

FORTY-SECOND DAY

Monday, April 2, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:08 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Pastor Randy Furushima of Well Spring Covenant Church, after which the Roll was called showing all members present with the exception of Representatives Ching, M. Oshiro, Takamine and Thielen, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 304 through 307) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 304, dated March 28, 2007, transmitting the Commission on Salaries, Report and Recommendations.

Gov. Msg. No. 305, dated March 27, 2007, transmitting the Hawaii Department of Agriculture's Report of establishment of a federally funded civil service position.

Gov. Msg. No. 306, dated March 22, 2007, transmitting the Department of Taxation's Hawaii Income Patterns Individuals – 2004 Report.

Gov. Msg. No. 307, dated March 30, 2007, transmitting the Department of Human Resources Development Annual Report on Goals and Objectives.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 468) was received and announced by the Clerk:

Sen. Com. No. 468, informing the House that the Senate has, on March 29, 2007, agreed to the amendments, and that said bill has this day passed Final Reading.

S.B. No. 14, "RELATING TO THE UNIVERSITY OF SD 1, HD 1 HAWAII."

INTRODUCTIONS

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

Representative Tokioka introduced Ms. Christian Wilson, an 8th grade student at Kapaa Middle School and Kauai representative to the State Science and Technology Fair. She was accompanied by her father, Mr. Colin Wilson.

Representative Cabanilla introduced Ms. Violeta Arnobit, former President of the Filipino Nurses Organization of Hawaii. She was accompanied by family: her husband, Mr. Perry Arnobit, and Mr. and Mrs. Eleuteria Arnobit, Sr.; members of the Filipino Nurses Organization of Hawaii; and friends, Nancy Walsh, Elsa Talavera, Namnama Baptista, Beth Hoban, Maria Etrads, Emilie Smith, and Carol Andrew.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following concurrent resolution was referred to committee by the Speaker:

S.C.R.Nos.Referred to:

30 Committee on Transportation

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

COMMITTEE REASSIGNMENTS

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

H.R.Nos.Re-referred to:

39 Committee on Energy & Environmental Protection

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

H.C.R.Nos.Re-referred to:

58 Committee on Energy & Environmental Protection

265 Committee on Energy & Environmental Protection

The following bill was re-referred to committee by the Speaker:

S.B.No.Re-referred to:

1837, SD1 Committee on Consumer Protection & Commerce

INTRODUCTION OF RESOLUTION
(FLOOR PRESENTATION)

The following resolution (H.R. No. 295) was announced by the Clerk and the following action taken:

H.R. No. 295, entitled: "HOUSE RESOLUTION COMMENDING HAWAII COVERING KIDS FOR ITS ACCOMPLISHMENTS IN REDUCING THE NUMBER OF UNINSURED CHILDREN AND YOUTH IN HAWAII AND EXPRESSING APPRECIATION FOR ITS ASSISTANCE IN ENROLLING HAWAII'S CHILDREN AND YOUTH IN QUEST AND MEDICAID FEE-FOR-SERVICE PROGRAMS," was jointly offered by Representatives Green, Awana, Berg, Bertram, Brower, Hanohano, Har, Karamatsu, Mizuno, Shimabukuro, Tokioka, Belatti, Chong, Evans, Lee, Magaoay, Nishimoto, Rhoads, Sagum and Yamashita.

Representative Green moved that H.R. No. 295 be adopted, seconded by Representative Mizuno.

Representative Green recognized the work of the Hawaii Primary Care Association's Hawaii Covering Kids project and introduced the Project Director, Ms. Barbara Luksch who was seated on the floor of the House.

Representative Mizuno then introduced Ms. Beth Giesting, Executive Director of the Hawaii Primary Care Association who was also seated on the floor of the House.

Representatives Rhoads, Shimabukuro and Ching also recognized and thanked Hawaii Covering Kids and Ms. Luksch for their dedication and advocacy.

The motion was put to vote by the Chair and carried, and H.R. No. 295 was adopted with Representatives Nakasone, M. Oshiro, Sonson, Takamine and Thielen being excused.

At 12:27 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:51 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1621), recommending that H.R. No. 250, be referred jointly to the Committee on Higher Education and the Committee on Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 250, entitled: "HOUSE RESOLUTION EXPRESSING SUPPORT FOR INTERNATIONAL EDUCATION," was referred jointly to the Committee on Higher Education and the Committee on Education, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1622), recommending that H.C.R. No. 315, be referred jointly to the Committee on Higher Education and the Committee on Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 315, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR INTERNATIONAL EDUCATION," was referred jointly to the Committee on Higher Education and the Committee on Education, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1623), recommending that H.R. No. 173, be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 173, entitled: "HOUSE RESOLUTION REQUESTING THE SPARK M. MATSUNAGA INSTITUTE FOR PEACE, LOCATED WITHIN THE CENTER FOR POLICY STUDIES AT THE UNIVERSITY OF HAWAII AT MANOA, TO CONVENE A WORKING GROUP TO EXPLORE THE POSSIBILITY OF DESIGNATING HAWAII AS THE "GENEVA OF THE PACIFIC"," was referred to the Committee on Higher Education, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1624), recommending that H.C.R. No. 215, be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 215, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SPARK M. MATSUNAGA INSTITUTE FOR PEACE, LOCATED WITHIN

THE CENTER FOR POLICY STUDIES AT THE UNIVERSITY OF HAWAII AT MANOA, TO CONVENE A WORKING GROUP TO EXPLORE THE POSSIBILITY OF DESIGNATING HAWAII AS THE "GENEVA OF THE PACIFIC"," was referred to the Committee on Higher Education, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented two reports:

(Stand. Com. Rep. No. 1625), recommending that H.R. No. 231, be referred to the Committee on Economic Development & Business Concerns; and

(Stand. Com. Rep. No. 1626), recommending that H.C.R. No. 290, be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 231 and H.C.R. No. 290, be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

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

"With reservations. I'd like the next Committee to take a look at this one. While I'm not opposed in principle to Free Trade Agreements, this particular Resolution looks like it was written by the Chamber of Commerce. And when I see the testimony, the only testimony from an organization was from the Chinese Chamber of Commerce.

"I think we need to take a look at, just as an example, the recently concluded U.S., Korea Free Trade Agreement which was just concluded today and the impact that it will definitely have on our State as it relates to preferred drug lists in our Medicaid program. I would also prefer that the title not be simply Urging President of the United States. I certainly don't want the current President to get the idea the State of Hawaii's in favor of fast tracking this particular trade agreement.

"And lastly, Mr. Speaker, I do believe that the U.S. Congress ought to have some say in this matter. Thank you, Mr. Speaker."

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

Representative Evans rose and asked that the Clerk record an aye vote with reservations for her 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 Awana rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

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

"In strong support, Mr. Speaker. The Taiwan delegation, the acting Ambassador came and testified on this matter. And he eloquently pointed out in the Committee that there are certain products of Hawaii that will do good in the Taiwan markets, mainly

papaya, macadamia nuts, and a lot more agricultural products they can bring into their market.

"Right now we bring in flowers and whatnot to our country. And the balance of trade right now is in favor of Taiwan. By having a Free Trade Agreement with them, it allows us to bring more of Hawaii's products to their markets. I also note that Taiwan is not a member of the United Nations so their delegation is very, very aggressive in opening trade agreements with other countries so they will be supported in the world market.

"And yes, I agree that we should look at the Free Trade Agreement. This is not a 'free pass' for them. But I think that this matter should be discussed in this House as far as their equivalency and their fairness. The trade agreement with us needs to be discussed."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 231, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO ENTER INTO A FREE TRADE AGREEMENT WITH TAIWAN," was referred to the Committee on Economic Development & Business Concerns with Representative Evans voting no, and with Representative Thielen being excused; and

H.C.R. No. 290, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO ENTER INTO A FREE TRADE AGREEMENT WITH TAIWAN," was referred to the Committee on Economic Development & Business Concerns with Representative Evans voting no, and with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1627), recommending that H.R. No. 247, be referred to the Committee on Human Services & Housing.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 247, entitled: "HOUSE RESOLUTION REQUESTING THAT THE ISSUANCE OF VISAS FOR FAMILY REUNIFICATION OF IMMIGRANT RELATIVES BE EXPEDITED," was referred to the Committee on Human Services & Housing, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1628), recommending that H.C.R. No. 308, be referred to the Committee on Human Services & Housing.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 308, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE ISSUANCE OF VISAS FOR FAMILY REUNIFICATION OF IMMIGRANT RELATIVES BE EXPEDITED," was referred to the Committee on Human Services & Housing, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented two reports:

(Stand. Com. Rep. No. 1629), recommending that H.R. No. 105, be referred to the Committee on Health; and

(Stand. Com. Rep. No. 1630), recommending that H.C.R. No. 131, be referred to the Committee on Health.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 105 and H.C.R. No. 131, be referred to the Committee on Health, seconded by Representative B. Oshiro.

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

"In support of these measures and I briefly wanted to explain a little bit about what it's about. The National Council of State Boards of Nursing is comprised of the 59 state and territorial boards of nursing who regulate nurses in the United States. It's the Board of Nursing who issues licenses to all nurses to practice in their respective jurisdictions. The NCSBN Board of Directors has approved a position regarding the shortage of nurses and affirms the need to maintain the standards of practice to best protect the public and uphold U.S. state and territorial licensure standards regardless of whether the nurse is domestically or internationally educated. And these Resolutions encourage our State to adopt standards. And I'd also like to enter some written comments in the Journal."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. Mr. Speaker, every employer should exhibit ethical practices when recruiting for vacant positions. This is especially true when the vacancy is in the field of nursing. As we speak, Hawaii is in the midst of a nursing shortage. This, however, should not detract from ethically recruiting qualified nurses to fill much needed positions within our community. These Resolutions, requesting the Governor to support the ethical recruitment of nurses, keeps Hawaii's standards high and protects our citizens as well.

"The National Council of State Boards of Nursing (NCSBN), which is composed of the 59 state and territorial boards of nursing who regulate nurses in the U.S. and issues licenses to all nurses to practice, supports the ethical recruitment of nurses. In its 2006 Ethical Recruitment of Nurses for Licensure policy statement, the NCSBN stated that they support "the lawful entry of nurses from other countries provided they meet U.S. federal immigration and labor requirements, and obtain and maintain a valid state or territorial license to practice." They also state that ethical recruitment includes: transparency in all communications and any offers of employment; making available all information necessary for an informed decision concerning the circumstances and laws bearing on crossing borders, immigration, labor environment, and the potential new living and working conditions; full disclosure of requirements for nurse competency in the workplace; adoption of high ethical standards in nurse recruiting; and development of sanctions for those engaging in unethical practices.

"It is extremely important that Hawaii keeps its standards high even when facing a nursing shortage and I urge my colleagues to vote in favor of these Resolutions. Thank you."

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

"I am speaking on Stand. Com. Rep. Nos 1629 and 1630, and I would like to elaborate more on what the previous speaker said. In strong support on the ethical recruitment of nurses. I've heard a lot of anecdotes. I didn't go to school in the Philippines, but I've heard a lot of anecdotes about illegal recruitment in that country.

"The honoree that I had today came in on a work visa and she tells me that when she was recruited to come to work in New York, she was shown pictures of a beautiful place to live that came with a swimming pool and other amenities. But upon arriving to work for Bellevue Hospital, she was brought to a room about the size of a three by eight foot room with just a cot in there. There was no refrigerator. The bathroom was down the hall. They were given twelve hour shifts to work every day. So what she's showing me is that what is said during recruitment is not the same standard or the same situation as when they arrived. So I strongly support this measure, Mr. Speaker."

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

"Mr. Speaker, a comment in support of the Resolutions which I entirely agree with the intent and the purpose which are well done. The only thing is its title. It suggests, implies, imputes that the Governor is supporting unethical recruitment behavior. I know that's not the intent, but it's worded, I would say poorly, improperly and we should be able to do better."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 105, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO SUPPORT THE ETHICAL RECRUITMENT OF NURSES," was referred to the Committee on Health, with Representative Thielen being excused; and

H.C.R. No. 131, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO SUPPORT THE ETHICAL RECRUITMENT OF NURSES," was referred to the Committee on Health, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1631), recommending that H.R. No. 246, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 246, HD 1, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES GOVERNMENT TO EASE RESTRICTIONS ON THE ISSUANCE OF TEMPORARY VISAS AND EXTEND THE STAY LIMIT TO ALLOW FOREIGN MEDIATORS AND PARTIES IN NEED OF MEDIATION SERVICES TO ENTER THE STATE OF HAWAII FOR THE PURPOSE OF FACILITATING COMMUNICATION AND NEGOTIATION BETWEEN PARTIES TO RESOLVE DISPUTES," was referred to the Committee on Judiciary, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1632), recommending that H.C.R. No. 307, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 307, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES GOVERNMENT TO EASE RESTRICTIONS ON THE ISSUANCE OF TEMPORARY VISAS AND EXTEND THE STAY LIMIT TO ALLOW FOREIGN MEDIATORS AND PARTIES IN NEED OF MEDIATION SERVICES TO ENTER THE STATE OF HAWAII FOR THE PURPOSE OF FACILITATING COMMUNICATION AND NEGOTIATION BETWEEN PARTIES TO RESOLVE DISPUTES," was referred to the Committee on Judiciary, with Representative Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1633), recommending that H.R. No. 86, be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 86, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO PROVIDE AN ECONOMIC ANALYSIS OF THE IMPACT OF CHANGES TO HAWAII'S KONA COFFEE MINIMUM CONTENT LAWS, AND REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO STUDY WAYS TO IMPROVE ENFORCEMENT OF THOSE LAWS," was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1634), recommending that H.C.R. No. 109, be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 109, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO PROVIDE AN ECONOMIC ANALYSIS OF THE IMPACT OF CHANGES TO HAWAII'S KONA COFFEE MINIMUM CONTENT LAWS, AND REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO STUDY WAYS TO IMPROVE ENFORCEMENT OF THOSE LAWS," was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1635), recommending that H.C.R. No. 110, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 110, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO ADOPT ADMINISTRATIVE RULES TO ESTABLISH UNIFORM INSPECTION, CERTIFICATION, AND AUDIT REQUIREMENTS FOR ALL COFFEE GROWN IN HAWAII," was referred to the Committee on Consumer Protection & Commerce, with Representative Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1636), recommending that H.C.R. No. 111, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 111, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO STUDY LABELING REQUIREMENTS RELATING TO THE USE OF HAWAII-GROWN COFFEE NAMES," was referred to the Committee on Consumer Protection & Commerce, with Representative Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1637), recommending that H.R. No. 85, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 85, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE REVIEW TO DETERMINE WHETHER HOME INSPECTORS SHOULD BE LICENSED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was referred to the Committee on Legislative Management, with Representative Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1638), recommending that H.C.R. No. 108, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee

was adopted and H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE REVIEW TO DETERMINE WHETHER HOME INSPECTORS SHOULD BE LICENSED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was referred to the Committee on Legislative Management, with Representative Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1639), recommending that H.C.R. No. 46, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 46, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW ON THE REGISTRATION OF PROVIDERS OF DEBT-MANAGEMENT SERVICES," was referred to the Committee on Legislative Management, with Representative Thielen being excused.

Representatives Shimabukuro and Yamashita, for the Committee on Human Services & Housing and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1640), recommending that H.R. No. 80, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 80, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO PROVIDE A PROPERTY TAX REDUCTION OR TAX CREDIT FOR, OR SOME OTHER METHOD OF COMPENSATION OR REIMBURSEMENT TO, REAL PROPERTY TAXPAYERS WHO PAY FOR THEIR OWN TRASH COLLECTION SERVICES," was referred to the Committee on Finance, with Representative Thielen being excused.

Representatives Shimabukuro and Yamashita, for the Committee on Human Services & Housing and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1641), recommending that H.C.R. No. 102, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 102, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO PROVIDE A PROPERTY TAX REDUCTION OR TAX CREDIT FOR, OR SOME OTHER METHOD OF COMPENSATION OR REIMBURSEMENT TO, REAL PROPERTY TAXPAYERS WHO PAY FOR THEIR OWN TRASH COLLECTION SERVICES," was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1642), recommending that H.C.R. No. 281, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and H.C.R. No. 281, 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. On Stand. Com. Rep. No. 1642, I'd like to register an aye with reservations. I'd also like to submit some remarks.

"I'm just a little troubled. I see that in the Committee, actually what this Resolution does is request the Department of Health and the Department of Taxation to submit proposed legislation to assist the development and testing of a rapid electrochemical detection

product with tax incentives to private companies. There are two specific companies that presented their testimony in support. I have no idea who they are. The Department of Health opposed this Resolution, and the Department of Taxation, while it didn't oppose it, had brief comments that were less than supportive. So those are the problems I have. Thank you."

Representative Meyer's written remarks are as follows:

"I am in support of HCR281, but with some reservations. This Resolution would effectively give a specific company, Eurus Genomics, Inc., a narrowly tailored \$15 million tax break not available to other companies in different industries. While the product this company is trying to develop appears worthwhile and of benefit to society – a better way of testing for diseases such as hepatitis C -- so are most products sold by most companies. By giving a few companies a free ride on taxes, all other companies must assume a larger tax load.

"This is fundamentally unfair, and distorts and politicizes the competitive process so essential to a vibrant economy. Government should not be in the business of picking and choosing which companies they would like to succeed or fail – such a collectivist approach toward the economy has been demonstrated over and over again to be inferior to letting the free market sort out the most efficient and rational allocation of scarce resources."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 281, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF TAXATION TO SUBMIT PROPOSED LEGISLATION TO ASSIST THE DEVELOPMENT AND TESTING OF A RAPID ELECTROCHEMICAL DETECTION PRODUCT WITH TAX INCENTIVES TO PRIVATE COMPANIES FOR RELATED WORK," was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1643), recommending that H.C.R. No. 284, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 284, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR THE USE OF AN ADVANCED VITAL SIGN MONITORING DEVICE," was referred to the Committee on Legislative Management, with Representative Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1644), recommending that H.R. No. 126, be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 126, entitled: "HOUSE RESOLUTION REQUESTING ACKNOWLEDGEMENT AND SUPPORT FOR THE "SUSTAINABLE SAUNDERS" PROJECT AT THE UNIVERSITY OF HAWAII – MANOA THAT SEEKS TO DEVELOP SAUNDERS HALL AS A MODEL FOR ENERGY EFFICIENCY AND SUSTAINABILITY," was referred to the Committee on Energy & Environmental Protection, with Representative Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1645), recommending that H.C.R. No. 159, be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 159, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ACKNOWLEDGEMENT AND SUPPORT FOR THE "SUSTAINABLE SAUNDERS" PROJECT AT THE UNIVERSITY OF HAWAII – MANOA THAT SEEKS TO DEVELOP SAUNDERS HALL AS A MODEL FOR ENERGY EFFICIENCY AND SUSTAINABILITY," was referred to the Committee on Energy & Environmental Protection, with Representative Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1646), recommending that H.C.R. No. 179, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 179, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY," was referred to the Committee on Legislative Management, with Representative Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1647), recommending that H.R. No. 218, be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 218, entitled: "HOUSE RESOLUTION REQUESTING THE COUNTY OF MAUI TO PROVIDE FOR THE IMMEDIATE REPAIR OF HUI F ROAD, AND URGING THE COUNTY OF MAUI TO INVENTORY ITS ROADS IN LIMBO," was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, with Representative Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1648), recommending that H.C.R. No. 278, be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 278, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTY OF MAUI TO PROVIDE FOR THE IMMEDIATE REPAIR OF HUI F ROAD, AND URGING THE COUNTY OF MAUI TO INVENTORY ITS ROADS IN LIMBO," was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, with Representative Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1649), recommending that H.R. No. 274, be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 274, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN COLLABORATION WITH THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, TO CONDUCT A STUDY TO EVALUATE PLANS BY YOUNG BROTHERS, LTD., TO DISCONTINUE ITS LESS-THAN-CONTAINER-LOAD INTERISLAND CARGO SERVICE," was referred to the Committee on Economic Development & Business Concerns, with Representative Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1650), recommending that H.C.R. No. 340, be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 340, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN COLLABORATION WITH THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, TO CONDUCT A STUDY TO EVALUATE PLANS BY YOUNG BROTHERS, LTD., TO DISCONTINUE ITS LESS-THAN-CONTAINER-LOAD INTERISLAND CARGO SERVICE," was referred to the Committee on Economic Development & Business Concerns, with Representative Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1651), recommending that H.C.R. No. 242, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 242, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A KAPAA QUARRY ROAD SAFETY TASK FORCE TO CONDUCT A STUDY TO DEVELOP AND RECOMMEND TRAFFIC SAFETY MEASURES FOR KAPAA QUARRY ROAD IN ORDER TO ALLEVIATE DANGEROUS ROAD CONDITIONS AND REDUCE HAZARDOUS DRIVING PRACTICES," was referred to the Committee on Finance, with Representative Thielen being excused.

Representatives Sonson and Yamashita, for the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns presented two reports:

(Stand. Com. Rep. No. 1652), recommending that H.R. No. 41, as amended in HD 1, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1653), recommending that H.C.R. No. 61, as amended in HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the reports of the Committees be adopted, and that H.R. No. 41, HD 1, and H.C.R. No. 61, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you very much. On Stand. Com. Rep. Nos. 1652 and 1653, I'd just like to register a vote with reservations. These Resolutions are asking the Attorney General and the Insurance Commissioner to conduct a study on whether State and county government contracts are being awarded to out-of-state contractors to the detriment of Hawaii local contractors. I think that this is going down a slippery slope. I think if we're looking for a vendor or somebody to do something for us, I don't think we just automatically would not want somebody from out-of-state, if they are the best qualified and have the best price. 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. 41, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON PUBLIC CONTRACTS," was referred to the Committee on Finance, with Representative Thielen being excused; and

H.C.R. No. 61, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON PUBLIC

CONTRACTS," was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1654), recommending that H.R. No. 232, be referred to the Committee on Health.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 232, entitled: "HOUSE RESOLUTION REQUESTING THE WORLD HEALTH ORGANIZATION TO CONFER "OBSERVER STATUS" UPON TAIWAN IN ORDER TO PERMIT TAIWAN'S PARTICIPATION IN THE WORLD HEALTH ORGANIZATION'S PROGRAMS AND ACTIVITIES," was referred to the Committee on Health, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1655), recommending that H.C.R. No. 291, be referred to the Committee on Health.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 291, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE WORLD HEALTH ORGANIZATION TO CONFER "OBSERVER STATUS" UPON TAIWAN IN ORDER TO PERMIT TAIWAN'S PARTICIPATION IN THE WORLD HEALTH ORGANIZATION'S PROGRAMS AND ACTIVITIES," was referred to the Committee on Health, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1656), recommending that H.R. No. 229, as amended in HD 1, be referred to the Committee on Tourism & Culture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 229, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, THE HAWAII TOURISM AUTHORITY, AND THE HAWAII VISITORS AND CONVENTION BUREAU TO CONDUCT ACTIVITIES TO INCREASE THE NUMBER OF VISITORS FROM TAIWAN," was referred to the Committee on Tourism & Culture, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1657), recommending that H.C.R. No. 288, as amended in HD 1, be referred to the Committee on Tourism & Culture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 288, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, THE HAWAII TOURISM AUTHORITY, AND THE HAWAII VISITORS AND CONVENTION BUREAU TO CONDUCT ACTIVITIES TO INCREASE THE NUMBER OF VISITORS FROM TAIWAN," was referred to the Committee on Tourism & Culture, with Representative Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1658), recommending that H.R. No. 224, as amended in HD 1, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 224, HD 1, entitled: "HOUSE

RESOLUTION REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR THE USE OF AN ADVANCED VITAL SIGN MONITORING DEVICE," was referred to the Committee on Consumer Protection & Commerce, with Representative Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1659), recommending that H.C.R. No. 14, be referred to the Committee on Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 14, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO STUDY THE EDUCATIONAL IMPLICATIONS OF THE SPECIAL NEEDS OF PRESCHOOL AGE CHILDREN WITH DEVELOPMENTAL DISABILITIES," was referred to the Committee on Education, with Representative Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1660), recommending that H.C.R. No. 311, be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 311, be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

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

"On Stand. Com. Rep. No.1660 which is a Resolution asking the Department of Health to determine the feasibility of reducing or eliminating the use of trans fat. I just have some reservations with that."

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

Representative Takai 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 311, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DETERMINE THE FEASIBILITY OF REDUCING OR ELIMINATING THE USE OF TRANS FAT IN FOOD PREPARATION AND FOOD SERVICE BY HAWAII'S RESTAURANT INDUSTRY," was referred to the Committee on Economic Development & Business Concerns, with Representative Thielen being excused.

Representatives Green and Takumi, for the Committee on Health and the Committee on Education presented a report (Stand. Com. Rep. No. 1661), recommending that H.R. No. 26, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 26, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND DEPARTMENT OF HEALTH TO COLLABORATE WITH THE ORGAN DONOR CENTER OF HAWAII TO INCREASE AWARENESS OF THE BENEFITS OF ORGAN DONATION IN THE STATE OF HAWAII," was referred to the Committee on Finance, with Representative Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1662), recommending that H.R. No. 68, as amended in HD 1, be referred jointly to the Committee on Education and 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.R. No. 68, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO PROVIDE CARDIOPULMONARY RESUSCITATION TRAINING TO ALL EDUCATION PROFESSIONALS IN THE STATE OF HAWAII," was referred jointly to the Committee on Education and the Committee on Labor & Public Employment, with Representative Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1663), recommending that H.C.R. No. 90, as amended in HD 1, be referred jointly to the Committee on Education and 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.C.R. No. 90, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO PROVIDE CARDIOPULMONARY RESUSCITATION TRAINING TO ALL EDUCATION PROFESSIONALS IN THE STATE OF HAWAII," was referred jointly to the Committee on Education and the Committee on Labor & Public Employment, with Representative Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1664), recommending that H.R. No. 98, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 98, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPROVE ITS DELIVERY OF SERVICES TO SPECIAL NEEDS CHILDREN AND THEIR FAMILIES BY RECONSIDERING THE RATES PAID TO INTENSIVE INSTRUCTIONAL SERVICES CONSULTANTS," was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1665), recommending that H.C.R. No. 124, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 124, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPROVE ITS DELIVERY OF SERVICES TO SPECIAL NEEDS CHILDREN AND THEIR FAMILIES BY RECONSIDERING THE RATES PAID TO INTENSIVE INSTRUCTIONAL SERVICES CONSULTANTS," was referred to the Committee on Finance, with Representative Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1666), recommending that H.R. No. 140, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 140, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATURE'S KUPUNA

CAUCUS TO CONDUCT A STUDY ON ELDER ABUSE AND THE DEPARTMENT OF HUMAN SERVICES TO PROVIDE INFORMATION AND SUPPORT TO THE KUPUNA CAUCUS," was referred to the Committee on Judiciary, with Representative Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1667), recommending that H.C.R. No. 182, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 182, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATURE'S KUPUNA CAUCUS TO CONDUCT A STUDY ON ELDER ABUSE AND THE DEPARTMENT OF HUMAN SERVICES TO PROVIDE INFORMATION AND SUPPORT TO THE KUPUNA CAUCUS," was referred to the Committee on Judiciary, with Representative Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1668) recommending that H.C.R. No. 170, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 170, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO ESTABLISH A TASK FORCE TO DEVELOP LONG-TERM SOLUTIONS TO EFFECTIVELY PROTECT THE LIVESTOCK INDUSTRY IN HAWAII," was adopted, with Representative Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1669) recommending that H.C.R. No. 231, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 231, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE AND SUPPORT FEDERAL LEGISLATION TO ADDRESS CONCERNS REGARDING THE INSPECTION OF PLANTS AND PRODUCTS FROM FOREIGN COUNTRIES TO PREVENT INVASIVE SPECIES FROM ENTERING THE STATE," was adopted, with Representative Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1670) recommending that H.C.R. No. 266, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 266, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO COLLABORATE WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE TO DEVELOP A TREE CROP INSURANCE PROGRAM FOR TREE FARMS IN HAWAII," was adopted, with Representative Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1671) recommending that H.R. No. 175, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 175, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT AND THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO INCREASE, FOR

SOCIAL SECURITY BENEFICIARIES, THE LEVELS OF PROVISIONAL INCOME, WHICH INCLUDE SOCIAL SECURITY BENEFITS, BY AN AMOUNT EQUAL TO THE FEDERAL COST OF LIVING ALLOWANCE GRANTED TO FEDERAL EMPLOYEES IN HAWAII," was adopted, with Representative Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1672) recommending that H.C.R. No. 217, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 217, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT AND THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO INCREASE, FOR SOCIAL SECURITY BENEFICIARIES, THE LEVELS OF PROVISIONAL INCOME, WHICH INCLUDE SOCIAL SECURITY BENEFITS, BY AN AMOUNT EQUAL TO THE FEDERAL COST OF LIVING ALLOWANCE GRANTED TO FEDERAL EMPLOYEES IN HAWAII," was adopted, with Representative Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1673) recommending that H.R. No. 114, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 114, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT LEGISLATION AUTHORIZING THE SECRETARY OF HEALTH AND HUMAN SERVICES TO NEGOTIATE LOWER DRUG PRICES ON BEHALF OF MEDICARE BENEFICIARIES," was adopted, with Representative Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1674) recommending that H.C.R. No. 141, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 141, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT LEGISLATION AUTHORIZING THE SECRETARY OF HEALTH AND HUMAN SERVICES TO NEGOTIATE LOWER DRUG PRICES ON BEHALF OF MEDICARE BENEFICIARIES," was adopted, with Representative Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented two reports:

(Stand. Com. Rep. No. 1675) recommending that H.R. No. 148, be adopted; and

(Stand. Com. Rep. No. 1676) recommending that H.C.R. No. 190, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 148 and H.C.R. No. 190, be adopted, seconded by Representative B. Oshiro.

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:

"House Concurrent Resolution 190 and House Resolution 148 show of support from the State of Hawaii to expedite justice for those Filipinos that risked their lives in the service of the United States of America. These Filipino soldiers have been discriminated against for

more than sixty years. These Resolutions provide the benefit of familial companionship to those who arguably need it most. We are simply asking for repayment for those brave Filipino servicemen that want what anybody else wants; support and companionship from their immediate families and dependents.

"Further, we are not asking for anything new, simply the enactment of legislation that has been proved to be important to our country, both locally and federally."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 148, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT H.R. 1287 AND S. 671 RELATING TO FILIPINO FAMILY REUNIFICATION, OR SIMILAR LEGISLATION, TO PROVIDE PRIORITY ISSUANCE OF VISAS TO FILIPINO VETERANS' CHILDREN WITH APPROVED IMMIGRATION PETITIONS," was adopted, with Representative Thielen being excused; and

H.C.R. No. 190, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT H.R. 1287 AND S. 671 RELATING TO FILIPINO FAMILY REUNIFICATION, OR SIMILAR LEGISLATION, TO PROVIDE PRIORITY ISSUANCE OF VISAS TO FILIPINO VETERANS' CHILDREN WITH APPROVED IMMIGRATION PETITIONS," was adopted, with Representative Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1677) recommending that H.R. No. 236, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 236, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ESTABLISH AT LEAST ONE CIVIC STANDARD AT EVERY GRADE LEVEL FROM K-12 THAT INTEGRATES SERVICE LEARNING AND EXPECTS STUDENTS TO ENGAGE, PARTICIPATE, AND BECOME ACTIVELY INVOLVED IN THEIR COMMUNITIES," was adopted, with Representative Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1678) recommending that H.C.R. No. 296, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 296, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ESTABLISH AT LEAST ONE CIVIC STANDARD AT EVERY GRADE LEVEL FROM K-12 THAT INTEGRATES SERVICE LEARNING AND EXPECTS STUDENTS TO ENGAGE, PARTICIPATE, AND BECOME ACTIVELY INVOLVED IN THEIR COMMUNITIES," was adopted, with Representative Thielen being excused.

Representatives Takumi and Green, for the Committee on Education and the Committee on Health presented a report (Stand. Com. Rep. No. 1679) recommending that H.C.R. No. 106, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 106, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO DEVELOP AN ACTION PLAN TO DISSEMINATE INFORMATION TO PUBLIC SCHOOL STUDENTS AND THEIR FAMILIES ON ACCESS TO COMPREHENSIVE VISION AND HEARING EXAMINATIONS," was adopted, with Representative Thielen being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1680) recommending that S.B. No. 1236, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 1236, SD 1, 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 Representative Thielen being excused.

At this time, the Chair announced:

"Members, please note the 48-hour notice for Stand. Com. Rep. Nos. 1681 through 1686."

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1681) recommending that S.B. No. 618, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1681 on S.B. No. 618, 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. 618, HD 1, were made available to the members of the House.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1682) recommending that S.B. No. 987, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1682 on S.B. No. 987, 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. 987, SD 1, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1683) recommending that S.B. No. 1161, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1683 on S.B. No. 1161, 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. 1161, SD 1, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1684) recommending that S.B. No. 1654, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1684 on S.B. No. 1654, 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. 1654, SD 1, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1685) recommending that S.B. No. 1709, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1685 on S.B. No. 1709, 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. 1709, SD 1, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1686) recommending that S.B. No. 1529, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1686 on S.B. No. 1529, 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. 1529, SD 2, HD 2, were made available to the members of the House.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering certain bills on Third Reading on the basis of a modified consent calendar. (Representative Thielen was excused.)

THIRD READING

S.B. No. 1509, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1509, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE (HOV) LANES," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

S.B. No. 228, SD 1, HD 1:

Representative Caldwell moved that S.B. No. 228, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"I strongly support S.B. 228—Relating to Graffiti, which would require minors who commit graffiti to remove their graffiti from the affected property and to perform community service to remove graffiti from other properties.

"This bill is an important step towards assisting in combating the graffiti problem many of our local communities face. Graffiti severely blights many neighborhoods in our State and wastes thousands of dollars aimed at its removal. This is particularly troublesome for small business and private property owners. Residents in certain neighborhoods are unable to walk from one block to another without coming upon graffiti in one form or another. As Hawaii relies on tourism and natural beauty, graffiti seriously detracts from our State's success.

"By enforcing stricter penalties for Hawaii's Criminal Property Damage law we can help decrease the graffiti rate, assist many communities in combating their graffiti problem and preserve Hawaii's beauty for future generations to come. Further, perhaps with public input, we can explore the option to require that paint and supplies required for removal be provided for at the expense of parents and the minor."

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:

This issue is very close to my district's heart. Graffiti in our neighborhoods is not merely an eyesore. It decreases community morale, and ultimately hits the taxpayers in our already slim pocketbooks. With the introduction of this program to the Judiciary,

we will be able to bear the costs of these offenses by passing them on to the offenders. More importantly, we must remember that oftentimes these offenders are not career felons or lifetime criminals, but our children, our neighbor's children, or our community's children that simply need a little guidance. This program will allow them to realize how their behavior affects communities, and experience the recognition they sought to gain through their actions."

The motion was put to vote by the Chair and carried, and S.B. No. 228, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GRAFFITI," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

S.B. No. 755, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 755, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ETHICS COMMISSIONS," passed Third Reading by a vote of 49 ayes to 1 no, with Representative McKelvey voting no, and with Representative Thielen being excused.

S.B. No. 1750, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1750, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

S.B. No. 46, SD 1, HD 1:

Representative Caldwell moved that S.B. No. 46, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"I rise in opposition to Stand. Com. Rep. No. 1611. This bill is related to government operations, but it probably should be called 'Related to a lack of trust in the Board of Regents in the University of Hawaii to set compensation levels.'

"The bill attempts to make public the salaries of the best and the brightest. Those who we were honoring on the Floor a few days ago, those who we applaud when we see something good come out of the University. The difficulty is that salaries are personnel matters and all personnel matters are private. Even the lawyers who attend to those things are not public. As we know with all the other departments, that is the case.

"The difficulty is that with the commentating note, that we only have to, as the amended bill says, give ten days of the notice to talk about compensation. The Board of Regents already has to give the Lieutenant Governor's office ten days notice to have a meeting. So in effect, it's redundant and in effect, it's private and in an executive session. I'm not sure what this bill does. If anything, the bottom line I guess, is the old adage, Mr. Speaker. If it ain't broke, let's not fix it. Thank you."

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

"Mr. Speaker, I rise in favor of this bill. I'm not quite sure I understand it correctly, but it refers to the compensation of newly hired employees. And I would take that to mean that literally and that these employees are not prospective members. That was my only query on this bill. If I am reading this incorrectly, I would like to be corrected. Thank you."

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

"In strong support. Thank you, Mr. Speaker. This bill in fact amends the law to require the University of Hawaii Board of Regents to produce, no later than ten days, the compensation for newly hired employees, as well as existing employees that will be receiving additional compensation.

"Mr. Speaker, in the year 2000, the voters of this State passed the constitutional amendment providing the University with some additional fiscal and administrative flexibility. That amendment did not give the University the full rights and responsibilities of pretending to be, or giving it the rights to be a private university. The University of Hawaii still exists today as a publicly funded institution of higher education. And I think it's incumbent upon us as policymakers that the request of groups like the University of Hawaii Professional Assembly, to consider the concern of having or allowing the Board of Regents to pass compensation levels, as well as approve newly hired employees for positions like the President, or Chancellors of the various campuses, or any other executive or managerial position.

"In the past, this data was available. In fact, the Legislature used to approve through the budget, the salary levels of each of these employees. What we've done now is we've given that to the University. And with that, I believe, comes some responsibility, one of which is to provide the public with fair notice of what the compensation level is going to be. And to allow the public, including the University of Hawaii Professional Assembly, if they choose, the chance to testify for and against not only the person being considered, but also the salary compensation. So unfortunately, the University has not done that. So through this bill, we're going to require them to do that. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"Just a footnote to the previous speaker. And I know he believes very, very, very strongly in autonomy and this body very wisely did grant autonomy a number of years ago. But if we really mean it, we want to make it autonomous, we probably don't want to keep taking it back. You don't want to tell somebody they're free, but by the way check with me on everything that you do before you do it.

"So I think it's one of those areas that eventually the slippery slope of autonomy may go back to where in another five years, repeating what we're doing this year, we may come back to where the University of Hawaii in effect is handcuffed. And I'm not sure that that is the intention of any of us in this body."

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

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. I have some of the very same concerns as the Representative from Hawaii Kai. In any given year we will give the University more autonomy, and then something happens and then we want to take it back. You cannot run a University through consensus of every group there.

"In Committee, people from the University talked about certain positions that are very hard to fill. There are lots of faculty members that are aware that real people get hired at a higher wage than they're getting even though they've been there for twenty years, and they understand the underlying reasons for it. I think this sets up something that is much more of a political situation. The Board of Regents with the President is the Executive Branch, and now you're going to have people coming into this public meeting. It's like advise and consent that's going on in the Senate, probably right this moment, tearing people apart. I don't think that serves our University well. Thank you, Mr. Speaker."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Just very briefly. I think people are confusing the word 'autonomy' with 'accountability'. Really this is about accountability. This currently is about the proposed salaries that will be coming. Currently under the Uniform Information and Practices Act, Chapter 92 of the Hawaii Revised Statutes, we're already provided or have the right to get the actual compensation of these individuals.

"But what this bill is doing is saying that when there's going to be a proposed salary increase for what we want to see our public monies going towards, whether we feel that these individuals are worth that amount of money or not, that's something that the public should have some say in. And that's about accountability. This is not about autonomy. We in this body are not doing anything to diminish that autonomy. But what we are requiring is accountability."

Representative Takai rose to respond, stating:

"Mr. Speaker. Second time, in favor. I just wanted to mention that I never called the constitutional amendment that we passed in 2000, a constitutional amendment for autonomy. I've always called it, 'fiscal flexibility'. In fact, I've written probably for the last five years, an explanation of what the voters of this State passed in 2000. I would be more than happy to give that letter to the Representative from Hawaii Kai because I think many people misunderstood as to what in fact the voters of this State passed in 2000.

"It's not a constitutional autonomy amendment. It provides for flexibility. It codifies in the Constitution some of the things that the Legislature had at that time given to the University. It allows the University to do some things right now before even asking us for permission. That's what it does. But this bill does not erode that particular provision passed by the voters in 2000.

"Mr. Speaker, I think people should start taking a look at this bill and understand that the issue that we had a few years ago when the Regents selected a prior President at the compensation level of \$442,000, that the public, including the University faculty, did not have a chance to discuss or debate with the Regents that particular individual and more importantly, that particular compensation level until after the Regents adopted the level of compensation, and more importantly, hired that particular individual."

The motion was put to vote by the Chair and carried, and S.B. No. 46, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Meyer and Ward voting no, and with Representative Thielen being excused.

S.B. No. 1011, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1011, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE KEY INFORMATION ACCESS," passed Third Reading by a vote of 42 ayes to 8 noes, with Representatives Chang, Finnegan, Hanohano, Har, Meyer, Pine, Sagum and Tokioka voting no, and with Representative Thielen being excused.

S.B. No. 1954, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1954, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUSTICES AND JUDGES," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

S.B. No. 1957, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1957, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CODE OF

ETHICS," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

S.B. No. 149, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 149, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

S.B. No. 1370, SD 1, HD 1:

Representative Caldwell moved that S.B. No. 1370, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I am rising on the last bill, expressing reservations. While I have no problem with the Department of Budget and Finance assessing fees for the due diligence it performs for commercial entities seeking special purpose revenue bonds, I fear that large fees could adversely affect small non-profits such as independent schools. I would hope that Budget and Finance would exempt small non-profits, especially schools. Thank you."

The motion was put to vote by the Chair and carried, and S.B. No. 1370, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

At 1:21 o'clock p.m., the Chair noted that the follow bills passed Third Reading:

S.B. No. 1509, SD 1, HD 1
 S.B. No. 228, SD 1, HD 1
 S.B. No. 755, SD 1, HD 1
 S.B. No. 1750, SD 1, HD 1
 S.B. No. 46, SD 1, HD 1
 S.B. No. 1011, SD 1, HD 1
 S.B. No. 1954, SD 1, HD 1
 S.B. No. 1957, SD 1, HD 1
 S.B. No. 149, SD 1, HD 1
 S.B. No. 1370, SD 1, HD 1

ANNOUNCEMENTS

Speaker Say: "Members, please note your Committee hearing notices on pages A through O of the Order of the Day."

Representative Finnegan: "On behalf of Representative Thielen who couldn't be here today, she just wanted to remind everyone about the Women's Caucus Easter basket drive. Baskets will be collected on Wednesday, April 4th at 2:00 pm on the Chamber level in the rotunda area. Thank you.

ADJOURNMENT

At 1:21 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, April 3, 2007. (Representative Thielen was excused.)