

FOURTEENTH DAY

Wednesday, February 7, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:05 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 Cabanilla and Carroll, who were excused.

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

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 252) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 252, dated December 21, 2006, transmitting the report pursuant to Act 44, Session Laws of Hawaii 2004 requiring a report on activities related to coordinated drug abatement efforts and pursuant to Chapter 329-11, Hawaii Revised Statutes requiring an annual report on changes to schedules for controlled substances.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 47) was received by the Clerk and was placed on file:

Dept. Com. No. 47, dated February 6, 2007, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Audit of the Child Support Enforcement Agency.

INTRODUCTIONS

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

Representative Takamine introduced the Honokaa Dragons Girls Soccer Team accompanied by chaperones, Ms. Rebecca Townsend, Ms. Lisa Erck, Ms. Marcie Greenwell and Ms. Ginger Bertelmann.

Representative Chang introduced from TMA Wind To Energy Company, Mr. Ron Taylor, CEO; Mr. Duane Rasmussen, President; Mr. Raymond King, TMA Japan; and Mr. Randy Avon, their investment banker. They were accompanied by Representative Chang's friend, Mr. Dick Kim.

Representative Bertram introduced Ms. Jan Dapitan from Maui.

ORDER OF THE DAY

COMMITTEE ASSIGNMENT

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R.
No. **Referred to:**
21 Committee on Public Safety & Military Affairs

H.C.R.
Nos. **Referred to:**

36 Committee on International Affairs
37 Committee on Public Safety & Military Affairs

The following bill was referred to committee by the Speaker:

S.B.
No. **Referred to:**
6 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

COMMITTEE REASSIGNMENTS

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

H.B.
Nos. **Re-referred to:**
7 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
12, Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
HD1
231 Committee on Health, then to the Committee on Finance
875, Committee on Health, then to the Committee on Finance
HD1
1391 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Energy & Environmental Protection
1457 Jointly to the Committee on Human Services & Housing and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 108) recommending that H.B. No. 1529, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1529, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I rise to speak in favor of Stand. Com. Rep. No. 108. This would provide funds for scholarships to honor the late U.S. Senator Hiram L. Fong and Senator Oren Long, and I urge everyone's support. But I rise just to mention that this body had passed a bill to form a Commission in honor of Senator Fong and this scholarship is one of the recommendations of that Commission.

"Also, the Kalihi/Palama Post Office was renamed the Hiram L. Fong Post Office, thanks very much to our Congressional Delegation. And thanks to the Board of Education, McKinley High School has named a business building in honor of the late Senator. And the Kidney Foundation honored Senator Fong, thanks to the President last year, Sig Kagawa.

"So, we give credit to this bill and the Commission Chair, former Representative Sam Lee, husband of the present Representative Marilyn Lee, and I urge your support for this great man who was once Speaker of this House. Thank you."

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

"Thank you, Mr. Speaker. I rise also in strong support of this measure that would honor my former constituent, Senator Hiram Fong. A gentleman who was raised in Kalihi and strove for the highest and achieved it. And as a former educator, I cannot stress enough the importance of having the memory of people such as these to inspire our children to know that they, too, can aspire to do anything and accomplish it. Thank you."

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

"Thank you, Mr. Speaker. I will be supporting this measure, but just ask that people, as they vote for this, to understand the complete history of the Senator, and not just the 'good leader' parts. Thank you."

Representative Lee rose, stating:

"Mr. Speaker, I just would like to ask that it be known that my husband was a member of the Fong Commission, and if there is any conflict, that you would let me know."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1529, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE SCHOLARSHIP PROGRAMS AT THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance.

Representatives Chang and Tsuji, for the Committee on Higher Education and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 109) recommending that H.B. No. 935, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 935, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 110) recommending that H.B. No. 1536, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1536, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Finance.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 111) recommending that H.B. No. 1762, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1762, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Finance.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 112) recommending that H.B. No. 101, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 101, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOMEOWNERSHIP," passed Second Reading and was referred to the Committee on Finance.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 113) recommending that H.B. No. 472, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 472, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS," passed Second Reading and was referred to the Committee on Finance.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 114) recommending that H.B. No. 926, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 926, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY LAND TRUSTS," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 115) recommending that H.B. No. 1356, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1356, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION BOARD ALLOWANCE FOR FORMER FOSTER YOUTH," passed Second Reading and was referred to the Committee on Higher Education.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 116) recommending that H.B. No. 1244, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1244, entitled: "A BILL FOR AN ACT RELATING TO THE CHILD SUPPORT ENFORCEMENT AGENCY," passed Second Reading and was referred to the Committee on Judiciary.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 117) recommending that H.B. No. 486, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 486, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 118) recommending that H.B. No. 1844, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1844, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION," passed Second Reading and was referred to the Committee on Finance.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 119) recommending that H.B. No. 99, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 99, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," passed Second Reading and was referred to the Committee on Finance.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 120) recommending that H.B. No. 1025, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1025, HD 1, entitled: "A BILL FOR AN ACT MAKING A GRANT-IN-AID TO THE INTERNATIONAL ASSOCIATION OF LIONS CLUB TO CONSTRUCT A CAMP FACILITY FOR YOUTH ON OAHU," passed Second Reading and was referred to the Committee on Finance.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 121) recommending that H.B. No. 569, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 569, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Finance.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 122) recommending that H.B. No. 570, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 570, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Finance.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 123) recommending that H.B. No. 991, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 991, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Finance.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 124) recommending that H.B. No. 571, as amended in HD 1, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 571, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Public Safety & Military Affairs.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 125) recommending that H.B. No. 189, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 189, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRUISE SHIP FEES," passed Second Reading and was referred jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 126) recommending that H.B. No. 706, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 706, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 127) recommending that H.B. No. 1538, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1538, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representatives Yamashita and Cabanilla, for the Committee on Economic Development & Business Concerns and the Committee on International Affairs presented a report (Stand. Com. Rep. No. 128) recommending that H.B. No. 32, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 32, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Labor & Public Employment.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 129) recommending that H.B. No. 1326, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1326, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," passed Second Reading and was referred to the Committee on Judiciary.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 130) recommending that H.B. No.

414, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 414, entitled: "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO THE HAWAII CONSTITUTION RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Judiciary.

Representatives Takumi and Chang, for the Committee on Education and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 131) recommending that H.B. No. 15, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 15, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representatives Takumi and Shimabukuro, for the Committee on Education and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 132) recommending that H.B. No. 599, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 599, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER HOUSING," passed Second Reading and was referred to the Committee on Finance.

Representatives Takumi and Shimabukuro, for the Committee on Education and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 133) recommending that H.B. No. 955, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 955, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER HOUSING," passed Second Reading and was referred to the Committee on Finance.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 134) recommending that H.B. No. 639, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 639, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 135) recommending that H.B. No. 1503, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1503, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Second Reading and was referred to the Committee on Judiciary.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 136) recommending that H.B. No. 1280, as amended in HD 1, pass

Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1280, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INNOVATION IN WORKFORCE DEVELOPMENT," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 137) recommending that H.B. No. 1561, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1561, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. Stand. Com. Rep. No. 137 is dealing with HB 1561, Relating to Labor, cross-check requirements by labor representation. I'm rising in support with some very strong reservations at this point.

"I feel this bill would in effect give the labor unions two abusive means of coercion. One, it would force employers against their will to participate in these cross-check arrangements simply because the State has a certain degree of involvement in their business.

"Two, it would force employees against their will to be confronted and intimidated by union representatives trying to form a union.

"This bill would allow the State to unabashedly side with labor unions against employers and employees further unbalancing the ability of labor and management to come to fair, impartial and uncoerced agreements. 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. 1561, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Finance.

Representatives Sonson and Shimabukuro, for the Committee on Labor & Public Employment and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 138) recommending that H.B. No. 833, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 833, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 139) recommending that H.B. No. 590, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 590, entitled: "A BILL FOR AN ACT RELATING TO VACCINATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 140) recommending that H.B. No. 220,

as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 220, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TORTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 141) recommending that H.B. No. 965, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 965, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A GRANT TO KAHUKU HOSPITAL," passed Second Reading and was referred to the Committee on Finance.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 142) recommending that H.B. No. 378, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 378, entitled: "A BILL FOR AN ACT RELATING TO NURSING EDUCATION," passed Second Reading and was referred to the Committee on Higher Education.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 143) recommending that H.B. No. 229, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 229, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RURAL HEALTH CARE," passed Second Reading and was referred to the Committee on Higher Education.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 144) recommending that H.B. No. 1862, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1862, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Transportation.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 145) recommending that H.B. No. 673, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 673, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"In opposition. They've been trying to do this for years and we've been trying to protect the University from the Regents. A few years ago the Regents came up with an absolutely most ridiculous procurement policy I've ever seen in my life, and as long as we can't protect the University from ideas like these that come from the Regents, I have to vote no."

Representative Ward rose, stating:

"Some of us over here on the left didn't hear that. What he said."

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

"I'm sorry, Mr. Speaker. I couldn't hear the Representative from the Big Island, as well. I would like to register a vote with reservations."

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

Representative Waters 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 673, 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 Herkes voting no.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 146) recommending that H.B. No. 1433, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1433, entitled: "A BILL FOR AN ACT RELATING TO MILITARY INSTALLATIONS," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 147) recommending that H.B. No. 1398, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1398, entitled: "A BILL FOR AN ACT RELATING TO THE GARNISHMENT OF COMMITTED PERSONS' MONEYS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 148) recommending that H.B. No. 1405, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1405, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Judiciary.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 149) recommending that H.B. No. 3, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRISONS," passed Second Reading and was referred to the Committee on Finance.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 150) recommending that H.B. No. 692, as amended in HD 1, be adopted, passed, and recommitted to the Committee on Agriculture for further consideration.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 692, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was adopted, passed, and recommitted to the Committee on Agriculture for further consideration.

The Chair then addressed Representative Bertram, stating:

"Representative Bertram, what is the motion before this body at this time?"

Representative Bertram responded, stating:

"To adopt the Standing Committee Reports."

Speaker Say: "Yes, you are correct, but what else? It is to recommit to the Committee on Agriculture. Thank you."

At 12:19 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:27 o'clock p.m.

ANNOUNCEMENTS

Representative McKelvey announced that the Committee on Consumer Protection and Commerce would be conducting a public hearing on HB No. 1006, proposed HD1 today at 2:00 p.m.; followed a public hearing on other measures, today at 2:15 p.m. in Conference Room 325, with decision making to follow.

Representative Lee announced that the Committee on Finance would be conducting public hearings on five agendas, today starting at 2:00 p.m. in Conference Room 308 with decision making to follow.

Representative Mizuno announced that the Committee on Health would be conducting a public hearing on H.B. No. 675, Relating to Death with Dignity today at 5:00 p.m. in the Capitol Auditorium.

Representative Mizuno, for the Committee on Health requested a waiver of the 48-hour advanced notice requirement to hear the following bills on Friday, February 9th:

Jointly with the Committee on Consumer Protection and Commerce
HB No. 1067

Jointly with the Committee on Human Services and Housing

HB No. 1475
HB No. 1469
HB No. 962
HB No. 827
HB No. 824
HB No. 71
HB No. 807
HB No. 817
HB No. 1830

Committee on Health only

HB No. 232
HB No. 1120
HB No. 1448
HB No. 1465
HB No. 1467

HB No. 1697
HB No. 582
HB No. 204
HB No. 1721

Representative Finnegan: "Thank you, Mr. Speaker. I just wanted to make sure that everybody knows that the courtesy of reviewing that particular agenda and the details of the bills was already extended to us."

Speaker Say: "Thank you. In the mechanics of getting legislation through, thank you very much for your support for the Chair and Vice Chair of the Committee on Health."

Representative Carroll announced that the Committee on Energy and Environmental Protection would be conducting public hearings tomorrow, February 8, at 8:30 a.m., 10:00 a.m., and 10:30 a.m. in Conference Room 312.

Representative Rhoads announced that the Committee on Human Services and Housing would be conducting a joint public hearing with the Committee on Water, Land, Ocean Resources and Hawaiian Affairs tomorrow at 8:30 in Room 329; followed by a second agenda for the Committee on Human Services and Housing; and then a third agenda jointly with the Committee on Health, with decision making to follow.

Representative Manahan announced that the Committee on Tourism and Culture and the Committee on Public Safety and Military Affairs will be conducting a public hearing tomorrow, February 8, at 8:30 a.m. in Conference Room 309, with decision making to follow.

Representative Har announced that the Committee on Public Safety and Military Affairs and the Committee on Transportation will be conducting a public hearing to hear HB No. 1092, tomorrow, February 8 at 8:35 a.m. in Conference Room 309; followed by a public hearing for the Committee on Public Safety and Military Affairs at 8:45 a.m. in Room 309, with, decision making to follow.

Representative Wakai announced that the Committee on Economic Development and Business Concerns would be conducting a public hearing tomorrow, February 8 at 8:50 a.m. in Conference Room 325.

Representative Chong: "Thank you, Mr. Speaker. Your Committee on Water, Land, Ocean Resources and Hawaiian Affairs will be continuing its 9:00 a.m. agenda, in Conference Room 312 after session, followed by its 9:30 decision making agenda."

Representative Cabanilla: "Mr. Speaker, I have an apology to make for my colleagues here in this House. On Tuesday, an article appeared in the press concerning my introduction of a bill that would have affected nursing homes.

"There has been considerable concern expressed over the introduction of that bill. I now recognize that this action raises the perception of a conflict. I sincerely apologize for introducing that bill that generated the appearance of a conflict. I also apologize that this measure could have negatively affected the reputation of this body in the eyes of the public. I pledge that I will act at all times in a manner that promotes public confidence and the integrity of the House. Thank you, Mr. Speaker."

Speaker Say: "Thank you. On behalf of the House and this institution, we accept your apology. On behalf of all the Members."

Representative Caldwell: "Mr. Speaker, I just want to remind the various Chairs and anyone else in this body, that the deadline for triple referral bills is tomorrow, February 8th. That's Thursday, 6:00 p.m. The bills have to be referred to the Clerk's Office. Thank you for everyone's cooperation."

ADJOURNMENT

At 12:35 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 8, 2007. (Representative Takamine was excused.)