs. So, we've raised it 2%, as was one of the foundations of this budget. 6,400 jobs when the industry is hurting. Mr. Speaker, I'm sure that you saw Doc Kelley's op ed piece in the *Advertiser* a few days ago. He said raising the TAT tax is disastrous. Now, this is the man who has given his life, his family, his whole being, to the tourism industry …"

Representative Manahan rose to a point of order, stating:

"Mr. Speaker, a point of order. I don't think he's talking about this bill."

The Chair responded, stating:

"No, the Chair will allow Representative Ward to continue, since it is related to the overall budget and that we have a balanced budget with the minus 5% growth. Please continue."

Representative Ward continued, stating:

"Budgets are crafted to meet the economic times, and I think if we forget the economic times, you forget the methodology by which we are using. And, that's why the context of the TAT tax is asked and brought into question. Why, when real estate is down are we raising the Conveyance Tax? Why, when small businesses are hurting are we raising the taxes on them? And, Mr. Speaker, I think it's because of the false assumptions of which the former speaker said, we just don't believe what the Governor said. Number one, you can't balance the budget if you have no tax increases. She has said that, and she is going to deliver that. She says you can balance the budget without cutting employees. The lack of belief of the Finance Committee is really what's at stake here.

"Mr. Speaker, part of our budget is 67% to 70% of every tax dollar goes to wages, it goes to benefits, it goes to keeping the corpus or the human component, our staff. But, Mr. Speaker, rather than having all of us equally share, who work for the government, we are putting it out there onto the people who then will have to pay higher taxes. I think there's almost half a billion dollars of tax increases on which this budget is based.

"Mr. Speaker, let me just droll down a little bit into some specifics of DBEDT and what it does. It carves, it cuts, it makes a mess, when we should be stabilizing, we're reorganizing. While the ship is going down, the Titanic example, let's rearrange the deck chairs. Mr. Speaker, what's been done to DBEDT? The Aloha Development Corporation supposedly is transferred to the Department of Transportation, yet the funds don't appear in the DOT's budget.

"Mr. Speaker, we have some of the best and the brightest on the Finance Committee. Why has that not taken place? Why is a position from, for example the HTA liaison for tourism transferred to the Governor's office, but there's no money for that. Why are we doing all of this shell game reorganization, when in effect, when an economy is wobbling, we need to have the ship, the captain and the crew, stable, going forward, all reading off the same sheet of music. But, instead of that, we've decided to make it wobble. We've decided to make it discombobulated.

"Other things that are going on in DBEDT. It seems that despite the budget, and what has been shifted, the $300,000 general funds were appropriated to match the $5.5 billion in federal funds that we'll be receiving. According to DBEDT, this extreme uneven match could jeopardize federal funds. What we're giving and what we're jeopardizing getting back, Mr. Speaker, is in jeopardy.

"If we pass a budget that dismantles programs, for example, also in DHS, Director Koller brought in an extra $175 million, but yet, one of the versions of this budget actually got rid of her position. Hopefully it was inadvertently. But, Mr. Speaker, another unkind cut, and I speak for my district which, like many districts that have mountains, that have hills, they have rock falls. I personally find it questionable that we're spending $500,000 for fencing Lake Wilson, while the rock fall mitigation program may be in jeopardy, and these are lives of people.

"So, in conclusion, Mr. Speaker, this budget moves, removes, cripples, and renders ineffective as much as it can the Executive Branch. At a time …"

Representative Thielen rose to yield her time, stating:

"I yield my time. So, I encourage him to speak longer."

Representative Ward continued, stating:

"I was going to say that I was just about in conclusion. In summary, Mr. Speaker, the point is this. We're doing reorganizations when we should be doing stabilizations. We're doing taxation when we should be lowering the cost of living. We're doing the exact opposite of what the times call for. Raising taxes when the economy is tough is going to pull out, as I said earlier, almost $500 million from the pockets of the people of Hawaii. Mr. Speaker, that's tough. And you know macroeconomics say consumer spending, keeping the pipeline filled, people eating out, people buying cars, that's what keeps us stabilized. And, in the long run, that's what's going to be the view of what this budget will be witnessed as. This gives us a short range fix, but a long range super headache, Mr. Speaker.

"I don't believe that there's any 'Big Five' accounting firm that would buy into the rationale of the budget, given the times that we are in. The no-rational basis of what we're asking the public to do in times which, Mr. Speaker, I think we just really need to rethink how we spend the people's money, particularly given the tax increases on the basis of which this is built. Thank you."

Representative M. Lee rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Before I begin, I just also would like to add my thanks to the members of the Finance staff; brilliant and cool-headed, and a pleasure to work with. Thank also to the members of the Finance Committee. You all deserve stars. And to the Finance Chair, you are a star.

"Mr. Speaker, according to the Center on Budget and Policy Priorities, 29 states faced a total budget shortfall of at least $48 billion in 2009. It could be said that the nation has the fiscal flu. Now, preparing the budget for 2010 and 2011, Hawaii joins others in the nation struggling to create a balanced budget with decreasing revenues. Our options are narrow by constitutional limits and the persistent credit crunch. Make no mistake, there are cuts in this budget we agonized over, and we're forced to make tax increases that will cause some pain. But, in the words of Peter Harkness, writing in the *Potomac Chronicle*, balancing the state budget with spending cuts alone is next to impossible.

"Some criticism of our attempt to balance the budget has been raised from those who are not economists, and not experts on Hawaii's economy. Some criticisms are merely based on the need to appear politically correct. However, professional economists, like Paul Brewbaker, have another take on this. When asked in an interview on The Hot Seat, April 26th, in the *Honolulu Advertiser*: What kind of effect increasing our State taxes will have on Hawaii's economy? Brewbaker replied:

> The recession was intensified by a dramatic loss of wealth, such as houses and stocks, and a nearly unprecedented decline in consumption. Now, if people have money, they don't spend as much of it as they used to. Conversely, if you take money away from people, it doesn't reduce consumption expenditure as much as it used to. The marginal propensity to consume has decreased, and marginal savings propensities have increased. Adding or subtracting income has a smaller impact on consumption than used to be true.

"Brewbaker says that when government spending is decreased, it really does affect people, dollar for dollar, because the services will not be there. He believes blending tax or fee increases with government spending decreases in order to balance the budget is not bad policy. Let me repeat, not bad policy.

"Writing in the *Sacramento Bee* on December 15th, 2008, Jean Ross opined about the vital role government plays in the economy. Government pays for essential services, like education and infrastructure, providing income to individuals and businesses statewide. When budgets are cut, people working in the schools, construction and healthcare lose their jobs. Demand for products decrease, and it hurts the economy even more. Every dollar cut from state spending has the potential of driving the economy deeper into recession. Ross says, 'Targeted tax hikes are the best way to cut the deficit. '

"Our proposals for a progressive income tax increase make a lot of sense, and far outweigh the arguments for an increase in the regressive GET. High earners save a significant part of their income, and spend more outside of the State on things like travel and luxury goods. In addition, most higher income taxpayers can export part of a State personal income tax increase to the federal government, by deducting their Hawaii taxes on their federal returns. The GET, on the other hand would hit low income people, the elderly, and small business the most.

"Regarding tourist taxes, that's a big 'bugaboo.' The fear of tourists not coming because of the modest increase seems oversimplified. The TAT has not been raised in 10 years, and it's far lower than many tourist destinations. Take New York City for example, the most visited city in the United States. Some would say it is purely a business destination, but tell that to the people on 42nd Street, 5th Avenue, 7th Avenue, and the vendors out at Coney Island, or the Statue of Liberty. One night at a hotel in New York City could cost more than $43 above the quoted room price. On a $295 room, one would pay $14.75 in city tax; $24.72 in state tax; a $2 New York occupancy tax; and a mandatory $1.50 New York City Javits Center tax. Incidentally, for $295, you get a 4x4 room with thin towels, noisy neighbors, and possible bed bugs.

"Here, you get to breathe the air of one of the 10 cleanest cities for ozone air pollution, and the number three cleanest city in the U.S. for long term particle pollution.

"Writing in the Sunday *Advertiser* on April 26th, the Minority Leader had said …"

Representative Yamashita rose to yield his time, and the Chair "so ordered."

Representative M. Lee continued, stating:

"Thank you, Mr. Speaker. Thank you, Representative. Writing in the Sunday *Advertiser* on April 26th, the House Minority Leader said that Hawaii tourists staying seven days in a $175 room would have to pay $113 in tax, almost the cost of the room. Well, New York City, staying seven days in a $295 room would cost you $301, way more than the cost of the room.

"The federal stimulus package will help this budget in the schools and with Medicaid this year, but it has been said that the State and local financial systems are a fiscal 'time bomb.' The U.S. Government Accountability Office has concluded that without major policy changes, states will be in crisis, especially in the area of Medicaid, where costs are growing exponentially. Healthcare reform is, at best, a distant accomplishment for the Administration in Washington. Locally, we've made efforts to deal with the growing elderly population by planning and studying the issues. However, unless we take some action in the near future, the deluge will overwhelm us.

"Writing in the *Potomac Chronicle*, Donald Kettl said, 'Medicaid costs seem likely to outstrip economic growth for the next 25 years.' That said, this budget has been balanced with a combination of spending cuts, use of reserves, and revenue generation. Despite all of the hard work and effort, we may have to return next year to do more of the same. Let's hope the small signs of recovery we're seeing are not fleeting. We need to work together to help our State recover. And with the help of both government and the private sector working together, we will succeed. What we're doing is not rocket science. It has been and is being done all around the country today. Thank you, Mr. Speaker."

Representative Pine rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with reservations. I take great umbrage in the Finance Chair attacking the Governor in saying that she's trying to divide Hawaii, and trying to pit one community against the other, because as I said last year at the end of Session, 'Gosh, I just wish you folks would all get to know her a little better.' And I learned something really interesting during the Conference Committee meetings, and trying to help negotiate a couple of bills.

"I was talking to a Chair and we had a disagreement on a particular line or two, and I said, 'Why don't you just go talk to the other Chair in the Senate and see if he's okay with that?' And he says, 'No, there're certain protocols. You just don't do that.' And I realized that there's a lot of that stuff that's going on here and that went on this Session. Everyone's pitting the Governor against the Legislature, and the Legislature against the Governor. And I think all of us truly believe that we're doing our best. I know her very well, and I know that she's not trying to divide this community.

"This budget however has many flaws, and in some cases, it would appear to a cynic to be very vindictive to those who've tried to straighten some things out, and hit the Legislature with some common sense. I'm very disturbed by many of the different cuts, which I know my colleagues will mention, but in particular, in the Attorney General's Office. The Majority theme seems to be from a cynic's point of view, that they're going after their political opponents through the budget.

"In this budget, the Majority deleted Bridget Holthus' position as Special Assistant to the Attorney General. The Department reviews every bill introduced in the Legislature, submits testimony to the Legislature, and

provides advice and informational response to individual legislators' requests. This Special Assistant position is responsible for managing of these responsibilities relating to the Legislature. Moreover, this is the only position in the AG's Office responsible for responding to requests for information from the public and the media. And that is just one of the many hurtful cuts that were made to the Governor's particular appointees.

"I'm also concerned about some of the confusion in the budget, especially in Department of Education. For many years, there has been a debate between the Legislature, the Governor's Office, and the public about just how much we spend on each student. And if you add everything up that relates to the Department of Education, from teachers' salaries to what we spend on food, buses, Hawaii ranks as one of the highest in the nation, in terms of what we spend per pupil.

"In 2006, Hawaii passed Act 51, in an effort to consolidate DOE's expenses and responsibilities within the DOE. It was a move to cut down the bureaucracy, increase transparency, and push decision-making to those with knowledge of the educational system. However, there seems to be a trend developing, as the DOE budget continues to farm these responsibilities back out to other departments. So far, it has pushed workers' compensation claims and labor management duties to the AG's Office, giving DHS responsibility for conducting background checks on employees, and now Budget and Finance is handling all of DOE's collective bargaining responsibilities, as well as securing and administering DOE's federal funds.

"Just earlier this week, we passed House Bill 541, which allows the DOE to have two more years to develop its own civil service system, which was supposed to have been done by June of this year. This year, the DOE is transferring out all of its $650 million in fixed costs to Budget and Finance in the year 2010, and another $678 million for 2011, and this is currently in the budget. Of course, these transfers could indicate that the DOE cannot handle their responsibilities, but more likely, they are simply trying to make their budget not seem as large as it actually is.

"In terms of the Charter Schools, earlier this week, this Legislature passed out Senate Bill 496, which for the first time allows Charter Schools to submit a CIP request and a per pupil funding request that is equal to the DOE. I do want to commend the Education Chairs for doing this, because this really was a wonderful step for public Charter Schools. However, in this budget, the actual amount appropriated for Charter Schools is 22% ..."

The Chair addressed Representative Pine, stating:

"Representative Pine, your time has expired. Is there anyone from the Minority Caucus willing to yield their time?"

Representative Ching rose to yield her time, stating:

"Mr. Speaker, may I yield two minutes of my time?"

The Chair responded, stating:

"Representative Ching, it has to be the full five minutes that you have. The two minutes is for rebuttals. So, would you yield your five minutes at this point in time?"

Representative Pine then stated:

"That's okay, Mr. Speaker."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I stand in opposition of this budget and this measure. Thank you, Mr. Speaker. First of all, I wanted to say that I know how hard, and I appreciate how hard the Finance Committee works, and how knowledgeable they are, and how much they have looked to every possible alternative. I think they have looked at those things. I think that they chose to do some things that you have to do sometimes.

"But, there's some objections I make to the arguments that have been made. I just wanted to address also that I cannot find two more different places than New York and Hawaii. New York is one of the oldest cities. It was in the first 13 Colonies. We're the youngest. We celebrate our 50th anniversary only this year of being a state. New York has many, many philanthropists, and so therefore they have a very strong arts community, which is financed very well, and a strong symphony, Broadway, etc. They're taking a little bit of a cut, but they're still a far cry. Lots can be done in a century and more.

"Wall Street. We have no Wall Street revenue from a stock market that serves the entire nation. Population differences. They're extremely dense, even more dense than we are by a long shot. They're the closest to all of the major cities and we are the farthest. To me, it's like kind of comparing a banana and a lychee. So, to me, when we raise the taxes on our tourists, it's just a whole different kind of tourist. And I just can't support that sort of thing.

"There's a couple other things that I'm going to bring out. I know my colleagues have brought out a number of other issues, so I'm going to try to be not so long, and be a little more brief. But, one thing that comes out is that the Tourism Liaison has been transferred from DBEDT to the Hawaii Tourism Authority. Now, that would look very logical for most people. I mean, obviously the Tourism Liaison. But apparently, the research that's been done and the specialty of the agency, its excellent research and having it farther away. You maintain objectivity, versus having it within HTA, which is of course to promote tourism. But you want to keep that objectivity.

"Same thing with the film industry. The film industry also has been moved. The film industry, granted, it does affect and is related to films that are tourism, advertising our State, etc. However, it's still tangential and there's other focuses of this industry. And so changing it, you change their focus, and they don't appear to have direct benefits.

"Taking away the liaison, changing the film industry, it renders DBEDT and HTA somewhat ineffective. And so, those are some of my objections, and including others. It stops them from doing the best job they can, and I think that's what we're all here about, is trying to make sure that everybody can do the best job they can. Children can do their best job and perform well. Businesses can thrive.

"And so I'll end, when I think of New York, and my husband's from New York, he's a New Yorker, a 'New Yahker,' and we get a chance once in a while to go there. And you will see small businesses lined up there. I don't even need to tell you. Any kind of pizza you want, that sort of thing. They've got a stronger small business community, which has helped in turn by the financial hub being there.

"I just don't think it's a wise idea to be raising our taxes when things are rough. I think that it sends the wrong message. We need to be open for business. Thank you."

Representative Rhoads rose to disclose a potential conflict of interest, stating:

"I have a request for a ruling on a potential conflict. I'm a member of the Board of Directors of the Pacific Gateway Center, which is a service provider for the State," and the Chair ruled, "no conflict."

Representative Rhoads continued in support of the measure, stating:

"I'm in support of the bill, and could I make just a couple of comments? Thank you. Voting to raise taxes is the last vote that any of us want to make. Hopefully we're wrong, we don't need these tax increases and next year we can vote to get rid of them, because that's the easiest vote we can take. But, as Chair of Labor, when I look at the numbers, or the plan that the Governor has brought down, which says she's going to save somewhere between, and the number has been changing, as most of our numbers have been changing this year. But she says somewhere between $278 million and $303 million in savings from public employees.

"I look at the bargaining units, and there are only three bargaining units that aren't covered by arbitration. One, five, and seven are not covered by arbitration …"

Representative Finnegan rose, stating:

"Mr. Speaker, if I'm not mistaken, didn't this speaker yield his time?"

Representative Rhoads responded, stating:

"I yielded my time. This will be my second time."

Representative Finnegan: "Is this his second time?"

Representative Rhoads: "This would be my second time."

Speaker Say: "Please proceed, Representative Rhoads."

Representative Finnegan: "Does that mean that the Minority Caucus will be allowed that as well?"

Speaker Say: "Yes. Just three minutes for a rebuttal. Please proceed, Representative Rhoads."

Representative Rhoads continued, stating:

"Thank you. All the other bargaining units are, if an impasse comes about because the parties can't agree, then it goes to binding arbitration. My staff spent the last couple days trying to look at what happens in binding arbitration, and I was curious whether there was ever a situation, not just in Hawaii, but nationwide, where an arbitrator said to a public employees union or the public employees, that we're going to actually cut your pay. While it's very difficult to do an exhaustive search in 50 states, we were unable to find a single situation where the arbitration panel said, 'We're going to actually cut your pay.'

"If the Governor had produced numbers that made some sense, and there was some way to avoid a tax increase, I have no qualms about cooperating with the Governor. I have in the past with Kukui Gardens, which was a very major project in my district, and for affordable housing for the State. But, the numbers that the Governor has put forward just don't add up. And, I personally feel forced, basically, as a responsible legislator, to vote to raise taxes, because nothing else is on the table. And if there were anything else on the table, I would love to pick from something other than a tax increase vote. Thank you, very much."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of House Bill 200. Thank you. Mr. Speaker, on a personal note, last Friday night, as this relates to the bill, of course, your Chair of Human Services, as well as the Chair of the Senate Human Services Committee worked with you, and did our best to lobby you, as well as the Finance Chair for more money. I just wanted to thank you for your candor, your honesty, transparency. It was heart wrenching for myself, as well as the Chair of Human Services, but we understand that this measure is fiscally prudent. We understand the bigger picture, and as painful as it was for us that Friday night, we respect your decision, as well as the decision for both my Committee Chairs.

"I just wanted to share with you, on behalf of Human Services, I think the budget is very fair. It provides $714 million in general funds for human services in fiscal year 2010, and another $780 million in fiscal year 2011. So essential are these services, especially during this difficult time of recession that we're in.

"In addition, we also receive federal funding. There was $154.6 million in TANF funds for fiscal year 2010. This includes the American Recovery and Reinvest Act monies, as well as the Deficit Reduction Act federal monies. And for fiscal year 2011, we have federal funding in the amount of $128.9 million for human services. So, in the bigger picture, Human Services did get a lot of money in this bill, and we appreciate that. What does this mean, though? What does the funding equate to? Many worthy programs to help the most needy in this most difficult time, Mr. Speaker.

"You heard the good Representative from Hawaii Kai mention that Hawaii's just lost 32,000 jobs. Well, monies are targeted at employment training. The money will also provide assistance to the unemployed, to provide for services for preschool and childcare services, for legal services to our low income families, as well as immigrants, assist with Keiki Care, youth gang prevention services, immigrant health initiatives, adult dental services, services for our developmentally disabled, and provide safe houses for youth services in housing and outreach to the uninsured.

"We provided a disproportionate share in increase in Medicaid funding, provided healthcare for our aged, blind, and disabled, as well as mental health services, domestic violence shelters, and domestic violence services by helping those in need to secure temporary restraining orders and protective orders. It also provides for adult personal care services. And when I compare this budget in House Bill 200 with the Executive budget, I appreciate what our Finance Chair did, as well as the Ways and Means Chair, because they restored some of the cuts. And again, this is not based on party partisanship, it's just what was in the Executive budget and what's in this budget. And I appreciate what both the Finance Chair and Ways and Means Chair did. They restored $2.6 million in fiscal year 2010, and another $3.1 million in fiscal year 2011 for adult dental services that was actually taken out in the Executive budget.

"They also restored $275,000 for fiscal year 2010 for immigrant health services. They added $150,000 for adult personal care services for Maui County. They also restored two positions and $52,000 for the Keiki Care Program. They also added funds for Medicaid to address the shortfalls due to enrollment projections. We're going to have higher projections because of the recession.

"I wanted to share with you a letter from the Director of Human Services, just to show that we're working in a spirit of bipartisan support …"

Representative Brower rose to yield his time, and the Chair "so ordered."

Representative Mizuno continued, stating:

"Thank you, Representative Brower. I have a letter here from Director Koller dated May 5th. This is to the Chair of Finance, as well as his Committee members, and it's a good start. It looks like the Administration and the Legislature are actually working together. I'll quote what Director Koller says. She said:

> 'I want to personally thank you and your House Finance Committee members for allocating an additional $500,000 in program funding for our latest Ke Kama Pono safe house, which will open this Friday, May 8th. As you know, this latest safe house fills a critical gap in the continuum of State services that help troubled non-violent youth turn their lives around and become productive citizens. It is also less expensive to place them, to place teens in a Ke Kama Pono group house than it is an institutional setting, such as the Hawaii Youth Correctional Facility. And more importantly, the outcomes are better.'

"The director states, 'Thank you again for your support of Ke Kama Pono. Sincerely, Lillian B. Koller, Director of Human Services.'

"It's a good sign to show that the administrators are working with our Finance Chair in crafting good legislation and funding good programs. So, I appreciate the dialog that has been involved, by both the Director of Human Services and your Chair of Finance.

"And finally, Mr. Speaker, I just wanted to share with you a personal note from both Senator Chun Oakland, and both of our Committees on Human Services, that it was our mission, and actually a pleasure to work this year at the Legislature to provide human services for the people of Hawaii. We believe that this Legislature has worked towards positive outcomes for children and youth in low income households by ensuring that more children are enrolled in no cost or low cost human healthcare services.

"We also worked to better link the needs of the State's senior citizens and persons with disabilities, both appropriate services supporting our care homes, community care foster homes, homes for the disabled, and ensuring affordable housing and healthcare for our elderly, protecting our most vulnerable in our communities by seeking better policy to reduce domestic violence, ensuring better education in child development programs for our youth, and addressing a growing number of unemployed with employment training programs. We're at work to support programs that expand our workforce and promptly address the State's fiscal recession.

"This difficult, global economy presents a formidable challenge to your 25th Legislature. However, we believe that we all worked together, and we're committed in meeting those challenges by making the most vital decisions for the people of Hawaii. The Chairs of the House and Senate Committee on Human Services believe that House Bill 200 provides for such services, and we commend you, Mr. Speaker, the Senate President, the Ways and Means and Finance Chairs, and their Committee members and staff for a job well done.

"For all of the foregoing reasons, Mr. Speaker, I support this budget bill. Thank you, very much."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to this budget. Thank you, Mr. Speaker. At this time, before I go into some rebuttal and my speech on the budget, I'd like to recognize a group of people who have spent countless hours of working on the budget, as well as covering all the rest of the Committees. We have a small, but very powerful staff, and I'd like to mention them while they're here, standing in the gallery. If you could please stand, and I'm going to name them all first. Kelsey Wells, James Delavan, Claire Draper, Beth Fukumoto, and Nadine Nishioka, headed by our staff lawyer and Director, Boyd Akase, who is behind me. And they've really done a wonderful job of covering the budget, as well as all the other Committees at the same time. We also have two other people who cannot be here today. One's staffing the office, and that's Candace Kelsey, as well as Bret Huelsman, who went back to the Mainland to walk in his graduation ceremony.

"Mr. Speaker, when I take a look at the budget, and I take a look at everything that everyone said, I look at it and I say, 'Okay, well what's the bottom line?' There are two very different philosophies moving forward on how you address this economic recovery. Let's put it positively. We want to go in the direction of economic recovery. Clearly, the final macro story of this budget is that it is built on tax increases. All revenue enhancement bills with projections provided by the B&F, the Majority, and Department of Tax, equals a little more than $303 million in fiscal year 2010, and $355 million in fiscal year 2011. That is over $650 million, over half a billion of dollars in tax increases to the people of Hawaii over the next two years.

"Mr. Speaker, another part of this philosophy is, who can spend money more efficiently? Can we, as government do it? Or can the private sector do it? I feel that the private sector can do it. There's many reasons why I think the private sector can do it more efficiently, but one of the reasons is, you collect the tax right when you pay for something. It gets put into our coffers and it gets held on until we decide to make a decision. And then it gets released. There's procurement, and all of these other kinds of things before it actually gets spent again. So, it's sitting someplace else, before it starts to turn in the economy, versus if they keep it in their pocket, those taxes, collectively will be able to be spent at the store when they need to buy something, or on a college tuition, or on clothing or whatever. A show in Waikiki.

"Let me go ahead and finish the quote from my article that I did in the *Honolulu Advertiser* the other Sunday. After I did say about how the TAT increase could be like another room in Waikiki, I also stated that that collective total that we're looking to collect from the increase in TAT is $90 million dollars that could go back into a job that has been cut in the tourism industry, it could go back into restaurants, it could go back into shows. Mr. Speaker, that's why I'm against this bill.

"Another thing I did want to speak about is what I call 'sniper politics' in this bill, Mr. Speaker. Because, as I take a look at this bill, and I'm usually a very positive person. But I look at things, and I go, 'Whoa.' People have described me as a 'glass-half-full' kind of person. And for the most part, I believe that that's who I am. I'm an optimist. But when I collectively look at my colleagues on the Minority side, talking about the AG's Office, specifically, these positions that are going to be taken out. The Tourism Liaison is transferred to the Governor's Office, however, the Governor's Office doesn't receive the salary for her. Our House budget, about Lillian Koller, accidentally not funding her, as a Director of one of our major, major departments in the State of Hawaii that handles blind, disabled, the poor, and we just decided that we're going to forget about her salary.

"Mr. Speaker, in this budget it talks about taking the 'T' out of DBEDT. D-B-E-D-T. The Tourism in this budget. It talks about HHSC and how we decided that we were going to take out the C …"

Representative Saiki rose to yield his time, and the Chair "so ordered."

Representative Finnegan continued, stating:

"Thank you very much, Representative. And then, in regards to the other areas, HHSC, like I said, Mr. Speaker. We take a look at HHSC, and as much as we may not like the management of HHSC, and I'm not going to say 'We,' but collectively as a Legislature. We go and we reduce salaries and get rid of him through the budget.

"Mr. Speaker, another area where we do a decrease in the Governor's budget is, she recommended $500,000 in two years. We did reductions of $700,000 and $1.6 million in the two years. And, this I thought was really interesting, Mr. Speaker. The LG's office is tiny, with only 13 employees, and $1.2 million in operating funds in fiscal year '09. But, his temporary positions, of the 13, there are possibly five to six people that get laid off in that section of our government, in the LG's office. 39% of his staff, almost 40% of his staff gets cut in this budget.

"Mr. Speaker, I call this, 'sniper politics' because we're up with probably for this State in 2010, a big Governor's race. And it just so happens that the LG is running for Governor. Mr. Speaker, I think that when I read this and I try to see it with the 'glass half full,' these red marks that I see in my paper just make me believe that this isn't the direction that we're going, that we are specifically going into some of these areas and saying, 'Take that. And take that. And take that.'

"Overall, Mr. Speaker, like I said, how do we address this budget in the future? I would hope that it would be for economic recovery. Keeping money in the economy. Letting it germinate. Let it create more jobs. Let the private industry be able to get innovative. Take these people, that some say is like a cup of coffee a day in some tax increases, and let them use that for the things that they want to get, that they want to be able to, whether it be collectively to invest more in their company and create more jobs. Or, whether it is to save for college, or whatever they would like to do with that money, Mr. Speaker. I believe that that's the area we should be going."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise in favor of the bill, and I'd like to express my reservations. I will vote for the budget, because I simply cannot envision life in this State without a budget. But what this budget does to the Department of Business, Economic Development and Tourism is similar to a bomb hitting a department. I don't know what's left. I think it's blown to smithereens. It's extremely disruptive and destructive, especially in the area of tourism.

"Now, the Tourism Liaison was moved to the Governor's Office, and I thank the Finance Chair, who did prevail in keeping her job, even though she was moved to the Governor's Office. And, I'm not quite sure whether her salary followed her, but she still does have a position. So we still have a public official who heads tourism in this State, because you know, tourism is our number one industry, so I'm very glad for that. Her assistant

may have been expletive deleted. I haven't been able to see whether he's still standing. But, a lot of the staff has moved to the Hawaii Tourism Authority. So, as the Minority Leader says, we have the Department of Business, Economic Development and Tourism with no tourism left. Most of the Tourism research was moved to the HTA. We had questioned this move earlier, since the research agency should remain independent, and we're wondering whether being together may taint any research that is produced.

"The television and film industry was also moved to the HTA. This may split the focus of the receiving agency, so, we question whether this is a wise move. We hope that they are happy and productive there, because we value our television and film industry. There are new industries which we must nurture, and they are definitely economic development, but that's why I contend they should remain in Business and Economic Development. But the move to the HTA means that they will now be paid for by the Hotel Tax, the TAT, and thus relieving some of the pressure from general funding expenditures.

"Other agencies that have been blown apart by the budget on DBEDT is the arts and culture, and they get sent to DAGS. NELHA, the Natural Energy Laboratory of Hawaii also goes to DAGS, and may they be productive and happy there. The Small Business Regulatory Review Board is also moved to the Department of Commerce and Consumer Affairs, and there they will get funding from the Compliance Resolution Fund that licensees pay into this Department. And although they do not collect license fees, they will be living off that Fund. The Aloha Tower gets moved to the Department of Transportation, and as the Hawaii Kai Representative mentioned, the funding is removed in the second year of the biennium, but it is not moved into DOT. We were not able to ascertain that, judging from the worksheets that were done last Friday, when the budget closed.

"So, we just see a total mess. It's like a bomb hit the Department of Business, Economic Development and Tourism. I don't know what's left. I don't know who's standing, but that's going to be a half empty building by the time we're through. I am not happy with the budget, although it's purportedly a balanced budget. Either way, I see it as very dependent on special funds, the use of special funds, tax increases, and thank heavens we got some hefty federal funds, stimulus funds from Washington D.C.

"Although we're touting that we have cut $800 million in general funds, I think it's rather smoke and mirrors, because a lot of those same programs and personnel are now being paid for by the special funds, increase in taxes, and the new federal funds. So, we're raiding in a way, the Compliance Resolution Fund, the Tourism Special Fund, the new Barrel Tax will pay for many positions, and the Tobacco Fund, we raided that. So, I have serious reservations about this bill. But, I think I have to reluctantly vote for it. Thank you."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. Members. I wish to speak in favor with some reservations. Thank you, very much. Mr. Speaker, first and foremost, I want thank the Chairman, the Vice Chair and all the members of the Finance Committee. I know they work extremely hard. It was a very difficult year, and they ended up balancing the budget, so congratulations for that. Thank you. I also want to thank the Finance Committee for providing the safety net for the good people of the State of Hawaii in providing sufficient funds for human services. I was happy to hear that bring one who came from that particular discipline. And for also providing the safety net for health services, thanks to work of the Health Committee, and working on a plan for the State hospitals. I think this is all very great. A yeoman's job was done there.

"My only concern, Mr. Speaker, and it's kind of a major concern, and I brought it up a number of times, where the Committee took an unprecedented way of handling or dismantling of an organization; DBEDT. And, I think that was very unfortunate. In a year like this, when we need all the help we can get in stimulating the economy, we go and provide this particular mischief. I know it was with good intention, but sometimes, good intentions can go astray, Mr. Speaker and Members, especially when you put it in the budget for the changes. You put the dismantling in the budget. It then goes to the Senate. Then we're in a leveragable position against the Senate because it's like we just threw a whole bunch of goodies to the Senate and they can cherry pick as to which ones they want and which ones they don't want. Strategically, that was not the right thing to do.

"Another thing I'm concerned about, Mr. Speaker, and you've been around here for a while, and so has the Finance Chairman. But now we are possibly jeopardizing the harbor improvements. We've been looking forward to the harbor improvements all these past years. And, because there's a certain party in the other Chamber who's not happy, we have provided a compromise which is to transfer, or to provide the funding for only one year, with the implication that after one year, it would go to the DOT. What it does, it provides inaction for the Aloha Tower. By them not doing anything, not knowing what the future is going to be, nothing's going to happen. Nothing is going to happen. You won't have any harbor improvements, which we've been waiting for and is much needed in the State of Hawaii. And, this is my fear, that this will happen. Hopefully not, but how can one plan when you don't know what you're going to do the next year.

"And also, my other major consideration of course is in the funds. The funds for highways, of course, did not pass, but I will not get into that right now. It would be a major stimulus, providing approximately $7 billion for the State of Hawaii, and that's been put aside.

"Another consideration is the method or the way the budget was done, and for the most part it was good. I would agree to the takeouts, and the increase in taxes. I have no problems with that. I have a problem with the TAT. It was mentioned that in New York and elsewhere the TAT is higher. That is true. But they don't have to travel across an ocean to get here. Our big market is from California, and they have to travel at least 2,400 miles to come here. That's all additional costs on top of the TAT. So, it's not as simple as the fact that our TAT is lower than the rest.

"With that being said, Mr. Speaker, I would hope that for the next Session, next year when we come back, we get to look at some of the things we did, and possibly we can make some repairs if possible. And I would be hopefully reminding and working with the good Chairman again. He's worked very hard, his intentions are very good. But, sometimes we need to have a little reminder, Mr. Chairman. Thank you very much, Mr. Speaker."

Representative Ito rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of Conference Committee Report Number 167, House Bill 200, House Draft 1, Senate Draft 1, CD 1. Thank you, Mr. Speaker. Mr. Speaker, in reviewing the State budget submitted by the Administration, I noticed that many programs essential to the operation of the Department of Land and Natural Resources had been eliminated. In these hard economic times, it is understandable that some programs need to be eliminated. However, after further review, to eliminate programs that are essential to the operations of the Department is unacceptable. If anything, non-essential programs should be eliminated, or other means of balancing the budget should have been pursued.

"Mr. Speaker, during the hearings before the Committee of Water, Land, and Ocean Resources, I have heard testimony submitted by the Department of Land and Natural Resources that they do not have the necessary funding to perform the functions specified in the various bills and resolutions. Eliminating the programs called for in the State budget submitted by the Governor would have only compounded the problem further.

"As the Subject Committee Chair, Mr. Speaker, I want to thank the Chair, the Vice Chair, members, and staff of the Finance Committee for restoring $500,000 in fiscal years 2010 and 2011 for invasive species support. $400,000 in fiscal years 2010 and 2011 for regional stream studies. $51,000 for fiscal years 2010 and 2011 for one geologist position to help reform the regional streams studies. And all of these are related to the Water Code, Mr. Speaker. $90,000 in fiscal years 2010 and 2011 for the Anuenue Fisheries Resource Center, and this is where the Moi Restocking Program is conducted. $536,000 for fiscal years 2010 and

2011 for lifeguard services at Kaena Point. These funds are restored with the Land and Developing Special Fund. And $44,000, again in fiscal years 2010 and 2011 for historical preservation.

"For many people, Mr. Speaker, these programs may appear to be non-essential. However, these programs are essential and necessary to the management and preservation of Hawaii resources. Mr. Speaker, I urge my colleagues to support this bill. Thank you."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. In support with reservations, and may I have the words of the speaker from Wailuku entered into the Journal as if they were my own? And just some brief comments.

"Mr. Speaker, his line that he spoke of, the 'good intentions gone awry' I believe applies to me. I'm willing to admit that I was a big proponent of some of the changes that were in that budget, but those were good intentions that went awry. After speaking with him and getting his counsel, I realized that my good intentions had run awry, and that the harm that was going to be caused would be bigger than the good that we sought.

"I was hoping that through the process, that these changes would be reversed, and that we could hold the line through this time, and that we could go ahead and weather the economic storm and look at this through the interim, but alas, that's not to be.

"I also rise with reservations, because I really feel that some of the funding mechanisms, these revenues are going to be, in the end, a net loss to the State of Hawaii. It's ironic. You pick up today's paper and you see more Swine Flu cases here in Hawaii. And, then on top of that, insult to injury, we have again, raising the Transient Accommodation Tax. Look at the fact that Jamaica has seen a 23% increase in West Coast visitors this year over last year, and you really need to look at the fact that we need to try to make ourselves as cost-friendly as possible. I've said it before in previous bills that people are making their decisions now, not based upon the locale, but more upon what it will mean to my pocketbook.

"And finally, I guess my only fear is that I don't know if some of the projections from these revenue bills will actually pan out. Streamline Sales Tax, $5 million? We don't even have a bill before Congress that's moving right now. The nexus thing. We don't even know if it's going to survive a court challenge. And, we don't even know if the out-year projections for the TAT increase, should the Body continue to move forward and adopt it, will actually pan out. Who's to say that our visitor count won't chill further and those numbers won't be reached? I'll make no bones about it, colleagues, and I'm sure that this is not popular with several of you, but I've always been a proponent of the Barrel Tax, because I feel that at the end of the day, when you look at revenue increases, you need to look at something that's spread out, that causes the most minimal impact to the whole. I believe that the money raised from looking at the Barrel Tax, for an extra dollar increase, which translates to a two cent per gallon increase, instead of the Transient Accommodation Tax, is a much more prudent way to go.

"I respect the work of the Finance Chair and the Committee. They work long hours and they had to make difficult choices. And that's why I stand in support, but I do have these reservations, and I wish to share them with you and my colleagues.

"Hopefully, as we move forward we can address these issues and work collaboratively together. And again, my hat's off to the Committee and the members and the staff for a job well done, because they did have their backs against the wall. Thank you very much, Mr. Speaker."

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, I'm standing in strong support. I was going to follow the good Chairman of Tourism. I was not trying to speak on this budget proposal, because the last time I spoke on this measure, I got quite emotional on the Floor of the House because of the potential positions that were going to be cut. Close to 300 warm bodies in the Department of Health were going to be cut out of the House proposed budget. However, Mr. Speaker, after spending a lot of time with our Finance Chair and our Finance analysts, as well as with the Senate, these positions, many of them have been restored.

"I think this is a good budget. I would like to thank our Chair, the members of Finance and WAM, and the staff for restoring $3 million for the Healthy Start Program. Mr. Speaker, $700,000 for restoring the Partnership in Community Living, or PICL program. I would also like to thank them for restoring $200,000 for respite care. And Mr. Speaker, later on, in this agenda, we will be dealing with Hawaii Health Systems Corporation. They took a bold step in working with myself as the Chair, as well as the Senate Chair, Senator David Ige. Working with the issues of restoring and giving the options and resources and tools to our regional care system that provide the healthcare, especially to our Neighbor Islands.

"Mr. Speaker, as the former Chair of Tourism, I would like to respond on one comment, and I will leave the issues to the current Chair regarding the position of the Special Tourism Liaison. Mr. Speaker, two years ago, during my tenure as Chair, this position was in question every year. This position was touted as being a cabinet-level position. However, it was never confirmed by the Senate like other cabinet positions. Mr. Speaker, oddly enough, this position fell under DBEDT, yet reported to the Office of the Governor.

"So, Mr. Speaker, the changes that you see before you regarding this issue, and the position regarding the head of Tourism, if you look at the essence of why HTA was developed, I think now in its tenure, that position has appropriately been moved. Thank you, Mr. Speaker."

Representative Manahan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm speaking in support. I just wanted to briefly respond to the comments of the Minority Leader, as far as putting this budget together, and it being built on tax increases. I believe that most of the budget was done, I believe it's 65% was done on cuts, and only 10% is on tax increases.

"But having said that, we have had an unprecedented $2.2 billion budget shortfall, which we were required to balance. And, we knew last year, when we saw the collapse of Aloha Airlines and ATA, that the State would be faced with serious challenges this Session. As a member of the Finance Committee last year, I believe Chair Oshiro warned us about that. What we didn't know was how hard hit we would be with the collapse of the banking and lending systems, which has caused a global recession.

"In order to balance the budget, the Legislature had two options. One is budget cuts, cutting spending, cutting programs, positions, jobs, salaries, benefits, etc. The second was revenue enhancements, raising taxes and fees imposed by the government.

"While neither one is popular, they are necessary at this point. And in order to minimize either of these two options, we had to consider both. It's easy for our friends across the aisle to say that we shouldn't raise taxes, and that it's anti-business, but what do they propose we do to balance our budget? If they say 'Let's let business run its course,' I would argue that we are in this situation precisely because our friends across the aisle in Washington D.C., who were in control for the past eight years, had loosely regulated the U.S. market, and let business and the market run their course. In the end, we the taxpayers on Main Street are the ones bailing out the billionaires on Wall Street. And, I'll reserve my comments on the other issues for later on. Thank you, very much."

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I just wanted to note my reservations on the budget, because it is based upon tax increases. I would like to adopt the words of the speaker from Wailuku, as to his concerns about the DBEDT gutting, and the lack of movement or moving ahead with our transportation infrastructure. As to the rest of his comments, including his being okay with the tax increase, I do not, do not adopt those parts of his comments. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, just two brief points in rebuttal. The Representative from Chinatown mentioned that we may not be individuals. We may be forced into doing things, because basically, the Governor made me do it. Mr. Speaker, I hope we don't have to blame everything on the Governor; that the Governor made me raise taxes. The Governor made me cut positions. Because that's essentially what I hear coming out of a position that says that we wanted to do it, but she made us do otherwise.

"Mr. Speaker, I think we have to be more honest than that. Particularly when we go out into the community and talk about 'we,' except for those of us voting against these taxes. The Governor did not raise the taxes. We in the House did. Again, I remind the Body that the Constitution says the House of Representatives is responsible for the budget, for the treasury, for the purse strings of the State of Hawaii. So, when we go out to the public and say, 'Well, the Governor did this,' let us not twist the Constitution and turn it upside down.

"Secondly, Mr. Speaker, we've got to get away from this budget myopia. The Finance Committee is a line in a process. You look at the trees, and you never see the forest until about five days before we're here on the Floor. We never integrate what we're doing, in terms of appropriation bills and the Executive budget, the House budget, and the Senate budget. There's never an accumulation. It's like doing your family budget and never really adding up how much money you got, versus what your expenditures are. We need cash flow statements. We need to look at the broad picture, where there's a forest and there are trees. Not suddenly at the end, and then we say, 'Well, it's the Governor who made the mistake. It was this. It was that. It was otherwise.' We've got to get the cat and mouse out and get more businesslike and more professional in the way that we do this. Thank you."

Representative Choy rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support of the budget. During my career, Mr. Speaker, I've done a lot of business plans and a lot of budgets. And that's exactly what the Finance Chair did. We have a budget. It's our mandate to do a budget. It's our mandate to do a balanced budget. We've done that, and I want to thank him for all his efforts.

"Mr. Speaker, before I came here I was part of the 'peanut gallery,' and I could criticized all day long. And sometimes, now that you put me in the trenches, I wish I was back in the 'peanut gallery,' just criticizing. But, we can stand here, and we can criticize the budget all we want, but it is a plan. It's a good financial plan.

"I'd like to just bring up one point. A lot of my constituents are very, very worried that the people who are not paying taxes are getting away. And, I would just like to make mention that in our budget, we did increase the DOTAX enforcement personnel by 13 people; an increase of about $600,000. And, I'd like to ensure my colleagues and my constituents that that effort is something I'm going to monitor to make sure that all of us are paying the fair amount of taxes. Again, I'd like to just congratulate the Chair of Finance for doing a good job. Thank you."

Representative Tokioka rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. I'd first like to begin by thanking the Chair of Finance, the Vice Chair, the members, and all of the people who came to the hearings to testify and participate in creating this budget. For me, it's kind of disappointing when I hear the Representative from Hawaii Kai, Queens Gate talk about seeing the trees through the forest, because during these long meetings, and we had marathon meetings, the Finance Chair, the Vice Chair, and members of the Committee spent many hours talking about and working with the Representative from Hawaii Kai, Queens Gate.

"In a discussion yesterday, Mr. Speaker, the freshman Representative from Waipahu said it best when he said, 'For anyone to think that we took the easy approach by looking at one solution to balancing the budget, it's unbelievable and irresponsible. We took each and every department, each and every position, each and every program from top to bottom in careful deliberation, prior to coming up with this budget.'

"Mr. Speaker, we took the responsible approach. Balancing the biennium budget, including the third year out. We spent countless hours listening to, and reacting to department heads' testimonies. We had marathon meetings in the Finance Committee. For all we know, record-breaking hearings. One of these hearings, as we all know went to 5:00 a.m. in the morning.

"We could've used other accounting practices, as the Representative from Hawaii Kai, Queens Gate alluded to. We could've played the shell game, but the Finance Committee didn't, Mr. Speaker. We took a visionary approach. Why? Because hopefully, we will all be here in the Legislature in 2010, working for our constituents in our district, and who's to say what the economic forecast will be then.

"Mr. Speaker, Members, and audience, these were not easy decisions that we had to make. But, I feel that at the end of the day, we can all be proud of what happened in the Finance Committee, and what happened in every Committee in this House of Representatives. Once again, to the Chair of Finance, the Vice Chair, and members, Mr. Speaker, mahalo for the opportunity. Mahalo for the opportunity in helping us learn and understand what we have to deal with in doing our responsibilities for the people of Hawaii. Mahalo."

At this time, Representative Luke rose to call for the previous question, stating:

"Thank you, Mr. Speaker. I am in support, and I call for the question."

The Chair then stated:

"Thank you, very much. At this point, Members of the House, we've had a lot of debate on this particular issue. It's been an hour and 40 minutes on this particular House Bill 200, House Draft 1, Senate Draft 1, Conference Draft 1. For those of you who would like to submit written comments for or against, or with reservations, you are allowed to at this point in time."

Representative Ward rose, stating:

"Mr. Speaker, a point of personal privilege. I believe I was singled out by the Representative of Kauai for having criticized the Chair of the Finance Committee. My point was to criticize the process. It's not transparent. It needs to be open. That's my point. Thank you."

The Chair responded, stating:

"Thank you very much for correcting that statement. The process, I believe is what Representative Tokioka was talking about, and it is the process that was very open for those Committee members who participated."

At 11:52 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 11:54 o'clock a.m.

Representative Finnegan rose to respond, stating:

"Mr. Speaker, I would like to submit written comments in opposition to the budget, as well just being able to insert additional comments having to do with the disagreement of being able to stop the debate right now. Those comments will include the Recreational Renaissance Program, and some other comments in regards to tax increases. Thank you." [note: written remarks were not submitted.]

Representative Belatti rose in support of the measure with reservations and asked that the remarks of Representatives Souki and McKelvey be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Chong rose in support of the measure, stating:

"Mr. Speaker, I am in strong support."

Representative Ching rose to respond, stating:

"Thank you. Still in opposition and would like to submit additional written comments. I ask that the words of the Minority Leader be incorporated as my own, as well as the Representative from Wailuku, minus the comment about taxes and the comment about intention. Thank you," and the Chair "so ordered." (By reference only.)

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition to H.B. 200 - Relating to the State Budget. The budget, as written does not reflect prudence; giving the appearance of partisan politics at a time when we can least afford it. The idea of balancing the budget with divisive partisan tactics, expressed by some of the statements contained in the Committee Report, does not address the people's needs and concerns.

"First, the budget is balanced too heavily on the increase of taxes and user fees, which I feel will only further damage the economy. Secondly, it appears this budget will bulldoze over certain departments. We can not merely take a chainsaw to certain initiatives without research and regard to the consequences and repercussions of which have not been examined adequately.

"According to this budget, there is no longer a need for the Director of Human Services. The Department of Human Services, especially at this time is vital to the well being of our citizens. It is irresponsible to cut Director Lillian Koller's job. I am curious as to how a department can be run without a director? Director Koller is one of the most gifted people in or government, having been named "Governing Official of the Year" by Governing magazine. She is the first public official from Hawaii to win the award. Director Koller was also the first Director to put to use the millions of dollars in TANF that had previously set idle each year, and allocated that money for community-based programs that prevent and reduce poverty.

"I am also concerned with the impact of transferring and dividing DBEDT at a time when we must look beyond our shores to encourage economic growth. There has been no testimony or chance given to DBEDT to discuss the impact of moving their departments. The two things we must protect and nurture in a bad economy are the safety- net that DBEDT provides and expertise to stimulate business that DBEDT provides. By passing this budget, and the actions it proposes we would cut our support networks and cut off opportunity.

"The people of Hawaii are counting on this Body to make sagacious decisions. Let's unite and put aside our differences for the people of Hawaii. Now is the time to come together for the greater good of Hawaii. Thank you."

Representative Pine rose to respond, stating:

"I'd like to put additional comments into the Journal with reservations, and also a document by over 200 economists who talk about why it's bad to increase taxes."

Representative Pine's submitted the following document:

""There is no disagreement that we
need action by our government,
a recovery plan that will help to
jumpstart the economy."

— PRESIDENT-ELECT BARACK OBAMA, JANUARY 9, 2009

With all due respect
Mr. President, that is not true.

Notwithstanding reports that all economists are now Keynesians and that we all support a big increase in the burden of government, we the undersigned do not believe that more government spending is a way to improve economic performance. More government spending by Hoover and Roosevelt did not pull the United States economy out of the Great Depression in the 1930s. More government spending did not solve Japan's "lost decade" in the 1990s. As such, it is a triumph of hope over experience to believe that more government spending will help the U.S. today. To improve the economy, policymakers should focus on reforms that remove impediments to work, saving, investment and production. Lower tax rates and a reduction in the burden of government are the best ways of using fiscal policy to boost growth.

BURTON ABRAMS, *Univ. of Delaware*
DOUGLAS ADIE, *Ohio University*
LEE ADKINS, *Oklahoma State University*
WILLIAM ALBRECHT, *Univ. of Iowa*
RYAN AMACHER, *Univ. of Texas at Arlington*
J.J.ARIAS, *Georgia College & State University*
HOWARD BAETJER, JR., *Towson University*
CHARLES BAIRD, *California State University, East Bay*
STACIE BECK, *Univ. of Delaware*
DON BELLANTE, *Univ. of South Florida*
JAMES BENNETT, *George Mason University*
BRUCE BENSON, *Florida State University*
SANJAI BHAGAT, *Univ. of Colorado at Boulder*
MARK BILS, *Univ. of Rochester*
ALBERTO BISIN, *New York University*
WALTER BLOCK, *Loyola University New Orleans*
CECIL BOHANON, *Ball State University*
MICHELE BOLDRIN,*Washington University in St. Louis*
DONALD BOOTH, *Chapman University*
MICHAEL BORDO, *Rutgers University*
SAMUEL BOSTAPH, *Univ. of Dallas*
DONALD BOUDREAUX, *George Mason University*
SCOTT BRADFORD, *Brigham Young University*
GENEVIEVE BRIAND, *Eastern Washington University*
IVAN BRICK, *Rutgers University*
GEORGE BROWER, *Moravian College*
PHILLIP BRYSON, *Brigham Young University*
JAMES BUCHANAN, *Nobel laureate*
RICHARD BURDEKIN, *Claremont McKenna College*
RICHARD BURKHAUSER, *Cornell University*
EDWIN T. BURTON, *Univ. of Virginia*
JIM BUTKIEWICZ, *Univ. of Delaware*
HENRY BUTLER, *Northwestern University*
WILLIAM BUTOS, *Trinity College*
PETER CALCAGNO, *College of Charleston*
BRYAN CAPLAN, *George Mason University*
ART CARDEN, *Rhodes College*
JAMES CARDON, *Brigham Young University*
DUSTIN CHAMBERS, *Salisbury University*
EMILY CHAMLEE-WRIGHT, *Beloit College*
V.V. CHARI, *Univ. of Minnesota*
BARRY CHISWICK, *Univ. of Illinois at Chicago*
LAWRENCE CIMA, *John Carroll University*
J.R. CLARK, *Univ. of Tennessee at Chattanooga*
GIAN LUCA CLEMENTI, *New York University*
R.MORRIS COATS, *Nicholls State University*
JOHN COCHRAN, *Metropolitan State College at Denver*
JOHN COCHRANE, *Univ. of Chicago*
JOHN COGAN, *Hoover Institution, Stanford University*
LLOYD COHEN, *George Mason University*
JOHN COLEMAN, *Duke University*
BOYD COLLIER, *Tarleton State University*
ROBERT COLLINGE, *Univ. of Texas at San Antonio*
PETER COLWELL, *Univ. of Illinois at Urbana-Champaign*
MICHAEL CONNOLLY, *Univ. of Miami*
LEE COPPOCK, *Univ. of Virginia*
MARIO CRUCINI, *Vanderbilt University*
CHRISTOPHER CULP, *Univ. of Chicago*
KIRBY CUNDIFF, *Northeastern State University*
ANTONY DAVIES, *Duquesne University*

JOHN DAWSON, *Appalachian State University*
A. EDWARD DAY, *Univ. of Texas at Dallas*
CLARENCE DEITSCH, *Ball State University*
ALLAN DESERPA, *Arizona State University*
WILLIAM DEWALD, *Ohio State University*
ARTHUR DIAMOND, JR., *Univ. of Nebraska at Omaha*
JOHN DOBRA, *Univ. of Nevada, Reno*
JAMES DORN, *Towson University*
CHRISTOPHER DOUGLAS, *Univ. of Michigan, Flint*
FLOYD DUNCAN, *Virginia Military Institute*
FRANCIS EGAN, *Trinity College*
JOHN EGGER, *Towson University*
KENNETH ELZINGA, *Univ. of Virginia*
PAUL EVANS, *Ohio State University*
FRANK FALERO, *California State University, Bakersfield*
EUGENE FAMA, *Univ. of Chicago*
W. KEN FARR, *Georgia College & State University*
DANIEL FEENBERG, *National Bureau of Economic Research*
HARTMUT FISCHER, *Univ. of San Francisco*
ERIC FISHER, *California State Polytechnic University*
FRED FOLDVARY, *Santa Clara University*
MURRAY FRANK, *Univ. of Minnesota*
PETER FRANK,*Wingate University*
TIMOTHY FUERST, *Bowling Green State University*
B. DELWORTH GARDNER, *Brigham Young University*
JOHN GAREN, *Univ. of Kentucky*
RICK GEDDES, *Cornell University*
AARON GELLMAN, *Northwestern University*
WILLIAM GERDES, *Clarke College*
JOSEPH GIACALONE, *St. John's University*
MICHAEL GIBBS, *Univ. of Chicago*
OTIS GILLEY, *Louisiana Tech University*
STEPHAN GOHMANN, *Univ. of Louisville*
RODOLFO GONZALEZ, *San Jose State University*
RICHARD GORDON, *Penn State University*
PETER GORDON, *Univ. of Southern California*
ERNIE GOSS, *Creighton University*
PAUL GREGORY, *Univ. of Houston*
EARL GRINOLS, *Baylor University*
DANIEL GROPPER, *Auburn University*
R.W. HAFER, *Southern Illinois University, Edwardsville*
ARTHUR HALL, *Univ. of Kansas*
STEVE HANKE, *Johns Hopkins University*
STEPHEN HAPPEL, *Arizona State University*
RICHARD HART, *Miami University*
THOMAS HAZLETT, *George Mason University*
FRANK HEFNER, *College of Charleston*
SCOTT HEIN, *Texas Tech University*
RONALD HEINER, *George Mason University*
DAVID HENDERSON, *Hoover Institution, Stanford University*
ROBERT HERREN, *North Dakota State University*
GAILEN HITE, *Columbia University*
STEVEN HORWITZ, *St. Lawrence University*
DANIEL HOUSER, *George Mason University*
JOHN HOWE, *Univ. of Missouri, Columbia*
JEFFREY HUMMEL, *San Jose State University*
BRUCE HUTCHINSON, *Univ. of Tennessee at Chattanooga*
BRIAN JACOBSEN,*Wisconsin Lutheran College*
SHERRY JARRELL,*Wake Forest University*
JASON JOHNSTON, *Univ. of Pennsylvania*
BOYAN JOVANOVIC, *New York University*
JONATHAN KARPOFF, *Univ. of Washington*
BARRY KEATING, *Univ. of Notre Dame*
NAVEEN KHANNA, *Michigan State University*
NICHOLAS KIEFER, *Cornell University*
DANIEL KLEIN, *George Mason University*
PAUL KOCH, *Univ. of Kansas*
NARAYANA KOCHERLAKOTA, *Univ. of Minnesota*
MAREK KOLAR, *Delta College*
ROGER KOPPL, *Fairleigh Dickinson University*
KISHORE KULKARNI, *Metropolitan State College of Denver*
DEEPAK LAL, *UCLA*
GEORGE LANGELETT, *South Dakota State University*
JAMES LARRIVIERE, *Spring Hill College*
ROBERT LAWSON, *Auburn University*
JOHN LEVENDIS, *Loyola University New Orleans*
DAVID LEVINE,*Washington University in St. Louis*
PETER LEWIN, *Univ. of Texas at Dallas*
W. CRIS LEWIS, *Utah State University*
DEAN LILLARD, *Cornell University*
ZHENG LIU, *Emory University*
ALAN LOCKARD, *Binghampton University*
EDWARD LOPEZ, *San Jose State University*
JOHN R. LOTT, Jr., *Univ. of Maryland*
JOHN LUNN, *Hope College*
GLENN MACDONALD,*Washington University in St. Louis*
HENRY MANNE, *George Mason University*
MICHAEL MARLOW, *California Polytechnic State University*
DERYL MARTIN, *Tennessee Tech University*
DALE MATCHECK, *Northwood University*
JOHN MATSUSAKA, *Univ. of Southern California*
THOMAS MAYOR, *Univ. of Houston*
DEIRDRE MCCLOSKEY, *University of Illinois at Chicago*
JOHN MCDERMOTT, *Univ. of South Carolina*
JOSEPH MCGARRITY, *Univ. of Central Arkansas*
ROGER MEINERS, *Univ. of Texas at Arlington*
ALLAN MELTZER, *Carnegie Mellon University*
JOHN MERRIFIELD, *Univ. of Texas at San Antonio*
JAMES MILLER III, *George Mason University*
JEFFREY MIRON, *Harvard University*
THOMAS MOELLER, *Texas Christian University*
JOHN MOORHOUSE,*Wake Forest University*
ANDREA MORO, *Vanderbilt University*
ANDREW MORRISS, *Univ. of Illinois at Urbana-Champaign*
MICHAEL MUNGER, *Duke University*
KEVIN MURPHY, *Univ. of Southern California*
DAVID MUSTARD, *Univ. of Georgia*
RICHARD MUTH, *Emory University*
CHARLES NELSON, *Univ. of Washington*
WILLIAM NISKANEN, *Cato Institute*
SETH NORTON, *Wheaton College*
LEE OHANIAN, *UCLA*
LYDIA ORTEGA, *San Jose State University*
EVAN OSBORNE, *Wright State University*
RANDALL PARKER, *East Carolina University*
ALLEN PARKMAN, *Univ. of New Mexico*
DONALD PARSONS, *George Washington University*
SAM PELTZMAN, *Univ. of Chicago*
TIMOTHY PERRI, *Appalachian State University*
MARK PERRY, *Univ. of Michigan, Flint*
CHRISTOPHER PHELAN, *Univ. of Minnesota*
GORDON PHILLIPS, *Univ. of Maryland*
MICHAEL PIPPENGER, *Univ. of Alaska, Fairbanks*
TOMASZ PISKORSKI, *Columbia University*
BRENNAN PLATT, *Brigham Young University*
JOSEPH POMYKALA, *Towson University*
WILLIAM POOLE, *Univ. of Delaware*
BARRY POULSON, *Univ. of Colorado at Boulder*
BENJAMIN POWELL, *Suffolk University*
EDWARD PRESCOTT, *Nobel laureate*
GARY QUINLIVAN, *Saint Vincent College*
REZA RAMAZANI, *Saint Michael's College*
ADRIANO RAMPINI, *Duke University*
ERIC RASMUSEN, *Indiana University*
MARIO RIZZO, *New York University*
NANCY ROBERTS, *Arizona State University*
RICHARD ROLL, *UCLA*
ROBERT ROSSANA,*Wayne State University*
JAMES ROUMASSET, *Univ. of Hawaii at Manoa*
JOHN ROWE, *Univ. of South Florida*

CHARLES ROWLEY, *George Mason University*
JUAN RUBIO-RAMIREZ, *Duke University*
ROY RUFFIN, *Univ. of Houston*
KEVIN SALYER, *Univ. of California, Davis*
THOMAS SAVING, *Texas A&M University*
PAVEL SAVOR, *Univ. of Pennsylvania*
RONALD SCHMIDT, *Univ. of Rochester*
CARLOS SEIGLIE, *Rutgers University*
ALAN SHAPIRO, *Univ. of Southern California*
WILLIAM SHUGHART II, *Univ. of Mississippi*
CHARLES SKIPTON, *Univ. of Tampa*
JAMES SMITH,*Western Carolina University*
VERNON SMITH, *Nobel laureate*
LAWRENCE SOUTHWICK, JR., *Univ. at Buffalo*
DEAN STANSEL, *Florida Gulf Coast University*
HOUSTON STOKES, *Univ. of Illinois at Chicago*
BRIAN STROW,*Western Kentucky University*
SHIRLEY SVORNY, *California State University, Northridge*
JOHN TATOM, *Indiana State University*
WADE THOMAS, *State University of New York at Oneonta*
HENRY THOMPSON, *Auburn University*
ALEX TOKAREV, *The King's College*
EDWARD TOWER, *Duke University*
LEO TROY, *Rutgers University*
WILLIAM TRUMBULL,*West Virginia University*
DAVID TUERCK, *Suffolk University*
CHARLOTTE TWIGHT, *Boise State University*
KAMAL UPADHYAYA, *Univ. of New Haven*
CHARLES UPTON, *Kent State University*
T. NORMANVAN COTT, *Ball State University*
RICHARDVEDDER, *Ohio University*
RICHARDWAGNER, *George Mason University*
DOUGLAS M.WALKER, *College of Charleston*
DOUGLAS O.WALKER, *Regent University*
MARCWEIDENMIER, *Claremont McKenna College*
CHRISTOPHERWESTLEY, *Jacksonville State University*
ROBERTWHAPLES,*Wake Forest University*
LAWRENCEWHITE, *Univ. of Missouri at St. Louis*
WALTERWILLIAMS, *George Mason University*
DOUGWILLS, *Univ. of Washington Tacoma*
DENNISWILSON,*Western Kentucky University*
GARYWOLFRAM, *Hillsdale College*
HUIZHONG ZHOU,*Western Michigan University*

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Representative Aquino rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Aquino's written remarks are as follows:

"This bill was very difficult to craft because of the $2.1 billion revenue shortfall for the next few fiscal years. There were many hard decisions that needed to be made throughout Session. We moved forward in a prudent manner – carefully examining all areas of government. While many will criticize the fruits of our work, I truly believe that House Bill 200, HD1, SD1, CD1 is comprehensive and carefully put together."

Representative Yamashita rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In support with written comments. And, very quickly, just to note that when your Committee on Capital Improvement Projects did the CIP, we highlighted health and safety, and what would be the match …"

Representative Finnegan rose, stating:

"Mr. Speaker, you closed down debate."

The Chair responded, stating:

"I closed debate, but I will allow the Chair of the Committee on Capital Improvement Projects to state, for the general public, what the intent and the goals of that Committee was in developing your Capital Improvement Project budget."

Representative Finnegan: "Mr. Speaker, may I be able to do the same thing in regards to the Recreational Renaissance?"

Speaker Say: "No. At this point, no. You are out of order."

Representative Yamashita: "Thank you, Mr. Speaker. I'll just insert the rest of my comments. Thank you."

Representative Yamashita's written remarks are as follows:

"Mr. Speaker, I rise in strong support of HB200, HD1, SD1, CD1.

"Mr. Speaker, your Committee on Finance, when working on Capital Improvement Projects, prioritized the health and safety needs of the entire State concurring with or exceeding the Administrative budget in FY10 and funding most of FY11, knowing that we will be in better position to assess the FY11 priorities in the supplemental budget. Projects such as rock and flood mitigation, were funded at $2 million in FY10 and another $2 million in FY11 at the same level as the Governor requested.

"Projects such as fencing around Lake Wilson, were added to address the unsafe access issues that the community was concerned about.

"Mr. Speaker, the Department of Education and the University of Hawaii System are also a high priority. The total funding for DOE is at $304.8 million over the biennium and $203.8 million over the biennium for UH system wide in G.O. Bonds.

"Most notably, we funded $140 million for DOE lump sum school building repair and maintenance, and $30 million for lump sum classroom renovation. The University System is highlighted by $134 million for renewal and deferred maintenance projects. Thank you."

Representative Evans rose in support of the measure and asked that her written remarks, and the remarks of Representative M. Oshiro be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Evans' written remarks are as follows:

"The Minority has pointed out some areas they wish had been included in the budget. And, it was mentioned the budget looked like sniper politics. Is this not a complement to the hard work by our Finance Chairs, Finance Committee members, and Finance staff? I think so.

"As mentioned by our Finance Chair, he expects no one to be happy with the budget. This budget reflects vertical cuts in all departments; and most importantly those cuts were not random. Most importantly it includes significant reductions in position counts and thoughtful consideration of tax revenues to be collected over the next two years.

"In closing I want to thank the Chairs of each Committee who worked hard to determine priorities by subject matter and who were engaged in the decision making process. I thank everyone in our legislative Body; and all of our staff. We all collectively produced the final budget. We met our obligation to the citizens of our State to balance the budget, provide government services, and guide us toward a sustainable Hawai'i."

Representative Wooley rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Wooley's written remarks are as follows:

"This year's budget was full of tough choices. We needed to figure out how to find over $2 billion worth of cuts, savings, or additional revenue to balance the budget. It wasn't easy and there were a lot of compromises. No one got everything they wanted, as was required by the situation. One thing I learned is when times are tough, people like to point their finger and blame others. Despite all the finger pointing – which I would have participated in just last year, I can only say good things about the Chair of Finance, the Finance staff and all the members who put in so much work to be fair, protect critical government services, make government more efficient and accountable, and help the economy and people of Hawaii despite the challenges. This budget balancing process was successful and we should all be thankful for this huge accomplishment."

Representative Berg rose in support of the measure with reservations, stating:

"Mr. Speaker, I have strong reservations to this measure."

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:

"Mr. Speaker I rise in support of this Bill.

"In these dire economic times, the State budget is important to every sector of our population. Due to the hard work of the House Finance Chair and his Senate counterpart, HB 200 provides for our schools, public health systems, the social safety net and numerous programs to bolster various sectors of the economy.

"As an example, a CIP provision for a multi-purpose value-added facility on Oahu and on Maui would greatly benefit the State's agricultural producers. These facilities would play a vital role in supporting a more diversified agriculture industry in Hawaii. At present, our State's farmers are oftentimes not able to make use of—and therefore profit from— lesser grade produce. Added-value processing facilities would therefore do much to diversify the kinds of products made from such produce by ultimately providing the means to develop a newer and broader range of "Made in Hawaii" products such as guava jam/jellies and pineapple juice. We would also open the door to manufacturing products that may be more easily exported than fresh goods.

"With our economy nose-diving, and with this Body challenged with the task of generating revenue rather than spending it, I believe that appropriating funds for added-value facilities is a worthwhile investment in our future. I support HB200, CD1 and hope my colleagues will do likewise."

Representative M. Lee rose to speak in support of the measure, stating:

"In support, and I would like to submit additional written comments about whether or not you need to cross the ocean from Europe to get to New York."

Representative M. Lee's written remarks are as follows:

"I speak in favor of the measure. According to the Center on Budget and Policy Priorities, 29 states faced a total budget shortfall of at least $48 billion in 2009.

"Now, preparing a budget for 2010-11, Hawaii joins others in the nation struggling to create a balanced budget with decreasing revenues. Our options are narrowed by constitutional limits and the persistent credit crunch.

"Make no mistake, there are cuts in this budget we agonized over and, in the end were forced to make tax increases that will cause some pain, but in the words of Peter Harkness, writing in the Potomac Chronicle, "Balancing a state budget with spending cuts alone is next to impossible."

"Criticism of our attempt to balance the budget has been raised from those who are not economists or not experts on Hawaii's economy. Some criticisms are merely based on the need to appear politically correct. However, professional economists like Paul Brewbaker have another take on this. When asked in an interview ("The Hot Seat", on April 26) in the *Honolulu Advertiser* what kind of effect increasing our State taxes will have on Hawaii's economy, Brewbaker replied, "The recession was intensified by a dramatic loss of wealth (such as houses and stocks), and a nearly unprecedented decline in consumption. Now, if people have money, they don't spend as much of it as they used to. Conversely, if you take money away from people, it doesn't reduce consumption expenditure as much as it used to. The marginal propensity to consume has decreased and marginal savings propensities have increased. Adding or subtracting income has a smaller impact on consumption than used to be true." Brewbaker says that when government spending is decreased it really does affect people, dollar for dollar because the services will not be there. He believes blending tax or fee <u>increases</u> with government spending <u>decreases</u> in order to balance the budget is not a bad policy.

"Writing in the *Sacramento Bee* on December 15, 2008, Jean Ross opined about the vital role government plays in the economy. Government pays for essential services like education and infrastructure, providing income to individuals and business statewide. When budgets are cut, people working in schools, construction and health care lose their jobs. Demand for products decreases, and it hurts the economy even more. Every dollar cut from state spending has the potential of driving the economy deeper into recession. Ross states, "Targeted tax hikes are the best way to cut the deficit."

"Our proposals for a progressive income tax increase make a lot of sense and far outweigh the argument for an increase in the regressive GET. High earners save a significant part of their income and spend more outside the State on things like travel and luxury goods. In addition, most higher-income taxpayers can export part of a State personal income tax increase to the federal government by deducting their Hawaii taxes on their federal returns. The GET would hit low income people, the elderly and small business the most.

"Regarding tourist taxes, the fear of tourists not coming because of the modest increase seems oversimplified. The TAT has not been raised in ten years and is far lower than many tourist destinations. Take New York City, for example, the most visited city in the United States. Some would say it is purely a business destination, but tell that to the people on 42nd Street, 5th Avenue and the vendors out at the Statue of Liberty or Coney Island. One night at a hotel in New York City could cost more than $43 above the quoted room price. On a $295 room, one would pay $14.75 in city tax, $24.72 in state tax, a $2 New York occupancy tax and a mandatory $1.50 New York City Javits Center tax. Incidentally, for $295 you get a 4 x 4 room with thin towels, noisy neighbors and possible bedbugs. Here you get to breathe the air of one of the 10 cleanest US cities for ozone air pollution and the number 3 cleanest cities in the US for long term particle pollution.

"Writing in the Sunday *Advertiser* on April 26, the House Minority Leader said that a Hawaii tourist staying seven days in a $175 room would have to pay $113 tax—almost the cost of the room. Well, in New York City staying seven days in a $295 room would cost you $301, way more than the cost of the room!

"The stimulus package will help this budget in the schools and with Medicaid this year, but it has been said that state and local financial systems are a "fiscal time bomb." The U.S. Government Accountability Office has concluded that without major policy changes, states would be in crisis, especially in the area of Medicaid where costs are growing exponentially. Healthcare reform is at best a distant accomplishment for the administration in Washington. Locally, we have made efforts to deal with the growing elderly population by planning and studying the issues, however, unless we take some action in the near future, the deluge will overwhelm us. Donald F. Kettle, writing in Potomac Chronicle, stated "Medicaid costs seem likely to outstrip economic growth for the next 25 years!"

"That said, this budget was balanced with a combination of spending cuts, use of reserves and revenue generation. Despite all the hard work and effort, we may have to return next year to do more of the same. Let's hope the small signs of recovery we are seeing are not fleeting. We need to work together to help our State recover and with the help of both government and the private sector working together, we will succeed. What we are doing is not rocket science—it has been and is being done all around the country."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 200, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Final Reading by a vote of 47 ayes to 2 noes, with Representatives Ching and Finnegan voting no, and with Representatives Bertram and Takai being excused.

At 11:59 o'clock a.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 200, HD 1, SD 1, CD 1

LATE INTRODUCTIONS

The following late introductions were made to the Members of the House:

Representative Tokioka introduced students from McKinley High School who participated with his office in a service project to collect stuffed animals for children in domestic abuse shelters. They were led by student, Ms. Kaulana Tagudin.

Representative Rhoads then introduced the students who participated in the program, and their teacher, Ms. Bernadette James.

Cada Akitaro, Ka'imi Chang, Mark Vincent Echavez, Yolany Escobar, Delton Helkena, Bich Tuyen Lam, Jeffrey Nam, Mashalyn Note, Leslie Paez, Hiroshi Park, Melanderson Pero, Carolyn Pondelicek, Lee Samo, Trisha Sessions, Chenoa Soares, Kevin Spirz, Shawn Suda, Kaulana Tagudin, Rosemina Tommy and Tavita Woodard.

At 12:01 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:29 o'clock p.m., with Vice Speaker Magaoay presiding.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 786) was received by the Clerk:

Sen. Com. No. 768, dated May 7, 2009, informing the House that the following bill has this day passed Final Reading in the Senate:

H.B. No. 200, HD 1, SD 1, CD 1

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. 200, HD 1, SD 1, CD 1, was adopted, and that H.B. No. 200, HD 1, SD 1, CD 1, Relating to the State Budget, passed Final Reading in the Senate at 11:20 a.m. this day.

"In addition, I have been informed by the Assistant Clerk of the House that at 12:03 p.m. this day, H.B. No. 200, 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."

UNFINISHED BUSINESS

Conf. Com. Rep. No. 36 and H.B. No. 982, HD 3, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 982, HD 3, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure.

"Many family caregivers remain in the workforce, even while providing care to loved ones at home, where they are often the most experienced and valued employees. The ability to take short periods of leave to deal with acute episodes where their presence is needed to provide assistance would enable them to stay in the workplace until retirement, assuring them of adequate retirement benefits. Many now must leave early, making their own retirement uncertain.

"This measure is the first step to building a system of wage replacement benefits for families who are balancing work and eldercare. Before paid family leave is established in Hawaii, data showing the need would be valuable in estimating cost and utilization. Collection of data must apply to both private and public sector employees in order to get a complete picture of what would be required to best help family caregivers.

"Current Family Medical Leave legislation is insufficient:

- Only 55% of all employees are covered and eligible under the Family medical Leave act to guaranteed unpaid family leave for certain medical situations.
- Over three-quarters of those who needed leave but did not take it said this was because they could not afford it.

"There is no provision to provide leave to caregivers.

"Paid Family Leave could save money—it is not a budget buster:

- Paid family leave could reduce the amount of taxpayer money that goes to welfare, unemployment compensation, food stamps, and other public programs.
- Studies show nine percent of FMLA leave-takers were forced to turn to public assistance to help cover the wages they lost as a result of taking family or medical leave. Of women leave-takers, this percentage was even higher: 12%
- Paid family leave helps employers retain valued employees
- Those who care for family members provide a tremendous economic asset to our State.

"With Medicaid costs rapidly piling up, we need to do everything possible to encourage people to be cared for at home – even for a few years. Besides, most people prefer to be at home and not in custodial care. Supporting the family caregiver will become ever more important as our elderly population increases and as our Medicaid costs increase."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 982, HD 3, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 48 and H.B. No. 994, HD 1, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 994, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support. Mr. Speaker, this is the Sputnik Bill for Hawaii. After the passage of this bill, I don't believe Hawaii will ever be the same. I'd like to say kudos to the author, the Representative

from Salt Lake, and for those who ushered it through; the Representative from Maui, and the Senator from Ewa Beach.

"With the passage of this bill, we're basically on the horizon of a new industry. It's no longer, 'Beam me up, Scotty,' in something that's just a sci-fi. It's a reality. Space tourism, with this bill, we'll become a space licensing for Hawaii. This will add to a diversification of our tourism plan, educational opportunities for our children, and in the long range, Mr. Speaker, a change in really, the way that people travel.

"Two examples. One is the parabolic space flight that is engendered by this spaceport option. When we all take off normally, we go up until the captain comes on and says, 'We are at a cruising altitude,' around 35,000, 40,000 feet. What the rocket planes do in space tourism is essentially get up to a cruising altitude, ignite their rockets, which are basically on the back of a normal plane, and go up another 10 miles, up to almost, I think until the rocket fuels are expended. Then they cut off and coast another 20 miles up to around 70 miles in the sky, and then they turn down. They get a minute and a half to two minutes of weightlessness.

"Mr. Speaker, you know we have 7 million tourists. Even if a small percentage of those participate in this, this will help a lot of small businesses, it will help the whole attractiveness for coming to Hawaii.

"The second thing is a little bit more space age, Mr. Speaker, and that goes to the future of suborbital travel. Already in Hokkaido there's a spaceport, which we have been told that if Hawaii gets licensed, and a plane takes off, goes up to cruising altitude, shoots its rocket, it can land in Japan in 45 minutes. Mr. Speaker, this is the reality of what this bill does. It's forward-looking. It builds our economy. It builds jobs. There's nothing negative that I could say about it, only that it's about time we get up to speed with the last frontier. Thank you. Mr. Speaker, could I also request written comments. Thank you, Mr. Speaker."

Representative Ward's written remarks are as follows:

"This bill appropriates $250,000 from the Airport Revenue Fund and $250,000 from the Tourism Special Fund to be transferred to DBEDT for an application for a spaceport license from the Federal Aviation Administration to establish space tourism in Hawaii. It will forever change the way flight is perceived in Hawaii by resident and visitors alike.

"According to former Governor George Ariyoshi, over $200 million in annual gross revenues are projected through this plan from launch fees paid for by tourist, universities, private companies and the US Dept. of Defense launching research/remote sensing experiments and payloads.

"It will generate new high-paying employment opportunities for local residents, and tax revenues from spaceport operations will quickly help recapture the State's upfront investment in a space transportation license.

"According to Rocketplane, market studies over the last five years have validated the concept that space tourism can become a billion dollar industry over the next 10 years, with thousands of people from all over the world flying to space in new reusable suborbital spacecrafts.

"There are currently six licensed commercial spaceports in the US and another eight being proposed; in addition, commercial spaceports in Europe, the Middle East and Asia are now in development, forming the backbone of a global network of spaceports which will provide access points to long range hypersonic travel."

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 House Bill 994 Conference Draft 1, Relating to Tourism. This measure appropriates $500,000 for the Department of Business, Economic Development, and Tourism to apply for a spaceport license from the Federal Aviation Administration. Half of the funds will be appropriated from the Airport Revenue Fund and the other half from the Tourism Special Fund. The funds will be used to fund the environmental and safety studies required to secure an FAA license and make both the spaceplane and other commercial space launch operations in Hawaii possible.

"Some may question the appropriateness of the use of the Airport Revenue Fund and the Tourism Special Fund. Mr. Speaker, the uses of these funds are very valid and appropriate. Mr. Speaker, the Conference Committee received a copy of a letter from the U.S. Department of Transportation Federal Aviation Administration Honolulu Airports District Office addressed to Governor Lingle. The letter states:

"*[W]e are not objecting to the use of airport revenue appropriated in the amount of $250,000 for fiscal year 2009-2010. Specifically, airport revenue can be used to fund the FAA license and limited scope environmental if the State of Hawaii, as the airport sponsor for the State airport system, will also be serving as the airport sponsor of the spaceport at Kona International Airport. The scope environmental should address the impacts of the spaceport on the airport, and more specifically, airport operations, carrier and GA operations, airport land uses, impacts to future airport activities and aeronautical uses.*"

Mr. Speaker the FAA is not objecting to the use of airport revenue funds for an environmental and safety study for a spaceport license.

"As to the appropriateness of the use of the Tourism Special Fund for the FAA license, Mr. Speaker, having a spaceport license will create a new tourism niche for the State. Market studies have shown that the concept of space tourism can become a billion dollar industry within the next ten years. The Hokkaido Aerospace Science & Technology Incubation Center submitted testimony and is encouraged by the State's interest in developing space tourism and envisions, in the long term, the potential for one hour suborbital flights between Hokkaido and Hawaii as the next phase of space tourism development. Think of it Mr. Speaker, a trip from Hawaii to Japan taking only an hour.

"Spaceplane launches have the potential to generate approximately $200 million in gross revenues from user fees. In testimony to the Finance Committee, DBEDT named Rocketplane Global, Inc. as a company that has approached the State to request permission to launch spaceplanes as early as 2011. Part of the company's business plan projects includes initial intra-state launches between Honolulu and Kona with future plans for trans-Pacific flights between Hawaii, Japan, and the continental US.

"Mr. Speaker, Rocketplane Global submitted testimony to the Finance Committee confirming its support for Hawaii's spaceplane operations by stating that the company is committed to becoming an anchor tenant for Spaceport Hawaii as soon as a Spaceport Operator's License is approved by the FAA. The company is also considering developing a Spaceport Hawaii Visitor's Center that could become a top tourist attraction on Oahu as well as be a world class space education facility for residents.

"Mr. Speaker at a time when the State needs to further diversify its economy, space tourism is one unique way in which the State can broaden its horizons. By investing in a spaceport license the State will not only be broadening its tourism industry, a spaceport license will also help to further develop our science and technology industry. As former Governor George Ariyoshi stated in his testimony for this measure as it made its way through the legislative process:

"The potential scientific, educational and economic development opportunities afforded by this enterprise are truly substantial. Suborbital spaceflight facilitated by spaceplanes will expand and enrich our visitor industry by adding a completely new dimension to this experience – space tourism! It also will provide low cost and frequent access to space for our academic and private sectors, enabling new R&D opportunities for the development of innovative drug, biotech, and materials science applications by both university researchers and entrepreneurial companies.

Microsats launched aboard spaceplanes will support remote sensing operations to facilitate oceanographic surveillance, pollution monitoring and terrestrial resource management. The development of a spaceport visitor's center at Kalaeloa in tandem with spaceplane

operations also will provide unique aerospace education opportunities for both visitors to Hawaii and local residents.

Finally, spaceplane operations will generate new high-paying employment opportunities for local residents, and tax revenues from spaceport operations will quickly help recapture the State's upfront investment in a space transportation license (the only major public sector investment that will be required to realize income from suborbital space flight operations).

Our State is uniquely poised to partake of the tremendous scientific, economic and educational opportunities and benefits afforded through space exploration. I applaud the Legislature's efforts to support this vision through [this] bill…

I know the difficult financial circumstances facing our State Government but we must not overlook the opportunities that are before us. This happens to be one of those that Hawaii cannot afford to pass up."

"Mr. Speaker, as Buzz Lightyear, the character from Disney Pixar's Toy Story says, "to Infinity and Beyond!" For the reasons stated above, I 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. 994, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 50 and H.B. No. 1471, HD 2, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1471, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Yamane rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm standing in strong support. And just for the edification of the Members, this idea came from the hotel industry. They approached me, Chair Manahan, and others regarding the idea of having the products being grown here in Hawaii to make it to the plates for our people and our visitors to enjoy. So, I would like to thank the Chairs sitting beside me, the Chair of Tourism, and the Chair of Economic Development, for their strong support for this idea of helping our tourism industry, and helping our local farmers. Thank you."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. I just would also like to thank the Chair of Agriculture as well for working with us on this measure. This is a really good measure, and I think this finally brings to fruition finally the idea we have of locally grown products being available in our hotels. But it's also going to help our small farmers in providing a guaranteed marketplace for their product, rather than having to go out and compete in the little farmers' markets and other more volatile sectors. Thank you, very much."

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:

"Mr. Speaker, I rise in support.

"Presently, the Hawaii hotel industry buys only 28-32% of locally grown agriculture products, most of which is pineapple. When this bill was heard in Committee, testimony from an industry executive stated the percentage purchased annually from Hawaii farms can be increased through expedited food safety certifications and audit.

"This Bill would establish the Food Certification Pilot Program within the Department of Agriculture and would encourage farmers to form agricultural cooperatives. Such an arrangement would provide a vehicle to improve consumer awareness on food safety and also provide the support for Hawaii's farms because hotels will buy more of their products when the farms meet or exceed best practices for safe food production.

"Salmonella scares have been frequent media headlines, and we should do what we can to support local food safety certifications and to increase Hawaii's sustainable food supply."

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 stand in strong support to H.B. 1471-Relating to Farms, Safe Food Certification; Pilot Program. The purpose of this bill is to establish a pilot program within the Department of Agriculture to encourage farmers to form agricultural cooperatives, coordinate purchasing agreements between the agricultural cooperatives and hotels, restaurants, and other buyers in the visitor and hospitality industries, and develop and implement safe food certification for products under the pilot program.

"The importance of fresh produce is supported by the Executive Director of the Hawaii Agricultural Research Center who stated, "This bill will help support the local agricultural community and promote safe, fresh, high-quality, locally grown produce." and the President of the Hawaii Hotel & Lodging Association who stated, "One of the critical components of sustainability in Hawaii is being able to obtain our food locally. It is essential that farmers have reliable markets and buyers, and customers have safe and consistent products. This program provides a valuable tool to help accomplish these objectives for all involved."

"It is my belief that during this time of economic hardship it is now more important than ever to support the reliability of locally grown produce in order to ensure a dependable economic market for local agriculture. Thank you."

Representative Manahan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I also wanted to thank the Chair of Agriculture, as well as the Chair of Health, and the Chair of Finance, especially for helping us support this measure. Also the Chair of Ways and Means on the other side.

"This is a truly wonderful pilot program that was brought to us by the hotel industry. They took the initiative to be able to include our farmers, our local farmers, wanting them to participate and benefit from the local economy, which they are the main engine drivers. But, in essence, what this pilot project does is have the hotel industry really work with the farmers to grow their crops and develop their menus around the crops that they grow. It guarantees them a place to be able to sell their produce and provide for the industry.

"It's truly a sustainable project, it's an organic relationship, and it's really one of the most worthwhile things that this Body has put forward this Session. So, I want to thank you for the support of the Members. And, I'd just like to place additional written comments. Thank you."

Representative Manahan's written remarks are as follows:

"HB1471 establishes a Safe Food Certification Pilot Program which will expand tourism industry access to local produce grown by island farmers. This bill is mutually beneficial for tourism and agriculture. Our hotels and restaurants will be able to take advantage of fresh produce grown locally, and this creates business and jobs for local farmers. It's an 'organic' relationship.

"The program, managed by the Department of Agriculture (DOA), with the assistance of the Department of Health, will encourage farmers to form agricultural cooperatives, coordinate purchasing agreements between the agricultural cooperatives and hotels, restaurants, and other buyers in the visitor and hospitality industries. The program will develop and

implement safe food certification for products under the pilot program to promote fresh, high-quality, locally-grown produce.

"Funding for the implementation of the pilot program this fiscal year will come from the Tourism Special Fund in the amount of $140,000 to be transferred to the DOA.

"The Safe Food Certification Pilot program will help increase the amount of locally-grown agricultural products purchased annually from Hawaii farms. Currently, the hotel industry requires that farms have, or are in the process of, obtaining their third party food safety certifications and audit.

"With this legislation, more farms will be able to sell their produce to our hotels and restaurants making it less likely that the businesses supporting our tourism industries will look elsewhere for products. "When visitors come to Hawaii, they want to enjoy items locally-grown. This bill is the first step to creating a sustainable and economic relationship between two important industries in Hawaii."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1471, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FARMS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 77 and S.B. No. 1107, SD 2, HD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1107, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 93 and S.B. No. 1206, SD 1, HD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1206, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

At 12:37 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 982, HD 3, SD 1, CD 1
H.B. No. 994, HD 1, SD 2, CD 1
H.B. No. 1471, HD 2, SD 1, CD 1
S.B. No. 1107, SD 2, HD 2, CD 1
S.B. No. 1206, SD 1, HD 1, CD 1

Conf. Com. Rep. No. 94 and S.B. No. 1665, SD 2, HD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1665, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to SB 1665. Thank you, Mr. Speaker. This bill appropriates $2.4 million of federal Reed Act funds to enable Hawaii's community colleges to establish a Skilled Worker and Business Development Center. The Center would assist businesses and non-profit organizations, retrain and cross-train workers to adapt to the economic downturn and new technology.

"It might appear that I especially, one who is in support of things like this, why would I be voting 'no?' I see that there are four major problems with this bill. First, UH has not listed this Center as one of its priorities. Making sure that they have the autonomy so that they can do their job well is very important to me in establishing programs. This Legislature voted overwhelmingly to raise taxes, claiming that it was necessary for the State to provide the most basic services, Mr. Speaker. And so, that's the first reason.

"The second reason is, using the federal Reed Act funds in this manner violates federal laws. This bill allows the community colleges to use Reed Act funds, but only the Department of Labor and Industrial Relations, DLIR, as the State agency for Unemployment Insurance trust funds is authorized to expend those funds. In addition, Reed Act funds are only allowed to be used for administering either the State's Unemployment Insurance law, or its public employment offices. Federal staff has confirmed that these funds cannot be used for job training, unless it is to train public employment office employees.

"Third, we need those funds to stay in the Unemployment Insurance Trust Fund. During this economic downturn, so many workers are being laid-off and the funds are being depleted rapidly. No one knows how long this recession will continue, and we must preserve what funds we have left to ensure that the unemployed will have these funds when they need them.

"And finally, if we raid these funds, businesses are going to have to pay more in Unemployment Insurance rates. In 2007, Act 110 lowered the unemployment insurance tax schedule for employers who made contributions into the Unemployment Compensation Trust Fund. That was a really good business opportunity for the businesses, Mr. Speaker. At the time, employers paid an average of $280 per employee. But after Act 110, the average employer paid $90 per employee in Unemployment Insurance. However, the Act included a provision that required rates to go back up to the 2007 level if the Unemployment Trust Fund fell below a certain level. This bill, coupled with the continued rise in laid off workers using this Fund will inevitably raise taxes for these businesses.

"Mr. Speaker, that's why I'm in opposition. Thank you."

Representative Evans rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. The use of these funds to help our small business during times of change, I think is really important. And, as was spoken by the Minority Leader during the discussion on the budget, she discussed that we definitely need to be thinking about recovery and have a recovery plan. I would argue that helping our small businesses retool, become more efficient and use experts to help them in their process is very important.

"I personally have gone to one of these small development business centers years ago, before some of them were closed down. Some of them were kept, but the one that I went to that eventually got closed down had been very successful in the community. I remember them coming to me, calling me and writing me, saying, 'Why are you taking this away from us. It helps us so much with business planning, and with how to keep our books, how to market.' It's a very successful program, so I ask colleagues to support this. Thank you."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. Just a short rebuttal. I think these are the two big differences, and the big difference is violating federal law. If the federal government is coming back and saying we're violating federal law, and we just go, 'Oh, that's okay. That's not that big of a deal, because we are doing something positive.' I think that's where I come up and I say, 'no.' There are rules to using this money, and we need to follow them. If we're found in violation, according to the federal government, they're already saying, 'Yes, this bill violates federal law.'

"Mr. Speaker, that's why I don't take it lightly, and I do look at, yes, this could be very positive for our State. But we could get in trouble as well. So, we've got to make our choices. 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. 1665, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Final Reading by a vote of 48 ayes to 1 no, with

Representative Finnegan voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 102 and S.B. No. 1218, SD 2, HD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1218, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Herkes rose to speak in support of the measure, stating:

"Mr. Speaker, in support. I need to make a clarification. On the description here it says, 'Mortgage Brokers,' and this bill has nothing to do with mortgage brokers, just the mortgage loan originators."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1218, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATORS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 104 and S.B. No. 266, SD 2, HD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 266, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Pine rose to speak in support of the measure with reservations, stating:

"Yes, I would just like to note my support, but with some reservations. What this bill does is, it establishes the Climate Change Task Force to assess the impacts of global warming and climate change trends in the State. I'm just concerned about this. As we are tightening our belts and trying to find duplications in the budget, I find this task force very similar to one that I voted for in 2007, which established the Greenhouse Gas Emissions Reduction Task Force.

"I just have concerns, because the way that this task force would be appointed, as well as some of the functions of the task force would be very similar, and we are using $50,000 from our Tourism Fund, and we definitely need that for marketing Hawaii instead."

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 rise with reservations to S.B. 266 - Relating to Global Warming. This bill establishes the climate change taskforce to assess the impacts of global warming and climate change trends in the State. I am concerned that this bill is a duplication of a taskforce that already exists. As the State Department of Health explained, 'The Department of Health opposes this measure given that a Greenhouse Gas Emission Reduction Task Force already exists.' The Life of the Land stated, 'The focus of this bill is to set up a climate change task force, populated mostly by bureaucrats, attached to an agency that does not want it, and have them produce a report about what we already know.'

"I believe that given the current economic situation it would be wiser to work with the taskforce that already exists, then to create a duplicative situation which in the end will cost the people of Hawaii more in taxes. 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. 266, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GLOBAL WARMING," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Finnegan voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 106 and S.B. No. 1352, SD 2, HD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1352, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support SB 1352 S.D. 2, H.D. 2, C.D. 1 which would allow an owner to opt out of the Land Court system and which transfers recording of timeshare fee interest to the regular system. It further establishes a pilot program to implement electronic recording of fee timeshare interests.

"The Land Court system was originally designed to handle the recording of individually owned properties. No one denies the value and security of the Torrens system with its careful, technical and concentrated review of every document presented for inclusion in the certificate of title. But Hawaii's property law has evolved to recognize and create additional forms of ownership or right to the use of a property which may involve large multiples of owners or interest holders. The rather cumbersome review in the Land Court system was neither designed to handle, nor does handle, the volume of routine and uncontroversial transfers and transactions in an efficient and effective manner.

"This bill authorizes streamlining an important tool in our economy – the timely recording of transactions involving timeshares on Land Court system property.

"Additionally, and perhaps more important for the Neighbor Islands, this measure allows electronic filing of land court and regular system documents and instruments which brings us closer to the goal of modernizing Hawaii's registration and recording process. Bringing our real property recording system into the modern world and making the recording process more user friendly for transactions on the Neighbor Islands is long overdue.

"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. 1352, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUREAU OF CONVEYANCES," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 109 and S.B. No. 109, SD 2, HD 3, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 109, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR JUVENILES," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

At 12:45 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 1665, SD 2, HD 1, CD 1
S.B. No. 1218, SD 2, HD 2, CD 1
S.B. No. 266, SD 2, HD 2, CD 1
S.B. No. 1352, SD 2, HD 2, CD 1
S.B. No. 109, SD 2, HD 3, CD 1

Conf. Com. Rep. No. 111 and H.B. No. 381, HD 2, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 381, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

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 House Bill No. 381, House Draft 1, Senate Draft 1, Conference Draft 1, Relating to the State Of Hawaii Endowment Fund.

"This measure clarifies that all pledges or portions of pledges not collected by an Oahu-based symphony orchestra by February 28, 2013, shall cause any unexpended or unencumbered balance from the State of Hawaii Endowment Fund to revert to the general fund.

"By way of background, the Legislature provided a mechanism to support the Honolulu Symphony as far back is 1987. Over the years, it has evolved to address the growing difficulties the Honolulu Symphony have experienced in meeting its financial needs within the State's ability to support the many worthwhile organizations that provide culture and the arts to our citizens:

ACT 382, SLH 1987
Establishes the Honolulu Symphony Endowment Fund, to be administered by DAGS for the operations of the Honolulu Symphony; and appropriated $500,000 for FY 1987-1988 and $500,000 for FY 1988-1989, to be matched on a one-to-one basis through a special fund raising effort; provided that funds not matched by the end of fiscal year 1989 shall revert to the general fund.

ACT 258, SLH 1988
Renames the Honolulu Symphony Endowment Fund the State of Hawaii Endowment Fund (Endowment Fund); provides that the Endowment Fund be a separate fund of the Honolulu Symphony Trust created by the trust agreement dated December 5, 1986; establishes restrictions on the Endowment Fund; and provides that funds in the Endowment Fund in excess of $1,000,000 not matched by the end of fiscal year 1989 shall revert to the general fund.

ACT 227, SLH 1989
Clarifies the type of contributions that may be received by the Endowment Fund to satisfy matching restrictions; and provides that the amount of funds reverting to the general fund be equal to the principal amount of the funds contributed by the earnings on the principal amount.

ACT 175, SLH 1995
Provides that the $2,000,000 contributed by the State of Hawaii to the Endowment Fund be transferred on a quarterly basis to the State Foundation on Culture and the Arts, performing and visual arts events private contribution account to be used for the production of music by an Oahu-based symphony orchestra as determined by the State Foundation on Culture and the Arts; and provides that at the end of each fiscal year, any unused income from the Endowment Fund be transferred to the State Foundation on Culture and the Arts for the production of symphonic music and musicians' salaries.

ACT 97, SLH 2006
Appropriates $4,000,000 for fiscal year 2006-2007 to be deposited into the Endowment Fund, from which the income and capital gains shall be used for the production of music by an Oahu-based symphony orchestra; provided that the funds appropriated be matched, dollar-for-dollar, by private funds.

ACT 156, SLH 2007
Amends Act 97, SLH 2006, to clarify that pledges be included as matching funds for purposes of expending funds in the Endowment Fund, and provide that any unexpended or unencumbered balances from the appropriation lapses on June 30, 2009.

"For decades, Mrs. Ah Quon McElrath has been a steadfast advocate on behalf of the Honolulu Symphony. If it were not for Mrs. McElrath's efforts to lobby this Body for needed assistance, it would not surprise me if we did not have a Honolulu Symphony today.

"Mrs. McElrath used to tell me how she would catch the bus at night to hear the symphony. Because she was well into the twilight of her years and no longer drove at night, she nonetheless would venture from the safety of her home to hear the amazing music they would play. For Mrs. McElrath, she felt it was very important for the City of Honolulu and this State to have a symphony so that all of our citizens, regardless of their economic status, or race, or national origin, would be able to experience and enjoy classical music.

"She would tell me how education, and specifically cultural education, was an essential tool needed for us to break the social barriers that kept some in poverty and despair. Music in particular brought great joy and inspiration to our citizens. It was because of this that she was so ardent a supporter of the Symphony.

"On Thursday, December 11, 2008, just a few days shy of her 93rd birthday, Ah Quon McElrath passed away. She will always be remembered as an icon of great historic importance to the development of modern Hawaii. She will also be remembered as steadfast supporter of the Honolulu Symphony and the cultural arts.

"I would like to dedicate this measure to Mrs. McElrath. Her support for our Symphony has brought great joy and happiness to all who have gained a fonder appreciation of the arts.

"For these reasons, I respectfully urge my colleagues to support this bill. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 381, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII ENDOWMENT FUND," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 123 and H.B. No. 343, HD 1, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 343, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, I will try to be brief. I'm standing in strong support, and I'd just like the Journal to reflect that I would like to thank the Chair of Higher Ed. and applaud his strong effort and commitment to increasing the residency program. Thank you."

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"I support HB 343, H.D. 1, S.D. 2, C.D. 1 which will continue and expand the John A. Burns School of Medicine (JABSOM) residency program for rural areas, currently in Hilo. In the future, I would hope that the program also expands to Kauai and Maui as well.

"Our rural areas – primarily the Neighbor Islands – remain underserved. The JABSOM program allows physicians to spend a portion of their residency for family practices in rural areas. This training exposes medical students to Neighbor Island life, culture and communities, and perhaps allows homegrown doctors to return to their home areas. Such experience makes it more likely that these students will consider our rural areas – truly God's country-- as a place to establish their practice.

"At the same time, these students are delivering care to medically needy and underserved rural populations. Family physicians are well-suited to rural healthcare due to the broad scope of their practice, which encompasses inpatient, outpatient, and nursing home settings, and addresses acute, chronic, and preventive health care across the life cycle. Many family physicians also provide maternity care, family planning, and mental health services through their practices.

"As Maui's healthcare community and stakeholders continue to master plan and collaborate, fostering and maintaining access will be a key component for the future. The investment reflected in this bill is a down payment on ensuring that our communities will have access to quality healthcare whether they live in urban Honolulu, or in Hilo, or Hanalei, or Paia, Haiku, Lahaina and Kahului.

"I urge my colleagues to support this bill."

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 stand in strong support to H.B. 343 - Relating to Rural Primary Health Care Training. The purpose of this bill is to appropriate funds to develop a statewide rural primary health care training program and support the family medicine residency program of the University of Hawaii John A. Burns School of Medicine's Department of Family Medicine and Community Health. It is my belief that the importance of proper health care influences the community. The County of Hawaii stated, 'The County of Hawaii experiencing extreme shortages of physicians, and this rural residency program is a proven strategy for attracting physicians to the communities where their skills are needed most. When physicians train in rural areas, they are more likely to consider rural areas of our islands as a place to establish their practice. At the same time, they are delivering care to medically needy and underserved rural populations.'

"It is my strong belief that this bill will help encourage and develop healthcare in rural areas. The Hawaii Medical Service Association (HMSA) stated, 'Studies have shown that oftentimes individuals remain to practice medicine in the area where they have completed their residency training. The expansion of this program to other Neighbor Islands will only increase the likelihood that physicians will stay to practice in the more remote areas of our state.' Thank you."

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 343, Conference Draft 1. This bill is critically important to addressing the shortage of primary care physicians or family practitioners that afflicts our entire nation, but is acutely felt in our underserved rural communities. Even in these challenging economic times, the $140,000 appropriation, spread over a 2-year fiscal period in this measure, is an important investment in the foundation of our healthcare system. By promoting and supporting the John A. Burns School of Medicine’s training of family medicine residents in underserved communities and by helping to build a permanent statewide rural primary healthcare training program in each county, we are taking the steps necessary to attract and encourage the movement of family practitioners into underserved areas. For these reasons, I strongly 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. 343, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RURAL PRIMARY HEALTH CARE TRAINING," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 126 and H.B. No. 1807, HD 1, SD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1807, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 130 and H.B. No. 1504, HD 1, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1504, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

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 House Bill No. 1504, House Draft 1, Senate Draft 2, Conference Draft 1, Relating to Health.

"This bill initiates the comprehensive reformation of Hawaii's healthcare system with the ultimate goal of facilitating universal coverage through the provision of affordable, high-quality medical services for Hawaii's residents by:

- Establishing the Hawaii Health Authority (Authority) to develop a comprehensive plan to provide universal health care in Hawaii; and
- Appropriating $50,000 out of the State Health Planning and Development Special Fund to operate the Authority.

"If it may please this Body, Mr. Speaker, I ask for your indulgence in digressing a bit.

"For the past twenty years, Ah Quon McElrath worked tirelessly to make universal healthcare a reality. It was her dream for everyone in our State and nation to have access to affordable health care. Despite her human frailties, Mrs. McElrath stood as a towering force on behalf of our citizens. She never backed down from hard questions. She always made herself available to educate us on issues. And she always, always stood up for those who couldn't stand up for themselves.

"As the former Chair of your Committee on Labor and Public Employment, I had the privilege and honor of working with Mrs. McElrath on legislation to create a universal healthcare system in Hawaii. I quickly learned how difficult it would be to find consensus among the myriad of affected interest groups -- from the doctors and nurses, to the specialty and alternative providers, from the insurers and employers, to attorneys and consumers. Each group has a stake in this and finding common ground among was seemingly impossible.

"While this would lead anyone to frustration, Mrs. McElrath would always find focus. She would tell me that it will take an enormous amount of political will to find a workable solution. But find a solution we must because that is what our people desperately need.

"She would always remind me of this and urge me to do what is best for our citizens. She was my moral compass. She was my very dear friend.

"On Thursday, December 11, 2008, just a few days shy of her 93rd birthday, Ah Quon McElrath passed away. She will always be remembered as an icon of great historic importance to the development of modern Hawaii.

"This bill is dedicated to Mrs. Ah Quon McElrath. It was her dream for everyone, regardless of their income, or race, or national origin, to have access to quality healthcare, and this bill sets the foundation for that goal.

"It goes without saying that we are all better off today because of Mrs. McElrath. It is my hope that she will continue to be a hero to us all and keep us focused on the needs at hand. If we can all commit to making the world a little bit better tomorrow than it is today, we will all be better off.

"At the appropriate time, Mr. Speaker, I ask that we have a moment of silence in the memory of Mrs. McElrath.

"I respectfully urge my colleagues to support this important measure."

Representative B. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative B. Oshiro's written remarks are as follows:

"Mr. Speaker I am in strong support of House Bill 1504; a bill that once again places Hawaii at the forefront of healthcare reform. In 1974 our State passed first of its kind legislation that required private employers to provide health insurance to employees working twenty hours a week. As a result, that same year the number of uninsured in Hawaii fell from thirty percent to five-percent. HB 1504 establishes the Hawaii Health Authority which will plan for, and eventually oversee, comprehensive health care in Hawaii.

"Among other things, the Authority will establish eligibility for inclusion in the health plan for all individuals, evaluate healthcare and cost effectiveness of all aspects of the health plan for all individuals, and establish a budget for a health plan for all individuals.

"Consider the following, in just over a decade (since 1994) the number of uninsured individuals living in Hawaii has doubled – more than ten-percent of our State's population does not have medical insurance.

"Also consider that Hawaii's unemployment rate is just over seven-percent, which has not been experienced since early in 1978. While these figures are low by national standards, they unfortunately trend toward people having less medical coverage rather than more. We also find ourselves in the midst of a major recession that has lead to over five-million jobs being lost since the end or 2007. With employer based health insurance making up over sixty-percent of the coverage the currently exists, we can anticipate further increases in the number of uninsured.

"The timing of this measure, therefore, could not be better. Thomas Friedman referred to the need for a national health plan back in 2006, when he said, "[T]hings may have to get much worse before reality can break through the combination of powerful interest groups and free-market ideology." Perhaps the recession, coupled with growing numbers of uninsured and sky-rocketing medical premiums has created just the kind of 'break through' needed to take on this complex issue here in Hawaii.

"With the passage of HB 1504 we can finally imagine a health system that will ensure residents would not be rejected for medical coverage based on pre-existing medical conditions and that coverage would be portable – regardless of whether you change or lose a job.

"Those opposed to this measure are concerned about the future cost of universal healthcare to our State – the goal of the HHA. Their concern is valid, which why the Authority will be required to give the Legislature a full report of their plan before the convening of the Regular Session of 2011, and thus, before additional financial allocations could be made.

"I commend my colleagues on moving this legislation forward and I look forward to hearing from the Authority on its plan for developing a comprehensive health plan for Hawaii."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. Mr. Speaker, I had voted for this measure, and I thought it's a step of discernment, and a step forward. But then the component in it, which for universal healthcare says, already without the planning, without the discernment, establishes all reimbursable services to be paid by the Hawaii Health Authority.

"I don't think there's anybody in this room that doesn't believe in universal coverage. We're all in agreement of that. But universal access, how are you going to pay for it, how are you going to ration it? This already has made up its mind that there's a single payer. I think there're other options. My point being, before we've established this Authority, we've already said what the outcome's going to be. It's like having the GET tax and saying it's going to be steel on steel, rather than saying we're going to have mass transit. I think this goes a little bit too far, Mr. Speaker, and that's why I'm against it. Thank you."

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 rise in opposition to H.B. 1504 - Relating to Health.

"The purpose of this bill is to create the Hawaii Health Authority to develop a comprehensive plan to provide universal health care in Hawaii. While I support certain aspects of this bill, the tele-medince and bulk purchase of prescription, however these are things that can be done without compromising quality. I have concerns on the feasibility and cost of establishing a universal healthcare insurance system as well as taking away the element of accountability and consequence to health. The Department of Health stated, 'It is uncertain how the system will be financed and if it will be able to accommodate the additional costs of providing healthcare for those who are not currently insured.' Thank you."

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I strongly support HB 1504, H.D. 1, S.D. 2, C.D. 1, which creates the Hawaii Health Authority to develop a comprehensive plan to provide universal healthcare in Hawaii. A small sum of seed money ($50,000) is appropriated for the next fiscal year to look into the feasibility of moving universal healthcare in Hawaii towards reality.

"Our young State – only fifty years old in August -- led the nation in caring for its workers when our Legislature passed the Hawaii Prepaid Healthcare Law almost forty years ago. We were able to provide healthcare to almost all of our workers (those who work 20 or more hours per week) without bankrupting the economy. Today, our communities and businesses are faced with sky-rocketing healthcare costs for our fellow citizens and more of our citizens are left without any options for healthcare. Those who are forced to take part-time work of less than 20 hours a week in these tough economic times have to do without health insurance. As noted in the preamble of this measure, in 1994 Hawaii had an uninsured rate between two and five per cent of its population. Today, the Healthcare Association of Hawaii estimates that the current rate of uninsured individuals is more than ten per cent of the State's population.

"This bill also rightly recognizes the late humanitarian, labor, and community activist Ah Quon McElrath for her contribution toward improving the welfare of the people of Hawaii. It is fitting that this legislative body dedicates this bill in honor of Ms. McElrath. I am hopeful that Hawaii will again be among the first in the nation to make universal healthcare a reality for our people.

"I urge my colleagues to vote in favor of the bill."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. Thank you, very much. Just a little bit of rebuttal to the good Representative from Hawaii Kai. I actually agree with him in the sense that I'd hate to raise the cost of healthcare. I'd hate to hurt any of the businesses. I understand the genesis of his argument, to take something so grand, as to have universal healthcare in the State of Hawaii. I can most certainly appreciate his concerns. But Mr. Speaker, having universal healthcare in Hawaii would actually reduce healthcare costs. We would actually protect our employers and businesses by reducing their copayments.

"And how are we to do this? Well, what will happen is, you'd have a task force start on work on a program to cover all of Hawaii's residents, except on Medicare beneficiaries, our federal workers, military dependents, and retirees covered under Tricare. Medicaid would be folded into a single payer program, except for those who are also eligible for Medicare.

"In fact, there was a study that was done by the Newman Group. It was done in 2006. Their report was quite interesting. In fact, their conclusion

was that Hawaii, if we moved to a single-payer system, we could save up to $282 million for health insurance and reduced administrative costs. The report also stated that employers would save about $30 million for early retirees who would become covered under a single-payer program. Furthermore, Mr. Speaker, State and local governments would save an estimated $94 million annually on insurance coverage for workers and retirees, as a result of enrolling these beneficiaries into a single-payer plan.

"The last point I wanted to make is, when we're talking about universal healthcare, this can also address a lot of our concerns with tort reform. It's quite possible we can look into a system of maybe having the Attorney General's Office address and represent physicians in the State. Again, lowering the cost of lawsuits.

"We'd move to electronic medical records in a billing system. Of course, the electronic medical records will reduce physician and healthcare workers' errors, thereby also reducing lawsuits. If we went to a medical electronic billing record system, we would eliminate late billing and penalties connected to it. We would be more efficient, as far as bill generation and of course, better in collection of unpaid amounts.

"And finally, bulk purchasing power would probably save the State millions when we talk about a central system, purchasing prescription medication, and medical equipment. For those reasons, Mr. Speaker, I support this measure. Thank you, very much."

Representative Awana rose in support of the measure and asked that the remarks of Representative Mizuno be entered into 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. Thank you, Mr. Speaker. I've never disagreed with the goal of wanting to make sure that people can get insurance. But, the difficulty is that whenever you try to do this, and there are many good reasons that the Chair of Human Services has mentioned on ways that we could possibly save money in doing this.

"The problem that I have with universal healthcare as a whole is that you end up spreading out the risk more. And, when you spread out the risk more, something's going to suffer. For those of us who make healthy choices, for those of us who have insurance, we take on more of the burden of those who don't. Now ordinarily, you would say that's compassionate. We would want to do that so more people have insurance coverage. But, when you're talking about all the thousands of people out there, and I would say tens of thousands, maybe hundreds of thousands of people out there who have insurance, who are still having struggles with paying their insurance costs, with paying for their doctors' bills. No more are we going to be able to say, 'Okay, well we're going to get this kind of coverage.' No. As a state and as somebody who is going through developing a program like this, we're going to have to say, 'Okay, well there's going to be certain things that we can't put in here, because it's too expensive.'

"What they did in Australia is, they even paid for sneakers for prevention care. They reimburse you for sneakers. I was sitting at a table and talking to someone, and I said 'Wow, that's kind of neat,' and they have universal healthcare, government-sponsored healthcare. But, they said, 30 to 40, if I remember correctly. I'm going off the top of my head. 30 to 40 percent of their people pay for supplemental insurance. Supplemental insurance just to get the kind of insurance that probably we have today.

"Mr. Speaker, this is a rise in cost. I like the whole personal responsibility part of healthcare. Mr. Speaker, if there is a way to do it, I hope that this task force is able to figure it out. But when I was on this task force, Mr. Speaker, I just don't want to spend another $50,000 to come up with the same challenges over again. Thank you."

Representative Evans rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. The reason I support this is because the debate on where we're going with our healthcare system in Hawaii has not ended. As a matter of fact, we're passing several really progressive bills this year on how we're going to deal with healthcare, meeting the deficit and the problems we're having with Hawaii Health System Corporation. How we're dealing with the issues of the lack of some medical specialists in Hawaii, and also how we're going to deliver to our rural communities.

"So, the issues keep coming up and we keep talking about them. We're doing some fixes, but the real discussion, I think is with this Authority. Because basically, it's looking at the fact that healthcare premium costs are going up. There's new technology. We have more people who are uninsured. We have the demographics of a growing population. All these things are right before us.

"So, the healthcare crisis is right on our doorstep. This Authority has to address all these issues, in one Body. They have to bring them all together. They have to talk about it. There's an assumption here that we're going to end up with this grandiose universal healthcare program. There are no guarantees when you put this Authority together and what they're going to come out with. Because, you've got to have a place that gathers all the facts, knows what all the pieces to the puzzle are, and can actually, hopefully come up and show us what the options, what the reality is.

"I personally like it, because I've been very unhappy with SHPDA, which is our health planning agency. I don't think they've done this. I don't think they've put together all the facts and collected all the data. It's time that we do this. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, just a very brief rebuttal to the Representative from the Big Island, and our colleague from Kalihi. The notion of looking at something is different than implementing it. As I said, my reservation, and now my vote against it is that it's already prejudged. It's not looking at doing and then deciding, diagnosing. It's actually saying, 'Okay, it's single payer.' The unfortunate thing, Mr. Speaker, the single payer role-models we have. The UK, Canada, I think the Australian example that my colleague just gave; those are not the ideals that we should be doing, because it's punitive to our seniors.

"The seniors use 80% of the healthcare system. When they have to wait two to three months for an operation which they need, that is punitive. So, we make everybody covered. But in terms of the service and the quality, we've got to make sure that we don't just jump into this for the sake of doing it. That's why I say, because they've prejudged it and made it into a single payer, there's got to be a better way to make a mousetrap than those three examples that are out there, plus the European models. We've got to do it better. I mean, this is the U.S. We've got the best healthcare system in the world, but we just got to push out the access and the ability to get everybody inside of this 'big tent' and the big hospital that we all deserve to go to.

"So, sure, let's save money, but let's not punish people because we're saving money. 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. 1504, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Final Reading by a vote of 45 ayes to 4 noes, with Representatives Ching, Finnegan, Marumoto and Ward voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 134 and S.B. No. 423, SD 1, HD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 423, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, I'm standing in strong support. Mr. Speaker, this is a very important bill, and I would like to highlight for the Members that we do have information and letters, even from our Congressional Delegation, that

with this money that Finance was able to find, which is over $12 million, that we would have a $12.5 million federal Medicaid DSH money match, Mr. Speaker.

"As stated by the Healthcare Association of Hawaii, in addition to supporting Hawaii's hospitals, the federal funds that would be drawn down represent an infusion of money into Hawaii that would help bolster our economy during these harsh economic times.

"Mr. Speaker, I applaud all the members in the Senate regarding passage of this measure. Thank you."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In strong support. May I have the words of the previous speaker entered into the Journal as if they were my own, except for the Senate part? Thank you," 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:

"The purpose of this bill is to ensure continued access to healthcare in our communities and meet rising healthcare costs by appropriating $12,291,054 in State general funds for fiscal year 2010 to maximize the availability of the federal disproportionate share hospital allowance of $15,000,000 secured by Hawaii's Congressional delegation.

State Share	$ 12,291,054	45.04%
Federal Match	$ 15,000,000	54.96%
Total	$ 27,291,054	
Ratio	1.2204	

"Per the U.S. Department of Health and Human Services website:

"Disproportionate Share Hospital (DSH) adjustment payments provide additional help to those hospitals that serve a significantly disproportionate number of low-income patients; eligible hospitals are referred to as DSH hospitals. States receive an annual DSH allotment to cover the costs of DSH hospitals that provide care to low-income patients that are not paid by other payers, such as Medicare, Medicaid, the Children's Health Insurance Program (CHIP) or other health insurance."

"I urge everyone to support this measure that will provide critical safety net funding for all our private hospitals during these tough economic times."

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 stand in strong support to S.B.423 - Relating to Health. The purpose of this bill is to appropriate money to match federal funds for Medicaid disproportionate share hospital (DSH) allowance.

"Currently healthcare providers are suffering financially because of low payments made by health care insurers. The AARP stated, 'The availability of these funds is more critical than ever in light of the State's fiscal downturn, and will provide much needed support to safety net hospitals. These hospitals are struggling to meet the demands placed upon them by the increasing number of uninsured. These DSH resources will strengthen their ability to meet the increasing healthcare needs of our community.' With Hawaii's growing population of uninsured and underinsured the stability of our State's health care providers cannot be over looked. It is my belief that S.B. 423 addresses this issue. 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. 423, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

At 12:59 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 381, HD 2, SD 1, CD 1
H.B. No. 343, HD 1, SD 2, CD 1
H.B. No. 1807, HD 1, SD 2, CD 1
H.B. No. 1504, HD 1, SD 2, CD 1
S.B. No. 423, SD 1, HD 2, CD 1

Conf. Com. Rep. No. 140 and S.B. No. 1202, SD 2, HD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1202, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Rhoads rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I just need to request a ruling on a possible conflict. My wife's firm represents Better Place, a purveyor of electric vehicles. Thank you," and the Chair ruled, "no conflict."

Representative Thielen rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak in support of the measure, but with some caution. It relates to plug-in vehicles. Mr. Speaker, I fully support the technology. I'd like to see it develop and flourish. The concern I have is the source of the power. You drive a plug-in vehicle home, you plug it into the wall, and on Oahu, you're primarily powering that vehicle, or regenerating the power for that vehicle from fossil fuel.

"Hawaiian Electric has made a commitment to move ahead. It's made a commitment with the Hawaii Clean Energy Initiative. It's made a commitment not to build anymore fossil fuel based plants. But, at this point, they don't have the renewable energy supply on Oahu to make us feel really clean when we plug in our vehicle at our home. In fact, I think it's the opposite. That we are generating more power from fossil fuel on this island. So, as the electric vehicles move forward, Mr. Speaker, we have to make sure that our utility does the same thing, and that the percentage of power provided to our homes from true renewable energy is increased to keep pace. And then we really will be doing a clean future.

"Steven Chu, who is our Nobel physicist, and the Secretary of Energy, a brilliant man, and he's talking about the great ship 'Titanic,' our nation, and of course for our island. But, he has some very good things to say, that are very appropriate to us. Our dependency on foreign oil, our national security, our economic prosperity, and the climate-change issue. He says that they are not ultimately political questions. He says that this is a way into the 21st century, a way to regain our technological leadership, regain our high-quality manufacturing leadership that we have lost. All of these things, as well as helping save the world. We can do it, Mr. Speaker. Unfortunately, Hawaii is going to do it slower, because we killed Act 221. We can do it, and we must do it. But the plug-in vehicles must be plugged in into a grid that is going to be powered by renewable energy. Primarily renewable energy. And, unfortunately, we won't have the high tech people here, because of the death of Act 221. Thank you."

Representative Morita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support of this measure. The bulk of my comments, I'd like to submit in written remarks, but I do want to comment on some of the points that the Representative from Kailua made. It is important to consider where we get the source of our energy, so she makes

a really good point on that. But, I also want to point out that when you have electric vehicles, especially plug-in vehicles, the energy conversion is far more efficient from electricity than it is for gasoline. So, even though we may be getting the energy source from fossil fuel, again, it's still an advantage using electric vehicles, because of the energy conversion. So, I just wanted to make that point clear to our Members. But, I would like to submit written comments. Thank you."

Representative Morita's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure. This bill is one of three key legislative bills this session to help secure Hawaii's clean energy future and one of the concepts emerging from the Hawaii Clean Energy Initiative.

"This bill helps to lay the ground work to include the transportation portion of Hawaii's bigger energy picture by addressing our transportation needs in two ways. First, by preparing the infrastructure for the entry of electric vehicles into Hawaii's market. Secondly, by supporting the diversity of alternative fuels and vehicles to meet our transportation through opportunities via competitive grants associated with the American Recovery and Revitalization Act.

"Lastly, I again want to comment on the remark made by the Representative from Kailua regarding her hesitation of electric vehicles because of her concern that such cars may rely on electricity generated from fossil fuels. This by no means should stop any progress forward because, as I mentioned earlier, fossil fuel being utilized for electricity generation is far more efficient and less polluting than fossil fuel being utilized in a car's internal combustion engine. It is far easier to capture emission from one smokestack than thousand of tailpipes.

"Thank you for the opportunity to add to my earlier comments."

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker and Members, I do favor this measure, as I was a Co-Chair on this measure. However, I can see some problems brewing in the future in having the energy capability for the State of Hawaii. If I can just deviate a little bit, the Secretary of Energy did mention that they expect some brownouts and some blackouts throughout the nation, because we don't have the degeneration capacity.

"There is no doubt that there will be some increase in expending additional energy from our power plants that we have throughout the State with this here. And, so is with all of the growth of the State as we move along. Not only because of this here.

"What I'm saying is, as much as we need and want renewable alternate energy, we still are dependent upon increasing our generation capacity. And, unless you do this, we're going to be having blackouts and brownouts very soon. Thank you, very much."

Representative Thielen rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Thielen's written remarks are as follows:

"It is important to remember the role of electric utility companies when thinking about implementing a strictly green plug-in system of transportation in Hawaii. HECO, Hawaii's leading electricity producer, serves 86% of its customers through fossil fuel generation, providing the remaining 14% with renewable generation derived mostly from waste-to-energy resources. Of that 14%, not even 5% is derived from the abundant *natural* resources we have here including wind, ocean and geothermal source. These figures indicate that there is a severe disconnect between the potential of Hawaii becoming a clean energy leader and our reluctance to end our addiction to fossil fuel.

"Utilizing more of Hawaii's natural resources such as wave energy to power plug-in vehicles could add as much as 200MW to the power grid. A very small part of HECO's energy portfolio is renewable and to realize the plug-ins true "green" potential, the power source providing the energy for plug-in outlets needs to be as pure and green as possible. HECO has plans to add up to 235MW of renewable energy on Oahu alone and a combined 470MW on neighbor islands Molokai, Lanai, Maui and Big Island. By 2015, the company estimates that a minimum of 15% of its sales will be derived from renewable resources. With a move toward a greener, cleaner, more sustainable future, hybrids and plug-in hybrids can be a part of Hawaii's future."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1202, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION ENERGY INITIATIVES," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 148 and S.B. No. 1674, SD 2, HD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1674, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 149 and S.B. No. 43, SD 2, HD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 43, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, in opposition, please. Yes, what this bill does is, it creates the John Burns School of Medicine Special Fund, and establishes an expenditure ceiling by basically charging doctors more for their licenses. And, it's basically to help us to find out why doctors are leaving.

"The Hawaiian Medical Association, which is the organization that represents doctors here at the Legislature, was quite disturbed by this measure, because they said in Committee that you don't have to spend more money to tell us why we're leaving. We can do that for you for free. They said physicians are already having severe financial difficulties, due to the low reimbursements, that's one of the problems, high medical malpractice insurance, and the fact that they can't pass on some of these higher costs to their insurance or others.

"And so, they were a little offended by this bill. They saw that government need not to be involved in this process. They could solve the problem for us for free. Thank you."

Representative Ching rose to disclose a potential conflict of interest, stating:

"Thank you. I'd like a ruling on a potential conflict of interest, please. My husband's a physician," and the Chair ruled, "no conflict."

Representative Ching continued in opposition to the measure and asked that the remarks of Representative Pine be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Thielen rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I get a ruling on a potential conflict? My grandson is at the John A. Burns School of Medicine. Thank you," and the Chair ruled, "no conflict."

Representative M. Lee rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Mr. Speaker, it's no secret we have a shortage of primary care physicians in the State of Hawaii, and we're unaware of the exact numbers, because a system which would monitor our healthcare workforce is not in place. The Department of Commerce and Consumer Affairs collects mailing addresses and information on physician competence. However, they do not collect demographic information, work location information, services provided, or future practice plans. As a

result, no one really knows how many physicians are actively practicing medicine in Hawaii, or what services are available in our communities. 8,000 physicians are licensed in Hawaii, however, it is assumed that less than half are actually practicing. It's hard to know which factors contribute to the current medical shortage, because there's no data collected.

"The most cost-effective and efficient way to obtain this data would be by expanding the questions asked of physicians themselves at relicensure. Every physician who provides care to patients in Hawaii must be licensed. Therefore, asking the questions at relicensure allows us to maintain a current and accurate database, which would be updated every two years.

"This measure would not increase costs to the taxpayers of Hawaii. An increase of $30 to the physician's licensing fee would fund the collection of data. That's $30, which doesn't seem to be really extreme. This increase would make the relicensure fee $150, keeping Hawaii's physicians' relicensure fees well under the national average of $250. This small increase allows us to obtain the necessary information to address the physician shortfall in the State of Hawaii at a small cost.

"I note that a number of physicians supported this bill in Committee, including Dr. Virginia Pressler and Dr. David Sakamoto. And, for all these reasons, I urge the Members' support. 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. 43, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN WORKFORCE ASSESSMENT," passed Final Reading by a vote of 44 ayes to 5 noes, with Representatives Ching, Finnegan, Marumoto, Pine and Ward voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 151 and H.B. No. 427, HD 1, SD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 427, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST ONE PLANET PACIFIC ENERGY, LLC, A PROCESSING ENTERPRISE," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 152 and H.B. No. 1627, HD 2, SD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1627, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

At 1:11 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 1202, SD 2, HD 2, CD 1
S.B. No. 1674, SD 2, HD 2, CD 1
S.B. No. 43, SD 2, HD 2, CD 1
H.B. No. 427, HD 1, SD 1, CD 1
H.B. No. 1627, HD 2, SD 2, CD 1

Conf. Com. Rep. No. 153 and H.B. No. 1628, HD 1, SD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1628, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIOENERGY HAWAII, LLC," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 154 and H.B. No. 1483, HD 1, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1483, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Rhoads rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I just needed to request a ruling on a potential conflict. One of my wife's clients is Better Place Hawaii, Inc. 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. 1483, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR BETTER PLACE HAWAII, INC.," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 155 and H.B. No. 1678, HD 1, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1678, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

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. At my law firm, I represent one of the principals for this organization, but I'm not doing anything related to this matter. 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. 1678, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 156 and H.B. No. 34, SD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 34, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 161 and H.B. No. 899, HD 1, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 899, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Carroll rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. In 1994, the Legislature passed Act 283, Session Laws of Hawaii, 1994, to improve the administration of the Office of Hawaiian Affairs, by giving the Office of Hawaiian Affairs the authority to issue revenue bonds secured by the moneys received by the Office of Hawaiian Affairs from the 20% share of the revenue, from the Public Land Trust. Act 283 accomplished this purpose through amendments to Chapter 10: Hawaii Revised Statutes, that primarily added a new part, entitled, 'Revenue Bonds.'

"In Section 1 of Act 283, it noted that the Office of Hawaiian Affairs was established as a body corporate, and as a separate entity independent of the Executive Branch. Further, Section 1 noted that 1978 Constitutional Convention intended that the Office of Hawaiian Affairs have maximum control over its budget, assets, and personnel. The Act also enabled the Office of Hawaiian Affairs to maximize the trust funds without eroding the trust's corpus, by providing another alternative to leverage the trust funds.

"Act 283 required that the revenue bonds authorized by the Office of Hawaiian Affairs be issued by, and on behalf of the agency's Board of Trustees, and not by, or on behalf of the State. The Act provided that these revenue bonds would be excluded from the State's debt ceiling, and that issuance of the Office of Hawaiian Affairs' revenue bonds would have no effect on the State's power to issue general obligation bonds, or the funded debt of any political subdivision, under Article VII, Section 12, of the Hawaii Constitution.

"Although the Office of Hawaiian Affairs has never issued revenue bonds, the Hawaii and national economies are now creating a renewed impetus for the Office of Hawaiian Affairs to seek alternative sources of funding for its project.

"The purpose of House Bill 899, Conference Draft 1, is to clarify and strengthen the Office of Hawaiian Affairs' bond authority. The Act contains, among other things, provisions clarifying the ability of the Office of Hawaiian Affairs to meet the requirement that an office project be self-supporting, by using Office of Hawaiian Affairs revenues that consist of rates, rentals fees, and charges for the use and services of a public undertaking, improvement, or system, or user taxes.

"Members, this is a good bill, and I urge you to please support this measure. Mahalo nui."

Representative McKelvey rose in support of the measure and asked that the remarks of Representative Carroll be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 899, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

At 1:15 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1628, HD 1, SD 2, CD 1
H.B. No. 1483, HD 1, SD 1, CD 1
H.B. No. 1678, HD 1, SD 2, CD 1
H.B. No. 34, SD 1, CD 1
H.B. No. 899, HD 1, SD 1, CD 1

Conf. Com. Rep. No. 162 and H.B. No. 1364, HD 1, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1364, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I stand 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. 1364, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 165 and H.B. No. 900, HD 2, SD 1, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 900, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Carroll rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Members, please be patient with me. I would like to give a few comments on this bill. The Office of Hawaiian Affairs' mission is to *malama* Hawaii's people and environmental resources, and OHA's assets toward ensuring the perpetuation of the culture, the enhancement of lifestyle, and the protection of entitlements of Native Hawaiians, while enabling the building of a strong and healthy Hawaiian people and nation, recognized nationally and internationally, as directed by the State Constitution.

"In Conference, we passed a budget which provides the Office of Hawaiian Affairs with critical resources for the trustees to continue their work in making lives better for Hawaiians. And in doing so, better for all citizens of our great State. The hard questions were asked, and through follow up and going straight to the source for the answers, we were able to come to an agreement of $2.4 million in general funds for the Office of Hawaiian Affairs' operating budget, which follows the 20% cuts faced by other State agencies.

"First, I would like to thank Senator Hee and Senator Kim for all the work which they have done in understanding the workings of the Office of Hawaiian Affairs, and how its general fund budget fits into its overall operations. From those initial briefings in January, to our deliberations in Conference over the last week, they have remained steadfast in their desire to do what is best.

"I would also like to thank both of them for asking the hard questions, and remaining open to various points of views. A special mahalo to my Finance Chair, Representative Marcus Oshiro for the trust which he has had in me, as we have gone through this budgeting process. Thank you, Chair Oshiro. And, I want to also thank your Finance staff and your Finance Committee for an outstanding job.

"Colleagues, we have passed a budget, which provides the Office of Hawaiian Affairs with critical resources for the trustees to continue their work in making lives better for Hawaiians, and in doing so, better for all people of our State. As we better the conditions of Native Hawaiians, we better the condition of all citizens of our great State. The State's obligation to Hawaiians and Native Hawaiians are included in the provisions of Chapter 10, as well as in Article XII of the State Constitution. This is the basis for appropriating general funds to OHA, to satisfy the State's statutory and constitutional mandates.

"Regarding operational expenses used by OHA for those Hawaiians who have less than 50% of the blood quantum, general fund revenues have been used to address their needs. Furthermore, during our deliberations when Conferencing on House Bill 900, it was agreed that the Office of Hawaiian Affairs would transfer over $1.2 million to the State of Hawaii, as the State's portion of an award provided to the Native Hawaii Legal Corporation in May of 2006, in the Hokulia case.

"As we know, over the years, legislative appropriations made for Native Hawaii legal services have been paid for equally by the State of Hawaii through State general funds, and trust funds through the Office of Hawaiian Affairs. Thus, it is appropriate that any funds realized as result of legal action taken by the contracted legal services provider be shared equally by the two organizations responsible for the funding of these legal services, OHA and the State of Hawaii. These funds being paid by OHA will help other State programs that are in need.

"In these difficult economic times, all programs are being asked to do all that they can to assist. We know that Native Hawaiians understand this concept well. *Malama Kekahi I Kekahi*. We respect and care for others and all that surrounds us. I would like to acknowledge the Office of Hawaiian Affairs for all the good work which it has done in our community, and ask that they continue to *malama* our Hawaiian people and all people. It is truly a *kakou* thing.

"House Bill 900 provides much needed resources in three areas: Hawaiian legal services, educational enrichment, and social services for Hawaiians. Again, in these difficult times, the need to provide educational enrichment opportunities for our *keiki* is extremely important. The lack of adequate safety nets in our community makes the need for emergency assistance in housing and subsistence important for Hawaiians and all needy members of our community.

"Finally, allowing us to continue to provide legal services to our Native Hawaiian people will help to achieve justice and fairness in our community. More importantly, I want to thank all the people who called, wrote, and spoke up and shared their thoughts and views on the OHA budget bill. My heartfelt mahalo to the Office of Hawaiian Affairs, all the Conference Chairs and managers of House Bill 900, the House Committee on Hawaiian Affairs members, and the Finance Committee members, and everyone who supported the House position on this measure.

"In closing, I want to say that we can be proud of this budget, and know that services will continue because of your support of this measure. I look forward to working with everyone during the interim as the House Committee on Hawaiian Affairs Chair, and identifying critical needs in our Hawaiian community. And, I urge you all to please support 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. 900, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 166 and H.B. No. 300, HD 1, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 300, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

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:

"When the House passed the Judiciary budget to the Senate, the House reduced the budget by $28,065,985 in the first fiscal year (2009-2010) and $28,065,985 in the second fiscal year (2010-2011). The proposed Judiciary Budget by the House was $124,232,511 in the first fiscal year (2009-2010) and $124,232,511 in the second fiscal year (2010-2011). The House also eliminated 114 vacancy positions.

"In contrast, the Senate draft reduced the Judiciary budget by $8,408,626 in the first fiscal year (2009-2010) and $8,408,626 in the second fiscal year (2010-2011). The proposed Judiciary budget by the Senate was $143,889,870 in the first fiscal year (2009-2010) and $143,889,870 in the second fiscal year (2010-2011). The Senate did not eliminate any vacancy positions.

"In Conference, after negotiations between the House and the Senate, we agreed to reduce the Judiciary budget by $11,000,000 and eliminated 79 vacancy positions. As a result, the Judiciary budget has become $141,298,496 in the first fiscal year (2009-2010) and $141,298,496 in the second fiscal year (2010-2011). We restored all the initial cuts to the purchase of service agreements, which funded many of our important non-profit corporation legal services. The capital improvement projects for the Judiciary budget included: $230,000 for plans and design for a new administrative services office building for the Kapolei Judiciary Complex; $3,995,000 for design and construction for upgrade and modernization of the elevators at Kauikeaouli Hale on Oahu; $550,000 for plans and land acquisition for a new Judiciary Complex for Kona; and $5,000,000 for plans, design, construction, and equipment for the remodeling and upgrading of Judiciary buildings statewide for fiscal biennium 2009-2011. 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. 300, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 168 and S.B. No. 21, SD 1, HD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 21, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 171 and S.B. No. 884, SD 2, HD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 884, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

At 1:22 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1364, HD 1, SD 1, CD 1
H.B. No. 900, HD 2, SD 1, CD 1
H.B. No. 300, HD 1, SD 2, CD 1
S.B. No. 21, SD 1, HD 1, CD 1
S.B. No. 884, SD 2, HD 1, CD 1

At 1:22 o'clock p.m. Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:26 o'clock p.m.

At this time, the Chair announced:

"Members, we will be taking two measures out of order."

Conf. Com. Rep. No. 177 and H.B. No. 1260, HD 1, SD 1, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, Conf. Com. Rep. No. 177 and the attached proposed CD 1 on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1260, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was recommitted to the Committee on Conference, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 178 and H.B. No. 1404, HD 1, SD 1, CD 1:

Representative B. Oshiro moved to recommit Conf. Com. Rep. No. 178 and the attached proposed CD 1 on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1404, HD 1, SD 1, back to Conference Committee, seconded by Representative Evans.

Representative Souki rose, stating:

"Yes, Mr. Speaker. A point of information. On House Bill No. 1404, my understanding is that it is going to be going to Senate Bill No. 387. Is that correct?"

At 1:28 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:29 o'clock p.m.

The motion was put to vote by the Chair and carried, and Conf. Com. Rep. No. 178 and the attached proposed CD 1 on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1404, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," was recommitted to the Committee on Conference, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 173 and S.B. No. 1673, SD 2, HD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1673, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations. Mr. Speaker, this is a bad bill made good in parentheses, in that this started out with the decimation, if you will, of the Hawaii Health System and put it into the Department of Health. What we decided …"

Representative Yamane rose to a point of order, stating:

"A point of order, Mr. Speaker. He is not reading the correct draft of the bill."

Representative Ward: "… 15 years ago was not to do this and now we're doing it."

Vice Speaker Magaoay: "Representative Ward, please proceed. Please proceed. I will give you some latitude, but please proceed. Go ahead."

Representative Ward continued, stating:

"I'm trying to say that we took a wrong turn by trying to put this back into the Department of Health, which Mrs. Fukino, the Director, said would be an anathema to the healthcare of the State of Hawaii, and putting the healthcare and the finances of the State in jeopardy. This now straightens it around.

"But why I'm with reservations, Mr. Speaker, is that there's such a love-hate relationship between the State, this Body, and that core which watches over the people for us. We've got to get over this. We've got to get this, in, out, up, down. We've got to say, this is the healthcare system with 13 hospitals, which we are going to work professionally, organizationally, systematically, to make them work. We keep tweaking and playing with this thing. And this bill now, it looks like it's heading in the right direction, but I think given the personalities and the different positions that we've seen this in the reiterations in this bill go through, it's schizophrenic. Healthcare should not be. That's a mental health issue. This is the physical health of the people of Hawaii. Thank you, Mr. Speaker."

Representative Yamane rose to speak in support of the measure, stating:

"I'm standing in strong support. In January, your House Health Committee was asked to work collaboratively with our Senate counterpart to produce a bill that would improve the quality of care of the people of Hawaii, and especially those on our Neighbor Islands. Today, Mr. Speaker, we have a measure before us that will accomplish this goal, while taking into consideration the unique needs of each community. I truly believe that S.B. 1673 will not only improve the quality of healthcare throughout our Aloha State, but will also allow each of the five regions to chart their own destiny.

"Members, please remember that HHSC is the fourth largest public healthcare system in the United States, made up of 13 public hospitals and healthcare facilities on five islands. It operates more than 1,200 beds, and has over 4,000 employees. So, Mr. Speaker, this measure will literally affect the lives of tens of thousands of people, and impact the fabric of our healthcare delivery system in Hawaii.

"Never during the development of S.B. 1673 did I lose sight of the importance of HHSC, to our Neighbor Islands and rural families. I remain very aware that in Ka'u, the community hospital in Pahala offers emergency room and healthcare services that are not available for more than 50 miles in either direction. Mr. Speaker, some of us can never truly understand what it is like having only one option for healthcare for over a hundred miles. But, this measure before us, Mr. Speaker, says to those who endure those conditions that we do listen and we do care.

"Mr. Speaker, this measure does more than just give more regional and community control. It also addresses a long history of fiscal liabilities plaguing HHSC. Members, please remember that in early 2008, we provided an emergency appropriation of $14 million, and yet, in 2009, HHSC was projected to have a deficit of $62 million. Add this to the fact that in some places HHSC had a 60 to 90 day lag time in accounts payable, and was threatened to lose critical pharmaceutical services because of non-payment. You can see that it is vital that we responded.

"Mr. Speaker, my colleagues might be asking, 'What will S.B. 1673 do?' S.B. 1673 will eliminate the $20 million in liabilities prior to 1996, allow the regions the ability to make memorandums with their employees, change the corporate board make up, and allow criminal record checks for existing and potential employees, as well as board members. S.B. 1673 also requires an annual internal audit, both regional and corporate for the issues of management and operations. And very importantly, it allows each region to determine the medical services that best meet their needs.

"Finally, S.B. 1673 allows a transfer of the region or system to a new entity, but only with the approval of the regional boards, a legal review by the Attorney General, a fiscal review by the Director of Budget and Finance, and the Governor's approval. Mr. Speaker, this bill is the culmination of many hours of hard work and input from the employees and people of our great State. The Legislature and the proponents of this measure worked hard together to provide HHSC the tools and resources it needs to be successful.

"Mr. Speaker, this measure would not be possible without the input and assistance of many of our House colleagues, our Senate counterparts, and all their staff. I truly believe, Mr. Speaker, that this measure is a balanced approach that will improve the healthcare system of Hawaii. A former colleague and dear friend, former Representative Bob Nakasone once envisioned the healthcare system that was unique to his region, yet leveraged the resources of a large system to provide the best possible quality healthcare to the people of the State and his community. I hope today he would be proud.

"Members, I encourage you to support this measure as a big step in the right direction for healthcare of all of our people. Thank you."

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. I speak in favor of this measure, and I would be very proud to have the remarks of the Representative from Mililani as my own. I want to thank the Representative for doing such a great job, the Chair and the Conferees. Thank you, and aloha."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. And may I have the comments of the Chair of Health entered into the record as if they were my own. I think this stops the runaway train. If you heard the comments of a previous speaker, you'd think the HHSC was doing such a stellar job that our healthcare system is second to none, and that's clearly not the case. There's 18% corporate overhead, with absolutely no accountability and transparency. If that would occur in the private sector, I would wager that there would be a lawsuit brought.

"This is an incredible job that he did. I don't think anybody could fathom the different factions and the way this thing has evolved. But he remained committed, worked long hours, and refused to give up. I think this is finally the solution that we've all been looking for, and I also believe it builds upon the dream of a former colleague of ours, Representative Bob Nakasone, to truly deliver a healthcare system that will allow regional empowerment, as well as a system that will leverage the ability of these Regional Boards, to not only have their own decision-making, but to also be able to get their cost down, and to finally have some oversight, transparency and accountability. Thank you, very much."

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I would like a ruling on a possible conflict. My law partner is a member of the Regional Board for Maui, and I'm a member of a board for a non-profit that's affiliated with the local hospital system," and the Chair ruled, "no conflict."

Representative Keith-Agaran continued in support of the measure, stating:

"I'd like to speak in support. I did want to thank the Chair of Health and all the colleagues who were involved in the discussions over this matter, and I'd like to submit additional remarks into the Journal."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I strongly support SB 1673, S.D. 2, H.D. 2, C.D. 1 which provides a framework for moving the community hospital system into its next phase and which empowers the communities served by these facilities to have a greater say in how they are run and realizing what should become the future of these hospitals. This bill recognizes the dynamic and challenging nature of healthcare not just in Hawaii, but throughout this nation. The bill acknowledges that the worldwide economic downturn also requires structural changes that allow HHSC flexibility to explore partnerships and ventures outside of the government.

"This measure notably shifts the composition of the HHSC Board to empower the Neighbor Islands with major stakes in a successful community hospital system. The bill provides greater regional representation in the HHSC by including regional Chief Executive Officers as voting members of the Corporation Board and also including two members from the County of Maui, two members from the County of Hawaii, one member from the Island of Oahu, and one member from the Island of Kauai. The county members would be nominated by the respective regional board from each county.

"Moreover, this bill provides homerule as it should be implemented – the regions receive greater authority, but also greater responsibilities. Significantly, the measure allows HHSC or any of the Regional Boards to negotiate with the public worker unions a supplemental memorandum to a collective bargain agreement. These supplemental memorandum can help build flexibility for our hospital administrators to negotiate scheduling for proper and efficient staffing that is based on providing quality healthcare rather than scheduling and staffing requirements in general governmental but non-healthcare settings.

"Of interest to my own county, the bill allows a region to transition out of HHSC and creates a straightforward process for review and approval of such transition. These sections provide a reasoned structure for a region to position itself to best serve the populations it serves. The measure does not require a region to leave HHSC, but again gives homerule opportunities to the stakeholders.

"I would like to express my Aloha and Mahalo to the House leadership that worked hard to include all the members who have an interest in rural healthcare and the future of HHSC. This truly was a work in progress throughout the Session. The willingness of leadership to hear the concerns that Neighbor Islanders brought on behalf of our constituents, our doctors and healthcare professionals and advocates, and especially our families is much appreciated.

"Finally, as the good representative from Mililani who chairs the Health Committee and who led our Conference Committee noted, we would all be remiss if we did not mention and thank the seeds my predecessor Robert Nakasone planted in connection with this bill. Rep. Nakasone sat in this seat when the State created the Hawaii Health Systems Corporation (HHSC) and has observed its functioning over the years. As originally envisioned, he would remind us, HHSC was intended to be regionally-driven by the communities served by our State facilities. Instead, HHSC evolved into a centralized top-down operation. This Legislature, with Rep. Nakasone's prodding, in recent years authorized Regional Boards and provided some additional local control. This measure moves us further towards allowing the stakeholders to set the course and empowers the Neighbor Islands with flexibility to implement the future of healthcare we desire on our islands. Rep. Nakasone cared deeply about healthcare as a key to the quality of life of any community. This bill is consistent with maintain and improving health in our rural areas and I believe Bob would have strongly supported this bill.

"I urge my colleagues to support this measure."

Representative Carroll rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. I felt compelled after seeing my Maui delegation stand up, so I want to stand with them. I also would like to ask for the words from the Representative from Mililani to be inserted in the Journal as my own. Thank you," and the Chair "so ordered." (By reference only.)

Representative Souki rose, stating:

"Yes, Mr. Speaker, and Members. I would be remiss if I didn't mention the spur of this change. He insisted on change, and reminded us of the need for change. The great Representative Herkes, on my left. 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. 1673, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 174 and H.B. No. 36, HD 1, SD 2, CD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 36, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 175 and H.B. No. 690, HD 2, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 690, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

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. 690, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Finnegan voting no, and with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 176 and H.B. No. 1464, HD 3, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1464, HD 3, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Thielen rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Thielen's written remarks are as follows:

"As an island state, our heavy reliance on fossil fuels is not economically or environmentally viable. As a co-sponsor of House Bill 1464, I believe this bill is a bold move towards energy independence for our State. HB 1464 requires the State Energy Resource Coordinator to identify geographic areas in Hawaii that are rich with renewable energy resource potential and develop renewable energy projects within those renewable energy zones. In its original form that I co-sponsored, HB 1464 declared that Hawaii would not allow the construction of any new fossil fuel plants. Yet unwisely, this provision was removed from the final bill.

"As stated by Nobel Laureate Stephen Chu, the new Secretary of Energy, "Our dependency on foreign oil, our national security, our economic prosperity, and the climate change issues-these aren't ultimately political questions. This is a way into the21st century, a way to regain our technological leadership, regain our high quality manufacturing leadership that we have lost, all of these things, as well as helping save the world."

Obviously the time to act is now. Hawaii must lead by setting an example of energy autonomy, which includes a ban on any new fossil fuel plants."

Representative Morita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. I have some comments I'd like to give on the Floor and submit some additional comments. Thank you. Again, I rise in strong support of this bill. This bill is one of three key legislative measures that will help to secure Hawaii's clean energy future. This bill incorporates two major concepts resulting from the Hawaii Clean Energy Initiative: Increasing the renewable energy portfolio standards to achieve a mandate of 40% of our electricity generation from renewable resources by the year 2030, and the establishment of an energy efficiency portfolio standard to achieve a target of 4,300 gigawatt hours of electricity-use reductions statewide by 2030.

"Mr. Speaker, I think we all know the value of renewable energy, but I cannot emphasize enough how important energy efficiency is to Hawaii achieving its clean energy goals. In 'energy-wonk' circles, energy efficiency is known as the fifth fuel, implying that the cleanest and cheapest energy is the one that you don't use. In an *Economist* article last year, it stated that studies by the McKenzie Global Institute show that a global energy efficiency drive would be profitable in keeping the concentration of greenhouse gases in the atmosphere below 550 parts per million, and relying on existing technology would earn an average return of 17% and a minimum of 10%. Therefore, the only byproduct of energy efficiency is wealth.

"Mr. Speaker, our work in this area is not done with the passage of this bill. However, it is a good start. We need to work aggressively in setting minimum floors on energy efficiency in our building codes, in new constructions, substantial renovations, and retrofits. Fortunately, the building industry does not need to wait for mandates. Some progressive architects, developers and contractors have already embraced the value of energy efficiency. Unfortunately, others in that sector are not, and again, to the detriment of the consumer and the environment.

"So, Mr. Speaker, we still have lots of work to do, and I'd like to submit, again, additional comments for the Journal, as well as the *Economist* article for insertion. Thank you."

Representative Morita's written remarks are as follows:

"Governor Linda Lingle recently remarked that I was the sole legislator that killed the fossil fuel ban, language that was included in earlier versions of House Bill 1464. I take full responsibility for removing that language from the Conference draft, but not for the reason she cited.

"A simple ban on fossil fuel generation makes for an easy sound bite, but does not equate to a practical implementation of State law. Mr. Speaker as you and my colleagues well know details are very important. A ban in law would be inflexible and problematic if not carefully thought out. Throughout the public hearing process there was never a workable draft. The language that was discussed was poorly written and none of the various reiterations, including my own, addressed various concerns. As the Legislature neared critical deadlines, the discussion had to end in order for the rest of the bill, which contained the important clean energy initiatives we are voting on today, to move forward.

"Further, a fossil fuel ban gives the impression that we can meet all our energy needs through renewable energy sources, however, in 2030 it is projected that a substantial amount of Hawaii's electrical generation will still rely on fossil fuels. I strongly believe that all of Hawaii's future energy options should not be shut off prematurely without a full understanding of cost, reliability and carbon footprint impacts.

"Hawaii's clean energy future is a transition of moving away from our dependency on fossil fuels by incorporating energy efficiency and renewable energy. It will not happen overnight and will require that we make the right investments in various technologies at the most opportune time to minimize risk and costs. Wind and solar are intermittent sources of energy which will require some kind of storage technology which is not readily available. Currently, local production of biofuel crops is not available. Imported biofuels are more expensive and in some cases actually have a larger carbon footprint than some of the petroleum products from Hawaii's refineries.

"Right now, the emphasis of Hawaii's clean energy future should be on maximizing energy efficiency, the low hanging fruit, to put off the decision and need to build new fossil fuel power plants for as long as possible, the integration of a renewable energy system into a modernized smart grid and establishing the right pricing mechanisms, including consideration of possible federal initiatives and carbon taxes. Bills being voted on by the Legislature this week address this strategy. It is too simplistic to think that we can just draw a line in the sand banning fossil fuels without factoring cost and reliability issues and not anticipate inadvertent consequences.

"I am sure the Governor and I are equally passionate about moving Hawaii to a clean energy future, but we know we have to be realistic and pragmatic in crafting laws that will frame our clean energy opportunities long into the future.

"Thank you for allowing me to makes these additional remarks."

Representative Morita also submitted the following article:

"THE ELUSIVE NEGAWATT
May 8th 2008

If energy conservation both saves money and is good for the planet, why don't people do more of it?

IN WONKISH circles, energy efficiency used to be known as "the fifth fuel": it can help to satisfy growing demand for energy just as surely as coal, gas, oil or uranium can. But in these environmentally conscious times it has been climbing the rankings. Whereas the burning of fossil fuels releases greenhouse gases, which contribute to global warming, and nuclear plants generate life-threatening waste, the only by-product of energy efficiency is wealth, in the form of lower fuel bills and less spending on power stations, pipelines and so forth. No wonder that wonks now tend to prefer "negawatts" to megawatts as the best method of slaking the world's growing thirst for energy.

Almost all blueprints for tackling global warming assume that energy efficiency will have a huge role to play. Nicholas Stern devoted a whole chapter to it in the report he wrote on climate change for the British government. In the greenest of futures mapped out by the International Energy Agency, a think-tank financed by rich countries, greater efficiency accounts for two-thirds of emissions averted. The McKinsey Global Institute (MGI), the research arm of the consultancy, thinks that energy efficiency could get the world halfway towards the goal, espoused by many scientists, of keeping the concentration of greenhouse gases in the atmosphere below 550 parts per million.

MGI is particularly enthusiastic because it believes that unlike most other schemes to reduce emissions, a global energy-efficiency drive would be profitable. The measures it has in mind, all of which rely on existing technology, would earn an average return of 17% and a minimum of 10%. The Intergovernmental Panel on Climate Change, a group of scientists advising the United Nations on global warming, makes a similar point. It believes that profitable energy-efficiency investments would allow Pakistan to cut its emissions by almost a third, Greece by a quarter and Britain by more than a fifth.

In other words, big investments in energy efficiency would more than pay for themselves, and fairly fast. Although a lot of money would have to be spent--$170 billion a year until 2020--by MGI's reckoning that is only 1.6% of today's global annual investment in fixed capital. Moreover, with ample profits to be made, financing should be easy to attract.

Yet if there are so many lucrative opportunities to improve efficiency, why are investors not already taking advantage of them? To a degree, they are: in America, for example, "energy intensity"--the amount of energy required to generate each dollar of output--is falling by about 2%

a year (see chart 1). This is only partly because America's factories, houses, cars and appliances are becoming more efficient: it is also because energy-guzzling factories have moved to cheaper spots such as China. But globally, too, energy intensity is falling by around 1.5% a year.

That decline is not predestined. Before the first oil shock, in 1973, America's energy intensity was falling by only 0.4% a year. At that languid pace, America would now be spending 12% of GDP on energy instead of 7%, according to Art Rosenfeld, an efficiency pioneer and a member of the California Energy Commission, which sets efficiency standards and other energy policies for the state. Simply by buying more efficient fridges over the years, he reckons, Americans have come to save more than 200 terawatt-hours (TWh) annually, or roughly 80 power plants' worth.

But as McKinsey points out, there are still hundreds of billions of dollars' worth of unfulfilled but potentially profitable opportunities in energy efficiency available to households and companies. What is holding investors back?

One answer is price. In the eyes of many consumers, electricity and fuel are often too cheap to be worth saving, especially in countries where their prices are subsidised. Industrialists in Russia are profligate with natural gas, because it sells there at a quarter of the international price. Drivers in Qatar have little incentive to scrimp on petrol when they pay barely a dollar a gallon for it.

By and large, energy intensity is, not surprisingly, lower in countries where electricity prices are higher. It is no coincidence that Denmark has both high power prices and an energy-efficient economy. Among American states, for every cent per kilowatt-hour by which prices exceed the national average, energy consumption drops by about 7% of the average. George David, the boss of United Technologies, a conglomerate that makes air-conditioners, lifts and aircraft engines, among other items, argues that higher fuel and power prices are the only motor needed to drive energy efficiency.

But there are still plenty of profitable investment opportunities in energy efficiency, even in the places with the most expensive power.
David Goldstein, author of a recent book on energy efficiency, points out that until recently businesses in New York lit their premises more brightly than did those in Seattle, despite New York's much higher power prices. And Hawaii, the American state with the dearest power, is not the most efficient (although the one with the cheapest, Kentucky, does come bottom of the efficiency table).

The problem, analysts explain, is a series of distortions and market failures that discourage investment in efficiency. Often, consumers are poorly informed about the savings on offer. Even when they can do the sums, the transaction costs are high: it is a time-consuming chore for someone to identify the best energy-saving equipment, buy it and get it installed. It does not help that the potential savings, although huge when added up across the world, usually amount to only a small share of the budgets of individual firms and households. Despite recent price increases, spending on energy still accounts for a smaller share of the global economy than it did a few decades ago.

For all these reasons, homeowners, as Lord Stern pointed out in his climate-change report, tend to demand exorbitant rates of return on investments in energy efficiency--of around 30%. They generally want new boilers or extra insulation to pay for themselves within two or three years, says Mark Hopkins, of the United Nations Foundation, an NGO. Businesses are not quite so demanding, he says, but they still tend to put greater emphasis on increasing revenues than on cutting costs.

Similar stories crop up in the markets for new homes and offices, appliances and vehicles. Builders are not the ones who end up paying the utility bills, so have little reason to add to the construction costs--and hence the price of a home or office--by incorporating energy-saving features. The makers of appliances and cars also know that not all consumers and drivers will think as carefully about running costs as about the purchase price. By the same token, landlords have scant incentive to invest in energy efficiency on their tenants'
behalf. And power companies are usually keen to encourage their customers to consume as much power as possible.

Financing energy-efficiency investments can also be difficult. In the developing world, capital can be scarce. In rich countries, the savings from making individual homes more efficient are too small and the overheads involved too high to be of much interest to most banks.

THE SCENT OF SAVINGS
Despite these obstacles, as energy prices rise and more countries adopt limits on greenhouse-gas emissions, banks and consultancies are beginning to sniff an opportunity. Firms that help businesses and families to trim their energy bills have become common enough to earn an acronym: ESCos, or energy-service companies. Their industry group in America says business, which had been growing at 3% a year in the early part of this decade, is now increasing by 22% a year. The total revenues of the 46 ESCos it surveyed were about $3.6 billion in 2006, about three-quarters of which came from energy efficiency.

Typically, an ESCo designs a scheme to reduce a building's energy bill, borrows money to pay for the kit it needs, and installs and maintains it over a fixed period. Clients do not need to provide any cash up
front: the ESCo's reward comes from retaining most of the savings--out of which it must repay the loan. The revenues are steady and predictable enough to allow ESCos to unburden their balance sheets and lower their borrowing costs by securitising them. Hannon Armstrong, one of the financial-service firms involved, says it has arranged more than
$1.5 billion-worth of such securities.

The hitch is that 80% of ESCos' customers in America are from the various branches of the government, along with schools, hospitals and universities. Small businesses and households would provide a much bigger market, but they tend to be less creditworthy and to move more often. Moreover, the transaction costs tend to outweigh the savings.

Jeff Eckel, of Hannon Armstrong, believes it is possible to overcome these problems by aggregating many similar properties and by drawing up clever contracts. The Clinton Climate Initiative, a charity set up by the former American president, is thinking along the same lines. It has persuaded the local authorities in 40 big cities around the world to co-ordinate their investments in energy efficiency. It then used the allure of such a big market to persuade the makers of energy-efficient goods, the ESCos that will install them and the banks that will finance them to reduce their margins. The cities with which the charity has linked up include Chicago, London and New York.

Most governments, however, do not seem convinced that businessmen and do-gooders are capable of overcoming the impediments to energy efficiency on their own. So they are intervening in markets. The variety of methods they use hints at the difficulties.

The simplest tactic is to try to get the public to think. Britain set up a body called the Energy Saving Trust in 1993; America has a similar outfit, called Energy Star. Among other things, it helps consumers identify energy-efficient products and houses through a voluntary labelling scheme. The European Union goes slightly further, with compulsory labelling of goods such as fridges, washing machines and dishwashers; and Britons selling a home must now have its energy efficiency assessed.

But consumers often ignore such labels or at least do not give them as much weight as price, appearance or convenience. So governments sometimes try to make efficient appliances more appealing through financial incentives. America's federal government, for example, offers a tax credit to makers of extremely efficient appliances--and several states give rebates, income-tax credits or sales-tax exemptions to anyone who buys them. China has just said it will subsidise makers of compact fluorescent light-bulbs, which are four or five times more efficient than the cheaper incandescent sort.

Other governments blanch at bribing people to do something that is already in their interest. Australia has proposed banning incandescent light-bulbs outright. Many have adopted building codes and appliance standards that dictate minimum levels of efficiency. Several tighten the standards regularly, to foster constant improvement. Japan's Top Runner scheme, for example, identifies the most efficient appliances on the market in different categories, and then requires all competing brands to improve on them within four to six years. Those that fail face fines.

Businesses often complain that such tough measures impose undue costs, which they must then pass on to consumers as higher prices. They also argue that their customers should be free to buy bigger or more powerful devices if they want, even if that makes them relatively inefficient. Notably, America's carmakers have used such arguments to resist increases in fuel-economy standards.

When Congress raised standards last year it tried to address these complaints by setting different targets for heavy and light vehicles.
Each firm's target is an average across all the cars it sells, not a model-by-model limit, so there is still scope to make the odd guzzler.
Anyway, environmentalists dispute the notion that energy-efficiency standards drive up prices. The average price of fridges in America has fallen by more than half since the 1970s, even as their efficiency has increased by three-quarters, according to Mr Goldstein. Those gains have come in spite of steady increases in the size of the average unit (see chart 2).

Governments are also obliging utilities to get involved in the business of energy efficiency. Some, including many American states, add an extra sum to electricity bills to finance investments in energy efficiency. Others specify the amount of energy to be saved, rather than the amount to be spent. France, for example, requires gas and electricity suppliers to invest enough over three years to reduce projected demand by 54TWh.

Britain and Italy have similar schemes, although the targets are expressed in tonnes of carbon and barrels of oil, respectively.
External auditors verify the savings, and the "white certificates" they issue when they have done so are tradable. The intention is to keep the cost of the scheme low by allowing those that can achieve reductions most cheaply, including ESCos, to do so on behalf of less expert participants. The idea is also spreading in America: Connecticut, Nevada and Pennsylvania have all adopted it.

A SPARKY DIVORCE
But a white-certificate scheme would have to be very demanding to outweigh a utility's incentive to sell more power. So other American states have gone further, and attempted to "decouple" utilities'
profits from their sales. Regulators forecast demand and allow utilities to charge a price that would recoup their costs and earn a fixed return on the basis of that forecast. If demand turns out to be lower than expected, the regulator lets prices rise so that the utility can make the mandated profit; if it is higher, the regulator cuts prices to return the excess to customers.

California, predictably, has gone further still. It first decoupled sales and profits for gas in 1978 and for electricity in 1982. Last year, it adopted a scheme called "decoupling plus", which aims to make investments in energy efficiency more profitable for utilities than new power stations would be. Fees to finance energy-saving measures are added to each bill, and utilities spend the money in pursuit of targets set by the regulator, the California Public Utilities Commission (CPUC). The commission then calculates the savings from these investments, compared with the cost of new power plants. If a utility achieves between 85% and 100% of the target, it is allowed to keep 9% of these savings. If it exceeds the regulator's target, it gets 12%, more than it would earn from building new infrastructure. Between 65% and 85% it does not earn any return at all, and below 65% it pays a fine for every kilowatt-hour by which it has fallen short.

This complicated system is designed to make sure utilities spend more on energy efficiency, but do not waste billpayers' money on investments of dubious merit. California's private utilities now spend about a $1 billion every year on energy efficiency. In July the CPUC will announce their energy-savings targets as far as 2020. The state, says Dian Grueneich, one of the commissioners, hopes to meet half of all projected demand growth through increased energy efficiency.

Less dainty governments just oblige the most energy-hungry firms to cut back. The 13,000 factories in Japan with the highest energy use are required to improve their efficiency by 1% a year. Those that fail to do so are fined. China's central government has followed suit, setting energy-efficiency targets for the country's 1,000 biggest firms. That step, in turn, has spawned similar initiatives in the provinces.
Overall, the Chinese government hopes that energy intensity will be 20% lower in 2010 than it was in 2006.

However, no matter what methods governments adopt to encourage energy efficiency, the results may not be as impressive as they imagine. The culprit is something called the "rebound effect". Falling demand for electricity or fuel brought on by an efficiency drive should lead to lower prices. But cheaper energy, in turn, is likely to prompt greater consumption, undermining at least some of the original benefits. What is more, consumers with lower electricity or fuel bills often put the money they have saved to some other use, such as going on holiday or buying an appliance, which is likely to involve the consumption of fuel and power.

Economists disagree about the size of the rebound effect, which is hard to measure. The British government commissioned two studies of the effect, from two different universities. The first found that it cancelled out roughly 26% of the gains from energy-efficiency schemes; the other put the figure at 37%. Either way, negawatts are worth pursuing. But they are unlikely to satisfy the world's thirst for energy to the extent their advocates assume."

Representative Belatti rose to speak in support of the measure, stating:

"Mr. Speaker, I stand 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. 1464, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

At 1:44 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 1673, SD 2, HD 2, CD 1
H.B. No. 36, HD 1, SD 2, CD 1
H.B. No. 690, HD 2, SD 2, CD 1
H.B. No. 1464, HD 3, SD 2, CD 1

At 1:44 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:46 o'clock p.m.

At this time, the Chair announced:

"Members, on the last bill on this page, HB No. 128, HD 1, SD 1, CD 2, the Chair would like to move that to the end of the calendar for today."

Conf. Com. Rep. No. 179 and H.B. No. 989, HD 1, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 989, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

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 rise in strong support of H.B. 989, H.D. 1, S.D. 2, C.D. 1, Relating to Children's Health Care, which extends the Hawaii Children's Health Care Program to June 2012. This program, also known as Keiki Care, is an important tool in the drive to provide health care coverage for ALL children in Hawaii.

"The demand for Keiki Care Coverage was demonstrated when the program was initially launched, with 100 new enrollees each month it was in effect. While there are those who would worry about a "crowd-out" of low-income children by families that would otherwise be paying for health insurance, the eligibility requirements of the Keiki Care Program are designed to prevent this. In addition, the requirement within H.B. 989 that children receive care at Federally Qualified Health Centers (FQHCs) adds to the likelihood that eligible families will be redirected to Medicaid programs, which provide greater benefits at a lower cost to the State.

"Furthermore, Mr. Speaker, in alignment with the goals of the Keiki Care Program, the Children's Health Insurance Program Reauthorization Act (CHIPRA) of 2009 greatly increases federal funding and federal match dollars for children's healthcare, saving the State about $7.1 million annually; this shows the federal government's commitment to providing coverage for children.

"The reporting requirements of the Keiki Care bill should also ensure that a wealth of information be collected during the term of this program, which will be a valuable asset in future efforts to provide healthcare coverage for all the *keiki* 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. 989, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN'S HEALTH CARE," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

Conf. Com. Rep. No. 180 and H.B. No. 1271, HD 3, SD 2, CD 1:

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1271, HD 3, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Coffman rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support of House Bill 1271. Thank you. Mr. Speaker, we've been talking about food and energy self-sufficiency and sustainability for years. We import about 85% of our food. We import about 95% of our energy. We export our money. Mr. Speaker, this creates two very real and serious problems for Hawaii. One, we send billions and billions of dollars to other states and nations. This is good for their economies and terrible for our economy. Two, we depend upon the daily shipment of food and petroleum products to sustain our ability to survive.

"Mr. Speaker, House Bill 1271, known as the 'Barrel Tax' bill stops the talking and creates action. We have expanded a tax on each barrel of petroleum products sold by distributors. This will generate over $30 million of special fund revenue each year. This action creates a funding source that will promote the development of local food and energy businesses. A funding source that will be used to obtain matching federal funds for food and energy development programs. A funding source to staff and operate our State's energy division. A funding source desperately needed to fix our agricultural infrastructure.

"Mr. Speaker, this bill establishes for two years, the Hawaii Economic Development Task Force. This task force is made up by members from all counties and it will be used to accelerate public and private efforts to make Hawaii energy and food self-sufficient. Task force action that is consistent with the Hawaii 2050 sustainability plan and the Hawaii Clean Energy Initiative.

"Mr. Speaker, I believe that this bill will change the economic direction of our State. When we are self-sufficient, we will retain billions and billions of dollars within our islands. The money and jobs will stay within our economy. We will be able to survive a worldwide event that stops shipments to Hawaii.

"Mr. Speaker and colleagues, I ask for your support on House Bill 1271. Thank you."

Representative Tsuji rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support. Mr. Speaker, please allow me to begin with some very pertinent quotes. 'Together, we will meet both our near-term and long-term obligations, by making those decisions necessary to navigate through the turbulence of the current fiscal crisis, and achieve our preferred future. That future includes energy independence, increased food self-sufficiency, and 21st century infrastructure that supports existing and emerging industries.'

"The quote continues, if I may, 'A key area where we must bring innovation to bear is ending our overreliance on imported foreign oil. Increasing our food self-sufficiency will contribute to the State's economic recovery by keeping more of our money at home.' The quote continues, 'If we replace just 10% of the food we currently import, it would create more than $300 million in economic activity, generate $6 million in taxes, and create 2,300 new jobs.'

"Does this sound familiar? Mr. Speaker, these comments are a part of the State of the State Address delivered before this Body on January 26, by our Governor. What are we waiting for? We're not. Mr. Speaker, this is exactly what this bill addresses. Carefully crafted and nurtured by our Representative from the 14th District on Kauai. Stop talking. This fills the tank and tills the soil, if I may say, amounting to a mere few pennies for a gallon at the pump. And however objectionable the levy may seem to some, it must be stressed that money collected will establish not only stable, but also sustained funding source for Hawaii's energy and food security needs.

"Further, this bill also ensures accountability. In part, 35 cents of the tax on each barrel shall be deposited into the Agricultural Development and Food Security Special Fund. The Department of Agriculture is tasked with reporting to the Legislature regarding programs and activities that are funded. Specific objectives of expenditures and measurable outcomes.

"Agricultural funds shall be directed towards, but not limited to, battling varroa mites, other pest control and eradication programs, food safety and security programs, livestock revitalization, repairs for construction of waterways and distribution systems. All these are so vital, Mr. Speaker, to agricultural sustainability and security. I might also add and stress that these waterway projects are collaborated with federal matching funds.

"Mr. Speaker, this bill is broad, and a very bold step in detaching us from too heavy reliance on imported sources of foods and fuel. Clearly, this bill directs us with a very important task to realize that together we will take on the responsibility for future generations. Let us ensure that this bill, as an Act, shall take effect on July 1, 2009. Mahalo, Mr. Speaker."

Representative Morita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. Thank you. When we passed the 'Bottle Bill' in 2002, Speaker Calvin Say looked at me, and he said, 'This one is for the children.'

"Mr. Speaker, I truly appreciate the support that I received from this Body's leadership, my Committee Co-Chairs and my Conference Committee members, because this bill is a really big one. We act on this measure, not only for Hawaii's children, but for all children throughout the world. This dedicated tax is an investment to make Hawaii the model for energy and food sustainability, which the world can look to. Achieving energy and food security for Hawaii is a long term strategy, which takes resources for implementation. We can talk all we want about our desire to achieve energy and food security. But, as my trusty Vice Chair, the Representative from Kona pointed out, without dedicated funding, it will just be all talk and no action.

"New York Times columnist Thomas Friedman sums up our situation pretty succinctly in his latest book, *Hot, Flat, and Crowded: Why We Need a Green Revolution and How It Can Renew America*. Let me paraphrase what he says:

'Unfortunately, up to now, we have been trying to solve the problems caused by the dirty fuel system, piece meal, one at time, instead of trying to create a new system to replace it. The result has been that as we try to fix one problem, we end up creating or exacerbating another. We need a whole new system for powering our economy. The only way America will remain a big power and a big player in the global system, is if it is big in big things. There will be no bigger undertaking in the world we are heading into than the production of clean power, energy-efficiency, and the protection of our plant, forest, and animal heritage. Green is the new red, white, and blue.'

"Mr. Speaker, whether this Body realizes it or not, our journey began and got to this point almost 40 years ago. In 1970, at the Governor's Conference in the Year of 2000, a Hawaiian woman named Pilahi Paki spoke spontaneously to a room filled with community, educational and legislative leaders. Eloquently and simply, she told them that Aloha, her ancestral legacy, is meant to be shared. And, she said, 'Aloha is a coordination of mind and heart. It's within the individual. It brings you down to yourself. You must think and emote good feelings to others.'

"Prophetically, Kupuna Paki told attendees, 'In the next millennium, the world will turn to Hawaii in its search for world peace, because Hawaii has the key, and that key is Aloha.' Kupuna Paki passed away in 1985, however, her legacy still exists. Acting upon her message, the 'Aloha Spirit Law' was passed in 1986, as a model law for the rest of the world. It can serve the greatest number for the greatest good. And, the world is in dire need to experience Aloha, and how to learn to apply Aloha in our daily lives. And, now we have a great ambassador of Aloha. And with all due respect to Kaniela, Danny Kaleikini, I meant the President of the United States.

"Respect for nature, universal human rights, economic justice, and a culture of peace. These are the kinds of values that we share, and these values can be embodied in a single word: Aloha. Aloha is the foundation of our community."

Representative Takumi rose to yield his time, and the Chair "so ordered."

Representative Morita continued, stating:

"Thank you. Mr. Speaker, one of the ways to achieve Aloha worldwide is through renewable energy. And let me try to explain this. In my view of the world, specifically from the perspective as Chair of the House Energy & Environmental Protection Committee, I see energy issues as a root problem contributing to disasters like September 11th, and both wars in Iraq and Afghanistan. Former CIA Director Jim Woolsey describes our national energy dilemma as malignant and malevolent. Malignant, because of the cancerous effects of climate change, and the effects of a weakening economy, and malevolent, as our over-dependency on Middle East oil feeds into Middle East regimes that condone terrorist ideologies.

"However, I also see energy that is renewable as an avenue to peace, thus placing us in Hawaii at a very critical juncture to become the premier destination site and demonstration site for clean energy systems and a model for the rest of the world. The energy industry is facing something that has already happened to the telecommunications industry, and with information technology. Decentralization and miniaturization. These same trends are happening in the energy sector. And the most significant change is how energy is generated and distributed, which can ultimately result in the decentralization of political power, affecting individuals, communities and countries. For example, today, with available energy technology and emerging technology, this decentralization is as small as a person or business to function completely independent from the electrical transmission grid and monopoly public utility.

"On a larger scale, in a fossil-fuel based economy, the current political power is as influential as countries that have fossil fuel resources, such as the members of OPEC, over those countries that are dependent on imported fossil fuels for electricity and transportation needs, like the United States, Japan, and many European countries.

"However, with renewable energy, the balance of power has the potential to shift or become neutralized, because unlike fossil fuels, some form of renewable energy can be found in most parts of the world. So, there's no doubt that renewable energy and emerging technologies are a major threat to the way current oil-rich countries and multinational corporations function economically and politically. But, unfortunately, the quest for power, both in an energy sense and a political sense, leave many people behind. And those left behind are the incubators of discontent that jeopardize not only our efforts for peace and quality of life, but also assurances for a clean and healthy planet.

"Through renewable resources and advancement in sustainable technologies, there are few reasons why all areas of the world cannot improve their standard of living. I see this improvement as clean fuel for cooking or heating needs to improve indoor air quality, rather than scouring for pieces of manure, coal, or wood to burn. Rather than cutting down stands of vegetation for fuel which could lead to soil erosion and threaten watershed recharge areas, time could be better spent more productively towards sustainable cultivation. And rather than hauling water in containers, providing water pumping and delivery systems, and hopefully indoor plumbing systems, as well as water for purification, sewage treatment and solid waste disposal, for providing sanitary conditions. Therefore, renewable energy is a pathway to peace, and we can be the model.

"Mr. Speaker and colleagues, this bill symbolizes a monumental opportunity for Hawaii. For those concerned about the impacts to our Hawaii families, I urge that the focus be put on how this tax can be offset through energy efficiency measures. Or perhaps, next year we can look at tax credits to help offset those families in need.

"For those wondering about the nexus between a barrel of oil and food, I urge them to read *The Omnivore's Dilemma* by Michael Pollan. This bill symbolizes and works towards an investment in the future for our children and grandchildren, for a peaceful, healthy, and prosperous world. I urge my colleagues' full support, and hope you're all prepared to override the Governor's threatened veto on this measure. Thank you."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I just have short comments in opposition. Mr. Speaker, yes, I am in opposition, but I'll make the comments very quick. I think we can all agree, I think on both sides of the Legislature, the House and the Senate, as well as the Governor's office, that our goals are the same in regards to renewable energy. We've all agreed that that is very important to Hawaii. The Governor had moved forward with the HCEI, I believe it was last year. She took a partnership that was created through her doing, with the U.S. Department of Energy, and created what was 20% in renewable energy in 2020, and gave us a vision of 70% by 2030.

"With that commitment, she came, I believe with HCEI, to this Legislature and asked for support. I look at this and I think this is a really good and clever tactic, to be able to put a barrel tax included in the same bill that has the funding for Ted Peck, who is in charge of the HCEI, because what that does is it makes it very difficult for one of her number one issues that she's tried to help with in her time as Governor, and put it in this bill to make sure that, or give it the best possible chance of living.

"The difficulty that I have with this particular bill is, even though we talk about it being $30 million, and that's $30 million of more dollars in transportation costs for our citizens. That's a 2,000% increase, Mr. Speaker, from what we're paying right now. I just wanted to put into comparison that there was another big issue, a visionary issue that the Governor had put forward, and that was DLNR's Recreational Renaissance that was in the Majority Package, Mr. Speaker. That had, I believe 2,000 plus jobs in response to something that was said on the Floor about this one being a job generation …"

The Chair addressed Representative Finnegan, stating:

"Representative Finnegan, could you confine your remarks to the content of the bill? I think everybody's getting hungry right now, but please proceed."

Representative Finnegan continued, stating:

"I'm sorry, Mr. Speaker. I was just responding to the job creation issue. I just wanted to throw some of those things into our comments about this 2,000% increase. Thank you."

Representative Wooley rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Wooley's written remarks are as follows:

"I want to thank the Chair and Vice Chair of the Energy and Environment Committee, the Vice Chair for Economic Revitalization, Business and Military Affairs, the Chairs of Agriculture and Finance, and the Speaker and his staff for all their work on this bill. This bill will prepare the State of Hawaii for the future more than any other bill I've seen this Session.

"Right now, Hawaii, our island state, is vulnerable because we are so utterly dependent on imported foreign oil for our energy, and our food. As the price of oil fluctuates, we suffer – not just as individuals, but our whole economy suffers. Our dependency also means we face serious food and energy security risks.

"HB 1271 is a bill that will reduce our dependence on oil and increase our food and energy security. It will help our economy by stimulating renewable energy industries and agriculture, supporting investment in infrastructure needs for energy and agricultural businesses, and reducing our vulnerability to volatile prices and supplies.

"Not only will this bill provide us with all these benefits, it will also help us redress a market problem. Oil companies have enjoyed government handouts and monopoly power by importing and processing foreign oil for a long time. And while the industry, acting as a monopoly, has been making extreme and record profits, consumers and local businesses have been paying the highest prices ever for their energy. I believe it's time for the oil companies, other businesses, and the people of Hawaii to invest in renewable energy, promote economic diversity and profits in our local economy, and eliminate the stranglehold of foreign oil.

"In addition to all this, this bill fits in with bigger policy goals to protect the environment, reduce our contributions to global warming, and allow us to grow and eat more local food."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you. In opposition with written comments, and I ask that in my comments, I incorporate the words of the Representative from Kauai," and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in opposition to H.B. 1271 - Relating to Government. While I am very supportive of the health, energy and food security aspects of this bill, I cannot support the tax on our residents.

"The proposed bill establishes a taskforce to review and investigate a broad range of energy and food security issues and develop an integrated energy and food policy and increases the environmental response tax from five cents to $1.05 per barrel or fractional part of a barrel of petroleum product.

"This legislation is representative of one of the largest tax increases we have seen this Session this tax is highly regressive and will impact all of Hawaii's residents and businesses. By increasing the tax on a barrel of oil, this measure has the potential to slow the economy down even further due to our states reliance on fuel for transportation. The Tax Foundation of Hawaii stated, 'Because the tax is imposed at the front end of the product chain, the final consumer does not know that the higher cost of the product is due to the tax. Thus, there is little, if any, accountability between the lawmakers who enacted the tax and the vast majority of the public that end up paying the tax albeit indirectly. Proponents ought to be ashamed that they are promoting a less than transparent tax increase in the burden on families all in the name of environmental protection and food security.'

"It is my belief that during a time when our nation and State are in economic uncertainty we must be careful and cautious with the bills we pass. Thank you."

At this time, Representative Tokioka called for the previous question.

Representative Chong rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I ask that the words of the Representative from Kauai be added as if they were my own. And also, just a quick rebuttal on the issue of the 2,000% increase kind of creates …"

Representative Finnegan rose, stating:

"Mr. Speaker, what's your decision on calling for the question?"

The Chair responded, stating:

"I'm letting Representative Chong speak. So, you can sit down right now. Representative Chong has the Floor."

Representative Finnegan: "I understand that, Mr. Speaker, but I'm just going by previous comments about not allowing for additional …"

Representative Chong: "I believe I have the Floor."

Representative Finnegan: "Mr. Speaker, recess, please."

Vice Speaker Magaoay: "I'm not calling recess right now. Right now, I gave you the opportunity to provide your written comments in support or not. The Representative from Kauai called for the question. I didn't acknowledge it, so I'm asking Representative Pono Chong to stand. Please proceed."

Representative Chong continued, stating:

"Thank you, Mr. Speaker. And so the 2,000% makes it seem like a huge increase. This will end up being a little more than 2 cents per gallon. Secondly, it's something that will help us invest in our own economy, versus shipping billions of dollars away to the Middle East. Thank you."

Representative B. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative B. Oshiro's written remarks are as follows:

"House Bill 1271 is landmark legislation, both in scope and scale. With the passage of this measure, the State is taking a firm, committed step forward in making Hawaii energy independent. Equally as important, is the commitment to investing in our local farm and ranch industry by encouraging and enabling projects that will repair and improve water systems, support farmers in diversified agriculture, and generally invest more in local agriculture enterprises to make them sustainable, accessible, and productive.

"Accomplishing these goals cannot take place, however, without a degree of investment. As a result, the Legislature took a bold step and increased the barrel tax on each barrel of petroleum coming into the State. The impact of this measure on the consumer will be modest – probably $.2/gallon. The result will be nearly $31 million specifically designated for renewable energy and food security projects.

"Consider that last year, each and every resident, every man, woman, and child in the State on average paid close to $2000 in energy costs; that

equates to $8000 for a family of four. Nearly 50 million gallons of oil are imported annually at a cost of $3.5 billion a year - all of that money was sent out of State. With HB 1271, we are investing in local, sustainable, energy and creating green-collar jobs.

"Recently the Governor's policy advisor stated (May 3, *Honolulu Advertiser*) that the Administration, 'opposes any measure that increases the cost of living for Hawai'i residents.' What the Administration fails to understand is that Hawaii residents will pay more in the long term if we are solely dependent on fossil fuel for our energy. Likewise, carbon dioxide produced from fossil fuel is linked to rising temperatures on Earth, and the associated rise of ocean levels. For Hawaii this means losing more of our already shrinking shoreline and higher costs for land and housing in the future. In short, we either plan now, or we pay later.

"The goals this measure seeks to meet are not small – they will take the shared commitment of government, business, and community.

"I commend the Conferees who produced the final version of this bill and look forward to seeing its purpose realized."

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, the Governor has said she supports clean, renewable and secure energy, but is opposed to this barrel tax because, "raising consumer costs a few pennies per gallon at the pump is too much."

"What about the estimated $2,100 lost to each person last year when oil spiked over $100 a barrel? Those energy costs were exported from the pockets of Hawai`i's residents straight out of State.

"It's estimated that we spent eight billion, six hundred million dollars on energy and food imports last year alone. 95% of our fuel needs and approximately 85% of our food comes from outside.

"Without major infrastructure investments for energy and food security, and without a dedicated revenue stream to make it happen, Sustainability in 2050 will just be a dream.

"Mr. Speaker, we have to wake up.

"Billions in federal funds are waiting to be leveraged by State dollars from this barrel tax, especially for energy security.

"As the *Advertiser* opined on May 4, 2009, "This is one modest increase that the governor should not veto… It deserves support across the board."

"Let's have the commitment and political will to pass this bill and override a veto, if necessary. Thank you."

Representative Luke rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Luke's written remarks are as follows:

"Mr. Speaker. I rise in support of HB1271 HD3 SD2 CD1. This bill is the result of the extraordinary work by the Chair of the Energy and Environmental Protection Committee, the good Representative from Kauai. Her vision of a more sustainable Hawaii simply makes good sense and sound public policy. Ensuring our energy and food security helps to lay the foundation for reducing our dependence on outside forces and invests in our people and our State. This bill is our commitment to ensuring that future generations will live in a better Hawaii. Thank you."

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 House Bill No. 1271, House Draft 3, Senate Draft 2, Conference Draft 1, Relating To Government.

"This bill establishes a clean energy initiative to manage the State's transition to a clean energy economy by:

- Creating an agricultural development and food security special fund to fund activities intended to increase agricultural production and processing that may lead to reduced importation of food, fodder, or feed from outside the State; and

- Establishing a Renewable Energy Branch within the Department of Business, Economic Development and Tourism, to coordinate and promote renewable energy initiatives.

"From a fiscal standpoint, this measure specifically renames the "Environmental Response Tax" the "Environmental Response, Energy, and Food Security Tax", and raises the tax from five cents per barrel to $1.05 per barrel to fund environmental response, renewable energy, agricultural development, and food security programs throughout the State.

"At the outset, let me state that this is indeed a bold initiative that places the State of Hawaii at the forefront of renewable energy and sustainability programs in our Nation. We make clear that from a public policy standpoint, we must reduce our dependence on fossil fuels and look for creative ways to fund our energy programs.

"Let me also be one of the first to congratulate the Chairs of the Committees on Energy and Environmental Protection and Agriculture for their hard work on this bill. Their collaboration was key to working out an agreement in the final hours of Conference before the Final Decking Deadline last Friday night. If it weren't for their willingness to compromise and their patience with the Finance Committee in making all the numbers work out, we would not be voting on this measure today.

"Hawaii's economic, environmental, and energy security deeds demand that we reduce the amount of fuel imported and consumed in Hawaii. Imposing a fee on fossil fuel consumption, where oil prices are currently low, and investing this money into increasing the development of clean, renewable energy makes long-term economic sense.

"This legislation gives Hawaii the ability to turn two of Hawaii's biggest problems and threats to Hawaii citizen into two of Hawaii's most significant new opportunities. Today, there can be no more vulnerable place on earth than Hawaii with 100% imported oil and 85% imported food dependency. Hawaii now imports 100% of our oil, 33% for electricity production, 33% for ground and marine transportation, and 33% for aviation.

"While there are very real concerns that this measure may impact inflation, especially on the Neighbor Islands which consume more gasoline for the transportation of necessary goods and services than in urban Oahu, experts have told us that the per gallon impact on gasoline is marginal at best -- roughly 3 cents per gallon at most. Furthermore, should the price of oil rise, the tax can be adjusted at a later time to minimize the negative impacts this measure may have on the consuming public.

"Be that as it may, I strongly support this measure. It is time for this House and our State to take a bold step toward self-sufficiency, and this measure give us the tools to do just that.

"For these reasons, I respectfully urge my colleagues to support this important measure. Thank you."

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:

"This is a good bill but, untimely in the tax increase section. It establishes a taskforce to review and investigate a broad range of energy and food security issues and develop an integrated energy and food policy

and increases the environmental response tax from five cents to $1 per barrel or fractional part of a barrel of petroleum product.

"It also makes various amendments, establishes various initiatives, and appropriates funds to promote economic development for local food and energy businesses, ensure Hawaii is energy and food self-sufficient and sustainable to the maximum extent feasible, and help Hawaii's natural resources and humankind adapt and be resilient to the inevitable challenges brought on by climate change.

"It establishes a taskforce to review and investigate a broad range of energy and food security issues and develop an integrated energy and food policy and increases the environmental response tax from five cents to $1.05 per barrel or fractional part of a barrel of petroleum product. Allocates an unspecified amount of the tax on each barrel to the Food Security Special Fund.

"Deposits the following in to the Food Security Special Fund:

- Portion of the Environmental Response, Energy, and food Security Tax specified in the Environmental Response Tax Uses;
- Any appropriation by the Legislature into the Special Fund;
- Any grant or donation made to the Special Fund; and
- Any interest earned on the balance of the Special Fund.

"The funds may be expended for:

- Awarding of grants to farmers for agricultural production or processing;
- Acquisition of real property for agricultural production or processing;
- Improvement of real property, irrigation systems, and transportation networks necessary to promote agricultural production or processing;
- Purchase of equipment necessary for agricultural production or processing activity;
- Conduct of research on and testing of agricultural products and markets;
- Promotion and marketing of agricultural products grown or raised in the State; and
- Any other activity intended to increase agricultural production or processing that may lead to reduced importation of food, fodder, or feed from outside the State.

"Best of all, it establishes the Hawaii Clean Energy Initiative Program within DBEDT, and appropriates $393,518 for each of the next two fiscal years for the program and establishes the renewable energy branch within DBEDT. Changes the renewable energy facilitator from a full-time temporary position to a full-time permanent position. Appropriates $119,280 for position. Establishes an energy program administrator, a full-time exempt position, and 7 full-time temporary positions to support the program. Appropriates $130,000 for the position, and $393,518 for the 7 positions. Appropriates $200,000 for the greenhouse gas emissions reduction taskforce."

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Berg rose in support of the measure and asked that the remarks of Representative Morita be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative C. Lee rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support."

Representative Belatii rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in strong support."

Representative Thielen rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Thielen written remarks are as follows:

"While I support House Bill 1271, I do so reluctantly because of the barrel tax. We could have funded the Hawaii Clean Energy Initiative and the Renewable Energy Branch using Federal Stimulus Funds, or through the budget. HB 1271 places the Hawaii Clean Energy Initiative's provisions into law. It creates and funds the position of energy program administrator within DBEDT, as well as seven positions to support the planning and renewable energy provisions of chapters 196, 201, and 226, Hawaii Revised Statutes. These positions are crucial to meeting the goals set forth in the Hawaii Clean Energy Initiative. These are good steps which are necessary to ensure that we can meet the HCEI goals.

"I have consistently been a vigorous advocate for renewable energy in Hawaii. However, I find it very difficult to support yet another tax increase on our residents, so I reluctantly vote yes on House Bill 1271."

Representative McKelvey rose in support of the measure and asked that the remarks of Representative Chong be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1271, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Final Reading by a vote of 43 ayes to 6 noes, with Representatives Brower, Ching, Finnegan, Marumoto, Pine and Ward voting no, and with Representatives Bertram and Takai being excused.

H.B. No. 1016, HD 2, SD 1, CD 2:

Representative B. Oshiro moved that H.B. No. 1016, HD 2, SD 1, CD 2, pass Final Reading, seconded by Representative Evans

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I would request to be excused from voting on this bill. My law partnership represents three of the claimants and three of the claims receiving appropriations in the bill," and the Chair ruled, "You are excused."

The motion was put to vote by the Chair and carried, and H.B. No. 1016, HD 2, SD 1, CD 2, 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 48 ayes, with Representatives Bertram, Keith-Agaran and Takai being excused.

H.B. No. 876, HD 1, SD 2, CD 2:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 876, HD 1, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Final Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

H.B. No. 128, HD 1, SD 1, CD 2:

By unanimous consent, action was deferred to the end of the calendar.

At 2:12 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 989, HD 1, SD 2, CD 1
H.B. No. 1271, HD 3, SD 2, CD 1
H.B. No. 1016, HD 2, SD 1, CD 2
H.B. No. 876, HD 1, SD 2, CD 2

LATE INTRODUCTION

The following late introduction was made to the Members of the House:

Representative Finnegan introduced owner-employees from the Aqua Hotels and Resorts, including Chairman, Mr. Michael Paulin.

At 2:13 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:15 o'clock p.m.

UNFINISHED BUSINESS

S.B. No. 892, SD 1, HD 2, CD 2:

On motion my Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 892, SD 1, HD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Finnegan, Takai and Thielen being excused.

S.B. No. 1222, SD 1, HD 1, CD 2:

On motion my Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 1222, SD 1, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HUMANE TREATMENT OF PET ANIMALS," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Finnegan, Takai and Thielen being excused.

S.B. No. 464, SD 2, HD 2, CD 2:

On motion my Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 464, SD 2, HD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Finnegan, Takai and Thielen being excused.

S.B. No. 1461, SD 2, HD 1, CD 2:

Representative B. Oshiro moved that S.B. No. 1461, SD 2, HD 1, CD 2, pass Final Reading, seconded by Representative Evans.

Representative McKelvey rose to speak in opposition to the measure, stating:

"Thank you very much, Mr. Speaker. In opposition, and just real quickly, I have no problem with the contents of the other bill that has been inserted into this one, but I've always had a problem with the underlying bill. So I will be voting against this measure. Thank you."

At 3:17 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 3:18 o'clock p.m.

Representative McKelvey rose, stating:

"Again, Mr. Speaker, I support the provisions of HB 1404 that have been inserted into this. Let me make that clear. My problem with the bill is the remainder of it, which I have opposed through the entire Session. Thank you."

Representative Manahan rose to speak in support of the measure, stating:

"I'm standing in support. I just wanted to remind everyone that the Floor Amendment that we adopted on this bill for House Bill 1404 includes a general excise tax exemption, something to the tune of about $3.4 million, precisely for the hotel industry. If there's any question about whether we do support or do not support them, I think this bill proves it. This provides them a $3.4 million relief from general funds, and has been for the past two years. This is going on its third year. Thank you."

Representative Cabanilla rose to speak in opposition to the measure, stating:

"Mr. Speaker, I am in opposition, or I was in opposition of H.B. 1404, the extension of general excise tax to other companies, and I think this is the wrong time to be doing that. I think we should be downsizing. I'm now in opposition, because of the language in here. Thank you."

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 rise in opposition to S.B. 1461 – Relating to Taxation. This bill advances date of filing of monthly, quarterly, and semi-annual general excise tax returns from the last day of the calendar, quarterly, or semi-annual month to the 20th day. It is my concern that this bill might have a negative impact on small business.

"In these economic times we need to make things easier for small businesses, not harder. The Retail Merchants of Hawaii stated in their testimony, 'Of great concern is that accelerating the filling and payment due dates most surely will have a negative impact on our hundreds of small businesses.' Thank you."

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"In support of SB1461, SD2, HD1, CD1

"The purpose of this bill is to advance the filing and payment of monthly General Excise Taxes that are due to an earlier date in the month following accrual in order to generate a one-time windfall revenue for the State. In Conference, this was extended to quarterly and semi-annual filing and payment of general excise taxes.

"This will help us with our revenue shortfall and should cause no more than a small inconvenience for filers. In our present fiscal situation, there is a need to be creative, and this measure is a positive action towards a balanced budget. "

Representative Pine rose to speak in opposition to the measure, stating:

"In opposition, and I would like to use the written comments of the Representative of Liliha as my own," and the Chair "so ordered." (By reference only.)

Representative Tokioka rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Just a brief comment to say that when the visitor industry, the timeshare portion of it came to ask for help, that this Body did respond. Mahalo."

The motion was put to vote by the Chair and carried, and S.B. No. 1461, SD 2, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 32 ayes, with Representatives Belatti, Berg, Brower, Cabanilla, Ching, Hanohano, Keith-Agaran, C. Lee, Luke, Marumoto, McKelvey, Pine, Saiki, Ward and Wooley voting no, and with Representatives Bertram, Finnegan, Takai and Thielen being excused.

S.B. No. 387, SD 1, HD 1, CD 2:

Representative B. Oshiro moved that S.B. No. 387, SD 1, HD 1, CD 2, pass Final Reading, seconded by Representative Evans.

Representative Souki rose to speak in opposition to the measure, stating:

"I'm in opposition to Senate Bill 387. I'm in opposition because this bill provides for the shredding of DBEDT and transfers to different departments. I don't believe we gave this much thought. It provides for

NELHA to go to DAGS. NELHA and the University of Hawaii are a natural nexus, because both deal in research. DAGS doesn't deal in research at all. Maintenance is their *forte*, and if things weren't done at NELHA, it was because they didn't have the sufficient resources and funding. Also, you have half of the tourism staff and planning staff going to HTA. The other half remains. It creates a little problem there. You have many other changes like that, and if you take the time to look at it, it was in HB No. 1260, and now in SB No. 387.

"Again, it was kind of a precedent breaking. Of course, we always break precedent. The fact that you shred a department after only going through one Committee, rather than going through the hearings from the subject matter Committee or the respective Committees, that's how it's normally done. In fact, normally when you shred and you change, and when you dissolve basically a department, you do it usually over a period of years. And, for this reason, I think we were a little too hasty in doing this. I'm not saying that some of the ideas were not good, but I think it was done too rapidly. I would like more time to look at it again, so we can begin to look at it more comprehensively, and not just one Committee looking at it. Thank you."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you. Mr. Speaker, I would like to adopt the words of the Speaker Emeritus as if they were my own. I think he has the wisdom, the experience and the knowledge, and I think what he said is absolutely correct. Thank you. I'm voting 'no' also, along with Speaker Emeritus. Thank you," and the Chair "so ordered." (By reference only.)

Representative Ching rose in opposition to the measure and asked that the remarks of Representative Souki be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Marumoto rose in opposition to the measure and asked that the remarks of Representative Souki be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Finnegan rose in opposition to the measure and asked that the remarks of Representative Souki be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition, and if there's enough opportunity to still get in the family of adoption, I would join with my colleagues," and the Chair "so ordered." (By reference only.)

Representative Takumi rose to speak in opposition to the measure, stating:

"Thank you very much, Mr. Speaker. In opposition. And, as others have done, I'd like to request the words of the Representative from Maui to be adopted as my own into the Journal. And, as was mentioned earlier about the Department of Business, Economic Development, and Tourism, as a department I call, 'DBEDT and breakfast' actually.

"I just think with this Department, when you take out the 'T,' as they say, or in my case, you take out the 'bed and breakfast' portion of that Department, it makes no sense to me. It seems to me if we're going to do that, it has to be done in a way that's thoughtful, and you discern whether or not you can get greater efficacy or effectiveness or cost savings. I just don't see this in this bill. It seems to me this was kind of put together, almost as if when you dress in the dark, and you just hope your clothes match. I just don't know why we're going forward with a bill like this that in my book is very clumsy policy making at best. And, I hate to say it, but it seems vindictive at worst. Thank you, Mr. Speaker."

Representative Belatti rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition, and this must be a historic day, because may I have the words of the Representative from Wailuku, and the Representative from Pearl City entered as my own. Thank you," and the Chair "so ordered." (By reference only.)

Representative McKelvey rose to speak in opposition to the measure, stating:

"Mr. Speaker. I am in opposition and I would like the words of the Speaker from Wailuku entered into the record as if they were my own, and I'd like to add a few comments. This would have a devastating effect on the Island of Maui, vis-à-vis the much overdue Kahului Harbor project. Unlike Oahu and other islands, we only have one harbor, Mr. Speaker. That's it. All of our food, our medical supplies, everything comes in that one harbor. We need this harbor project desperately. If we don't have this, and something happens to that harbor, we are cut off. So, again, in opposition. Thank you."

Representative Evans rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Yes, I respectfully disagree with some of my colleagues and their comments that these divisions within the Department of DBEDT, moving them to another department, where the discussions have not happened openly and publicly. I can say for NELHA, I can say for the Film Branch, and I haven't talked to the Chair of CPC, but I can tell you that over the years, for me personally with NELHA for the last 3 or 4 years, there's been bills introduced, there's been lots of discussion about where is the best fit for the Division. My understanding is that we have been talking about this amongst ourselves, these discussions about where is the best fit have been going on for several years.

"We all know that as we've been going through this year, there's been a lot of discussion about what's the mission and purpose, looking for efficiencies, looking for where's the best place to put programs. I think that's what our jobs are all about, is to have those discussions. I think we have had those. So, I think this is a good bill. Thank you."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support of this bill, as amended. This bill would currently provide that the Governor or Director of Finance report each restriction to the Legislature, not later than 30 days after the end of each quarterly allotment period. This was brought about by our need to make sure that we're kept in the loop regarding any unappropriated funds, and the reason that these appropriations we have made are not released.

"The report shall contain at least the following: The name of the department affected, the specific Program ID, the reason for the restriction, and the impact of the restriction on the particular program. This is very important for us to monitor the expenditures by department, by Program ID during the interim, and I believe that the Committee Chairs will find this provision particularly useful, as we enter into next year's Supplemental Budget request, as an aid to prioritizing where we will be able to fund and place our limited funding.

"Pursuant to the Floor Amendment, the bill also transfers the Film Industry Branch of the Creative Industry Division, CID, to the Hawaii Tourism Authority. This is Donne Dawson and her team to the Hawaii Tourism Authority. The good news, Mr. Speaker, is that Donne has been speaking with Mike McCartney at the Tourism Authority, and they both are very excited about the possibilities that this opportunity provides. It transfers remaining Creative Industries Branch, the State Foundation of Culture and Arts, and that's Ron Yamakawa and they're also interested to see what kinds of synergies can occur in this area.

"Many of us have spoken about creative industries in Hawaii, and the artistic availabilities of our constituents, as an industry, arts as an industry, and this is a perfect opportunity to move that forward.

"But the third thing this bill does is it moves the Small Business Regulatory Review Board from DBEDT, to the Department of Commerce and Consumer Affairs. By doing that, you protect it from any general fund misallocation or reduction. The funds of the Department of Commerce

and Consumer Affairs will pay for the Small Business Regulatory Review Board.

"Number four, it moves the Natural Energy Lab of Hawaii Authority, NELHA, to DAGS, and again, Mr. Speaker, the reason being, since the 2006 October earthquake, that main artery of a pipeline, bringing cold water to the shores for the programs products, including bottled water, is in constant jeopardy. My understanding in speaking with Ron Baird, is that under the current Administration and oversight of DBEDT Director Ted Liu, the contracts have not been released and not been processed, and up to this date, none of the repairs have gone forward.

"Number five, it transfers the Tourism Liaison responsible to the Governor, to the Office of the Governor. This is a request that was also discussed with the Chair of the Tourism Committee.

"Finally, this measure protects the civil service status of the State's Energy Administrator, Mr. Ted Peck, as well as the current status of the personnel in the Film Industry Branch, again, Donne Dawson's shop in their transfer to Hawaii Tourism Authority.

"Mr. Speaker, I need to also point out that there are six positions from the Film Division moving to Hawaii Tourism Authority …"

Representative Finnegan rose, stating:

"Mr. Speaker, I think his five minutes is up. Don't you think the speaker's five minutes is up too?"

The Chair responded, stating:

"No. His time is not up right now."

Representative Say rose, stating:

"Mr. Speaker, I'll yield my time."

Vice Speaker Magaoay: "His time is not up, Mr. Speaker. Please proceed."

Representative M. Oshiro continued, stating:

"Again, six positions from the Film Division transferred to the Hawaii Tourism Authority; six positions from Creative Industries Division transferred to the State Foundation of Culture and Arts; one position to the Department of Commerce and Consumer Affairs. This is a small Business Regulatory Review Board position. A NELHA position; we're only moving the ceiling. And, one position for the Tourism Authority.

"I think I need to point out, Mr. Speaker, there's been some discussion and concern regarding the Harbor Utilization Group, and the Harbors Modernization Plan. Members should know that as it pertains to Aloha Tower Development Corporation, when I spoke to Mike Formby the Deputy Director at Harbors, and I spoke to the Director, Brennan Morioka, they both raised to me a concern that this Administration had regarding the fact that Aloha Tower Development Corp has the direct oversight over all the contracts regarding the modernization of harbors.

"In checking with Georgina Kawamura, when she returned last week, she did raise the issue with me, and did disclose to me that in fact, the Administration had looked at transferring the functions and responsibilities currently held by the Aloha Tower Development Corporation back to the Department of Transportation. The reason for that, Mr. Speaker, was that there were some concerns by the bond-rating agencies and bond issuing authorities that because there was not a direct control of the funds by the Department of Transportation, that there were concerns regarding whether in fact the Aloha Tower Development Corp, with its standalone Board, could interfere and in fact supersede the wishes of the Department of Transportation Harbors Division in regards to the Harbor Modernization Program.

"But he also mentioned this to me, Mr. Speaker. That currently, given the lack of cargo and business in our harbors, the current Modernization Plan may be pushed back and delayed until 2013. The reality being that given the slump in our national, international, and local economies, we have not seen as many cargo ships with goods coming into our ports. He did inform me that this summer they're going back out with tariffs fee structure for community input, consideration and public hearing, and hopefully that will get done sometime in the Fall, or early December. It is at that time they will know how much money they will be able to charge, and thereby how much money they will be able to float on these bonds.

"I want to ensure the membership that we will be watching what occurs there, at the Aloha Tower Development Corp. We want to work with their administration, we want to work with the Harbors Group, we want to work with the Board of Directors, and this is part of the process. Thank you."

Representative Souki rose to respond, stating:

"Mr. Speaker, I have had a call from Gary North who's in charge of HUGs, the Harbor Users' Group. He's very concerned about this change. They're very concerned about the discussion of putting this off. And, as far as getting bonding, they have never had any problem getting bonding in the past, and those things can be worked out. So, I understand where the Chairman is getting mixed messages, but I believe for the good of the State, that we should commence with the harbor improvements as soon as possible.

"Because the business is down, they don't have as much freight, it has an advantage to begin working right now on the harbors. Now, I want to make mention, there are some harbors in the State that're really in need of work right now. Not in 2013. They need to work today. Yesterday. Now, this is going to delay it. 2013 will probably be 2015. We'll never get this work done. And that's the reason I'm asking, and I believe that in all the good intentions of the Finance Committee, but they did not consider the ramifications of this action.

"In the case of Maui, we're going to need it right now. The cost of gasoline is high because the harbor is too shallow. You need to go there and begin going through the draining process. We don't have enough space for all of the containers. Neither do you have it here in Honolulu. You need to start work on them and make the space for the containers. This is not going to be done. They'll become dangerous for the workers, because you don't have enough space. There's not enough cover space, so you need to be getting the land, buying the land and demolishing the buildings so that they can begin to put all that space for all the containers for a growing State like we have.

"I believe that what we have done is an injustice. Thank you, very much."

Representative Thielen rose to respond, stating:

"Yes thank you, Mr. Speaker. Continuing in opposition. I'm sorry, I couldn't hear all of what Speaker Emeritus said because the taxpayers are cheering Governor Lingle as she vetoes our tax bills to raise the taxes …"

The Chair addressed Representative Thielen, stating:

"Please restrict your comments to the bill before us."

Representative Thielen continued, stating:

"Assuming that I understood Speaker Emeritus, I strongly support his wisdom in this area. I support his decision to vote 'no' on this bill, and I think Members in this Chamber should think very seriously.

"This was a very flawed process. These changes did not go to the subject matter Committees, where they could be carefully decided and carefully heard. What happened was, there were some very questionable motives, and I know we're not allowed to talk about motives, but very questionable motives about the reorganization of this State Government.

"So, I do applaud Speaker Souki for having the courage and the wisdom to stand up and speak out and tell all of us we have really got to do a better

job and listen to the cheers upstairs. The Governor's doing a good job vetoing what we never should have passed, those tax increases."

At 3:38 o'clock p.m. Representative Ward requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:39 o'clock p.m.

At this time, Representative Ward moved to call for the previous question.

Representative B. Oshiro rose in opposition to the motion, stating:

"Mr. Speaker, I rise against that motion to call for the question. I think it's totally appropriate that we continue to debate this important issue …"

Representative Thielen rose, stating:

"Mr. Speaker, I object to that, because you have called for the question on us all through this Session …"

Representative B. Oshiro: "A point of order, Mr. Speaker …"

Representative Thielen: "…and today, during this hearing, I object to that …"

At 3:40 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:41 o'clock p.m., with the Speaker presiding.

Representative B. Oshiro continued, stating:

"Mr. Speaker, just to continue, if the Minority would look at Section 358 of your *Mason's*, that would tell you how you call for the question. That is a procedural motion that needs to be addressed, and so I think it's totally appropriate that we continue to debate important policy, much to the chagrin of certain people who asked for a deal, for a 10 minute recess so that they could attend a rally upstairs. I think it's appropriate that we continue to debate bills. Thank you."

Representative Thielen rose, stating:

"Mr. Speaker, since he was impugning me on that…"

The Chair addressed Representative Thielen, stating:

"Excuse me. Representative Thielen, you have not been recognized. I was going to recognize Representative Pine, so please be seated."

Representative Pine rose, stating:

"A point of information. But I first want to thank the previous speaker for educating all of us about the real policies of calling for the question. But shouldn't we have imposed those policies in all the previous calls to the question? Because we have not been … "

Speaker Say: "If that was recognized by one of you when that particular call for the question was made."

Representative Pine: "Well, we did protest the call today."

Speaker Say: "And the Chair did not recognize that protest, okay?"

Representative Pine: "So you did not follow the procedures?"

Speaker Say: "Well, I do. I follow the tradition."

Representative Pine: "Only against Republicans."

Speaker Say: "No. No."

Representative Thielen rose, stating:

"Mr. Speaker, a point of clarification, please. When there was a call for the question before, and we tried to at least object to possibly have it put to a vote, we were not even permitted to do that. And, you all silenced our Minority Leader. So, now when you all want to continue the debate, you're saying, 'Okay, we'll stand up and we have the right to do this, because obviously we have the votes, you the Majority.' But, it was a very different standard and a very different procedure.

"I did not see the Majority Leader stand up and defend us as we were trying to go through the correct process. So, it's a very duel standard."

Representative Finnegan rose to speak in support of the motion, stating:

"Thank you, Mr. Speaker. I'd like to speak in opposition to the Majority Leader wanting to keep debating. Yes. Mr. Speaker, I speak in opposition because earlier in the day when we were talking about the budget, and the budget contained …"

The Chair addressed Representative Finnegan stating:

"Representative Finnegan, that is a different issue. When the question was called, I did share with the Members of this House that those who wanted to submit written comments or rebuttals, would be given the opportunity. All of the Minority members did speak on the budget at that period in time, and some of you had the opportunity for second rebuttals.

"So, at that point, in clearing the slate in regards to House Bill 200, House Draft 1, Senate Draft 1, Conference Draft 1, that is the reason why I said those who would like to submit written comments on that particular measure, please do so. Anyone else?"

Representative Finnegan: "Let me just finish what I'm saying though, Mr. Speaker. I'm not clear then at this moment. I thought I was addressing the motion that stops debate. Yes, and that's what I'm addressing in my comments."

Speaker Say: "But earlier, you had the opportunity of rebutting that particular motion, and having debate continue. As the Chair of this Chamber …"

Representative Finnegan: "And that's what I'm doing. Right now, I'm arguing against that motion. The premise on which I am arguing is that there are two bills that the same motion for calling the question came up on Floor today. One having to do with the budget, and then the bill that we're discussing right now.

"The bill that we're discussing right now is SB No. 387, and there was a call for the question. This bill, although it's a bill that has large consequences, it pales in comparison to the amount and the severity of the budget. And yet, this is my argument, Mr. Speaker, and yet that debate was stopped. And that's why I'm standing in opposition to the Majority Leader's motion of continuing debate."

Speaker Say: "Well, the Chair has ruled at this point in time that we can continue the debate. If the Minority wants to appeal the Chair's ruling, you may at this point in time. Any further discussion at this point in time?"

(Main Motion)

Representative M. Lee rose to speak in support of the measure, stating:

"Mr. Speaker, I'm rising in support. One of the things that I wanted to point out at some of the criticisms here have been that these matters were not discussed in Subject Matter Committee, and were not discussed in …"

Representative Thielen: "Excuse me, Mr. Speaker. Is she for or against the …"

Speaker Say: "Representative Thielen, she said for the record she was in support."

Representative Thielen: "I'm sorry, Mr. Speaker. Again, there's noise from upstairs from the taxpayers."

Representative M. Lee: "Thank you. Excuse me Representative, I didn't mean to shout across the aisle.

"It's a little hard to hear, but we've had a lot of allegations that the Subject Committee was not involved in discussions of some of these matters, but I do have a memorandum that is dated February 18th, 2009, and it's written to the Chair of the Committee on Finance, and it's from the Vice Chair of the Committee on Economic Revitalization, Business, and Military Affairs, and it's written on behalf of the Chair, Angus McKelvey. He says, if I might:

'We are presenting two scenarios for budget cuts to the BED Program Area, budget cut suggestions for LNR 172, Forestry Research Management and Development; DEF 110, Amelioration of Physical Disasters; and DEF 112, Services to Veterans.'

"These comments were provided to address the current budget shortfall for biennium years 2010 and 2011. And, I believe every Chair was asked to provide suggestions for how we could deal with the budget shortfall. So, here are the suggestions that came from the Committee, the Department of Business, Economic Development, and Tourism. Here are the scenarios suggested:

"The first scenario was a restructuring of the entire Department of Business, Economic Development, and Tourism. The purpose of this restructuring is to create a standalone department under the Executive Branch for Tourism, called a Department of Tourism. The details of this restructuring can be discussed with Representative Joey Manahan, Chair of the Committee on Tourism, Culture, and International Affairs.

"Another objective is to consolidate functions and achieve synergies, helpfully to cut cost of government. The consolidations suggested are as follows:

One, the Department of Transportation, Aloha Tower Development Corporation, Foreign Trade Division.

Two, the University of Hawaii. Under that is the Hawaii Community Development Authority, the National Energy Laboratory of Hawaii.

Three, the Department of Human Services. Under that, the Hawaii Housing Finance and Development Corporation.

Four, the Department of Commerce and Consumer Affairs. Under that, the Hawaii Strategic Development Corporation, Small Business Regulatory Review Boards, Hawaii Television and Film Development Board. And, there are three bracketed divisions that were mentioned under that: High Technology, HTDC, Strategic Marketing Support Division, Creative Industries Division, and they were to be absorbed into other attached agencies.

Five, the Department of Land and Natural Resources. Under that, the Land Use Commission Office of Planning.

Six, the Department of Taxation Research and Economic Analysis.

"And, further, the memo goes on to say,

'These considerations will eliminate functions which are duplicated. Another benefit is placing the one, the old EBT Division into DCCA, which would better utilize the special funding and focus the affairs of businesses under one department."

Speaker Say: "Representative Marilyn Lee, your time has expired. Would you like to insert your comments into the Journal?"

Representative M. Lee: "That's okay. But if I could just say that I think this illustrates the point that these matters were discussed in our Committee proceedings."

At this time, Representative Brower called for the previous question.

Representative Marumoto: "Mr. Speaker, I would like to speak in opposition to this measure."

Speaker Say: "No. At this point, the question has been called on the vote. Representative Evans, please give the vote from the Majority. The question has been called."

The motion was put to vote by the Chair and carried, and S.B. No. 387, SD 1, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Final Reading by a vote of 34 ayes, with Representatives Belatti, Berg, Ching, Coffman, Hanohano, Ito, Karamatsu, Marumoto, McKelvey, Pine, Souki, Takumi and Ward voting no, and with Representatives Bertram, Finnegan, Takai and Thielen being excused.

At 3:52 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 892, SD 1, HD 2, CD 2
S.B. No. 1222, SD 1, HD 1, CD 2
S.B. No. 464, SD 2, HD 2, CD 2
S.B. No. 1461, SD 2, HD 1, CD 2
S.B. No. 387, SD 1, HD 1, CD 2

H.B. No. 754, HD 1, SD 1, CD 2:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 754, HD 1, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Final Reading by a vote of 42 ayes, with Representatives Ching, Hanohano, Marumoto, Pine and Ward voting no, and with Representatives Bertram, Finnegan, Takai and Thielen being excused.

At 3:53 o'clock p.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 754, HD 1, SD 1, CD 2

FINAL READING

Representative B. Oshiro moved to agree to the amendments made by the Senate to the following House bill, seconded by Representative Evans.

H.B. No. 426, HD 1, (SD 1)

The motion was put to vote by the Chair and carried, and the House agreed to the amendments made by the Senate to the noted House bill. (Representatives Bertram and Takai were excused.)

The Chair addressed the Clerk who announced that the record of votes for said measure had been received, and that the requisite number of House Conferees appointed have cast affirmative votes to report said measure to the Floor.

H.B. No. 426, HD 1, SD 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. 426, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 2 (Morita and Coffman). Noes, none. Excused, 1 (Ching).

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 426, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON OAHU," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Pine, Takai and Ward being excused.

At 3:54 o'clock p.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 426, HD 1, SD 1

UNFINISHED BUSINESS

H.B. No. 128, HD 1, SD 1, CD 2:

Representative B. Oshiro moved that H.B. No. 128, HD 1, SD 1, CD 2, pass Final Reading, seconded by Representative Evans.

At this time, Representative Berg offered Floor Amendment No. 16, amending H.B. No. 128, HD 1, SD 1, CD 2, as follows:

SECTION 1. H.B. No. 128, H.D. 1, S.D. 1, C.D. 2, RELATING TO ELECTIONS, is amended as follows:

1. By amending subsections (a) and (b) of section 11-FF in section 2 to read as follows:

"(a) It shall be unlawful for the person who enters into any contract with the State, any of its counties, or any department or agency thereof either for the rendition of personal services, the buying of property, or furnishing any material, supplies, or equipment to the State, any of its counties, department or agency thereof, or for selling any land or building to the State, any of its counties, or any department or agency thereof, if payment for the performance of the contract or payment for material, supplies, equipment, land, property, or building is to be made in whole or in part from funds appropriated by the legislative body, at any time between the execution of the contract through the completion of the contract, to:

(1) Directly or indirectly make any contribution or to promise expressly or impliedly to make any contribution to any political party, committee, or candidate or to any person for any political purpose or use; or

(2) Knowingly solicit any contribution from any person for any purpose during any period.

(b) This section does not prohibit or make unlawful the establishment or administration of, or the solicitation of contributions to, any separate segregated fund by any state or national bank, corporation, or labor organization for the purpose of influencing the nomination for election or the election of any person to office; provided that the commission shall by rule establish contribution limits for limited liability companies as defined in section 428-101, limited liability partnerships as defined in section 425-101, and limited liability limited partnerships as defined in section 425E-102. Sole proprietors subject to this section shall comply with applicable campaign contribution limits in section 11-HH(a)."

2. By amending section 11-II in section 2 to read as follows:

"§11-II Contributions to noncandidate committees; limits. (a) No person shall make contributions to a noncandidate committee in an aggregate amount greater than $1,000 in an election. This section shall not apply to ballot issue committees.

(b) Notwithstanding section 11-II(a), a company contributing to the company's established noncandidate committee shall be limited to an aggregate amount of not more than $1,000 in any two-year election period.

(c) A company that makes contributions and expenditures greater than $1,000 in the aggregate in a two-year election period shall register a noncandidate committee with the commission pursuant to section 11-I, and make contributions and expenditures through its noncandidate committee.

(d) For purposes of this section, "company" means a corporation, partnership, limited liability company, limited liability partnership, financial institution, or any other entity engaged in business."

Representative Berg moved that Floor Amendment No. 16 be adopted, and requested a roll call vote at the appropriate time, seconded by Representative Hanohano.

Representative Berg rose to speak in support of the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. And I appreciate the few minutes with our colleagues. I realize that it's a little bit unusual at this time of the Session to offer a Floor Amendment, particularly because if this Floor Amendment passes, it would halt the passage of this bill and would in fact, allow us to work on the details of HB 128 in a little more deliberate manner. I'm frankly quite surprised, as I shared with some colleagues, that this was coming up at this particular time. However, understanding the dynamics of our process, we are where we are.

"This Floor Amendment, Mr. Speaker, would clean up the confusion regarding corporate contributions, keeping it capped at a low $1,000. It would restore the limitations on contributions from government contractors. Given the work that our Judiciary Committee has done, and all of our discussions in the past, I really urge our colleagues to consider this particular amendment, because the Campaign Spending Commission previously interpreted Hawaii law to require corporations to form PACs to make political contributions. They also interpreted the law to read that there would be a limit of $1,000 in the amount of corporate treasury funds that could be deposited into a PAC.

"Two corporate donors challenged this law in 2000. The Maui Circuit Court ruled that the Hawaii law does not require corporations to form PACs, and so, as the Campaign Spending Commission has been requiring, the case is now in appeal in the Intermediate Court of Appeals. While the appeal is pending, and this is why this amendment is so important to pass, Mr. Speaker, is that the Campaign Spending Commission is not enforcing any corporate contribution laws or interpretations of what they believe we had intended by our passing laws. The Campaign Spending Commission, by not enforcing corporate contribution laws, is also not enforcing registration, reporting requirements, and now corporations are actually quite free to use unlimited amounts of corporate funds to contributions.

"Some have argued that we should just wait and let the courts decide, by waiting for the ICA to rule. The question of corporate contributions in campaign finance law is a policy call, Mr. Speaker, for us. Not for the courts. And, while we in the past have taken specific situations in which we wanted to intervene and intercede with the courts, I believe this is far too important for the citizens, and for our own peace of mind, and our own conscience and integrity that we should be the ones to resolve any confusion and ambiguity at this point, rather than allowing the courts to make the call. And, that could happen whenever.

"So, the three proposals in this amendment are forthcoming. One, most importantly to some of us is that it would continue the current ban on contributions from State and county contractors, whether the contracts are bid or not bid. We've had conversations in the past about the pay-to-play concept, and this would put a halt to that conversation and the need to have it.

"This Floor Amendment also would propose to limit to $1,000 the amount of corporate treasury funds that corporations can deposit into their PACs during a two-year period. That's the ambiguity that the courts are trying to figure out.

"And, the third thing that this amendment would propose, is to require corporations to form a PAC from which they can make campaign contributions. Then they will be required to register and report, and not

only their own what they have done, but also contributions into and expenditures from the PAC.

"Again, I realize this is an awkward question to pose to our colleagues, but I really trust that we will look at what's right for us to do in the name of our constituents, and mostly to clarify for the Campaign Spending Commission, so that they can get on with the work that we entrust them to do. Thank you, Mr. Speaker."

Representative Choy rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I rise in opposition to this Floor Amendment, but first I would like to have a ruling on a potential conflict. I do non-bid contracts for the State," and the Chair ruled, "no conflict."

Representative Choy continued in opposition, stating:

"Thank you, Mr. Speaker. That's the point that I want to speak to. That's a very substantial change. When you bid on a contract on a competitive basis, I see no reason why we should be discriminated against, as far as giving contributions to candidates. We bid in an open process. We're competitively bidding with our competitors, so I don't see that as a big problem.

"But more so, since this Floor Amendment changes that, I really think that we should have at least have gone through the public hearing process, and at least have our voices heard, and see what exactly is the problem between bidding on a competitive and non-competitive basis, and then giving candidates political contributions. Thank you, Mr. Speaker."

Representative Belatti rose to speak in support of the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. I rise in strong support of this Floor Amendment. I would like to make a few comments. I appreciate the comments of the good Representative who has been my neighbor all Session; however, I happen to disagree with him on this particular measure. I want to thank the good Representatives from the Aina Haina and Puna Districts, because I think they have brought before us an amendment that highlights the substantial flaws of the underlying bill.

"They offer us a chance through this Floor Amendment to be more deliberative, and to in fact, allow for the process of public hearing on this very important measure. Yes, if this Floor Amendment were to pass, it would essentially end the debate at this time. But all that simply would mean is that this bill would then go into the Conference Committee, and the Conferees for the next year could reconsider it.

"In the alternative, if this Floor Amendment were to pass and the underlying bill were to die, then we could have the full debate about the measures being presented in the Floor Amendment.

"Mr. Speaker, again, this Floor Amendment addresses some very substantial flaws in the underlying bill, and I support this Floor Amendment for that reason. Thank you."

Representative B. Oshiro rose to speak in opposition to the proposed Floor Amendment, stating:

"Mr. Speaker, I rise in opposition to the Floor Amendment. Just three points. First, it's a little too much, a little too late. As already referenced, the Senate has already moved out House Bill No. 128, and at this point, if we were to adopt this Floor Amendment, that would basically mean that there could be no action for the rest of this Session, until next Session. And, so the law would continue to stay in flux and in uncertainty.

"Secondly, this underlying bill was actually the work of a task force of over a dozen attorneys with countless hours of time and effort poured into our current HRS Chapter 11, the campaign spending law to recodify it and come up with a very comprehensive bill that is over 90 pages long. This is so that, when we head into the next election cycle, things will be much easier to understand. Ambiguities and vagueness in the current law will be cleared up.

"Thirdly, the issue about pay-to-play. I think that's a mischaracterization. What people don't understand is the actual underlying bill is addressing that issue of pay-to-play, because pay-to-play is really a concept that comes when it has to do with non-competitive solicitations. And, although prior Representatives have talked about bids, they also forget that there are Requests For Proposals. And, so there's multiple ways in which contracts can be awarded. In either scenario, when it is a competitive award in bidding process, a low bid gets the contract. In a solicitation RFP, it goes to an evaluation committee, and they score and determine who gets the contract. And so the issue about pay-to-play really doesn't have much influence when it comes to awarding through competitive processes.

"The question, if we want to address that, is the timing of it all, and neither the underlying bill, nor this Floor Amendment addresses it, because both of those things say it's at the time of execution of the contract. But, it does nothing to actually talk about when you're in the negotiation stage, when you're in the solicitation state, and when you actually have been awarded the contract before you sign off on it, executing it. And, so that is the big gaping hole, and neither the underlying bill, or this Floor Amendment, neither of which is cured.

"And so for those reasons, I think that since Campaign Spending has already said they want this bill to move forward, they looked at these provisions on contractors, as well as the corporate contribution levels, and they are ok with this bill. The fact that Campaign Spending wants this bill to move forward, for me is more than enough justification to vote down on this Floor Amendment."

Representative Finnegan rose to speak in support of the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. I rise in support of the Floor Amendment. You know, Mr. Speaker, I was going to vote down on the underlying bill, because of the non-bid contractor language. And if I remember correctly, when I did sit down with Campaign Spending, most of the task force that suggested the language changes in the bill was non-substantive, and it was a bunch of people trying to make clarifying statements on the campaign spending law.

"So, to me, by having this particular situation, where we've added the non-bid language, to me, that is substantive. Especially since, when we were talking about the pay-to-play back, I think this was 2004 or 2005, these changes were substantive campaign spending election reforms. It was supposed to address the pay-to-play issue. There was so much talk about how this was reform. And now we're saying, 'No, there's a process and it was already in play.' So, the pay-to-play thing, that was non-existent.

"Mr. Speaker, this is why I'm kind of confused at the Majority Leader's comments. And what I will say is I will support the amendment, because if it ends up stalling to until next year, or if it ends up dying, we can bring it up next year, and I was already going to vote 'no' on the underlying bill. Thank you."

Representative Ching rose to speak in support of the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. I'm rising in support of the amendment. With all due respect for the Representative from Manoa, as well as the Majority Leader, in conversation with people who do, do work, there is that very deep concern regarding pay-to-play. I believe that it's so important for the respectability of this Chamber, of the entire Legislature, that we make sure that we now, and it appears that we are not appearing as if we're taking it's pay-to-play, and that is a real concern amongst so many people in the community of professionals.

"I think that it's better to pass an amendment and know that it will before good laws that protect the honorability of our names and not pass a bill

that would set a cloud over that. And, so to me, I think that the Floor Amendment is much better than the underlying bill."

Representative Belatti rose to respond, stating:

"Thank you, Mr. Speaker. In rebuttal to the Majority Leader. Just three very quick points. First of all, echoing the Minority Leader, the recodification task force did a wonderful job, but did not make the recommendations that we are seeing, the major substantive recommendations that are being imposed in the underlying bill.

"Two, while I respect the Campaign Spending Commission dearly, as a former member of the Campaign Spending Commission, it is not their job to decide the policy as to whether or not State contractors should be giving money into the political process. It is our job.

"Third, and again, the speech to my political beginnings, which I cannot be dishonest to, which I must stay true to. As a Campaign Spending Commissioner, during those time when we were shutting down the pay-to-play system, we were looking at contractors who were receiving State bids, and this reform that prohibited the contributions of State contractors to giving money to political campaigns was a direct result of that. And that reform was a good reform. The underlying bill would roll back on that reform, Mr. Speaker. So, I stand in strong support of the Floor Amendment for that reason."

Roll call having been requested, the motion that Floor Amendment No. 16, amending H.B. No. 128, HD 1, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," be adopted, was put to vote by the Chair and failed to carry on the following show of ayes and noes:

Noes, 30: Aquino, Awana, Cabanilla, Carroll, Chang, Chong, Choy, Coffman, Evans, Har, Herkes, Ito, Karamatsu, Keith-Agaran, M. Lee, Magaoay, Manahan, McKelvey, Mizuno, B. Oshiro, M. Oshiro, Sagum, Say, Souki, Takumi, Tokioka, Tsuji, Wooley, Yamane and Yamashita.

Ayes, 19: Belatti, Berg, Brower, Ching, Finnegan, Hanohano, C. Lee, Luke, Marumoto, Morita, Nakashima, Nishimoto, Pine, Rhoads, Saiki, Shimabukuro, Thielen, Wakai and Ward.

Excused, 2: Bertram and Takai.

(Main Motion)

Representative Belatti rose to speak in opposition to the measure, stating:

"Mr. Speaker, I speak in strong opposition to House Bill 128, Conference Draft 2. Let's be clear, Mr. Speaker, what this bill does. This bill opens the floodgates, not just to special interests, but special interest, corporate interest, that get State contracts. That is the major substantive change being made by this bill, Mr. Speaker. It is a disappointing day for me to be voting on this kind of bill where the people are put after the politicians and the special interests. I can't say much more, Mr. Speaker, but I stand in strong opposition to this bill. Thank you."

Representative Choy rose to disclose a potential conflict of interest, stating:

"May I have a ruling on a potential conflict? I do State contracts," and the Chair ruled, "no conflict."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I will rise in favor, but I would like to express a reservation. Basically, I'm in favor because I think we need the recodification of Chapter 11, I'm glad to see it. But, there's a part of the campaign spending law that this bill did not touch, and that is the issue of corporations that set up non-candidate committees or PACs, and restricting the funding from corporate treasuries. My understanding is that the Tavares case, which removed the cap, is on appeal, and that the Legislature does not want to jump in front of the court on this one. I would disagree, in case the Tavares case prevails.

"Although no one needs reminding, this is only one of the most unsettled parts of the campaign spending law. And, the House took a pass on clarifying it before Third Reading, but faltered. I can understand the rationale for trying, even though I may disagree with it. Mr. Speaker, I have heard from those in the legal community, including the Judiciary Chair, that the bets on the Intermediate Court of Appeals overturning our law limiting contributions into PACs. If so, we will be back at square one. The bad ole days with big corporations wielding a huge monetary influence over elections. So, we are basically standing pat with our law that is likely to be overturned. I would have liked us to be more proactive if the policy we want to set forth is that corporate money should not rule campaigns.

"So, I suppose I can hope against the judgment of others that Tavares will be struck down by the courts, but if not, we will be right back here again. If we are going through the trouble of doing a recodification and include some substantive amendments, we should have taken up this issue to establish a cap on corporate contributions. After all, piecemeal amendments were what led to the recodification in the first place. Thank you."

Representative C. Lee rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to this measure. I just want to be very brief. I have similar concerns to the speakers who have already spoken before me. I just want to note that in this of all years, I think, this isn't the sort of measure that our new President, Barak Obama would condone, or much less, sign. And this isn't the sort of change that I signed up for. Thank you."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. In support. I do have some reservations, and may I have the words of the Representative from Kahala entered into the record as if they were my own? And, I've always been bothered with the contractor language vis-à-vis, the donations. However, I feel that in this case, we may let the perfect become the enemy of the good, insofar as there will be an unlimited, instead of having caps.

"The court will do its work. Hopefully they will come down with a ruling. But to at least have some caps in place, and the recodification I feel is important. And, we have next Session to come back, and as I have in the past with other bills, such as a voter-owned election, I remain committed to work with you, the Members of this Body, and the Judiciary Chair on trying to create a campaign system that will be fair, open and honest for everyone. Thank you."

Representative Berg rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition, and wish that the words of the Representative from Makiki be entered as my own. As well as, I wish to, again, appeal to my colleagues to vote down this particular measure, more specifically, for the reasons that I introduced the Amendment. But there's also a piece of this legislation that allows 30% of out-of-state contributions from Hawaii's political campaigns, up from the existing 20%. This is one of those points again, Mr. Speaker, that I think we need to discuss among ourselves. It allows more money and influence from elsewhere, and instead of encouraging us as candidates to raise funds from our own constituents and communities, it relies upon out-of-state influences.

"In addition to removing the prohibition on the State and county contractors, what this does, and I know this probably will be uncomfortable for some of my colleagues, but this bill would allow us, as elected officials to donate from our campaign funds to schools and libraries, in addition to the donations that are already allowed to community groups. I like to contribute and help my communities, but I'm very uncomfortable, personally, and that's what this bill would allow. It

will allow us to keep 'seeding' the community, if you will, with our own donations, as if they are, when actually we can't take credit for the donations that other people give us.

"I'm hopeful that my colleagues, even if they vote 'yes,' will see that we do need to look at this more deeply, and trust that our communities are going to be paying attention. Thank you."

Representative Ching rose in opposition to the measure and asked that her written remarks, and the remarks of Representative Berg be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition to House Bill 128, House Draft 1, Senate Draft 1, Conference Draft 2. For the most part, this bill recodifies our campaign finance laws. That part, I have no problem with. But there are several substantive amendments in this bill, and my opposition is with some of those substantive changes.

"I want to limit my focus on one particular change proposed by this bill. Under current law, contractors are prohibited from making campaign contributions if they have a State or county contract. We put that prohibition into law to combat, to prevent the ills of a 'pay to play' system of government contracts in exchange for campaign contributions. That was only a few years ago.

"Now, with this bill, we are looking to limit that prohibition to only non-bid contractors, opening up the playing field for other contractors. First, when we passed the original campaign contribution prohibition, it was against the backdrop of a former Honolulu Mayor who was infamous for drafting bid contracts in such a way as only a select few or one could bid on them. This created a situation where "non-bid" and "bid" were only a matter of semantics. It was all 'pay to play'.

"This amendment would allow that kind of creative contract drafting, and the inevitable campaign contributions to return. Why now? A few observations.

"The Governor's race will be an open seat come 2010. Political fundraising, in general, has become more difficult with the worsening economic climate. We are all up for re-election in 2010, as is half of the Senate. Several Honolulu City Council members will be term limited, creating open seats. There are rumors that the Mayor of Honolulu will run for something in 2010 that may require him to resign to run. It certainly appears that this amendment could be born out of political expediency.

"We should not favor the expedient over what is right. We made the correct policy decision years ago. We should stick to it."

Representative Wooley rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in support. Thank you. With some reservations. I think that we've discussed this bill repeatedly through Session, and I want to say I appreciate the Judiciary Chair, as well as the Representative from Aina Haina's efforts to address complicated questions. We've heard from the Campaign Spending Commission repeatedly about the importance of this bill. And, they really begged us to pass it, in the name of transparency and clarity. And, I think for that reason, I'm standing in support of this bill.

"I think that there's still questions that we may need to discuss further, and I hope that we can do that in the next coming year. And if needed, we'll pass amendments. Thank you."

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, in opposition, Mr. Speaker. When we first passed this bill in the House, that prohibited anyone with State contracts from donating, I remember so many speeches from the Majority, saying, 'We're going to change politics forever. For once, we're going to give politics back to the people. And, we're no longer going to do the pay-to-play game that has been around in Hawaii politics for years.' And so, it just really saddens me that we're reversing all that today. And, no matter what reason you give, it's so hard for me to explain to my constituents why we're changing what we said was so important just not too long ago."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Mr. Speaker, in support. And, a little history on this so called pay-to-play. Let's go back to Frank Fasi, who was a master of extorting money out of anybody who did business anywhere close to the City. One time he told Spence Cliff how much money Spence should give to his campaign, and Spence refused. Spence Cliff's biggest business entity, the most popular, was the Queen's Surf, which was on ceded land. Fasi condemned it, and personally drove the bulldozer that tore down Queen's Surf. And, you wonder how this all started. So, everybody in their own defense was giving money.

"Mr. Speaker, as you know, I've done a lot of work on the Procurement Code, and in the non-bid contracts, there are three independent people that analyze the proposals made by A&Es, architects and engineers, and then those three make a recommendation. And, that is how the selection is made. And, I will say, in the discussions that we've had between the Senate and House on the Procurement Code, there was one time when DAGS arbitrarily overruled the recommendation of the Selection Committee. The Selection Committee was so incensed that they demanded in writing the reason that that recommendation was overturned. And, we called them on it in the hearing. They denied that ever happened. What they did is they reversed and went back to the recommendation of the three-person Selection Committee.

"So, I think there's a lot of safeguards there. Plus, we'll report anything that we get that's over $100. I'm in support."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. I just have two brief points. The first one is actually tying into what the Representative from Kahaluu said. Basically, we need this bill if we are going to get transparency in our campaign spending laws. According to the Pew Charitable Trust, which has a national survey of 50-states' campaign financing laws and transparency, and a study conducted by the Center on Governmental Studies, UCLA School of Law, and the California Voter Foundation, Hawaii ranked number seven in the nation overall in 2008, as well as number five in the nation for campaign finance laws, and number one in the nation for its electronic filing system. All of those things are necessary in this recodification, if we're going to continue to be highly ranked in our transparency. Because, at the end of the day, transparency is the most important thing.

"The voters are not stupid. The voters can figure out for themselves if they want to support a candidate, looking at their campaign spending donations, and the only way that happens is with true transparency. It's for that reason, I stand in support.

"Secondly, the criticism that this is really supporting pay-to-play, that is mixing apples and oranges. As I stated before, and in support of the Representative of Ka'u, that's different. The issue when we passed this law back in 2005 was that State money, government should not be funding campaigns. That was the issue.

"Pay-to-play is different. Pay-to-play is when you actually contribute in order to get the contract. As I stated before, that transaction, that evil is occurring before the award of the contract. Before the execution of the contract. Nothing in this bill, nothing ever introduced to my knowledge has addressed that issue. If we are going to talk about it, talk about it honestly, then we need to actually have that language in front of us. That is not in front of us. This bill before us does a great thing, because it talks about when we're dealing with non-competitive contracts. That is truly where pay-to-play comes in to play. Thank you, very much."

Representative Pine rose to respond, stating:

"Actually, I agree with the Majority Leader. I do believe that the voters aren't stupid. And, there're not going to believe that this is for transparency. That we're now allowing more money than ever before, at least now, to get back into politics. I just think that's just a difficult thing to explain to them. I think the system where we currently limit companies from giving very large donations, where we limit companies that have State contracts that are clearly benefiting from taxpayer money, and these contractors do have connections with many politicians in some shape or form. So, I do believe that the voters are not stupid."

Representative Karamatsu rose to speak in support of the measure, stating:

"In support. First of all, I want to thank the Campaign Spending Commission for working so hard and closely with the Legislature, both in the House and the Senate. It's been an up and down ride with this issue. So, finally we do have a draft and there were compromises made in here.

"First, I think the Majority Leader stated very eloquently, as well as the CPC Chair did on issue of the contract bid, versus non-bid. The statements they made are very true. We're not talking about people contributing to the Legislature. We're looking at the Executive branch. So let's narrow it down to the Executives; the mayors, and then the Governor.

"As far as a competitive bid, they have to go through a process, as mentioned earlier by the previous speakers. Whereas in non-competitive bids, there are no checks and balances or process for evaluating whoever has the lowest bid, or going through all the evaluations of an RFP. So, that's what we're looking at.

"When we're preventing people from participating, we're preventing them from participating in a situation where it's a direct contribution to the decision-maker. But there is no direct contribution to the decision-maker in the competitive situation. So, that's what we're trying to get at here.

"Second, in regards to the non-candidate committee limitation, a lot of people vote on emotion. For myself, if I voted on emotion, I would vote on a lot of bills differently, but I have to analyze it. And, when it comes to treating one entity differently from another entity, in law school we learned that we have to try to make sure we don't discriminate between entities. So, that's the reason why I felt very uncomfortable about why is there a cap on one entity, when there is none on other types of entities or individuals.

"And, I know it's not on discussion on the Floor right now, but as far as the cap on the non-residents, we're discriminating based on non-residents versus residents. It's only a matter of time before someone decides to file a lawsuit on that. So, that's why I had concerns on that. But, we're willing to compromise on increasing it from 20% to 30% cap on non-resident contributions. There are former residents who live outside of Hawaii. A number of my own family that would love to participate. However, we expanded the reporting period on those situations, so it's during the election period, rather than each reporting period.

"So, these are the things that the Judiciary Committee had to look at, and rather than base it on emotion, we had to, in a difficult way, analyze it legally. It was the same way with 'Karen's law' and all these other things …"

The Chair addressed Representative Karamatsu, stating:

"Representative Karamatsu, you're out of order on that particular statement. Confine your remarks to the bill that is before us."

Representative Karamatsu continued, stating:

"Okay. So, basically, that's what we did to make the decisions on this. Thank you."

Representative Ward: "Mr. Speaker, would you entertain a short recess?"

The Chair responded, stating:

"No. Let's continue on."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition, and I have a few comments. Thank you, Mr. Speaker. I did want to rebut just a couple things. When we're talking about equality, and we're talking about equality having to do with the same organization, we're talking about corporations not having a limit, versus having a limit. When this bill originally was passed, there was a cap on corporate donations going into PACs. But we did not address, and I think there's some debate on it, but we did not address unions and union PACs at all. So, when we talk about equality, I just don't agree. Sometimes, you basically are going to have to make decisions based up that particular group.

"The other thing is, I guess I got a double message from the Majority Leader, because he said when this particular reform first was started, he said the reason why we put in the contractor language is because we didn't want State money going to campaigns. So, is he saying that he's okay with having State money going into campaigns now? Because, that's what we're doing, even with the non-bid contractors. Maybe he doesn't see it as pay-to-play. But, it's still State money going to campaigns.

"Mr. Speaker, the other thing that we could have done in regards to this, is just on a very fair measure, is take the bill that Campaign Spending gave to us, that they said was super important to them, and not make any substantive changes by putting in other language, and we could have passed it. It could have flew through the House very easily, because none of us, I can't speak for everyone, but I don't think anyone on this Floor can say that we would be against that transparency measure. That would have flew through the House. Mr. Speaker, but what we did do was we put substantive changes into the bill that I know I brought up earlier on in early Readings, having to do with the pay-to-play. Having to do with the corporate donations. And yet, we still moved it forward. And, you can tell by the history of the record of the movement of this bill, that it has had trouble all the way along. We could have corrected that.

"So, when we're talking about making a change and we needed to save the bill and have the transparency, there was a simple solution, but we did not want to do that. Thank you, Mr. Speaker."

Representative Belatti rose to respond, stating:

"Thank you, Mr. Speaker, and I'll be really brief. I just wanted to build upon the points of the young freshman Representative from the Windward side. I just want to stress again, that the lifting of the prohibition of the competitive bids to State contractors is a bad provision. We started this Legislature with such high hopes, claiming President Barack Obama as our own, while this measure brings to Hawaii Chicago-style Blagojevic politics, something that I cannot be a part of. Thank you, Mr. Speaker."

Representative Saiki rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this measure. I have written comments, but the gist of my comments point to the fact that this bill ultimately reduces standards, even though the bill is styled as one that just makes minor substantive changes to our current campaign spending laws. And, the reason why this bill reduces standards for our State is because it makes some substantive changes that will reverse laws that we recently enacted within the past eight years or so.

"This legislation will continue the uncertainty and non-enforcement of corporate registration requirements and corporate contributions, using treasury funds. It will also increase the amount that non-residents can contribute to campaigns.

"It will also undo the ban on government contractors who bid for their contracts. It is the combination of unlimited corporate contributions, and the lifting of the ban on bid contractors in particular that is troubling, especially in this period of time, with hundreds of millions of dollars will

be floating through our State, our construction projects and other public works.

"This legislation takes us in the wrong direction. It reduces our standards, and we should vote it down. Thank you, very much."

Representative Saiki's written remarks are as follows:

"Mr. Speaker, I rise in opposition to H.B. 128 because it will lower the standards that the Legislature has worked to achieve over the years with respect to campaign finance law. Specifically, this measure will increase the cap on nonresident contributions, eliminate the ban on contributions from government contractors who go through the bid process, an ignore the need to clarify whether corporations should be limited in the amount of treasury funds they can use to make contributions and whether corporations should be required to form PACs to make those contributions.

"It should be noted that the Legislature has a duty to clarify and strengthen our campaign finance laws. The 1978 Constitutional Convention adopted an amendment to the State Constitution that specifically reserves to the Legislature the power to enact laws concerning contribution limits. Article II, section 6. The legislative history shows that the delegates intended that the Legislature take an independent and assertive role in crafting contribution limits.

"For this reason, the Legislature should revisit the issue of corporate contribution limits even though the Tavares v. Campaign Spending Commission case is currently on appeal. While the appeal is pending, the CSC is not enforcing the corporate contribution law. The CSC is currently not enforcing registration and reporting requirements for corporate PACs. Corporations are now free to use unlimited amounts of cooperate funds for contributions.

"Some have argued that we should, 'let our courts decide' by waiting for the ICA to rule. The question of corporate contributions and campaign finance law is a policy call for the Legislature, not for the courts. The Legislature should resolve any confusion or ambiguity now, rather than allow the courts to make the call.

"In 2005, the Legislature created a new law that banned State and county contractors from making campaign contribution. The ban applied to bid and non-bid contractors. HB 128 proposes to eliminate the ban on bid contractors. There is no rationale for this change.

"The attached editorial (*Honolulu Advertiser*, 4-30-09) explains the reasons we should not pass this measure as drafted."

"April 14, 2009

Campaign contributions: There's time to fix corporate donations law

As the Legislature heads into the final stretch of a difficult session — the negotiations over bills in conference committees — it's important to keep in mind one thing.

The final stretch is the most important part of any race. At the state Capitol, a lot of the crucial work is done at the tail end.

One of the Legislature's mixed-bag achievements is its attempt to recodify the confusion of state campaign financing laws. That measure, House Bill 128, shows some clarity brought to the matter but there's a critical gap: It doesn't address the limits on campaign contributions from the treasuries of corporations.

There needs to be some rulemaking here, in that campaign committees are already gearing up for the 2010 election. Direct financial injections from corporations into the electoral process cede too much influence to moneyed interests, to the detriment of the general public.

The issue already generated controversy, with other failed bills proposing unlimited corporate treasury donations, or at least much more than the $1,000 set in the last revision of the law.

The trouble is, that revision did not set the limit clearly enough for the state Circuit Court, which struck it down last year. The case, on corporate donations to Maui Mayor Charmaine Tavares' 2006 campaign, is on appeal. Meanwhile, the state Campaign Spending Commission has said the old limit won't be enforced unless it's upheld on appeal.

There's a lot of political pressure to do nothing. But the Legislature is elected to see that state policy is clear, and it has a chance to give the commission an unambiguous law. HB 128 should restore a $1,000 cap, and require corporate contributions to be made to political action committees, making it easier to track who gave money to whom.

That can be done in conference committee. What must not happen, however, is any late attempt to enable greater corporate giving.

HB 128 does include a late change that bears reconsideration. Candidates would be able to donate any unspent funds to public schools or state libraries. As much as these are cherished institutions of society, a contributor gives to a campaign for a specific purpose: to support a candidate. To divert their money to other beneficiaries is unfair, whether that recipient is a public agency or a nonprofit.

Hawai'i has endured too long with campaign finance laws that impede transparency and accountability to the public. If there is any hope of reinvigorating public trust in government, correcting that failing would be a good first step.

The Honolulu Advertiser"

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:

"This bill is in part a recodification of the campaign finance laws, but with the following substantive changes:

1) Restricts the prohibition on contributions by contractors to only non-bid contractors. (11-FF, p. 50) and is a step backwards in campaign finance reform.

2) Mandates attribution of contributions given by partnerships and limited liability companies in direct proportion to partner's share of profits. (11-LL, p. 56)

3) Increases limits on contributions from nonresidents from 20% per reporting period to 30% for each election period, (11-MM, p. 57-58) and is said to help those who used to raising funds on the mainland and possibly running for governor in 2010.

4) For some reason this bill allows donations to a public school or public library subject to the same limits as currently exist for donations to community service, educational, youth, recreational, charitable, scientific, or literary organizations - twice the maximum amount that one person may contribute to the candidate. (11-SS, p. 64)

5) Lastly, it provides that a candidate who qualifies for the maximum amount of public funding in any primary election and who is a candidate for a subsequent general election must apply with the campaign spending commission to be qualified to receive the maximum amount of public funds as provided in this section. (11-OOO, p.83

"Overall, this bill is a step backward on the financial reform front but a step forward in codification of the CSC statutes, but still not worthy of my vote."

Representative McKelvey rose in support of the measure with reservations and asked that the remarks of Representative Wooley be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

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 of House bill 128, House Draft 1, Senate Draft 1, Conference Draft 1, Relating to Elections.

"The purpose of this bill is to update, organize, and clarify, as well as make minor substantive amendments to, current campaign finance laws. We did not revise current substantive law regarding contribution limits to candidate committees or noncandidate committees; the language in this measure is identical to that currently codified in HRS 11-204(a) and 11-204(b). We did not consider it prudent to address new or clarified limitations on such contributions at this time due to pending appellate judicial review of *Charmaine Tavares Campaign v. Barbara U. Wong* by the Intermediate Court of Appeals, which struck down that section of the law. It should be noted that a number of lawmakers agreed to the decision by the Second Circuit Court that struck down contribution limitations to noncandidate committees because it discriminated corporations from individuals and other entities in participating in the political process.

"This bill made some substantive changes to current law such as restricting the limitation on contributions by contractors with the State to contributions by non-bid contractors only. It also allows for pro-rata attribution of contributions by partnerships and limited liability companies considered as partnerships by the Internal Revenue Service among the partners or members. Further, the limit on contributions by non-residents was increased from 20 percent to 30 percent of the total contribution received by a candidate or candidate committee for each election period (A number of lawmakers believe that this will be struck down by the courts because it is discriminating non-residents from residents in political participation).

"Finally, this bill provided that campaign funds to be used for donations to public schools or public libraries are subject to limitations similar to those for donations to community service or educational organizations already allowed under current law. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 128, HD 1, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Final Reading by a vote of 36 ayes, with Representatives Belatti, Berg, Brower, Ching, Finnegan, Hanohano, C. Lee, Luke, Morita, Pine, Rhoads, Saiki and Ward voting no, and with Representatives Bertram and Takai being excused.

At 4:34 o'clock p.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 128, HD 1, SD 1, CD 2

LATE INTRODUCTION

The following late introduction was made to the Members of the House:

Representative Finnegan introduced a group of employees from Hilton Hawaii who were here to attend the Governor's veto ceremony.

ANNOUNCEMENTS

Representative Thielen: "Yes, Mr. Speaker, I know that the group up there knows, but the Members here may not know. Governor Lingle vetoed that bill. Thank you."

Representative C. Lee: "Thank you, Mr. Speaker. I'd just like to take a moment to thank you and everybody for giving me the opportunity to serve as the Foodbank coordinator. I want to say thanks, especially to my staff upstairs for all their hard work, and for everyone here who took time out of their busy schedules to be a part of this; not only here on this Floor, but with the agencies as well throughout the building.

"Thank you very much everybody. We were able to raise quite a bit of money. We presented a check just the other day to the Foodbank for $12,495.47, which should go a long way towards keeping a few people well-fed throughout these next couple of tough months coming up.

"Thank you again. Mahalo to everybody."

Representative Ward: "Mr. Speaker, speaking of well-fed, that was one of the best luncheons of Thai food we have ever had in this building. So, thank you and your staff for choosing that. Thank you, Mr. Speaker. That was very well taken."

Speaker Say: "You are very welcome."

Representative Ward: "Mr. Speaker, I had a part two, and that was my colleague left out that not only was the TAT tax vetoed, it was also the Conveyance Tax and the Small Business Tax. So, we have three on our agenda for tomorrow."

ADJOURNMENT

At 4:37 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 10:00 o'clock a.m. tomorrow, Friday, May 8, 2009. (Representatives Bertram and Takai were excused.)

HOUSE COMMUNICATIONS

House Communication dated May 7, 2009, 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:

HB No.34, SD 1, CD 1
HB No.36, HD 1, SD 2, CD 1
HB No.128, HD 1, SD 1, CD 2
HB No.200, HD 1, SD 1, CD 1
HB No.300, HD 1, SD 2, CD 1
HB No.343, HD 1, SD 2, CD 1
HB No.381, HD 2, SD 1, CD 1
HB No.427, HD 1, SD 1, CD 1
HB No.690, HD 2, SD 2, CD 1
HB No.754, HD 1, SD 1, CD 2
HB No.876, HD 1, SD 2, CD 2
HB No.899, HD 1, SD 1, CD 1
HB No.900, HD 2, SD 1, CD 1
HB No.982, HD 3, SD 1, CD 1
HB No.989, HD 1, SD 2, CD 1
HB No.994, HD 1, SD 2, CD 1
HB No.1016, HD 2, SD 1, CD 2
HB No.1271, HD 3, SD 2, CD 1
HB No.1364, HD 1, SD 1, CD 1
HB No.1464, HD 3, SD 2, CD 1
HB No.1471, HD 2, SD 1, CD 1
HB No.1483, HD 1, SD 1, CD 1
HB No.1504, HD 1, SD 2, CD 1
HB No.1627, HD 2, SD 2, CD 1
HB No.1628, HD 1, SD 2, CD 1
HB No.1678, HD 1, SD 2, CD 1
HB No.1807, HD 1, SD 2, CD 1
SB No.21, SD 1, HD 1, CD 1
SB No.43, SD 2, HD 2, CD 1
SB No.109, SD 2, HD 3, CD 1
SB No.266, SD 2, HD 2, CD 1
SB No.387, SD 1, HD 1, CD 2
SB No.423, SD 1, HD 2, CD 1
SB No.464, SD 2, HD 2, CD 2
SB No.884, SD 2, HD 1, CD 1
SB No.892, SD 1, HD 2, CD 2
SB No.1107, SD 2, HD 2, CD 1

SB No.1202, SD 2, HD 2, CD 1
SB No.1206, SD 1, HD 1, CD 1
SB No.1218, SD 2, HD 2, CD 1
SB No.1222, SD 1, HD 1, CD 2
SB No.1352, SD 2, HD 2, CD 1
SB No.1461, SD 2, HD 1, CD 2
SB No.1665, SD 2, HD 1, CD 1
SB No.1673, SD 2, HD 2, CD 1
SB No.1674, SD 2, HD 2, CD 1

House Communication dated May 7, 2009, 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 bill on Final Reading:

H.B. No. 426, HD 1, SD 1

SIXTY-SECOND DAY

Friday, May 8, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 10:10 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Representative Corinne W.L. Ching, after which the Roll was called showing all Members present with the exception of Representatives Bertram and Takai, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Sixty-First Day was deferred.

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 343) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 343, dated April 20, 2009, transmitting the Hawaii State Public Library System's report on their maintenance and energy efficiency projects for the Fiscal Year 2007 and 2008, prepared by the Hawaii State Public Library System, Department of Education, pursuant to Section 86, Act 213, SLH 2007.

The following messages from the Governor (Gov. Msg. Nos. 344 and 345) were received by the Clerk:

Gov. Msg. No. 344, informing the House that on May 7, 2009, the following bill was signed into law:

S.B. No. 301, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGISTERED AGENTS ACT." (ACT 055)

Gov. Msg. No. 345, informing the House that on May 7, 2009, the following bill was signed into law:

H.B. No. 1175, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION." (ACT 056)

The following messages from the Governor (Gov. Msg. Nos. 346 through 349) were announced by the Clerk and received for consideration at the end of today's calendar:

Gov. Msg. No. 346, transmitting H.B. No. 895, HD 2, SD 2, CD 1, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
May 7, 2009

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 895

Honorable Members
Twenty-Fifth 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. 895, entitled "A Bill for an Act Relating to Tax on Tobacco Products Other Than Cigarettes."

The purpose of this bill is to increase the tax rate on tobacco products other than cigarettes, including smokeless tobacco, snuff, cigars, and pipe tobacco.

This bill is objectionable because it contains major technical flaws that defeat the purpose of the legislation and will make it virtually impossible to implement.

First, this bill temporarily suspends the current 40 percent tax on all tobacco products other than cigarettes. Although this error may have been unintentional, it will, in effect, create a tax holiday for many tobacco products from the date the bill becomes law until September 29, 2009. This provision runs counter to the stated purpose of the bill and represents a major flaw that cannot be overlooked.

Second, provisions in this bill cannot be reconciled with existing statutes and proposed legislation to increase the tax on cigarettes. The bill sought to tax "little cigars" at a rate comparable to the cigarette tax rate and set forth the cigarette tax rate of 11 cents as of October 1, 2009, 12 cents on September 30, 2010, and 13 cents on September 30, 2011.

However, this language would lower the cigarette tax rate, which is supposed to go into effect on July 1, 2010 from 14 cents per cigarette to 12 cents per cigarette on September 30, 2010. Similarly, the bill would lower the cigarette tax rate that would go into effect on July 1, 2011 from 15 cents per cigarette to 13 cents per cigarette on September 30, 2011. It is questionable what the actual intent of the Legislature is and whether the Legislative Reference Bureau can properly reconcile these matters when codifying these provisions into statutes.

Finally, most retailers and manufacturers nationwide recognize a difference between large and small cigars and are accustomed to labeling them accordingly. This bill creates a new category of cigars, which would require Hawaii retailers to establish a different labeling system in order to calculate the correct tax. The tax is to be imposed based on the ring gauge size of the cigar. However, manufacturers and retailers are not required to identify the ring gauge of their product and the federally established labeling requirements on these products do not require that the size be listed. Further, the federal Bureau of Tobacco and Firearms uses weight rather than ring gauge for the purposes of determining the federal tax on these types of tobacco products. Thus, to impose the tax, the Hawaii Department of Taxation would have to measure the size of cigars themselves or require wholesalers or distributors to do so. This would be extremely burdensome for Hawaii wholesalers and retailers and may prove impossible to enforce

My position against smoking and the encouragement of healthy lifestyles remains steadfast. Unfortunately, the technical flaws in this bill defeat its stated purpose to lower the usage of certain types of tobacco products.

For the foregoing reasons, I am returning House Bill No. 895 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 347, transmitting H.B. No. 1741, HD 1, SD 1, CD 1, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
May 7, 2009

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1741

Honorable Members
Twenty-Fifth 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. 1741, entitled "A Bill for an Act Relating to the Conveyance Tax."

The purpose of House Bill No. 1741 is to increase the rate of the conveyance tax on all transfers or conveyances of properties with a value of $1,000,000 or more. This bill also reduces from July 1, 2009 to June 30, 2012, the distribution of conveyance tax moneys into the Rental Housing Trust Fund and the Natural Area Reserve Fund.

This bill is objectionable because it would discourage investments, adversely impact land transactions to promote business and housing development, and further slow our economic recovery by extracting money out of the pockets of families and businesses.

In the first quarter of 2009, sales of single family homes were down 35 percent compared to the first quarter of 2008. March 2009 was the 9th consecutive month of double-digit increases in Hawaii's foreclosure rate. Reversing these trends cannot be achieved by adding to the tax burden. Economic recovery depends on encouraging capital investment, yet this bill does the opposite.

Although there is the perception that only the wealthy will be impacted by this bill, the reality is this bill increases the conveyance tax by over 230 percent on purchases of commercial, industrial, and agricultural properties.

Legislators fail to recognize that the sale or purchase of non-residential property means properties are being conveyed that will provide space for a business, house the production of goods or services for consumers, and provide a site for employment of our residents.

What is equally unfortunate is the conveyance tax increase will also adversely impact affordable housing projects and non-profit organizations, including churches, schools, and youth organizations. For example, an affordable housing project like Kukui Gardens on Oahu, which sold for $72 million, would pay $504,000 or over half a million dollars more in conveyance taxes if this bill became law.

Even religious or non-profit organizations that are recipients of donated property would have to pay the higher conveyance tax rates on the property donation. Further, kamaaina landowners who are transferring larger properties for agricultural farms, housing development, and environmental programs would also be adversely impacted, if not discouraged, from doing the right thing when they are faced with tax payments 230 percent higher than current levels.

Whether it is the non-residential property that will house a business producing goods and services for consumers or a charity providing much-needed services in the community, this conveyance tax increase ultimately impacts everyone.

For the foregoing reasons, I am returning House Bill No. 1741 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 348, transmitting H.B. No. 1747, HD 1, SD 1, CD 1, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
May 7, 2009

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1747

Honorable Members
Twenty-Fifth 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. 1747, entitled "A Bill for an Act Relating to Taxation."

The purposes of House Bill No. 1747 are to increase the State income tax rates for certain income brackets and revise the standard deduction and personal exemption. The bill amends Hawaii's income tax law by (1) increasing the State income tax rates for income earners above a specified level for taxable years 2009 through 2015; (2) increasing the standard deduction amount and the allowable personal exemption amount, for taxable years 2011 through 2015; and (3) increasing the amount of the personal deduction by ten percent for the 2011 through 2015 tax period. The bill provides that no penalty or interest shall be imposed because of underpayment of taxes attributable to the increase in the tax rates. The bill also establishes a repeal (sunset) date of December 31, 2015.

This bill is objectionable because it increases the tax burden on Hawaii's families and small businesses by increasing the marginal income tax rate by as much as 33.3 percent. Hawaii currently has the eighth highest top personal income tax rate in the United States. By increasing the top marginal tax rate from 8.25 to 11 percent, this bill will make Hawaii the state with the highest personal income tax rate in the nation. Although there is the misconception that only wealthy people will be affected, this bill will adversely impact almost 37,000 persons, of which about 27,000 are sole proprietors, partnerships, or subchapter "S" corporations whose owners report their business income through personal income tax returns.

In this broad recession which affects both the wealthy and poor and where recovery depends on people investing, buying consumer goods, and donating to charities, a tax increase will put an unnecessary strain on everyone's pocket book. Small business owners who count their business income as personal income will find it more difficult to support and grow their enterprises. This could mean more business closures, layoffs, and fewer job opportunities.

Furthermore, these tax increases will make it more difficult to attract high caliber talent to Hawaii--professions such as psychiatrists, neurosurgeons, astronomers, or engineers--who earn higher salaries and who will be deterred by our high taxes as well as our high cost of living. In an economy in serious need of top quality talent and a kick start, this is a bad idea that is not worth the revenue impact this bill is expected to produce.

During these difficult economic times, when we need to take action to support our families and businesses, we should not be taking actions to balance the State budget at the expense of the taxpayers.

For the foregoing reasons, I am returning House Bill No. 1747 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 349, transmitting S.B. No. 1111, SD 1, HD 1, CD 1, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
May 7, 2009

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1111

Honorable Members
Twenty-Fifth 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. 1111, entitled "A Bill for an Act Relating to Taxation."

The purposes of this bill are to increase the transient accommodations tax from 7.25 percent to 8.25 percent for the period July 1, 2009 to July 30,

2010, and to further increase the tax to 9.25 percent from July 1, 2010 to June 30, 2015. The money from this tax increase would be deposited into the general fund.

This bill is objectionable because an increase in the Transient Accommodations Tax will prolong our state's ability to recover its economic vitality. It will raise the cost of visiting Hawaii, discourage both leisure and business travelers, and comes at a time when Hawaii's hospitality industry is experiencing its steepest decline in 22 years.

Hawaii's economy cannot recover from the current economic recession without a recovery in tourism. Almost three-quarters of private sector employment in the State is linked, either directly or indirectly, to tourism. The 66.9 percent statewide hotel occupancy rate recorded this March represents a 16.6 percent plunge from a year earlier. It is the 13th consecutive monthly decline in an industry that employs over 100,000 residents of our state. These occupancy rates were only achieved after hotels and rental units slashed daily room rates more than 12 percent. Despite the efforts to keep hotel rooms occupied, the visitor industry has lost 6,200 jobs in the past 12 months. As our hospitality industry fights to keep workers employed, we should not make their job harder by raising the taxes they must pay to the State.

Some have argued that a Transient Accommodations Tax increase will not discourage visitors since a tax of 8.25 or 9.25 percent is still less than the double-digit room tax rates seen on the mainland. However, it must be noted that even as room rates continue to fall in Hawaii, the average room rate statewide is $170 per night, whereas the average room rate nationwide is only $100 per night. In real dollars, tourists have to pay more to come to Hawaii. According to the American Hotel and Lodging Foundation, Hawaii visitors pay an average of $25.79 per night in lodging taxes versus the national average of $12.69.

Passage of this bill has resulted in adverse coverage in the national press that has resulted in comments that Hawaii is trying to take our economic frustrations out on our visitors. As the State of Aloha that depends upon our hospitality for our economic well-being, this is the wrong message to be sending.

For the foregoing reasons, I am returning Senate Bill No. 1111 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 787 through 791) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 787, dated May 7, 2009, informing the House that the Senate has on May 6, 2009, reconsidered its action taken on April 29, 2009, in disagreeing to the amendments 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. 31, SD 2, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AND FINANCIAL AUDIT OF THE HAWAII PUBLIC HOUSING AUTHORITY'S MAINTENANCE CONTRACTS."

Sen. Com. No. 788, dated May 7, 2009, informing the House that the following bills have this day passed Final Reading in the Senate:

H.B. No. 34, SD 1, CD 1
H.B. No. 35, HD 1, SD 1, CD 1
H.B. No. 36, HD 1, SD 2, CD 1
H.B. No. 111, SD 2, CD 1
H.B. No. 128, HD 1, SD 1, CD 2
H.B. No. 183, HD 1, SD 2, CD 1
H.B. No. 200, HD 1, SD 1, CD 1
H.B. No. 300, HD 1, SD 2, CD 1
H.B. No. 343, HD 1, SD 2, CD 1
H.B. No. 371, HD 2, SD 2, CD 1
H.B. No. 381, HD 2, SD 1, CD 1
H.B. No. 427, HD 1, SD 1, CD 1
H.B. No. 541, HD 1, SD 1, CD 1
H.B. No. 586, HD 1, SD 1, CD 1
H.B. No. 610, HD 2, SD 2, CD 1
H.B. No. 690, HD 2, SD 2, CD 1
H.B. No. 754, HD 1, SD 1, CD 2
H.B. No. 876, HD 1, SD 2, CD 2
H.B. No. 899, HD 1, SD 1, CD 1
H.B. No. 900, HD 2, SD 1, CD 1
H.B. No. 975, HD 1, SD 1, CD 1
H.B. No. 982, HD 3, SD 1, CD 1
H.B. No. 983, HD 1, SD 2, CD 1
H.B. No. 986, HD 1, SD 1, CD 1
H.B. No. 989, HD 1, SD 2, CD 1
H.B. No. 994, HD 1, SD 2, CD 1
H.B. No. 1016, HD 2, SD 1, CD 2
H.B. No. 1045, HD 1, SD 2, CD 1
H.B. No. 1057, HD 1, SD 2, CD 1
H.B. No. 1071, HD 3, SD 2, CD 1
H.B. No. 1103, SD 1, CD 1
H.B. No. 1152, HD 1, SD 1, CD 1
H.B. No. 1166, HD 1, SD 2, CD 1
H.B. No. 1174, HD 3, SD 2, CD 1
H.B. No. 1271, HD 3, SD 2, CD 1
H.B. No. 1364, HD 1, SD 1, CD 1
H.B. No. 1405, HD 2, SD 2, CD 1
H.B. No. 1464, HD 3, SD 2, CD 1
H.B. No. 1471, HD 2, SD 1, CD 1
H.B. No. 1483, HD 1, SD 1, CD 1
H.B. No. 1495, HD 1, SD 1, CD 1
H.B. No. 1504, HD 1, SD 2, CD 1
H.B. No. 1525, HD 1, SD 2, CD 1
H.B. No. 1536, HD 2, SD 1, CD 1
H.B. No. 1544, HD 1, SD 1, CD 1
H.B. No. 1550, HD 2, SD 1, CD 1
H.B. No. 1552, HD 2, SD 2, CD 1
H.B. No. 1627, HD 2, SD 2, CD 1
H.B. No. 1628, HD 1, SD 2, CD 1
H.B. No. 1676, HD 1, SD 2, CD 1
H.B. No. 1678, HD 1, SD 2, CD 1
H.B. No. 1692, HD 2, SD 2, CD 1
H.B. No. 1713, HD 2, SD 2, CD 1
H.B. No. 1776, HD 1, SD 1, CD 1
H.B. No. 1807, HD 1, SD 2, CD 1
S.B. No. 21, SD 1, HD 1, CD 1
S.B. No. 43, SD 2, HD 2, CD 1
S.B. No. 91, SD 2, HD 2, CD 1
S.B. No. 109, SD 2, HD 3, CD 1
S.B. No. 199, SD 1, HD 1, CD 2
S.B. No. 266, SD 2, HD 2, CD 1
S.B. No. 292, SD 1, HD 1, CD 1
S.B. No. 387, SD 1, HD 1, CD 2
S.B. No. 389, SD 1, HD 2, CD 1
S.B. No. 415, SD 2, HD 1, CD 1
S.B. No. 423, SD 1, HD 2, CD 1
S.B. No. 427, HD 1, CD 1
S.B. No. 464, SD 2, HD 2, CD 2
S.B. No. 496, SD 2, HD 2, CD 1
S.B. No. 659, HD 1, CD 1
S.B. No. 884, SD 2, HD 1, CD 1
S.B. No. 892, SD 1, HD 2, CD 2
S.B. No. 914, SD 2, HD 2, CD 1
S.B. No. 971, SD 2, HD 1, CD 1
S.B. No. 972, SD 2, HD 1, CD 1
S.B. No. 1066, SD 2, HD 1, CD 1
S.B. No. 1107, SD 2, HD 2, CD 1

S.B. No. 1160, SD 2, HD 2, CD 1
S.B. No. 1164, SD 2, HD 2, CD 1
S.B. No. 1202, SD 2, HD 2, CD 1
S.B. No. 1206, SD 1, HD 1, CD 1
S.B. No. 1218, SD 2, HD 2, CD 1
S.B. No. 1222, SD 1, HD 1, CD 2
S.B. No. 1224, SD 1, HD 2, CD 1
S.B. No. 1248, SD 1, HD 1, CD 1
S.B. No. 1329, SD 2, HD 2, CD 1
S.B. No. 1345, SD 1, HD 1, CD 1
S.B. No. 1352, SD 2, HD 2, CD 1
S.B. No. 1461, SD 2, HD 1, CD 2
S.B. No. 1664, SD 2, HD 2, CD 1
S.B. No. 1665, SD 2, HD 1, CD 1
S.B. No. 1673, SD 2, HD 2, CD 1
S.B. No. 1674, SD 2, HD 2, CD 1
S.B. No. 1678, SD 3, HD 1, CD 1

Sen. Com. No. 789, dated May 7, 2009, informing the House that the Senate has on April 30, 2009, reconsidered its action taken on April 16, 2009, in disagreeing to the amendments proposed by the House to the following Senate Bill and have moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 876, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEE'S RETIREMENT SYSTEM."

Sen. Com. No. 790, DATED May 7, 2009, informing the House that the Senate has on April 29, 2009, reconsidered its action taken on April 16, 2009, in disagreeing to the amendments proposed by the House to the following Senate Bills and have moved to agree to the amendments, and that said bills have this day passed Final Reading:

S.B. No. 522, SD 2, HD 1, entitled: "A BILL FOR ANN ACT RELATING TO LAND COURT."

S.B. No. 523, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY."

Sen. Com. No. 791, transmitting H.C.R. No. 199, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PRIVATE PRISON PERFORMANCE AUDIT OF SAGUARO CORRECTIONAL CENTER," which was adopted by the Senate on May 7, 2009.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Wooley introduced her mom, Mrs. Marilyn Wooley, and her Office Manager, Ms. Arlina Agbayani.

Representative Magaoay introduced his Office Manager Mr. Lawrence Sagaysay, Administrative Assistant Ms. Judy Fomin and Community Liaison Ms. Diana Bonsignore.

Representative Nakashima introduced Mr. Roger Takabayashi, President of HSTA, and Mr. Leroy Simms, Hilo High School Athletic Director and HGEA Hawaii-at-large Director.

ORDER OF THE DAY

At this time, the Chair announced:

"Members, at this time we will go over the veto overrides. Madame Clerk, is there a Governor's Message for action?"

Representative Herkes rose, stating:

"Mr. Speaker, I rise on a point of personal inquiry. My understanding is that we're here to consider overriding four bills that the Governor vetoed yesterday. Are those revenue bills?"

The Chair responded, stating:

"Correct."

Representative Herkes: "So, if we don't override, there will be a significant deficit and the budget will be out of balance."

Speaker Say: "Correct"

Representative Herkes: "I assume then that she's submitted a plan as to how she's going to deal with that loss?"

Speaker Say: "No."

"Representative Herkes: "Mr. Speaker, I recommend then, that we just go home and let her figure it out."

Speaker Say: "At this time I believe Representative Herkes, your statement is out of order. We are going to be addressing these measures."

At this time, the Chair addressed the Clerk who announced that, Gov. Msg. No. 346, transmitting House Bill No. 895, HD 2, SD 2, CD 1, without her approval and a statement of objections, was ready for action.

Gov. Msg. No. 346 and H.B. No. 895, HD 2, SD 2, CD 1:

Representative B. Oshiro moved to override the veto of H.B. No. 895, HD 2, SD 2, CD 1, as contained in Gov. Msg. No. 346, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the override, stating:

"Thank you. Mr. Speaker, I'm rising to speak against the veto override, with strong, strong objections, and to say to the Members, please listen to what I say and please understand. Mr. Speaker, I have been one of the biggest advocates for taxing cigarettes in this Chamber. I think the Members, at least those of you who have been here more than one year, know that my oldest son almost died from second-hand smoke. And I know there's a direct correlation with tying higher cost of cigarettes into stopping young people from starting that destructive habit, that addictive habit.

"The problem with House Bill 895 has been identified in the Governor's veto message, and let me just tell you a little bit about that. There are serious technical flaws in House Bill 895 and it affects the relationship between this bill before us now and Act 56 of Session Laws of Hawaii 2009. Act 56 is the cigarette tax increase. It's a cigarette tax increase that will bring $20 million into the coffers of the State. But more importantly Mr. Speaker, it's a cigarette tax increase that will stop young people from smoking.

"The veto message talks about certain consequences between the interaction of Act 56, our cigarette tax increase, and this bill, and how there could be a suspension of the tax on tobacco products and how it could lower the cigarette tax.

"We asked our research office to take a close look at this. And they, to my understanding, have seen the difference of opinion that's reflected within the Administration and the Department of Taxation and the Attorney General. In other words, the Department of Taxation, the Director, and the AG have differing opinions of what could be the consequences from overriding the Governor's veto. What could be the consequences of letting this bill become law.

"We know that we have a muddled situation. If we had had time to deal with all of the people and bring them to the table, we would have proposed

an amendment to the bill, which I would have presented to the Members and said, 'Save the cigarette tax, don't put it in jeopardy.'

"The big step that we will take, if you vote to override the Governor's veto, is that you threaten that increase on the cigarettes. The revenue gain that you'll gain from this little bill is $1 million, versus $20 million in the existing Act.

"If we're talking about balancing the budget, I would rather lose the $1 million and let the Governor's veto stand and not jeopardize Act 56. And even more than that, I would like in addition to wanting to have that $20 million, Mr. Speaker. I want that cigarette tax to be implemented, to be upheld and to stop young people from smoking.

"So those of you who support a cigarette tax should vote no on overriding the Governor's veto. And those of you who like to be able to let youngsters buy their cigarettes for less money and don't care about the $20 million in our coffers, then you vote to override the Governor's veto. Thank you."

Representative Yamane rose to speak in support of the override, stating:

"Thank you Mr. Speaker. I'm standing in strong support. Mr. Speaker and Members, let's be clear. This measure is dealing with 'other than cigarettes.' We're talking about products like these: flavored cigars, grape flavored and sweet tobacco.

"Members, on April 1st, 2009, the federal government added on a tax to the little cigars at the same rate as cigarettes. Please let me highlight also for you that on these products, we have not raised the taxes on these products since 1965. That's over 40 years ago, Members.

"It has been proven and highlighted by the previous speaker, that cost is a deterrent for these products. Now there was discussion in the Governor's message regarding ring sizes. Standard cigar ring gauges and lengths. Members, I also want to state that in this website they say, traditional cigar shapes or formats vary greatly in size from brand to brand. So it is important to describe cigars by their dimensions, length and diameter, as well as by their shape.

"So Members, those of you who partake in this product know, on average, what the standard size of a cigar is. Let's be clear. We are trying to do a public health initiative with this tax increase. Members, remember that cancer, such as lung, oral cavity, larynx and esophagus cancers, are directly related to cigarettes, cigars and smokeless tobacco.

"Members, many of you may have friends and family that have been affiliated, who have had unfortunate experience of having loved ones suffering from lung cancer, heart disease, chronic obstructive pulmonary disease or COPD. Today's measure before you that we are looking at overriding, is trying to address an issue of these products targeting our young people.

"In a recent study among Hawaii public schools, it reports that smokeless tobacco use has increased from 2.8% in 2003, to 3.7% in 2007. Members, today before you, this is a revenue driven opportunity. However more importantly, this is a public health initiative. Thank you."

Representative Thielen rose to respond, stating:

"Thank you Mr. Speaker, in response. The bill jeopardizes Act 56. The Governor wisely vetoed it, and as she explained, there is certainly an unclarity in this bill. There's also a 'tax holiday' that the bill puts in for tobacco products from the day the bill becomes law until September 29, 2009.

"The bill is flawed, and it is absolutely imperative that we protect Act 56, which is the higher tax on cigarettes, if we're going to protect the health of our young people, our residents and our community at large.

"So those of you who want to see Act 56 stay in place and tax cigarettes at the higher rate, and protect that bill and protect that $20 million, then those of you will vote no on the veto override."

At 10:29 o'clock a.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 10:38 o'clock a.m.

The Chair addressed Representative Takumi, stating:

"Representative Takumi, has your question been answered?"

Representative Takumi responded, stating:

"Mr. Speaker, thank you very much. I just wanted some clarification and I got it. Thank you, very much."

Representative Yamane rose to respond, stating:

"Thank you Mr. Speaker. Let me attempt to try to clarify the discussion. Again, I guess my initial statement was confusing, so let me restate it.

"This bill is Relating to Tax on Tobacco Products Other Than Cigarettes.' Mr. Speaker, when the descriptions and definitions and even the schedule for light cigars was established, we related it to the same schedule and time frame, as well as the same level of taxation to mimic the current tax on cigarettes, not to replace, Mr. Speaker. So there are two different products. One, cigarettes, and the second one again Mr. Speaker, are tobacco products like these, that are intended to attract our youth. Thank you."

Representative Thielen rose, stating:

"It's just a point of clarification, Mr. Speaker. Because of the recess discussions that we all had. The Administration has to implement this law. It says it has major flaws and it won't be able to implement it. It's a flawed bill, and vetoed for sound reasons because it's defective, and …"

The Chair addressed Representative Thielen, stating:

"Representative Thielen, you stated your point. Please sit down at this point. This is your third time speaking."

Representative Thielen: "I'm trying to do a point of clarification Mr. Speaker."

Speaker Say: "And the clarification has been made before this Body."

Representative Thielen: "Thank you, Mr. Speaker. That bill is not going to go anywhere, but it jeopardizes the $20 million …"

Speaker Say: "Representative Thielen, you are out of order."

Representative Finnegan rose to speak in opposition to the override, stating:

"Thank you, Mr. Speaker. I rise in opposition. Thank you, Mr. Speaker. We all know how important this issue is to the Representative from Kailua, so I think when she speaks, she's being very genuine in regards to supporting the veto because she is for the health consequences that she believes are in this bill.

"Mr. Speaker, I just wanted to address, after hearing the veto message, and hearing the arguments from the speaker from Kailua, as well as reading the veto message. The Chair of Health did not address or rebut the issue of the tax holiday or the flaw that this bill creates to the cigarette tax revenue and the consequences to health.

"Mr. Speaker, I was not privy to that conversation that took place on whether or not we're addressing that, or if that's something that we don't care about, but let's not be blind to doing the right thing. I encourage everyone on the Floor to be independent and support the Governor's veto."

Representative B. Oshiro rose to speak in support of the override, stating:

"Mr. Speaker, I rise in support. Very briefly, I just wanted to counter this misinterpretation that somehow we've created a tax holiday, or there's an inconsistency. This is a very strange legal interpretation, because if you talk to the Statutory Revisor, the people that do our HRS, if anybody has actually gone through our HRS and read it, they would see that what happens when they go and put in various Acts, is various subsections have different effective dates at times, and that seems to have been the question. Act 56, HB 1175, had an effective date of June 30, 2009, whereas this is effective upon approval; the bill before us, House Bill No. 895.

"So I guess the question is, if one is saying it's effective upon approval, that would be today. And the other one says June 30, 2009. What happens if all of a sudden you're dealing with the same issue? And that would be a question, if we were dealing with the same issue, but we're not. It's very apparent, because, let me read the title of this. It says, "A Bill for an Act Relating to Tax on Tobacco Products Other Than Cigarettes." And so every single provision, ever single Ramseyer change, if people know how to read Ramseyer, is dealing with something not about cigarettes. HB 1175, because that's, 'Relating to Cigarettes,' deals with provision relating to cigarettes. I don't know how much more simple I can make it, but that's pretty much as clear as it will get. And the Statutory Revisor, they're really good. They'll figure out how to make it readable. Thank you."

Representative Ching rose to speak in opposition to the override, stating:

"Thank you Mr. Speaker. I rise in opposition. I'm concerned about some of the ambiguity. I'm concerned about the technical flaws. I certainly wouldn't want to decrease our revenue."

Representative Ward rose, stating:

"Mr. Speaker, I yield my time to Representative Thielen."

The Chair responded, stating:

"No. She's already stood up three times, Representative Ward."

At 10:44 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 10:47 o'clock a.m.

Representative Finnegan rose to respond, stating:

"Thank you Mr. Speaker, still in opposition. In rebuttal to the Majority Leader, there are just two points that I would like to make and one is that, the bills touch on the same sections and refer to same sections in the HRS. and although I haven't been able to do a comparison, there's a probability from my point of view that I think that there could be exactly what the Governor says in her veto message.

"But more importantly, his accusation that the AG's Office does not read the HRS, is something that baffles me. I mean the AG's Office and everyone who works in the AG's Office, on a daily basis, or every work day at least, have to interpret and work in the HRS, constantly. All day long. And to think that we are more comfortable, or versed in the HRS and that the AG's Office is not, I think is not the right accusation to make. Thank you."

Representative B. Oshiro rose to respond, stating:

"Just a fast clarification. I never said the Attorney General doesn't read HRS. I just said, 'some of us.' Thank you."

At this time the Chair called for a roll call vote and the motion to override the veto of H.B. No. 895, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ON TOBACCO PRODUCTS OTHER THAN CIGARETTES," as contained in Gov. Msg. No. 346 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, 42: Aquino, Awana, Belatti, Berg, Brower, Cabanilla, Carroll, Chang, Chong, Choy, Coffman, Evans, Hanohano, Har, Herkes, Ito, Karamatsu, Keith-Agaran, C. Lee, M. Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakashima, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Saiki, Say, Shimabukuro, Souki, Takumi, Tokioka, Tsuji, Wakai, Yamane and Yamashita.

Noes, 6: Finnegan, Marumoto, Pine, Thielen, Ward and Wooley.

Excused, 3: Bertram, Ching and Takai.

At 10:51 o'clock a.m., the Chair noted that the motion to override the veto had carried, and H.B. No. 895, HD 2, SD 2, CD 1, as contained in Gov. Msg. No. 346, was approved.

At this time, the Chair addressed the Clerk who announced that, Gov. Msg. No. 347, transmitting House Bill No. 1741, HD 1, SD 1, CD 1, without her approval and a statement of objections, was ready for action.

Gov. Msg. No. 347 and H.B. No. 1741, HD 1, SD 1, CD 1:

Representative B. Oshiro moved to override the veto of H.B. No. 1741, HD 1, SD 1, CD 1, as contained in Gov. Msg. No. 347, seconded by Representative Evans.

Representative Pine rose to speak in opposition to the override, stating:

"Mr. Speaker, in opposition. I rise in strong opposition to this bill that increases taxes. This measure would increase the Conveyance Tax from anywhere between 76% and 233% on the current level of Conveyance Tax on certain properties. It would also increase taxes anywhere between 14% and 250% on second-home buyers. These are substantial tax increases that will do great harm to our economy.

"Throughout this economic downturn, Hawaii has been fortunate to have a relatively stable real estate market. We did not, for instance, have as much problems with the subprime lending that hurt so many states in the Mainland.

"Unfortunately, things have taken a turn for the worst in Hawaii's real estate market. Since April of 2008, property values for single family homes and condominiums have dropped. I acknowledge that this is a modest decrease of 8.5% and 5.2%, however there are numbers that suggest that these numbers will fall even further. Sales of single family homes have fallen 26.2% since April 2008 and sales of condominiums have decreased 33% in that same time period.

"These falling sales numbers, Mr. Speaker, demonstrate that the sale of property has fallen considerably. The raising of the Conveyance Tax will only serve to make a bad situation even worse. A selling property will be more expensive. There is a good chance that sales could fall so much that we will not see the expected revenue increase from this bill.

"There is even worse news in the area of foreclosures. Hawaii has consistently been ranked in the top 10 states in terms of foreclosure filing for every household. Now we are in a freefall. Just this past March, Hawaii foreclosures increased 503%. When compared to the other states, that increase was second only to North Dakota. Now Hawaii is ranked in the middle of the pack of foreclosure rates on all states, and we could fall to the bottom half very soon.

"The numbers are very clear, Mr. Speaker. Real estate is in trouble. Yet instead of helping this industry, we will do just the opposite through this bill. This tax increase means an increase of the cost of homeownership because it will apply to the price that the property is sold for. It will only add to the already high prices in Hawaii. Moreover Mr. Speaker, it will harm businesses.

"Properties purchased for use by businesses are already subject to higher-tier Conveyance Tax, as businesses are not eligible for a county homeowner's exemption on property taxes. The result of all of this would, as the Governor put it, discourage investments, adversely impact land transaction to promote business and housing development, and further slow our economic recovery by extracting money out of the pockets of families and businesses.

"Some say that this bill only affects the very rich. But this is a very narrow view. I come from a very large Filipino family Mr. Speaker, and there are certain people in our family that have the type of credit that would allow us to buy homes. So several of us in our family, especially my grandmother, own multiple homes so that others can live in these homes, who according to a lender would not be accepted as that home buyer.

"My grandmother is now nearing an age where we're starting to consider selling the other properties, but because of this, she would be charged. And these properties she bought for $50,000 and they just so happen to now be in areas that are considered wealthy.

"The tax increase is not just limited to residential property. It also applies to nonresidential property such as commercial, industrial and agricultural. This leads to higher taxes on properties that house a business. This means additional cost of this tax will eventually make its way down to the common every day consumer through additional costs on goods and services.

"Furthermore Mr. Speaker, this bill will harm all types of businesses. For instance, if a nonprofit organization buys a building that cost $4 million for its headquarters, instead of paying $12,000 in Conveyance Tax, it will have to pay $28,000 in Conveyance Taxes, over 130% more thanks to this bill's tax increase. That's $28,000, or part of that, that would have gone instead to helping the poor or the homeless or the elderly.

"Not only does this bill harm property buyers, it hurts renters as well."

Representative Thielen rose to yield her time, and the Chair "so ordered."

Representative Pine continued, stating:

"For starters, it temporarily reduces from 30 to 25% the distribution of the Conveyance Tax revenue to the Rental Housing Trust Fund. That trust fund has been instrumental in the creation of thousands of affordable rentals over the years. This 17% decrease will hinder the State's ability to produce new affordable rental units that the State desperately needs.

"The slumping economy is causing people to lose jobs and putting people on the street. They need affordable housing options and we cannot take that away from them. Again, we accomplish the opposite through this bill.

"Secondly, because rental properties also fall under this tax increase, affordable housing projects will be further hurt by this measure. In her veto message, the Governor used the example of Kukui Gardens, stating that an affordable housing project like Kukui Gardens that sold for $72 million, will now cost $500,000, over half a million dollars more in Conveyance Taxes, if this bill became law. And $500,000 could have been used to help someone, or an individual or a family, buy that rental in Kukui Gardens.

"Mr. Speaker, if we are to quickly recover from this economic downturn, we cannot continue to take money out of the economy. Yet through this bill we will do just the opposite. And this will mean a further delay in our economic rehabilitation. This is just bad for business, bad for the economy, and it won't help Hawaii's recovery.

"I think the Tax Foundation of Hawaii summed it up when he talked about this bill, and he did it the best way: "This bill perpetuates the concept that Hawaii is certainly a tax hell."

Representative Cabanilla rose to speak in support of the override, stating:

"Thank you, Mr. Speaker. I rise in support of the override and I would like to comment on the veto message from the Governor regarding affordable housing projects. But before I go there Mr. Speaker, I just want to disclose to this House that I own several houses on Oahu and I even own several commercial apartment rentals. And this bill will affect me adversely. It will be a few thousand dollars for me. But in the absence of any other means to balance the budget, I wholeheartedly supported it, because when I got elected, I said, I will serve the people of Hawaii. And this measure is necessary, Mr. Speaker.

"Now with the affordable housing projects, it says that the bill would adversely affect it. First of all, affordable housing projects are built in collaboration with other projects, multi-million dollar projects. They are a part of it. But let's not forget that the affordable section of it is usually subsidized with tax credits. It would be very difficult to isolate the affordable housing projects when we transfer those properties. And yes, the developers need to pay Conveyance Tax on these affordable housing projects, because I think that we, as the government, gave them incentives to build.

"I think it's a bad analogy to bring affordable housing in here, because if it costs over a million dollars for the affordable housing, then it’s a fraudulent affordable housing project. I don't think it should be affordable in that case. We're only taxing houses that are over $1 million.

"Let's take Kukui Gardens. That was part of this example here. First of all the transfer Conveyance Tax was waived. When it's sold the other units, it will not be over $1 million when they do transfer those. So I urge my colleagues here to think beyond this veto message, and I think that we're doing something fair for the people of Hawaii. Thank you, Mr. Speaker."

Representative M. Lee rose to speak in support of the override, stating:

"Mr. Speaker, I rise in support. Mr. Speaker, this bill raises the Conveyance Tax for sales over $2 million, and second or investment house purchases. It's expected to generate $8 million combined in fiscal years '10 and '11 from the Conveyance Tax increase on only the highest priced real estate.

"Here's a breakdown for the amount of real estate transactions. Between $2 million and $4 million, you would pay 20 cents more per $100 of value. That means at $2 million, you will pay $4,000 more, or one-fifth of 1% more.

"Between $4 million and $6 million, you would pay 40 cents more per $100 of value. That is at $4 million, you would pay $16,000 more. That's two-fifths of 1% more.

"Between $6 million and $10 million, you would pay 60 cents more per $100 of value. That means at $6 million, you would pay $36,000 more, three-fifths of 1% more.

"Greater than $10 million, you would pay 70 cents more per $100 of value. That is at $10 million you would pay $70,000 more. Seven-tenths of 1% more.

"Additionally, this bill is expected to generate $6 million combined in fiscal year '10 and fiscal year '11 from the redistribution of funds going to the Rental Housing Trust Fund and the Natural Areas Trust Fund.

"Now how does this bill affect the budget? It's very important. We were able to restore items such as the following, which were cut by the Governor and were priorities of our subject matter Committees. Restored were the following: $500,000 in fiscal year '10 and '11 for invasive species support; $379,480 in fiscal year '10 and fiscal year '11 for regional stream studies; $51,312 for a geologist position in the water resources program; $90,000 in fiscal year '10 and '11 for Anuenue Fisheries Research Center; and $44,000 in fiscal year '10 and '11 for historic preservation, something I know that is dear to the hearts of most of us.

"So Mr. Speaker, I urge the Members support of this bill and I hope the people will vote to override the veto."

Representative Evans rose to speak in support of the override, stating:

"Thank you Mr. Speaker, in strong support. I wanted to take a few minutes and just paint the bigger picture, a frame of reference for people. I think we have to be reminded that we don't have high property taxes in Hawaii. And why do we not have high property tax? One of the reasons is because State government takes on a lot of responsibilities that in places on the mainland, the local township or the local county or the local city takes on.

"We have a huge amount of responsibility for our roads, for our airports, for our Department of Education, higher education. We do a lot of services for the public. And what strikes me is that, when I looked at this bill, to think, currently in law it says, 30 cents per $100 for properties with the value of $1 million or greater. That's it. We have not updated this law in so many years, and the value of properties have skyrocketed so much. Now when you look at this bill, it says 50 cents per $100 for properties with a value of at least $2 million, but less than $4 million; 70 cents per $100 for properties with the value of at least $4 million, but less than $6 million; 90 cents per $100 for properties with a value of at least $6 million, but less than $10 million; and $1 dollar per $100 for properties with a value of $10 million or greater.

"It's phenomenal that we are, even today in this Chamber, saying that we have properties out there worth more than $10 million. And what do those $10 million properties, those taxpayers want? They want good roads. They want basically, good police and fire protection. They want to make sure that they feel safe and sound. They have a good quality of life. They want their beaches protected. They want good water quality. They want all those things that the rest of us have. But I will claim to you that those people are not having a problem with this bill. Thank you."

Representative Marumoto rose to speak in opposition to the override, stating:

"Thank you, Mr. Speaker. In opposition. I'm glad the Majority Floor Leader pointed out that our county taxes are low, but I would like to remind her that the counties here in Hawaii do not have to provide for education or health services as mainland counties have to do, and other expenses, because the State takes care of them. We have a nice State income tax that takes care of a lot of things, not to mention an awesome money-making General Excise Tax machine.

"But we're dealing with the Conveyance Tax right now, and I am opposed to overriding the veto mainly because not only does this bill hit us where we live, but it hits us where we work. I would like to remind all of you that this will cover restaurants, factories, hotels, stores, offices, warehouses, farms and ranches. It will increase the cost of purchasing these places of work and increase the cost of doing business and increase the cost to consumers. Thank you."

Representative Rhoads rose to speak in support of the override, stating:

"Mr. Speaker, in support. I just wanted to reiterate one of the points that the Chair of the Committee on Housing made that has to do with Kukui Gardens. Kukui Gardens of course, was an affordable housing project that the State bought a part of a couple of years ago. In that transaction, the Conveyance Tax was waived. So if the same transaction had occurred today, there would be no Conveyance Tax because the Conveyance Tax was waived. This bill does nothing to alter the waiver authority that the State has in that situation. So there wouldn't be $504,000 more dollars because the State could still waive the fee if they chose to in a particular situation like that. Mahalo."

Representative Finnegan rose to speak in opposition to the override, stating:

"Thank you, Mr. Speaker. I am in opposition, and I have two points to make. Mr. Speaker, I understand the example that the Chair of Labor and Chair of Housing were mentioning about Kukui Gardens, but that is an example. We would have to, instead of having some kind of exemption for nonprofits, or churches, or affordable housing that would give a clear distinction of who gets taxed when properties are conveyed. This does not have that. So that very well could be that projects like that, like Kukui Gardens, would be taxed at an additional at whatever amount that was mentioned earlier.

"Mr. Speaker, and I just wanted to also talk about the Chair of Housing. I was a little puzzled by her mentioning that affordable housing doesn't cost $1 million. Well, if it's affordable housing as a project, and when it gets conveyed, just like commercial units, if you don't sell maybe every single unit in a commercial building, it's the project as a whole. So that's the same thing as affordable housing. It's possible to have a project that sells for over $1 million. And so that's what I believe the Governor's message was trying to address.

"Mr. Speaker, in my history with real estate and mortgages, one of the things that I've seen in Hawaii, and this is commonplace Mr. Speaker. We talk about $2 million properties, commonplace, over and over again, that I would see people who are asset rich, but cash poor. They own a home in Manoa, own a home in wherever else. Asset rich and cash poor. That doesn't mean that they can afford another $4,000 in Conveyance Tax. Some of those people are parents or grandparents. I remember one of my clients, she thought that she could go to the store and buy shrimp that week when I refinanced her. It was so interesting to see Hawaii very unique in the middle of the ocean, and be so asset rich and so cash poor.

"So Mr. Speaker, those are the reasons why I'm going 'no' on this bill. Thank you."

The Chair then announced:

"Members, at this time, we will be taking a roll call vote once more."

Representative Ward rose, stating:

"Mr. Speaker, a point of information. Did someone call for a roll call, or was that from you?"

Speaker Say: "I called for it. On all overrides, there is a roll call vote that is required."

At this time the Chair called for a roll call vote and the motion to override the veto of H.B. No. 1741, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," as contained in Gov. Msg. No. 347 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, 39: Aquino, Awana, Belatti, Cabanilla, Carroll, Chang, Chong, Choy, Coffman, Evans, Hanohano, Har, Herkes, Ito, Karamatsu, Keith-Agaran, M. Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakashima, B. Oshiro, M. Oshiro, Rhoads, Sagum, Saiki, Say, Shimabukuro, Souki, Takumi, Tokioka, Tsuji, Wakai, Wooley, Yamane and Yamashita.

Noes, 9: Berg, Brower, Finnegan, C. Lee, Marumoto, Nishimoto, Pine, Thielen and Ward.

Excused, 3: Bertram, Ching and Takai.

At 11:15 o'clock a.m., the Chair noted that the motion to override the veto had carried, and H.B. No. 1741, HD 1, SD 1, CD 1, as contained in Gov. Msg. No. 347, was approved.

At this time, the Chair addressed the Clerk who announced that, Gov. Msg. No. 348, transmitting House Bill No. 1747, HD 1, SD 1, CD 1, without her approval and a statement of objections, was ready for action.

Gov. Msg. No. 348 and H.B. No. 1747, HD 1, SD 1, CD 1:

Representative B. Oshiro moved to override the veto of H.B. No. 1747, HD 1, SD 1, CD 1, as contained in Gov. Msg. No. 348, seconded by Representative Evans.

At 11:16 o'clock a.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 11:16 o'clock a.m.

Representative Pine rose to speak in opposition to the override, stating:

"I rise in opposition to this veto override of the tax increase for House Bill 1747. I'd like to read part of the Governor's veto message:

'This bill is objectionable because it increases the tax burden on Hawaii's families and small businesses by increasing the marginal income tax rate by as much as 33 percent. Hawaii currently has the eighth highest top personal income rate in the United States. By increasing the top marginal tax rate from 8.25 percent to 11 percent, this bill will make Hawaii the state with the highest personal income tax rate in the nation. Although there is a misconception that only wealthy people will be affected, this bill will adversely impact almost 37,000 persons, of which 27,000 are sole proprietors, partnerships, or subchapter 'S' corporations whose owners report their business income through personal income tax returns.'

That's business income.

'In this broad recession which affects both the wealthy and the poor and where recovery depends on people investing, buying consumer goods, donating to charities, a tax increase will put an unnecessary strain on everyone's pocket. Small business owners who count their business income as personal income will find it more difficult to support and grow their enterprises. This could mean more business closures, layoffs, and fewer job opportunities.

'Furthermore, these tax increases will make it more difficult to attract high caliber talent to Hawaii--professionals such as psychiatrists, neurosurgeons, astronomers, or engineers--who earn higher salaries and who will be deterred by our high taxes, as well as our high cost of living. In an economy in serious need of top quality talent and a kick start, this is a bad idea that is not worth the revenue impact this bill is expected to produce.

'During these difficult economic times, when we need to take action to support our families and our businesses, we should not be taking actions to balance the State budget at the expense of the taxpayers.'"

Representative Chong rose to speak in support of the override, stating:

"Thank you Mr. Speaker, in support of the override. Thank you, just some clarification on this bill. First of all, it will generate about $48 million as tax increase on income for the top 2% of earners in Hawaii. This means this will not raise taxes for 98% of tax earners.

"Just so everybody's clear, there will be no tax changes for individuals who earn less than $150,000 a year; heads of household with taxable income less than $225,000 a year; or joint filers with taxable income less than $300,000 a year.

"Mr. Speaker, let me clarify two terms which have been used by the prior speaker, as well as the Governor. First of all, taxable income. People need to be very clear that this is not one's gross wages. This is after your deductions. So if as a joint filer you have taxable income over $300,000, your gross wages are likely quite much more than that.

"Secondly is the issue of marginal tax rate, and that was in the Governor's declaration. Because people are misconceiving, or trying to give a different impression of what the increase really is. A marginal tax rate is exactly that – you pay based on the margin of the additional bracket. So as an example, the person who earns $40,000 a year and the person who earns $1 million a year, those two people pay the same amount of taxes on the first $40,000 of their income. So even the millionaire pays at the same rate for the first $40,000 of their income as a person who earns $40,000 overall.

"So the increase is only on the marginal rate above, now, $150,000 for an individual, $225,000 for head of household, and $300,000 for joint filers. The new higher rate does not apply to their whole income, just on the income above that rate.

"Next, based on Hawaii's 2006 income tax data, again, this will only apply to a little over 2% of taxpayers.

"The other thing that people have not talked about is we have increased the standard deduction and the personal exemption by 10%. This will happen in 2 years, and if I'm not mistaken, it covers maybe at least 40% of all taxpayers. About half of us itemize, half of us take the standard deduction on the personal income tax.

"Also, for people who this will affect, these individuals took home $6 billion, or 41.6% of the total annual income declared in 2002. Now, what does this help us do? This helps us balance our budget, but also it helps us provide services to the public for a whole host of important things. Whether it be dental services for those who cannot afford it, especially the elderly and the needy. Immigrant health services, which needed to be restored. Things like Keiki Care, and most importantly, Medicaid, which many people in our State rely on.

"I think that this is a good bill, and again it only affects the top 2% of income earners in the State. I ask the Members to support it."

At this time the Chair called for a roll call vote and the motion to override the veto of H.B. No. 1747, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," as contained in Gov. Msg. No. 348 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, 35: Aquino, Awana, Cabanilla, Carroll, Chang, Chong, Choy, Coffman, Evans, Har, Herkes, Ito, Karamatsu, Keith-Agaran, M. Lee, Luke, Magaoay, Manahan, Mizuno, Morita, Nakashima, B. Oshiro, M. Oshiro, Rhoads, Sagum, Saiki, Say, Shimabukuro, Souki, Takumi, Tokioka, Tsuji, Wakai, Yamane and Yamashita.

Noes, 12: Belatti, Brower, Finnegan, Hanohano, C. Lee, Marumoto, McKelvey, Nishimoto, Pine, Thielen, Ward and Wooley.

Excused, 4: Berg, Bertram, Ching and Takai.

At 11:26 o'clock a.m., the Chair noted that the motion to override the veto had carried, and H.B. No. 1747, HD 1, SD 1, CD 1, as contained in Gov. Msg. No. 348, was approved.

At this time, the Chair addressed the Clerk who announced that, Gov. Msg. No. 349, transmitting Senate Bill No. 1111, SD 1, HD 1, CD 1, without her approval and a statement of objections, was ready for action.

Gov. Msg. No. 349 and S.B. No. 1111, SD 1, HD 1, CD 1:

Representative B. Oshiro moved to override the veto of S.B. No. 1111, SD 1, HD 1, CD 1, as contained in Gov. Msg. No. 349, seconded by Representative Evans.

Representative Ward rose to speak in opposition to the override, stating:

"Mr. Speaker, I rise in strong opposition to this override. Mr. Speaker, what if I arrived at the airport, I had a temperature of 101 degrees F, I was dizzy, I was headachy and I was vomiting. What would you do? First we'd find out is it true? Was I faking it, or was it real? And then you would probably take action. But Mr. Speaker, I would submit that we are looking at a sick patient, the tourism industry, and denying that there's vomiting, that there's a temperature, that it's sick.

"For example, take the symptoms for example. We're in the steepest decline in 22 years, the visitor industry. The occupancy rate last month

was 66%. You know what break-even analysis is. We're bumping right up close to break-even on this. March was the 13th consecutive monthly decline. That's a real trend line when you've got 13 in a row. We've had 100,000 residents working in the visitor industry. It's still the king of our economy. It's still the driver of the economy. And the hotel industry, in order to ameliorate this decline and this sickness has already cut rates 12%. Mr. Speaker, is now the time to add 2% on to the TAT tax?

"This revenue generated in 2010 will be $29 million. But we are jeopardizing $12.5 billion that it brought in, in 2008. The problem with this bill is that it will prolong our State's ability to recover it's economic vitality. And Mr. Speaker, let us be very frank about this, if tourism doesn't recover, *Hawaii nei* doesn't recover. That's a very key connection. These two are linked. So why are we jeopardizing this? Why are we taking the risk? Is this not penny-wise and pound-foolish? If this is the goose that's laying the golden egg, why do we want to possibly deny that it's sick? We want to push it and we want to keep it in full production.

"Mr. Speaker, I think we need a new Hippocratic Oath for the visitor industry. That is, 'do no harm.' I know we've lived off of our good looks for quite awhile. We're always assuming because we're Hawaii, they'll come. We've seen what's happened to the Japanese visitor. They used to be here in the millions. Now they have a steep decline over the last 5 years, increasingly going to less expensive places, increasingly going to more attractive, competitive places. Just because we're good looking, that doesn't mean we're always going to have suitors waiting for a chance to come to Hawaii. Mr. Speaker, we cannot take our industry for granted.

"And lastly Mr. Speaker, I would say to our colleagues on the Floor, this is our last chance to not be labeled one of the biggest tax increase Sessions in the history of the State of Hawaii, in the history of this Legislature. Please vote on the side of the people. Please vote not to override this veto. Thank you, Mr. Speaker."

Representative Herkes rose to speak in support of the override, stating:

"Mr. Speaker, in support. And I think the previous speaker ought to make up his mind. Now he's supporting tourism. For the last two weeks he's been trashing hotel jobs. 'We don't want our people folding sheets and making beds.' Those are good jobs."

Representative Evans rose to speak in support of the override, stating:

"Thank you Mr. Speaker, I rise in support. First of all, I find it hard to believe that our HTA and our Administration would actually send the message out around the world that we're too expensive to come to Hawaii. When you really look at the reality of this bill, if this bill passes, on July 1st, $1 on $100 is the impact. Unbelievable. When she was talking about the flu and the problem with coming to Hawaii because maybe there's swine flu out there, I want you to know that the swine flu and the fact that people's savings accounts got in a lot of trouble this year because of what happened with the global economy, the meltdown of the economy. We know that things have slowed down. They haven't slowed down and they will not slow down because of $1 on $100.

"When I really reflected on this, what I realized is to keep our tourist industry really whole in the next year as we go through this global situation, how we're going to recover globally, and how people are going to feel more confident in traveling, we're going to deal with the 'swine flu.' Everybody's going to feel comfortable that we've taken care of things when people travel around the world.

"In the meantime, until people's confidence gets back, what's going to hold the tourist industry is us. We need to fly around. We need to go. The people from Oahu need to vacation on Kauai. People on the Big Island need to go to Molokai. They need to travel within their State. They need to feel good about what's here. It’s a beautiful State. And I encourage everybody to go and travel this year. That's how we support each other.

"But let me put this in perspective for everybody out there. If a family of 4 traveled from Oahu to Kauai, they would get a *kama'aina* rate. We called some of the places over there. We even found a place for $88 a night for a 2 bedroom suite. But we rounded it off for people here. $100 a night. Currently, if you traveled there, for $100, you would pay currently 7.25% TAT tax, and a GET tax of 4.167%. Therefore, to go to Kauai, one night stay, $111.42.

"When this bill passes, on July 1st, 2009, your one night stay would be $112.42. That's $1 more. On July 1st, 2010, it goes up another 1%. That means on July 2010, after July 1st, your cost would be $113.42. We're talking $2 more in July 2010. And I claim to you, our people here understand the challenges we had on balancing our budget. Yes, there were cuts, a lot of program cuts, but also there are a lot of services that people need in Hawaii.

"And I claim to you that this was a much better route than looking at that GET tax. Because if our family of 4 had gone to Kauai and we had raised the GET tax, they would still be paying $1 more on a $100 for that room rate, and also paying 1% more on the food they ate at the restaurant, if they bought a souvenir, if they wanted to go for a boat ride or a tour ride, if they wanted to rent a car, they would have paid more for all of those things. For that matter, I think this was a good compromise, a good way to try to deal with the problems we have this year. Thank you Mr. Speaker."

Representative Pine rose to speak in opposition to the override, stating:

"You know, there are a lot of people watching and saying that we just don't get it, do we. In opposition of the override. In opposition of this very, very bad bill, Mr. Speaker.

"Throughout this Session I've been sitting here and a tax increase has been described as, 'It's just a Starbucks.' Another speaker earlier said, 'It's just $4000 more.' 'It's just $1.' There're people out there saying, 'You just don't get it.' It's an addition for this $1, since Hawaii has an average of $170 a night, compared to the $100 nationwide. We're not just $1 more, we're $70 more than the average night stay. So, a family will come to Hawaii, not only will they buy that very expensive plane trip, not only will they be paying our ridiculous GET sales tax that charges us several times over. Not only will they be paying one of the highest gas taxes in the nation, but they're also not going to just pay $1 more, for a 5 day stay, they're going to be spending almost $400 more than the average hotel stay for the same trip. You add all the plane trips for that family of 4, and you're look at a trip that costs between $3000 and $4000.

"You know earlier, a lot of people said, 'Well in New York, they have higher taxes than us.' Well let's look at New York. According to the New York City tourism agency, the top 5 places of tourist origin were from New York, Philadelphia, Hartford, Boston and Washington DC. In other words, the majority of the New York City tourists came from less than 5 hours away by car and 2 hours away by plane.

"Only 54% of overnight visitors actually stayed in hotels. 30% lodged in a private home. The average length of stay in New York City was 2.2 days, 51% of the tourists only take day trips.

"On the contrary, the top 3 states sending visitors to Hawaii were California, Washington and Texas. All had to get on a very lengthy and expensive plane ride. The average length of stay in Hawaii was between 9 and 13 days, depending on the visitor's origin. You cannot take a day trip to Hawaii.

"So according to the $1 rule, if we actually extended it to 9 to 13 days, a family of 4 can spend thousands of dollars more, not just $1 according to the national average. Bottom line, Hawaii's tourism market is completely different, not to mention a good deal of New York City tourists don't spend the night in a hotel. Probably because of the high taxes."

Representative Chong rose to speak in support of the override, stating:

"Thank you, Mr. Speaker. In support, and just a clarification. You know, there's a lot of numbers being thrown around at this time. And just to follow up on what the Majority Floor Leader said. Again, it's $1 a day for every $100. If I'm not mistaken, it was either for March or April, the average hotel room rate was $183. That means $1.80 more per day. For 5 days, that is $9 more for a 5 day trip. I don't know where somebody got

$400, but $1.80 for the average room rate of $180 or so, times 5, is $9 for a 5-day stay. Thank you."

Representative Pine rose to respond, stating:

"Again, it's not just $1 that we're paying on average more than other places throughout the nation. I think leaders have been saying, 'It's just $1' for about 50 years now, whenever we want to raise a tax or a fee that will affect the people of Hawaii.

"I'm very emotional about this bill, because the largest union in my district comes from the Hotel Workers Union. And they are very worried. They don't see it just as the $1. They see what it was like when the gas fares went up. And they saw a decline in visitors coming. They saw their brothers, their sisters, their cousins, their aunts, their uncles getting laid off during that time. It isn't just $1. This is their life. And to simplify it in terms of just $1 is so insulting to them, because they've been hearing that, 'It's just $1' for years. This is their life."

Representative M. Oshiro rose to speak in support of the override, stating:

"Thank you, Mr. Speaker. I stand in strong support of overriding the Governor's veto on this bill. There are a couple of points I need to make. First of all Mr. Speaker, there is a benefit to this bill that is connected to House Bill 754, which was approved by this Body yesterday and sent to the Governor. Two points need to be made there, and the industry knows this Mr. Speaker.

"Number one, in House Bill 754, there is a provision, which is very important to the tourism industry regarding marketing. The provision in that bill would allow an expansion of the definition for an emergency. And that's very important because it would allow an additional $5 million to be given to the Hawaii tourism promotional agency for marketing. An additional $5 million.

"Also in that measure Mr. Speaker, is an additional provision, that will allow a portion of the TAT revenues that are generated from this bill, anywhere from $8 to $10 million, to go to additional marketing for the Hawaii Tourism Authority. A total of $15 million. So if this measure will be generating approximately $28 million, Mr. Speaker, about half would go to the tourism industry for their own promotion.

"The second point that needs to be made Mr. Speaker is, how does this additional revenue affect the bottom line of the State Budget? And it's quite substantial. Especially for those Neighbor Island communities that depend upon their healthcare through their community hospitals of the Hawaii Health Systems Corporation, HHSC. What this bill does, it allows us to appropriate $14.5 million in general funds to help with the cash flow of our community hospitals, whether it be in Kona, in Hilo …"

Representative Finnegan rose, stating:

"Mr. Speaker, a point of personal privilege. I'm just trying to see if by speaking outside of this bill and other bills, in the past I've also been ruled out of order for speaking outside of the contents of the bill."

The Chair responded, stating:

"I believe the Representative from Wahiawa is connecting the increase in the TAT to these particular programs, so the Chair will allow him to continue."

Representative Finnegan responded, stating:

"And I just ask for the same leeway Mr. Speaker."

Representative M. Oshiro continued, stating:

"Mr. Speaker, again, this bill allows us to appropriate $14.5 million to the community hospitals, for example: Kona Community Hospital on the Big Island, Hilo Hospital on the Hilo side of the Island, up on Kauai at the Veterans Memorial Hospital, and on Oahu at Maluhia and Leahi long-term care facilities. So these monies do go to provide needed and necessary services in our community. The community hospitals are the only provider of medical services, acute care services, and ambulatory services on the Island of Maui. It's very important for those residents to have those types and quality of services.

"In addition Mr. Speaker, this bill allows us to appropriate about $12 million on which the State will match some of its own general fund monies with federal monies so that we can provide additional support to our private non-profit hospitals here on Oahu. We're talking about Queen's, and Kapiolani Women and Children's Hospital. We're talking about Straub. We're talking about Pali Momi. We're talking about Wahiawa General Hospital. We're talking about Kahuku. We're talking about Kuakini. These are all providers that benefit our community. And this is where some of the money will go.

"Third, Mr. Speaker, regarding the budget at hand. Working with you, the Senate leadership and the Ways and Means Chair, we're able to end this Session with a balanced budget, fully intact. There is a cash carryover balance of about $80 million for this year, $40 million for the next, $170 million for the next, $110 for the next, and $160 out to year '13.

"Should we lose this bill on this Floor this morning, we will end this fiscal year of course with a positive $80 million balance. But most troubling Mr. Speaker, next year, $10 million. The next year after that, $80 million. But get this Mr. Speaker. In 2012, we're back in the red, down $40 million, and in 2013, $50 million.

"Mr. Speaker, a fourth point. If the Council on Revenue's projection comes out at the end of May and reduces its current projection from a minus 5% to let's say minus 6.5%, coupled with a defeat of this measure today, we would go from a positive $11 million balance this year, '09 …"

Representative M. Lee rose to yield her time, and the Chair "so ordered."

Representative M. Oshiro continued, stating:

"Thank you. We would go from a positive balance of $11 million in fiscal year '09, which ends in 2 months, to a negative $130 million in 2010; a negative $130 million in 2011; a negative $335 million in 2012; and a negative $425 million in 2013. So this measure is very important, and I hope the Members can support this override. Thank you."

Representative Berg rose to speak in support of the override with reservations, stating:

"Thank you, Mr. Speaker. I rise with great reservations. While I know we are to speak on the merits of this bill, I think we know what this bill is really about. I've been warned repeatedly that if these bills, and this one in particular, don't pass, the whole budget is jeopardized.

"As all of us in this room have differing views about the process and the components of the bill, of the budget, and what we 'woulda, shoulda, coulda' done. The discussion of the merits of this bill need to be put in the context of the vision for Hawaii that we have still to discuss and the opportunity for creativity that we still have.

"Economic prosperity is not achieved by pitting us against each other, either in this Chamber, or the Chamber across the way, or with government employees who are our relatives, our neighbors, our friends. We are in a no-win situation with all of these tax proposal bills. If this bill fails in particular, we look bad to the unions and our government employees. If the bill passes, we look bad in the eyes of our constituents.

"Mr. Speaker, the Representative from Ka'u suggested that we go home and we let the Governor do what she was supposed to do from the beginning of Session; give us a plan. Pitting us against each other is not the kind of plan that this Chamber should be party to.

"I am fully aware of the consequences of my vote. If this bill fails, it may impact the entire budget. But then again, it might just compel the Governor and us to work from a different perspective to balance this budget that has been haunting us for months. And it might also compel the

Governor to exercise leadership to authentically assess the ways in which Government services from the Executive Department can become more efficient without the 'Draconian' threats of hurting peoples' livelihoods.

"I hope that we pause and really think about this bill in particular, because it is the last bill for the veto override. And it does have implications. Thank you for your time."

Representative Ward rose to respond, stating:

"Thank you, Mr. Speaker. I rise continuing in opposition and with a couple of retorts. First regarding the myopic comments from the former tourism executive from the Big Island. He confused, Mr. Speaker, the visitor industry that we spoke of, and its brother, the diversification with the killing of Act 221. Are we simply doing the comparison? But the point is, the pressure is now even worse for the tourism industry, because we don't have a diversification. We don't have a high-tech industry, because Act 221 is dead. So in case he missed that juxtaposition of the two bills, I want to be very clear.

"Secondly Mr. Speaker, I think when we 'nickel and dime' with, 'Well look, it's only a buck a day,' or '$1 out of $100.' You know, I'm reminded of how you're supposed to cook a frog. If you boil the water and put him in, he jumps out. If you put in nice warm water and just slowly turn up the heat, you've got a cooked frog and he doesn't even know it. Mr. Speaker, we are not the highest taxed state in the United States overnight. We never intended to be the highest taxed state. Let me put it this way. We just slowly, with the same spirits that's on this Floor now, 'Well it's only this amount. It's only that amount.' We've never drawn a line in the sand. And particularly with an industry so sensitive as we are with the visitor industry.

"There are 100,000 people that we're going to have to answer to, in addition to our constituents. Those are the ones who rely upon this. As my colleague mentioned, her constituents work in that industry. We're going to have to respond to them.

"Lastly Mr. Speaker, how can we say this is a balanced budget? This tax increase will push us over the top. Because Mr. Speaker, there's $275 million out there that the Governor and the State workers are now talking about. Is this Body, do you, Mr. Speaker, think that she's going to back down? That we're not all going to pay our fair share? Mr. Speaker, this balance is now in the surplus. And this is what we're doing by taxing people when we don't have to, unnecessarily. This is an unnecessary tax increase. It hurts our major industry. And it's something we have to be accountable for. Thank you, Mr. Speaker."

Representative Souki rose to speak in support of the override with reservations, stating:

"Yes Mr. Speaker, I rise to speak on this measure. I speak with very, very strong reservations, but I may even change that. First of all, Mr. Speaker and Members, I understand why we need this bill. We need to balance the budget. And regardless of the negotiations that are going on, by the Constitution we are mandated to balance the budget. And this is what the Finance Committee has done and I applaud them for that.

"My *mana'o* or concern is that some of these taxes, the timing is wrong. Like the Representative from across the aisle there mentioned, when you're ill, you give yourself medicine. You don't make a sick person worse. And when the hotel industry is suffering, you don't add to the pain by adding more taxes. That I believe is wrong.

"Let me go back, I understand the need to balance. I have proposed throughout that we have an increase in the excise tax. These four taxes here are not going to make the pain for the community any easier. There was a poll in the *Maui News*, albeit a customer poll so to speak, and they rated 34% of the Legislature's activity in taxes as abysmal. 30% as poor, 4% as excellent, 9% as satisfactory. This is with these taxes we're thinking we're passing here that the public is going to say, 'Yeah, you're doing a great job.' People don't like taxes no matter what you do.

"With the excise tax, you could provide food and medicine exemptions, you could lower the personal income tax, you could give something back to the public. This bill does not. This only takes. And this is the only problem I have with this. And I hope you remember that come May 28, there's going to be a further dip. Two years from now we won't have that $900 million stimulus. Where are we going to get the money? So look at this as a temporary measure at best. Thank you, very much."

Representative Marumoto rose to speak in opposition to the override, stating:

"Thank you, Mr. Speaker. I am in opposition. The entire debate today is just really the Majority wanting to increase taxes, and our Minority wanting to hold the line. I see a very cavalier attitude about wanting to raise the tax just a few cents and a dollar here, a dollar there. But it's just the upward creep that really distresses me. We just want to add 2 or 3 cents a gallon through the barrel tax. The increased gas tax would amount to just a few cents a gallon. The barrel tax has gone from 5 cents a barrel clear up to $1.05 a barrel. Conveyance Tax started at 5 cents per $100, now we're going up to $1.25, maybe $1.30 per $100. And with this hotel tax, it started at 5% back in '87, and it went to 6% in '98 and 7.25% in '99 and now we want to raise it in 2010 to 8.25%, in 2011 to 9.25%. That's almost double.

"It's a real squeeze on people and doing business and its going to hurt. It's going to hurt job creation and it's going to hurt our people. We've got to go slow on some of these increases. There's just too many. Thank you."

Representative Finnegan rose to speak in opposition to the override, stating:

"Thank you Mr. Speaker, in opposition of the override of the veto. Thank you, Mr. Speaker. I think it's a matter of, on this particular issue, of raising the Transient Accommodations Tax to our visitors and *kama'aina* if you're staying in a hotel room. I think it's a matter of, what are we doing to the hotel industry? What are we doing to tourism? Mr. Speaker, over the past few days we've been debating bills. Another bill is taking tourism out of DBEDT. Dismantling it, changing it, at a time where we need stability and leadership.

"Mr. Speaker, that in combination with things like this, that talk about, and the tourism industry has voiced over and over, not only yesterday, but in hearings, about taking the 'T' out of DBEDT, as well as raising taxes on the tourism industry. And if you want to do calculations, you can talk about these calculations. I don't know how many rooms are average in a large hotel, but if you're talking about one, possibly it's going to go up by 2%, that's almost $4 per room. If you take $4 times, say 300 rooms, $1200 in a day. $1200 that may not go to a tip for a maid. $1200 could be … I don't know how many maids does it take to use up $1200, salaries for a maid. Or any other job that's in that hotel.

"So let's talk about that in relationship to jobs because in the Governor's veto, and I know they research well. It says 6,200 jobs have been lost in the tourism industry. I believe that we're contributing to that Mr. Speaker.

"And when it comes down to it, when a visitor or a *kama'aina* goes and checks in and checks out, they won't have the option to say, I want to spend this additional money to go and buy something at the ABC Store, or to go and help to pay for my ticket to Polynesian Cultural Center. Or to go snorkeling, or to buy an extra burger at the restaurant. They won't have that choice because we made that choice for them. It's a part of the TAT and they have no choice.

"Mr. Speaker, I'm not going to go on very many personal vacations. I don't know if I'm going to end up being able to go to Kauai or Maui or the Big Island. I know what I used to do when I had a little bit more expendable money. My family and I would go to one of the hotel rooms when we just needed some time off to spend as a family away from home. We would go to Waikiki and we would take our kids and just swim in the pool or whatever. We don't have that expendable money anymore. And you know what? A lot of people, because they don't have jobs out there, they don't have that expendable money either.

"I wanted to talk about the Finance Chair's comments about how this money is going to go to really good things. Then I guess I could bring that in for, do we really need a duplication in services for the $50,000 that we're spending in the Gas Emissions Task Force right now. Maybe it would be better served at another time. Maybe we could try and ask that task force if they could please take up a little bit more during this tough time.

"Maybe we don't actually need to prioritize as one of our major CIP priorities, a $500,000 fence around Lake Wilson. Mr. Speaker, I'm sure that there's more that we can talk about. But as long as there's good stuff, we can find other things, Mr. Speaker. So when I talk about this, it's not to throw criticism out there. But if you're going to say this $1 a day, $2 a day, $4 a day that comes up in 2011, think of the cumulative, think of the $40 million that's going to come out of the tourism industry for taxes that's not going to go to the restaurants, that's not going to go to the hotel, that's not going to go towards these jobs. Thank you, Mr. Speaker."

Representative Manahan rose to speak in support of the override, stating:

"Thank you Mr. Speaker, I'm rising in support of the override. Mr. Speaker, I don't think any one of us wakes up in the morning and says, 'We want to raise taxes.' I think we all understand that the travel industry is Hawaii's 'golden goose.' However, the State does face a $2 billion budget deficit over the next biennium, and we need to raise the TAT at this time to ensure that the State has the resources to preserve Hawaii as one of the world's more popular travel destinations.

"We promote Hawaii as a world-class destination to a wide range of travelers. But if we want to keep that status, we need the money to pay for the upkeep of the infrastructure of this State. Visitors do have an impact on our resources, and like every other travel destination Mr. Speaker, we depend on the hotel room tax to help pay for that impact.

"In keeping the TAT relatively low, we sell ourselves short. Compared to other cities around the country, our hotel room tax is below average. In 2008, according to the American Hotel and Lodging Association, the average hotel room tax is 12.69%. Hawaii is now at 7.25%. But we don't want to price ourselves out of the market. We should certainly be at the right level for a premier resort and a vacation destination.

"The Legislature proposes to raise a tax by 1% from 7.25% to 8.25% in 2010 and another 1% to 9.25% in 2011. On a $200 per night room, that would mean an added $2 a day, the price of a cup of coffee. If a family stayed for the week, the increased TAT would amount to only $14. We don't expect this increase to drive tourists away. We can expect it to produce much needed revenues of $28 million in 2010 and $60 million in 2011.

"A percentage will also go back to the industry for increased marketing. Raising the TAT is part of a larger picture to address a severe deficit in the State's budget. I understand that the visitor industry will fight to keep the TAT at the current level. That is their job. If, however, the alternative is to raise the General Excise Tax or to lay off public workers, even I as the Chair of the Tourism Committee, believe that the right choice is to raise the TAT.

"If we were to raise the GET, the impact on tourists would be even greater than raising the TAT tax. Tourists would be spending more on purchasing airfare, on ground transportation, on meals, on attractions, on shopping, on virtually every dollar they spend in Hawaii. They would lose a visitor day easily. That to me is much worse than raising the hotel room tax by a modest 1% to 2%.

"In addition, hotel workers who are already paid so low that many are forced to work 2 or 3 jobs would face increases in all their expenditures too. We understand that the tourism industry is going to fight to keep the TAT at the current level. That is their job. There is never a good time to raise taxes, Mr. Speaker, but now may be the opportune time to raise the TAT so that we have the income we need to support the visitor industry for the future.

"I'd also like to add that yesterday, we did pass measures to help the visitor industry. There was a bill yesterday to do a General Excise Tax exemption for a local hotelier here which exempts them from about $3.5 million a year in general funds. We've provisoed budget items in the past to do sand replenishments in areas of Waikiki as well as other areas of the State. There are also other budget provisos if we can look at those that are very much helping the industry, and those are all coming out of our taxes, so at this point I think we need their help and I ask you for your support in this measure. Thank you."

Representative Thielen rose to speak in opposition to the override, stating:

"Thank you Mr. Speaker, I'm rising in opposition to the measure. Mr. Speaker, the visitor industry needs our help and unfortunately what we see here is the real philosophical difference between the Majority and the Minority. The Majority believes that taxes are the answer. Raise the taxes in the various forms, raise the taxes. The Minority believe that we do what families are having to do; we tighten our belts, we find ways to reduce spending and to be able to conserve.

"What we've signaled with this is internationally very damaging. The visitor industry isn't just here in Hawaii. The visitor industry relies on people throughout the globe and the message that's going out there, unfortunately, is that Hawaii is a 'tax hell.' Hawaii has increased the taxes on visitors who are coming here, and then many people who are responsible for encouraging visitors to come to Hawaii will choose less costly destinations for their clients.

"So it's very far reaching, what we've done. The international travel industry knows very well what the Majority is doing here and I believe it's going to be even more damaging to a very fragile tourism industry here in Hawaii. Thank you."

Representative Tokioka rose to speak in support of the override, stating:

"Thank you Mr. Speaker, in support of the override and I ask that the words from the Representative of Wahiawa, and the brief words from the Representative of Ka'u, as well as the Tourism Chair, be entered in the Journal as if they were my own.

"Mr. Speaker, I spent 25 years of my life in the visitor industry, in the hotel industry specifically. So I think when we talk about the visitor industry, I have some personal knowledge of how the industry works. And this choice that we all have to make is not an easy choice for any one of us. As the Tourism Chair said, none of us wakes up in the morning and says, 'We're going to raise the TAT.' Tough, very, very tough choices. As a member of the Finance Committee, we had to sit there for hours and listen to all of the testimony and to understand why we need to make the choices that we had to make, Mr. Speaker. And they were not good choices.

"Our job now is to go out to our communities and to explain why we had to make those tough choices. Sitting on the Finance Committee with the rest of the dedicated Finance Committee members, and they know who they are. They got the stars from the Vice Chair. They know who the dedicated members are.

"I feel confident, Mr. Speaker, that I can explain the tough choices to the President of Hilton Hawaiian Village, Mr. Jerry Gibson, who is a personal friend of mine, and who was here yesterday. I can explain to him. I can explain to Chef Jeffrey from the Hilton Hawaiian Village, the first local chef at the Hilton Hawaiian Village, Mr. Speaker, ever in the history of the hotel, first local boy. I can explain to him why we had to make these choices. Henry Perez, executive director at the Aqua Hotels, who was sitting right behind me yesterday, who is my personal friend. I can explain to him why we had to make these choices. Kelly Hoen, General Manager of the Royal Hawaiian Hotel, another personal friend of mine, I explained to her why we had to make these choices, Mr. Speaker. And none of us felt good about doing them.

"So Mr. Speaker, at the end of the day, I think this Body, if we support this override, will do good things with the marketing money that is attached to HB 754. I want to thank the Finance Chair and I want to thank

the Tourism Chair for working very, very hard on those bills. We will have additional money so that we can say to Mr. Towill, and we can say to the visitor industry, we had to raise taxes to balance this budget, and we do understand your plight. We want to help you, and this is how we want to do it.

"HTA Chair Monahan and the Executive Director, Mike McCartney, have made a commitment to go out to the Neighbor Islands, Mr. Speaker, and talk to the visitor industry. Right after this Session is over, the first visit will be on Kauai where they will share their thoughts with the industry and get feedback and input as to how this Legislature can help the industry going forward.

"Mr. Speaker, it was a privilege to sit on Finance. It was a privilege to work with the Finance Chair and learn and understand the budget. So now it is our job to go out and explain to the people why we made these tough decisions. It is an honor, Mr. Speaker, to have understood it in the Finance Committee. Thank you, Mr. Speaker."

Representative M. Lee rose to speak in support of the override, stating:

"Mr. Speaker I stand in support of the override. I wasn't going to get up but I was a little disturbed by the remark from the Representative from Kahala that we were being cavalier in raising any of these taxes, and in particular this tax. I think the Members of the Finance Committee worked very hard and it was a real struggle for some people to actually support these taxes, but they knew in the long run that this was really necessary.

"Let's just look at the effect that raising this tax has on the Neighbor Islands and on the Island of Oahu. Tourists need to be safe. The recent swine flu outbreak has made us more aware of that. The monies that we've been able to give to the hospitals in the form of the DSH Payments and in helping the Neighbor Island hospitals survive, were not only for the residents of this Island, but they're also for the tourists. The last thing we want to be known as is as an unsafe place for tourists to visit.

"One other thing I wanted to say, I just happened to be doing some research and looking at some old articles of the *National Tax Journal*, and one of the things that was reported, and granted this was awhile ago, but their analysis of the effects of the last raising of the Hawaii hotel room tax indicated that the tax did not have a significant negative impact on hotel rental receipts. Granted that was an old issue, but that's there in black and white. Thank you very much, and I urge the Members support of the override."

Representative Herkes rose to speak in support of the override, stating:

"Thank you Mr. Speaker, in support. Like the Representative from Kauai, I spent most of my life in the visitor industry. Let's not forget that the economic mess that we're in is largely part of management greed and 8 years of an irresponsible Republican President that we're trying to come out of.

"What intrigues me is, in all the years that I spent in the hotel business, I've been defending hotels. I hear that, 'We've got too many hotels.' 'The visitor industry is too large.' 'We need to diversify.' And 'those jobs are no good.' 'We need to make sure there are no more hotel rooms built.' 'We need to tell them where to go.' 'There's too many in Waikiki.' And suddenly I hear this great support for the visitor industry that I haven't heard for 40 years.

"This room, Mr. Speaker, reeks of hypocrisy. The visitor industry, the hotel people. A few years ago Mr. Speaker, you asked me about the Hotel Renovation Tax Credit bill, and I worked with the industry on that. The Governor vetoed it, the former Governor. It cost us hotel rooms in conversion to timeshare, conversion to apartments, it cost us hotel jobs, it cost us lower tax rates, and I never heard a peep. I never heard a peep out of anybody.

"The other thing that's said about the industry. It's lost its way. I'm delighted that there's finally a local guy as a chef at a major hotel. I've said more than once that a person of Asian ancestry growing up in the State of Hawaii, what career path should they take? I tell them, statistically you've got a better chance of being a member of Congress than managing a hotel in Waikiki. And that's a damning statement about the industry that I've been in all my life.

"The industry needs to promote better. We've lost the promotion. We ought to be on the mainland doing tradeshows. Marriott's the only one that's been doing it. They've just lost their way and we can't sit around, the industry can't sit around and wait for something good to happen. I support the bill."

Representative Karamatsu rose to speak in support of the override, stating:

"Mr. Speaker, I'd like to echo the statements of the previous speaker. I served three years under a great leader, the Chair from Hilo and the Tourism and Culture Committee. It kind of bothers me when they say we didn't support the industry.

"Over the years that I was there, we did, like the previous speaker mentioned, push for the renovation tax incentive for the entire State hotel industry, and that wasn't supported by the Minority. Second, we protected the corpus of the TAT. There were many bills that tried to tap it throughout our years there and we protected it. So saying we didn't support the industry is not true. Thank you."

Representative Finnegan rose to respond, stating:

"Thank you Mr. Speaker, I'll make it short. I just had a remark in rebuttal. Mr. Speaker, still in opposition, and I just kind of wanted to talk us through the history of this bill due to the remarks that the Representative from Lihue made, basically saying how we are supporting the industry. And also from the Chair of Tourism, talking about how we are supporting the tourist industry with this increase in marketing money.

"I'd like to respond by saying, I believe that throughout this whole time, the money that was being collected went into the general fund. And it wasn't until the many faxes and emails and people visiting our offices and coming down to the Capitol that we decided to do an amendment, a last minute amendment, to try to find some way to appease some of that anger for increasing the TAT. And that we needed to do something to kind of 'make nice' a little bit because people were so upset with the increase in TAT.

"Mr. Speaker, I don't think it was the intention to do something nice for the tourist industry and for the hotels prior to Tuesday, and prior to all the pressure."

Representative Yamane rose to speak in support of the override, stating:

"Mr. Speaker, standing in support and just brief comments. I just wanted to make some brief comments in regard to the issue specifically pertaining to how these TAT funds are collected. Mr. Speaker, as the former Chair of Tourism and Culture, I spent a lot of time working with two friends up there in the gallery, and reading on issues of tourism economies. I really was trying to understand the price-point issues relating to tourism. We spend a lot of time trying to understand economies of scale and how to balance off the issue of marketing to make Hawaii the premier destination.

"However Mr. Speaker, I'm standing in support because one thing that hasn't been talked about is what makes Hawaii special. And again, some of those monies from the TAT are used for things that we call, 'product development.' Issues of, what made Hawaii special, special.

"So Mr. Speaker, when we're talking about the monies collected from the increase in TAT, we're talking about healthcare, Mr. Speaker. The people who work in the industry, making sure that people have access to appropriate healthcare throughout our State. Mr. Speaker, we're also talking about needed improvements and conditions, so that when people come here, to the Aloha State, they can see through the people, the residents of Hawaii, as well as the natural beauty that we have, that we have pride in our people. W take care of our own. And we take care of our visitors. Thank you, Mr. Speaker."

Representative Manahan rose to respond, stating:

"Thank you, just a brief rebuttal to the comments made by the Minority Leader regarding the additional money that would come if we did override this measure or in House Bill 754. That came from a bill that was going around all Session which was introduced by you, Mr. Speaker, for an additional $10 million that was hopefully to help the visitor industry, should there have been a shortfall from the TAT collections, thank you."

At this time the Chair called for a roll call vote and the motion to override the veto of S.B. No. 1111, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," as contained in Gov. Msg. No. 349 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: Aquino, Awana, Cabanilla, Carroll, Chang, Chong, Choy, Coffman, Evans, Har, Herkes, Ito, Karamatsu, Keith-Agaran, C. Lee, M. Lee, Luke, Magaoay, Manahan, Mizuno, Morita, Nakashima, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Saiki, Say, Shimabukuro, Souki, Takumi, Tokioka, Tsuji, Yamane and Yamashita.

Noes, 12: Belatti, Berg, Brower, Finnegan, Hanohano, Marumoto, McKelvey, Pine, Thielen, Wakai, Ward and Wooley.

Excused, 3: Bertram, Ching and Takai.

At 12:24 o'clock p.m., the Chair noted that the motion to override the veto had carried, and S.B. No. 1111, SD 1, HD 1, CD 1, as contained in Gov. Msg. No. 349, was approved.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 305 and 306) were announced by the Clerk and the following action taken:

H.R. No. 305, entitled: "HOUSE RESOLUTION AUTHORIZING AND EMPOWERING THE SPEAKER TO PERFORM AND CARRY OUT ANY OFFICIAL LEGISLATIVE BUSINESS DURING THE INTERIM BETWEEN THE 2009 AND 2010 REGULAR SESSIONS," was jointly offered by Representatives B. Oshiro and Finnegan.

On motion by Representative B. Oshiro, seconded by Representative Finnegan and carried, H.R. No. 305 was adopted, with Representatives Bertram, Ching and Takai being excused.

H.R. No. 306, 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 Magaoay.

On motion by Representative B. Oshiro, seconded by Representative Finnegan and carried, H.R. No. 306 was adopted, with Representatives Bertram, Ching and Takai being excused.

ANNOUNCEMENTS

Representative McKelvey: "Thank you Mr. Speaker. I'm just wanting to rise and just basically thank you, Mr. Speaker. I know this is our last day, Members, as we head into the interim. For me personally, it's been a very challenging year. But Mr. Speaker, I just want to publicly thank you, because it's through your leadership that I feel that we've been given the freedom and the ability to discuss the issues and policies and to disagree on them, and to have lively debate, but yet to always continue to stay together.

"At the beginning of Session I supported you as Speaker, and I feel that is the best decision I have ever made. I just want to thank you again for your advice, your indulgence and for everything that you've done this Session, for me personally. So again Mr. Speaker, and to all my colleagues, especially my Vice Chair here, we've had one wild ride to say the least, and I appreciate each and every one of you and your ideas. I have the utmost respect and *mana'o* for all of you. It's been my honor and privilege to spend this time with you. And although we may have locked horns on things, I respect everything that you've done, and I'm just happy and proud to have been a part of this, the first part of the 25th Legislature. Thank you."

Representative Tokioka: "Thank you, Mr. Speaker. I'd just like to wish a early Happy Mother's Day to all the mothers in the Body, all the mothers in the audience, and if this is going to Kauai, Happy Mother's Day, mom. I'd also like to thank the entire Body for a wonderful experience. It was tough, but we made it through. God Bless everyone. Thank you, Mr. Speaker."

Representative Berg: "Thank you, Mr. Speaker. I would personally like to thank the freshmen for being part of the process this year. I remember my very first term when I stood up and I said I was so excited to be a part of the group. I was reminded by one of our colleagues that we're not part of the group until after the second term, after the second Session of the first term. I would like to change that and consider us who are *kama'aina* to really recognize our profession as being part of us already. We don't have to wait.

"I know we won't sing today, we'll wait till next year. But on behalf of all of us, I really appreciate the freshmen and ask you to go spend the interim, learn, breathe, see your families again, do laundry, and come back fortified for the next Session. Thank you very much, Mr. Speaker."

Representative Luke: "Thank you. I wanted to wish someone a Happy Birthday who's going to be having her birthday tomorrow. Representative Carroll, Happy Birthday."

Speaker Say: "Representative Carroll, are you inviting us to your birthday party?

"The Chair at this time will allow both the Minority Leader and the Majority Leader to say a few words and remarks, so the Chair recognizes Representative Finnegan, please."

Representative Finnegan gave her closing remarks on behalf of the Minority Caucus:

"Thank you, Mr. Speaker. You know, Mr. Speaker, this Session was a rough one. We had to make a lot of tough decisions and first and foremost, I think as the Minority Leader, I just want to say that if there was anything that I have said through debate that may have offended anyone, that was not my intention. That my intention is to provide good debate on this Floor for the people of Hawaii and to point out the things that we as the Minority, or I feel are not correct or are not moving in the right direction.

"Overall, this Session, no matter how hard we worked, this was about balancing the budget. Mr. Speaker, I would have liked to have seen the ability for us to actually cut taxes because that's what I believe in. I believe that we should be able to allow people to keep more money, and that would be a way to economic recovery for our islands. However, we have a balanced budget provision in the Constitution, for the Governor and ourselves, to make sure that we balance our budget. That makes it a very difficult job.

"However, it was explained to me that our budget was visionary. Mr. Speaker, I don't think that that is the word that I would use for our budget. There are other pieces of legislation, and I do also want to just talk about what the Governor did do in regards to sending down a plan. I thought that she sent down quite a good plan. It was a plan that we could follow, and throughout the Session she updated that plan, Mr. Speaker. So over and over again I've been hearing about how the Governor doesn't have a plan, how the Governor doesn't have a plan, but she did have a plan. And many of us, if not all of us on the House Minority did support that direction of that plan, because it was visionary, Mr. Speaker.

"It brought in Recreational Renaissance that we decided to kill at the last minute, Mr. Speaker, where it would provide more than 2,000 plus jobs. I went into my community and DLNR did a presentation to our community because I asked for it, and it was talking about how we would take dilapidated infrastructure and basically build it and make it better for the people of Hawaii for recreation, so that we can feel proud of the Hawaii that we live in.

"Mr. Speaker, we also killed the Broadband Initiative. And that Broadband Initiative would have been awesome for an island state in the middle of the Pacific Ocean. That's visionary, Mr. Speaker. All of which I believe, most of which would be federally funded.

"Mr. Speaker, we also did some detrimental things to the highway improvements, as well harbor modernization. Mr. Speaker, even though we are in an economic downturn and we are not seeing as much cargo as we have had in the past, and you can see it visually from the beach line. You take a look at those ships and they're not bringing in as much goods as they once were. But like me and the Minority Caucus, we see that we will recover. And when the economy was good, and still to this day, like many of the speakers on this Floor talked about the Maui harbor, that it is extremely difficult for them to operate efficiently. It's only going to, throughout time, get worse. Mr. Speaker, that is a huge part of our economy in the future.

"Mr. Speaker, since I have the Floor and since you know how much I personally think that Charter Schools and education is so important, to me personally, that is another area where I think we did a disservice to the Charter School movement and to education as a whole. To be able to allow these schools who are innovative and flexible, that have autonomy, to address the needs of their school. And we decided to cut funding for them, Mr. Speaker. And year by year, we cut funding.

"Mr. Speaker, I appreciate this House of Representatives. I appreciate the debate. I appreciate all the leaders who speak out on the Floor for the people of Hawaii. But like my colleague, the Representative from Kailua, like she said, this is two very different ways on how we would have approached the budget. How we would have approached this moving forward to truly give vision and economic recovery to the people of Hawaii. Thank you."

The Chair then recognized Representative B. Oshiro for his closing remarks on behalf of the Majority Caucus:

"Mr. Speaker, thank you very much for the opportunity. I will be very brief. Looking back on this Session, there have been many successes. At the beginning of this Session we faced a very daunting task when it came to the budget. We're extremely fortunate that through the hard work of the Finance Committee, the hard work of your membership, every single way and measure that we could look at reducing costs, were looked at. You were very brave in terms of putting forth some of those proposals before the Labor Committee, and going through the legislative process, those things were turned down. That limited our options, and so here we are today. Here we are with the overrides on some of the tax revenue generation measures. We do so very begrudgingly, but we are left with little alternative. Because at the end of the day, we are constitutionally required to pass a balanced budget. And that is what we have done.

"There are other successes, whether be on energy, specifically our food and energy security bill, which I think will set forth the tone and set forth the foundation for the future of Hawaii so that we can start to move and wean ourselves off of our dependence of fossil fuel. So that we can start and avoid spending billions of dollars and sending it and exporting it away.

"There were also some missed opportunities. Recreational Renaissance was in the House Majority Package. Unfortunately in the last minutes of Conference, that did not pass. There were some other bills, and I think people know what I'm talking about, that were missed opportunities. But they still survive for another day.

"Finally, the last few things I wanted to talk about was to thank the Minority for their role in our Legislature, and in our House. Their voice is important, we do need to listen to them, and I do think that we take them into consideration whenever possible, because they do represent their constituencies. And at the end of the day, all of us here have a role to represent our constituencies and represent the State of Hawaii.

"I also wanted to thank the Majority. I came into this Session not knowing what 'Majority Leader' was exactly. I saw our Finance Chair as Majority Leader. I saw the current Managing Director as Majority Leader. And I saw the Representative from Moiliili as Majority Leader. They all had very different styles. I have my own style. I don't know if I did a good job or a bad job. People have told me it's kind of like herding cats. That's how it was described to me, being the Majority Leader. I tend to think it was kind of like herding lions and tigers, and some jaguars, and some alley cats, and some hairless cats, and all kinds of things. People can categorize themselves however they want.

"But the last thing I really wanted to do was take this opportunity to sincerely thank our legislative and Session staff. You know, recently the 2009 House of Representatives Staff Directory came out. I highly encourage everyone to take a look through it. It's important to see all of the faces, to really appreciate all of the hard work that they've done. There's a great statement in the opening lines here: 'The Legislature's ultimate success in serving the people of Hawaii rests in large measure upon the professional and dedicated services of the committed staff. Their personal sacrifices to perform the peoples' business throughout the day, late in the evening, on weekends and even on holidays, is appreciated by every elected Member of the House of Representatives.' And we are so proud, so proud, that they gave us that honor to work for us and to work for the people of Hawaii.

"So with that I wanted to request that we could have the names of every single legislative and session staff person put into the House Journal. And Members, could we please give a heartfelt round of applause for all of our staff persons."

The following is a list of all permanent and session staff for the 2009 Legislative Session:

Representative Aquino: Maureen Andrade, Darryl M. Macha, Deseree B. Palilio, Linda E. Tanaka

Representative Awana: Alexander 'Alika' Malabey, Thomas Frazier, Elenoa S.U. Fuka, Jenny A. Quezon, Elwin L. Spray, Colleen B.J. Takenouchi

Representative Belatti: Bernadette Fo, Kerianne M. Pascua, Adrienne I. Suarez, Matthew R. Winfree

Representative Berg: Jennifer Wilbur, Elizabeth A. Labby, Ian Y. Lind, Jeffrey B. May, Jamal K. Powell, Ana Maria C. Won Pat-Borja

Representative Bertram: Haunani Olds, Margaret Logotaeao, Charles R. St. Sure

Representative Brower: Cynthia Nyross, Jenna W. Takenouchi

Representative Cabanilla: Leon Rouse, Rosebella Ellazar-Martinez, Philmund W. Lee, Christina R. Simms

Representative Carroll: Janice Salcedo, Wayne K. Panoke, Travis D. Quezon, Zach R. Thomson

Representative Chang: Sharon Miranda, Barbara D. Anderson, Bernardine F.L. Jay, Francine S. Kaneshige

Representative Ching: Jacqueline Pamerleau-Walden, Ryley D. Antinori, Colette Devou, Jocelyn Ho, Michael J. Karem, Kristen K. Tibourtine

Representative Chong: Janis Higaki, Kalani L. Kaanaana, Tasha R. Kobashigawa, Christopher J.I. Leong, Janine A. Tully

Representative Choy: Carol Hagihara, Kristi M. Fukumoto, Gale Kuba, Pamela A. Seeney

Representative Coffman: Cynthia Apana, Katie J. Coffman, Liane R. Miwa

Representative Evans: Tommie Suganuma, Baron Gushiken, Teriitavae K. Perez, Brian K. Tokuuke

Representative Finnegan: Carrie Kealoha, Secily 'Malia' Gray, Richard L. Fale, Jamie A. Moody

Representative Hanohano: Margaret 'Poni' Daines, Mary L. Baker, Kaliko Chun, Anuhea P. Clark

Representative Har: Lynette Marushige, Tammy K. Kapali, Alana K.M. Taniguchi

Representative Herkes: Eloise Kuniyoshi, Brian Y. Yamane, Rebecca P. Gardner, Malia Gibson, Noah Gibson, Tricia Y. Sakamoto, Robin L. Valentine-Kindred

Representative Ito: Melissa Miranda-Johnson, Rachel H. Loo, George J. Okuda, Arlene A. Stone

Representative Karamatsu: Wayne Yagi, Harrison Kawate, Carrie H. Azama, Leanne Y. Galanti, James M. Miura, James J. Nelson, Tracy H. Okubo

Representative Keith-Agaran: Ann Takaki, Kaleihikina A. Akaka, Derick B. Dahilig, Wilfredo Tungol

Representative Christopher Lee: Micah Young, Lina M. Le, Jolyn Adele G. Prieto, Jessica O. Young

Representative Marilyn Lee: Ann Thornock, Bree H. Davis, Ramona Y. Ferreyra, Shawn James-Leavey, Lloyd I. Nakahara

Representative Luke: Blayne Higa, Shirley A. Batad-Labisores, Janice R. Farrant, Nils P. Katahara

Representative Magaoay: Lawrence Sagaysay, Judy Fomin, Diana S. Bonsignore, Michelle K. Gerard, Kahoku Meade, Karess K. Purcell

Representative Manahan: Lori Tomczyk, Karen T. Kawamoto, Doreen T. Tanaka, Felix B. Yaranon Jr.

Representative Marumoto: Joan Shinn, Judith L. Fadrowsky, Spencer M.K. Lau Jr., Gaye M. Miyasaki, Maureen K. Muraoka

Representative McKelvey: Leticia 'Tish' Acido-Mercado, Allan E. Garcia, Stewart R. Lambert

Representative Mizuno: Joje May Mizuno, Michael G. Bouffard, Erwin A. Gabrillo, Jack R.A. Nagaishi, Alice S. Nakama

Representative Morita: Daniel Kalili, Joel D. Guy, Judy Y. Sokei, Miho Teipel

Representative Nakashima: Lori Hasegawa, Lesley A.T Fujimoto, Van A. Morita, Sage U. Takehiro

Representative Nishimoto: Candace Van Buren, Jenalyn L. Tadio, Bryce R. Tanaka

Representative Blake Oshiro: Amoreena 'Reena' Rabago, Jacce Mikulanec, Kenneth G. Best, Bryan J. Gallarde, Melita L.T. Lani

Representative Marcus Oshiro: Tracy Kubota, Erik K. Abe, Michael B. Bomhoff, Alexandra P.K. Coelho, Jonathan D. Conner, Susan L. Fernandez, Leslie R. Goo, Sallie M. Hamada, David J. Hawkins, Lei R. Learmont, Taryn E.K. Lum, Carmen L. Rodrigues, Nicole M. Saul, Tijay Syn-Rodrigues, Jennifer C. Taylor

Representative Pine: Sarah Hunt, Thomas Berg, Daniel A. Brackins, Daniel P. De Gracia II, Mariano G. Doctolero, Daniel E. Douglass, Lilia F. Lambinicio

Representative Rhoads: Diane Dunphy, Kapuaonalani Aiu-Yasuhara, Sonny Le, Christine E. Welch

Representative Sagum: Melanie Kuroiwa-Steiner, Amy T. Maeda, Joyce H. Ohta, Florence H. Wakuya

Representative Saiki: Benjamin Park, Renate Kawakami, Justin A. Smith

Representative Say: Gail Kakuda, Calvin Azama, Cassandra Song, Brian Takeshita

Representative Shimabukuro: Colleen Teramae, Wallace J. Inglis, Kristin Kline, Dana P. Newman, Ann K. Otteman

Representative Souki: Flo Hamasaki, Peggy J. Collier, Moses A. Lum Hoy, Vernon M. Souki

Representative Takai: RaniaLisa Vargas, Desiree Borja, Darlene C. Claveria, Cheryl A. Derby, Kristine M. Duong

Representative Takumi: Nancy Nishimura, Lee I. Korenaga, Claire Y. Sakata, Brett R. Shintani

Representative Thieien: John Foster, Lauren E. Goodmiller, Melody J. Heidel, Franziska M. Roessy

Representative Tokioka: Amy Luke, Gavin P. McCall, Amanda E. Pearson, Jason M.A. Walter

Representative Tsuji: Lora Lapenia, Walter 'Buddy' Igawa-Silva, Ken T. Nakamoto, Sanford L. Sasaki

Representative Wakai: Sharon Grace Sagayadoro, Karen M.L. Dang, Kelli M. Miura, David S. Okubo, Joan S. Ushijima

Representative Ward: Lori Wingard, Philip L. Draper, Francisco R. Figueiredo, Roosevelt Freeman

Representative Wooley: Arlina Agbayani, Daniel J. Lott, Jacqueline Y.S. Miyashiro, Madeline C. Neely, Christopher K. Rothfus

Representative Yamane: Danielle Bass, Ho'onani K. Andermann, Alex M. Grabiner

Representative Yamashita: Lois Tambalo, Chelsea K. Goto, Kathy A. Kato, Kristen E.M. Oka

Finance Committee: Perri 'Puna' Chai, Jody 'Joe' Hamasaki, Randy Hiyoto, Nandana Kalupahana, Michael Ng, Stacey Tagala

Majority Research: Linda Oamilda, Doreen Belen, Richard Dvonch, James Funaki, Jamie Go, Sharilyn Ho, Susan L. Iwata, Mary James, Shin Woo Kim, Terrence Lee, Steven Lum, Pamela McCreadie, John Moriyama, Roy Nihei, Kendra Oishi, Kiriko Oishi, Carolyn Plett, Carl Silva, Wimmie Wong Liu, Siobhan Caruso-Tuthill, Gordon K. Kalilikane, Remar Jonah M. Moscardon, William Y. Toyozaki, Jill M. Tsuchitori, Margaret Y. Yamashita

Minority Research: Boyd Akase, Candace Crouch-Kelsey, James Delavan, Nadine Nishioka, Michelle Van Hessen, Claire S. Draper, Beth K. Fukumoto, Brett A. Huelsman, Nancy C. Lauer, Kelsey Ann H. Morinaga Wells, Paul L. Vierling

Chief Clerk's Office: Patricia Mau-Shimizu, CJ Leong, Waynette Araki, Josette Friedl, Royce Fukumoto, Gail Iseri, Adele Ito, Rupert Juarez, Arman 'Kai' Lau, Denise Liu, Lyle Maesaka, Craig Nakahara, Thai Nguyen, Emma Perry, Neal Shigemura, Shayne Takahashi, Roger Tyau, Richard N.Y. Ah Lee Sam, Janel H. Akana, Sharrese C. Castillo, Randy Compton, Michael R. Fisher, Angel U. Fujihara, Chi-Hwa 'Elvis' Ho,

Ryan K. Kagimoto, John W. Kelly, Beverly W.K. Lum, Ross Y. Miyasato Jr., Teoni W. Obrey, Jenni M. Panoncial, Kelli K. Sterling, Jill M. Takamatsu, Scott K. Yamane, Diane A. Yukumoto

Printshop: Tammy Tengan, Fritzi I. Belmoro, Carol F. Cabebe, Kay K. DeMello, Karen Y. Ebisuya, Kenneth M. Gibo, Bradley K. Haida, Roy H. Higa, Raul T. Juarez, Lorrin K. Kaalekahi Jr., Summer K. Kaleo, David S. Kamida, Jean Kinoshita, Elaine R. Miyamoto, Mitchell R. Osurman, Mildred Y. Phillips, Estelita A. Pumares, Eleanor M. Riney, Alice A. Sato, Amy Y.M. Say, Linda T. Shishido, Peggie R. Spencer, Aileen A. Tanaka, Curtis F. Yoshida, Wesley T. Yoshitake

Sergeant-At-Arms: Kevin Kuroda, Lon Paresa, Paulette Abe, Jesse Alvarado, Alex Kagawa, Rowena 'Ronie' Low, Glenn Okamura, Suzanne L. Apo, Francis J. Baysa, Jasmine K. Branco, Yolanda M. Bryant, Matthew D. Daog, Kenneth K. Lee, Janelle L. Murakawa, Kevin I. Omori, Skyler C. Ross, Jon M. Shitabata, Jacob E. Silva, Alfonso B. Singson, Jeffrey K. Spencer, Richard H. Tamashiro, Raymond H. Yamane

Communications: Georgette Deemer, Thelma Dreyer

The Chair then gave his closing remarks as follows:

"The Chair will be very brief. I also just wanted to thank all of you for a job well done. Your patience, your indulgence, your understanding of what we had to go through. No one would have thought that we had to chase a $2.1 billion deficit for the three years. No one ever thought that we would be in this economic crisis today. But I'm proud of the accomplishments of this House. During the deliberations and the debate that we had on the Floor, the Majority members would sometimes tell me Lynn and Kymberly, to 'Shut them up already. Shut them up.' And I'm saying, 'No, I'm going to let them continue.' And this is the democratic process for all of you.

"My only warning this afternoon for all of us is that, in 7 months we will be back. Back for another major crisis that may be before us. Like I shared with all of you on Opening Day, we are all in one canoe and we are all rowing our paddles to a vision of sustainability here in this State. The outside forces that we have no control over will continue on. So think about what you can do to be a part of the solution.

"These next 7 months will be so critical for all of us because I truly hope that the respective Chairs would go out into the community to reflect on what is the peoples' pulse. From the Health Committee Chair to the Economic Revitalization, Business, & Military Affairs Chair, to the Hawaiian Affairs Chair, to the Water, Land, & Ocean Resources Committee Chair, the Judiciary Chair, the Finance Chair, and the Higher Ed and Lower Ed Chairs, please, go back out into the community to see what we have accomplished. We should be proud of a Capital Improvement Projects budget of $1.8 billion.

"And I warn all of you of this. It's easy to pat yourself on the back this afternoon. But if you do not go out there to see if your projects or the policies that we have adopted are being implemented, we are not achieving the goals and objectives of what we have strived for.

"So in closing, have a happy and safe summer. The Speaker's office will be open 5 days a week. Sometimes I hear from some of the Office Managers that your Office Managers don't show up for work. If that's the case, I will be calling your office to scold you since your Office Managers are supposed to be in your offices during the interim."

ADJOURNMENT

Representative B. Oshiro moved that the House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, adjourn Sine Die, seconded by Representative Finnegan.

The motion was put to vote by the Chair and carried, and at 12:41 o'clock p.m., the Speaker rapped his gavel and declared the House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, adjourned Sine Die. (Representatives Bertram, Chang and Takai were excused.)

HOUSE COMMUNICATIONS

House Communication dated May 8, 2009, 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 the following Bills heretofore vetoed as set forth in Governor's Messages dated May 7, 2009, and approved said bills by an affirmative vote of two-thirds of all members of which the House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, is entitled:

H.B. No. 895, HD 2, SD 2, CD 1
H.B. No. 1741, HD 1, SD 1, CD 1
H.B. No. 1747, HD 1, SD 1, CD 1
S.B. No. 1111, SD 1, HD 1, CD 1

House Communication dated May 11, 2009, 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 8, 2009, 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. 895, HD 2, SD 2, CD 1, heretofore vetoed as set forth in a Governor's Message dated May 7, 2009, 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. 895, HD 2, SD 2, CD 1, designated as Act 58 of the Twenty-fifth Legislature of the State of Hawaii, was enclosed.

House Communication dated May 11, 2009, 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 8, 2009, 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. 1741, HD 1, SD 1, CD 1, heretofore vetoed as set forth in a Governor's Message dated May 7, 2009, 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. 1741, HD 1, SD 1, CD 1, designated as Act 59 of the Twenty-fifth Legislature of the State of Hawaii, was enclosed.

House Communication dated May 11, 2009, 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 8, 2009, 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. 1747, HD 1, SD 1, CD 1, heretofore vetoed as set forth in a Governor's Message dated May 7, 2009, 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. 1747, HD 1, SD 1, CD 1, designated as Act 60 of the Twenty-fifth Legislature of the State of Hawaii, was enclosed.

OTHER COMMUNICATIONS

Senate Communication dated May 11, 2009, transmitting a copy of the document certifying that on May 8, 2009, 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. 1111, SD 1, HD 1, CD 1, heretofore vetoed as set forth in a Governor's Message dated May 7, 2009, 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. 1111, SD 1, HD 1, CD 1, designated as Act 61 of the Twenty-fifth Legislature of the State of Hawaii, was enclosed.

GOVERNOR'S MESSAGES and COMMUNICATIONS RECEIVED AFTER THE ADJOURNMENT OF THE 2009 LEGISLATURE SINE DINE

Governor's Messages: See Special Session 2009.

Departmental Communications: See Special Session 2009.

Miscellaneous Communications: See Special Session 2009.

SENATE COMMUNICATIONS

Sen. Com. No. 792, dated May 8, 2009, informing the House that the Senate has this day overridden the veto to H.B. No. 895, HD 2, SD 2, CD 1, by a two-thirds vote of all members to which the Senate is entitled.

Sen. Com. No. 793, dated May 8, 2009, informing the House that the Senate has this day overridden the veto to H.B. No. 1741, HD 1, SD 1, CD 1, by a two-thirds vote of all members to which the Senate is entitled.

Sen. Com. No. 794, dated May 8, 2009, informing the House that the Senate has this day overridden the veto to H.B. No. 1747, HD 1, SD 1, CD 1, by a two-thirds vote of all members to which the Senate is entitled.

Sen. Com. No. 795, dated May 8, 2009, informing the House that the Senate has this day overridden the veto to S.B. No. 1111, SD 1, HD 1, CD 1, by a two-thirds vote of all members to which the Senate is entitled.

Sen. Com. No. 796, dated May 8, 2009, transmitting S.R. No. 138, entitled: "SENATE RESOLUTION INFORMING THE HOUSE AND GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE," which was adopted by the Senate.