

JOURNAL

of the

HOUSE OF REPRESENTATIVES

of the

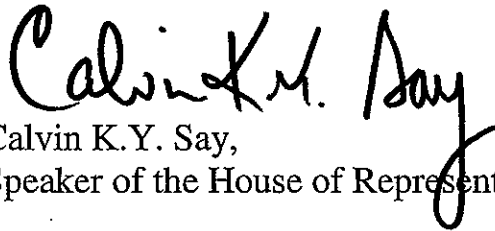
**TWENTY-FOURTH LEGISLATURE
STATE OF HAWAII**

SPECIAL SESSION OF 2007

Tuesday, July 10, 2007

CERTIFICATE

We hereby certify that the minutes for this day's session as it appears in this House Journal are true and correct and that the original copies have been duly signed by the Speaker and the Clerk of the House of Representatives and are on file in the Archives of the State of Hawaii.



Calvin K.Y. Say,
Speaker of the House of Representatives



Patricia A. Mau-Shimizu,
Clerk of the House of Representatives

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**THE
TWENTY-FOURTH LEGISLATURE
STATE OF HAWAII
SPECIAL SESSION OF 2007
JOURNAL OF THE HOUSE**

Tuesday, July 10, 2007

In accordance with the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, the House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii convened in Special Session on Tuesday, July 10, 2007.

The Honorable Calvin K.Y. Say, member of the Twentieth District, having been elected Speaker of the House of Representatives on the Opening Day of the Twenty-Fourth Legislature and retaining that position under the provision of Rule 1.5 of the Rules of the House of Representatives, called the House to order at 11:40 o'clock a.m., announcing:

"Members, today we gather in accordance with Article III, Section 16 of the Hawaii State Constitution which provides that the Governor shall have 45 days after adjournment of the Legislature sine die, to consider bills presented after adjournment, and which allows the Governor to return any bill with her objection. These provisions allow the Legislature to convene at or before noon on the 45th day in a special session, without call, for the sole purpose of acting upon any such bill returned by the Governor.

"This day of July 10th is the 45th day after adjournment sine die of the Regular Session of 2007. At this time, the House will come to order."

The invocation was delivered by Representative Roland D. Sagum III, after which the Roll was called showing all members present with the exception of Representatives Berg and Saiki, who were excused.

INTRODUCTIONS

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

Representative Rhoads introduced his legislative intern for the summer, Ms. Kapua Aiu who will be freshman at Kamehameha Schools.

Representative Finnegan, on behalf of the Minority Caucus, introduced Mr. Willes Lee, Chair of the Republican Party in Hawaii.

Representative Chang introduced Ms. Liz Ho of AFSCME Hawaii.

Representative Ching introduced members of the Adoption Circle of Hawaii.

Representative Ward introduced Mr. Paul Smith of Let Honolulu Vote.

Representative Mizuno introduced Mr. Mike and Mrs. Jean Morrissey of Boston, Massachusetts who are experts on baby safe havens.

At 11:47 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:05 o'clock p.m.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 385 through 602) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 385, dated May 1, 2007, transmitting the 2006 Annual Report of the Hawaii Strategic Development Corporation (HSDC).

Gov. Msg. No. 386, dated May 1, 2007, transmitting the Foreign-Trade Zones No. 9's Annual Report to the Foreign-Trade Zones Board for fiscal year ending September 30, 2006.

Gov. Msg. No. 387, dated May 4, 2007, transmitting the Report Pursuant to Chapter 333E-3(5)(A), Hawaii Revised Statutes, Hawaii State Council and Developmental Disabilities 2006 Annual Report.

Gov. Msg. No. 388, dated May 3, 2007, transmitting the Department of Human Services' Report as required by Act 178, Section 159, SLH 2005, for the 3rd quarter of FY 06-07 relating to Vacancies.

Gov. Msg. No. 389, dated May 1, 2007, transmitting the 2005-2006 Annual Report prepared by the Hawaii State Foundation on Culture and the Arts, pursuant to Chapter 9-3, Hawaii Revised Statutes.

Gov. Msg. No. 390, dated May 2, 2007, transmitting the Comprehensive Annual Financial Report of the State of Hawaii for the fiscal year ended June 30, 2006, prepared by the Comptroller.

Gov. Msg. No. 391, dated May 7, 2007, transmitting the Annual Report of Hawaii Health Systems Corporation.

Gov. Msg. No. 392, informing the House that on May 9, 2007, the following bill was signed into law:

S.B. No. 1947, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPOSIT BEVERAGE CONTAINER PROGRAM." (ACT 064)

Gov. Msg. No. 393, informing the House that on May 9, 2007, the following bill was signed into law:

H.B. No. 1372, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH." (ACT 065)

Gov. Msg. No. 394, informing the House that on May 9, 2007, the following bill was signed into law:

H.B. No. 1370, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION." (ACT 066)

Gov. Msg. No. 395, informing the House that on May 11, 2007, the following bill was signed into law:

H.B. No. 1227, HD 1, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR RISK MANAGEMENT." (ACT 067)

Gov. Msg. No. 396, informing the House that on May 11, 2007, the following bill was signed into law:

H.B. No. 1338, HD 2, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DIVISION OF CONSUMER ADVOCACY." (ACT 068)

Gov. Msg. No. 397, dated May 10, 2007, transmitting the FY 05-06 Hawaii Coastal Zone Management Annual Report.

Gov. Msg. No. 398, dated May 11, 2007, transmitting the Department of Human Services' Report as required by Act 178, Section 162, SLH 2005, for the 3rd quarter of FY 07.

Gov. Msg. No. 399, informing the House that on May 16, 2007, the following bill was signed into law:

S.B. No. 1528, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS." (ACT 069)

Gov. Msg. No. 400, informing the House that on May 16, 2007, the following bill was signed into law:

H.B. No. 1379, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW." (ACT 070)

Gov. Msg. No. 401, informing the House that on May 16, 2007, the following bill was signed into law:

H.B. No. 1641, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES." (ACT 071)

Gov. Msg. No. 402, informing the House that on May 16, 2007, the following bill was signed into law:

S.B. No. 55, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY." (ACT 072)

Gov. Msg. No. 403, informing the House that on May 16, 2007, the following bill was signed into law:

S.B. No. 840, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA." (ACT 073)

Gov. Msg. No. 404, dated April 18, 2007, transmitting the Hawaii Department of Agriculture's report on the Statewide Efforts to Eradicate and Control the Coqui Frog and Future Outlook.

Gov. Msg. No. 405, dated April 18, 2007, transmitting the Hawaii Department of Agriculture's report Relating to Invasive Species as required by Act 160, SLH 2006.

Gov. Msg. No. 406, informing the House that on May 18, 2007, the following bill was signed into law:

S.B. No. 784, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING." (ACT 074)

Gov. Msg. No. 407, informing the House that on May 18, 2007, the following bill was signed into law:

H.B. No. 1063, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD." (ACT 075)

Gov. Msg. No. 408, informing the House that on May 18, 2007, the following bill was signed into law:

H.B. No. 1231, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES." (ACT 076)

Gov. Msg. No. 409, informing the House that on May 18, 2007, the following bill was signed into law:

H.B. No. 277, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR WINDSHIELD PLACARDS FOR PERSONS WITH DISABILITIES." (ACT 077)

Gov. Msg. No. 410, informing the House that on May 18, 2007, the following bill was signed into law:

H.B. No. 1345, HD 2, SD 3, CD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR NATURAL DISASTERS." (ACT 078)

Gov. Msg. No. 411, dated May 21, 2007, transmitting the Department of Land and Natural Resources' report relating to the Division of Conservation and Resources Enforcement's monthly enforcement activities for April 2007.

Gov. Msg. No. 412, dated May 21, 2007, transmitting the Department of Public Safety's response to HCR 74, 2006, requiring the Department to provide a status report on the progress of a planned correctional facility located on Puunene on the Island of Maui.

Gov. Msg. No. 413, informing the House that on May 21, 2007, the following bill was signed into law:

H.B. No. 1721, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO VIOLENCE AGAINST EMERGENCY MEDICAL SERVICES PERSONNEL." (ACT 079)

Gov. Msg. No. 414, informing the House that on May 21, 2007, the following bill was signed into law:

S.B. No. 1402, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LOSS MITIGATION GRANT FUND." (ACT 080)

Gov. Msg. No. 415, informing the House that on May 21, 2007, the following bill was signed into law:

S.B. No. 1425, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR LICENSING REQUIREMENTS DURING A STATE OF EMERGENCY OR DISASTER." (ACT 081)

Gov. Msg. No. 416, informing the House that on May 21, 2007, the following bill was signed into law:

S.B. No. 795, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING CODES." (ACT 082)

Gov. Msg. No. 417, dated May 21, 2007, transmitting the Department of Human Services' Report as required by Act 239, SLH 2005, as amended by Act 311, SLH 2006.

Gov. Msg. No. 418, informing the House that on May 22, 2007, the following bill was signed into law:

H.B. No. 692, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE." (ACT 083)

Gov. Msg. No. 419, informing the House that on May 22, 2007, the following bill was signed into law:

H.B. No. 1411, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE." (ACT 084)

Gov. Msg. No. 420, informing the House that on May 22, 2007, the following bill was signed into law:

S.B. No. 1529, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS." (ACT 085)

Gov. Msg. No. 421, informing the House that on May 23, 2007, the following bill was signed into law:

H.B. No. 211, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC." (ACT 086)

Gov. Msg. No. 422, informing the House that on May 23, 2007, the following bill was signed into law:

S.B. No. 56, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO JURY SERVICE." (ACT 087)

Gov. Msg. No. 423, informing the House that on May 23, 2007, the following bill was signed into law:

H.B. No. 1253, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE." (ACT 088)

Gov. Msg. No. 424, informing the House that on May 23, 2007, the following bill was signed into law:

S.B. No. 798, SD 3, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF." (ACT 089)

Gov. Msg. No. 425, informing the House that on May 23, 2007, the following bill was signed into law:

H.B. No. 1368, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOSPITAL AND MEDICAL FACILITIES SPECIAL FUND." (ACT 090)

Gov. Msg. No. 426, informing the House that on May 23, 2007, the following bill was signed into law:

S.B. No. 1675, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS." (ACT 091)

Gov. Msg. No. 427, informing the House that on May 23, 2007, the following bill was signed into law:

H.B. No. 1044, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS." (ACT 092)

Gov. Msg. No. 428, informing the House that on May 24, 2007, the following bill was signed into law:

H.B. No. 807, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING." (ACT 093)

Gov. Msg. No. 429, informing the House that on May 24, 2007, the following bill was signed into law:

S.B. No. 1400, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL ABUSE." (ACT 094)

Gov. Msg. No. 430, informing the House that on May 24, 2007, the following bill was signed into law:

H.B. No. 1306, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED PENALTIES FOR SECURITIES VIOLATIONS COMMITTED AGAINST ELDERS." (ACT 095)

Gov. Msg. No. 431, informing the House that on May 24, 2007, the following bill was signed into law:

S.B. No. 1182, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NEEDS ALLOWANCE." (ACT 096)

Gov. Msg. No. 432, informing the House that on May 25, 2007, the following bill was signed into law:

H.B. No. 1399, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INCARCERATED PERSONS." (ACT 097)

Gov. Msg. No. 433, informing the House that on May 25, 2007, the following bill was signed into law:

H.B. No. 1155, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE." (ACT 098)

Gov. Msg. No. 434, informing the House that on May 25, 2007, the following bill was signed into law:

H.B. No. 14, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 099)

Gov. Msg. No. 435, informing the House that on May 25, 2007, the following bill was signed into law:

H.B. No. 831, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERAN BURIAL GRANTS." (ACT 100)

Gov. Msg. No. 436, informing the House that on May 25, 2007, the following bill was signed into law:

S.B. No. 618, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 101)

Gov. Msg. No. 437, informing the House that on May 28, 2007, the following bill was signed into law:

S.B. No. 139, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE TAX." (ACT 102)

Gov. Msg. No. 438, informing the House that on May 29, 2007, the following bill was signed into law:

S.B. No. 992, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY." (ACT 103)

Gov. Msg. No. 439, informing the House that on May 29, 2007, the following bill was signed into law:

S.B. No. 1924, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE." (ACT 104)

Gov. Msg. No. 440, informing the House that on May 29, 2007, the following bill was signed into law:

S.B. No. 98, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 105)

Gov. Msg. No. 441, informing the House that on May 29, 2007, the following bill was signed into law:

S.B. No. 1779, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN." (ACT 106)

Gov. Msg. No. 442, informing the House that on May 29, 2007, the following bill was signed into law:

S.B. No. 1170, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN." (ACT 107)

Gov. Msg. No. 443, informing the House that on May 29, 2007, the following bill was signed into law:

S.B. No. 1161, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE." (ACT 108)

Gov. Msg. No. 444, informing the House that on May 29, 2007, the following bill was signed into law:

H.B. No. 714, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY VEHICLES." (ACT 109)

Gov. Msg. No. 445, informing the House that on May 30, 2007, the following bill was signed into law:

H.B. No. 1500, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY." (ACT 110)

Gov. Msg. No. 446, informing the House that on May 30, 2007, the following bill was signed into law:

S.B. No. 885, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 111)

Gov. Msg. No. 447, informing the House that on May 31, 2007, the following bill was signed into law:

H.B. No. 1529, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE SCHOLARSHIP PROGRAMS AT THE UNIVERSITY OF HAWAII." (ACT 112)

Gov. Msg. No. 448, informing the House that on May 31, 2007, the following bill was signed into law:

H.B. No. 843, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KAHUKU HOSPITAL." (ACT 113)

Gov. Msg. No. 449, informing the House that on June 1, 2007, the following bill was signed into law:

S.B. No. 1665, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS." (ACT 114)

Gov. Msg. No. 450, informing the House that on June 1, 2007, the following bill was signed into law:

S.B. No. 603, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 115)

Gov. Msg. No. 451, informing the House that on June 1, 2007, the following bill was signed into law:

S.B. No. 620, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PREPARATORY ACADEMY." (ACT 116)

Gov. Msg. No. 452, informing the House that on June 1, 2007, the following bill was signed into law:

H.B. No. 429, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SACRED HEARTS ACADEMY." (ACT 117)

Gov. Msg. No. 453, informing the House that on June 1, 2007, the following bill was signed into law:

H.B. No. 504, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR LE JARDIN ACADEMY." (ACT 118)

Gov. Msg. No. 454, informing the House that on June 1, 2007, the following bill was signed into law:

H.B. No. 581, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HANALANI SCHOOLS." (ACT 119)

Gov. Msg. No. 455, informing the House that on June 4, 2007, the following bill was signed into law:

H.B. No. 1220, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL MARKETING." (ACT 120)

Gov. Msg. No. 456, informing the House that on June 4, 2007, the following bill was signed into law:

H.B. No. 155, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION." (ACT 121)

Gov. Msg. No. 457, informing the House that on June 4, 2007, the following bill was signed into law:

H.B. No. 1210, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO JURORS AND PROSPECTIVE JURORS." (ACT 122)

Gov. Msg. No. 458, informing the House that on June 4, 2007, the following bill was signed into law:

H.B. No. 751, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY." (ACT 123)

Gov. Msg. No. 459, informing the House that on June 4, 2007, the following bill was signed into law:

H.B. No. 55, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH SUICIDE PREVENTION." (ACT 124)

Gov. Msg. No. 460, informing the House that on June 4, 2007, the following bill was signed into law:

H.B. No. 375, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIANS' RIGHT OF WAY." (ACT 125)

Gov. Msg. No. 461, informing the House that on June 4, 2007, the following bill was signed into law:

S.B. No. 1372, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF FINANCING AGREEMENTS." (ACT 126)

Gov. Msg. No. 462, informing the House that on June 4, 2007, the following bill was signed into law:

H.B. No. 250, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION." (ACT 127)

Gov. Msg. No. 463, informing the House that on June 4, 2007, the following bill was signed into law:

H.B. No. 506, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL." (ACT 128)

Gov. Msg. No. 464, dated May 31, 2007, transmitting the Fiscal Year 2005 – 2006 Annual Report for the Housing and Community Development Corporation of Hawaii.

Gov. Msg. No. 465, informing the House that on June 5, 2007, the following bill was signed into law:

H.B. No. 249, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HUNTING TOURISM." (ACT 129)

Gov. Msg. No. 466, informing the House that on June 5, 2007, the following bill was signed into law:

H.B. No. 791, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE." (ACT 130)

Gov. Msg. No. 467, informing the House that on June 5, 2007, the following bill was signed into law:

H.B. No. 104, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH." (ACT 131)

Gov. Msg. No. 468, informing the House that on June 5, 2007, the following bill was signed into law:

H.B. No. 1568, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS." (ACT 132)

Gov. Msg. No. 469, informing the House that on June 5, 2007, the following bill was signed into law:

H.B. No. 1569, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS." (ACT 133)

Gov. Msg. No. 470, informing the House that on June 5, 2007, the following bill was signed into law:

H.B. No. 1567, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS." (ACT 134)

Gov. Msg. No. 471, informing the House that on June 5, 2007, the following bill was signed into law:

H.B. No. 1570, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS." (ACT 135)

Gov. Msg. No. 472, informing the House that on June 5, 2007, the following bill was signed into law:

H.B. No. 1572, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS." (ACT 136)

Gov. Msg. No. 473, informing the House that on June 5, 2007, the following bill was signed into law:

S.B. No. 1382, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS." (ACT 137)

Gov. Msg. No. 474, informing the House that on June 5, 2007, the following bill was signed into law:

S.B. No. 1388, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS." (ACT 138)

Gov. Msg. No. 475, informing the House that on June 6, 2007, the following bill was signed into law:

S.B. No. 1515, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION." (ACT 139)

Gov. Msg. No. 476, informing the House that on June 6, 2007, the following bill was signed into law:

H.B. No. 1352, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO PLAN FOR THE FIFTIETH ANNIVERSARY OF HAWAII STATEHOOD." (ACT 140)

Gov. Msg. No. 477, informing the House that on June 6, 2007, the following bill was signed into law:

H.B. No. 1608, SD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION." (ACT 141)

Gov. Msg. No. 478, informing the House that on June 6, 2007, the following bill was signed into law:

S.B. No. 1929, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT." (ACT 142)

Gov. Msg. No. 479, informing the House that on June 6, 2007, the following bill was signed into law:

H.B. No. 1931, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROJECTS ON THE ISLAND OF HAWAII." (ACT 143)

Gov. Msg. No. 480, informing the House that on June 6, 2007, the following bill was signed into law:

S.B. No. 914, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH ISSUES OF COMMITTED PERSONS." (ACT 144)

Gov. Msg. No. 481, informing the House that on June 6, 2007, the following bill was signed into law:

H.B. No. 402, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND." (ACT 145)

Gov. Msg. No. 482, informing the House that on June 6, 2007, the following bill was signed into law:

H.B. No. 25, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER LICENSING." (ACT 146)

Gov. Msg. No. 483, informing the House that on June 6, 2007, the following bill was signed into law:

S.B. No. 1115, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE." (ACT 147)

Gov. Msg. No. 484, informing the House that on June 7, 2007, the following bill was signed into law:

S.B. No. 709, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT." (ACT 148)

Gov. Msg. No. 485, informing the House that on June 7, 2007, the following bill was signed into law:

S.B. No. 907, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE DEVELOPMENT." (ACT 149)

Gov. Msg. No. 486, informing the House that on June 7, 2007, the following bill was signed into law:

S.B. No. 896, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY." (ACT 150)

Gov. Msg. No. 487, informing the House that on June 7, 2007, the following bill was signed into law:

S.B. No. 1222, SD 3, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION." (ACT 151)

Gov. Msg. No. 488, informing the House that on June 7, 2007, the following bill was signed into law:

S.B. No. 1603, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY." (ACT 152)

Gov. Msg. No. 489, informing the House that on June 7, 2007, the following bill was signed into law:

H.B. No. 1907, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES." (ACT 153)

Gov. Msg. No. 490, informing the House that on June 8, 2007, the following bill was signed into law:

H.B. No. 1256, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PERFECTION OF APPEALS TO THE TAX APPEAL COURT." (ACT 154)

Gov. Msg. No. 491, informing the House that on June 8, 2007, the following bill was signed into law:

H.B. No. 1334, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING FEES." (ACT 155)

Gov. Msg. No. 492, informing the House that on June 8, 2007, the following bill was signed into law:

H.B. No. 1435, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII ENDOWMENT FUND." (ACT 156)

Gov. Msg. No. 493, informing the House that on June 8, 2007, the following bill was signed into law:

H.B. No. 1787, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES." (ACT 157)

Gov. Msg. No. 494, informing the House that on June 8, 2007, the following bill was signed into law:

H.B. No. 260, SD 2, entitled: "A BILL FOR AN ACT RELATING TO APPRAISALS OF RESOURCE VALUE LANDS." (ACT 158)

Gov. Msg. No. 495, informing the House that on June 8, 2007, the following bill was signed into law:

S.B. No. 1943, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY." (ACT 159)

Gov. Msg. No. 496, informing the House that on June 8, 2007, the following bill was signed into law:

H.B. No. 1902, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC." (ACT 160)

Gov. Msg. No. 497, informing the House that on June 8, 2007, the following bill was signed into law:

S.B. No. 1154, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII." (ACT 161)

Gov. Msg. No. 498, informing the House that on June 8, 2007, the following bill was signed into law:

S.B. No. 1210, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE FACILITIES." (ACT 162)

Gov. Msg. No. 499, informing the House that on June 8, 2007, the following bill was signed into law:

S.B. No. 1228, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORICAL PRESERVATION." (ACT 163)

Gov. Msg. No. 500, informing the House that on June 8, 2007, the following bill was signed into law:

H.B. No. 1628, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MACADAMIA NUT PRODUCT LABELING." (ACT 164)

Gov. Msg. No. 501, informing the House that on June 8, 2007, the following bill was signed into law:

H.B. No. 870, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU." (ACT 165)

Gov. Msg. No. 502, informing the House that on June 8, 2007, the following bill was signed into law:

S.B. No. 600, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION." (ACT 166)

Gov. Msg. No. 503, informing the House that on June 12, 2007, the following bill was signed into law:

H.B. No. 162, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES." (ACT 167)

Gov. Msg. No. 504, informing the House that on June 12, 2007, the following bill was signed into law:

S.B. No. 149, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS." (ACT 168)

Gov. Msg. No. 505, informing the House that on June 12, 2007, the following bill was signed into law:

H.B. No. 1212, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY." (ACT 169)

Gov. Msg. No. 506, informing the House that on June 12, 2007, the following bill was signed into law:

H.B. No. 1200, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS." (ACT 170)

Gov. Msg. No. 507, informing the House that on June 12, 2007, the following bill was signed into law:

H.B. No. 116, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS." (ACT 171)

Gov. Msg. No. 508, informing the House that on June 13, 2007, the following bill was signed into law:

S.B. No. 1315, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ACCESS HAWAII COMMITTEE." (ACT 172)

Gov. Msg. No. 509, informing the House that on June 13, 2007, the following bill was signed into law:

S.B. No. 678, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX." (ACT 173)

Gov. Msg. No. 510, informing the House that on June 13, 2007, the following bill was signed into law:

H.B. No. 1646, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES." (ACT 174)

Gov. Msg. No. 511, informing the House that on June 13, 2007, the following bill was signed into law:

S.B. No. 12, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE RATE REGULATION." (ACT 175)

Gov. Msg. No. 512, informing the House that on June 13, 2007, the following bill was signed into law:

S.B. No. 58, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS." (ACT 176)

Gov. Msg. No. 513, informing the House that on June 13, 2007, the following bill was signed into law:

H.B. No. 1005, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION." (ACT 177)

Gov. Msg. No. 514, informing the House that on June 14, 2007, the following bill was signed into law:

H.B. No. 367, HD 1, SD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE." (ACT 178)

Gov. Msg. No. 515, informing the House that on June 14, 2007, the following bill was signed into law:

H.B. No. 964, HD 1, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE." (ACT 179)

Gov. Msg. No. 516, informing the House that on June 14, 2007, the following bill was signed into law:

H.B. No. 1614, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS." (ACT 180)

Gov. Msg. No. 517, informing the House that on June 15, 2007, the following bill was signed into law:

H.B. No. 349, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY REGULATION OF COMMERCIAL BICYCLE TOURS." (ACT 181)

Gov. Msg. No. 518, informing the House that on June 15, 2007, the following bill was signed into law:

S.B. No. 990, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM INDUSTRY MONITORING." (ACT 182)

Gov. Msg. No. 519, informing the House that on June 15, 2007, the following bill was signed into law:

H.B. No. 1004, HD 2, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER ADVOCACY." (ACT 183)

Gov. Msg. No. 520, informing the House that on June 15, 2007, the following bill was signed into law:

H.B. No. 513, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS-IN-AID." (ACT 184)

Gov. Msg. No. 521, informing the House that on June 15, 2007, the following bill was signed into law:

H.B. No. 776, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TICKET SALES." (ACT 185)

Gov. Msg. No. 522, informing the House that on June 15, 2007, the following bill was signed into law:

H.B. No. 1264, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING." (ACT 186)

Gov. Msg. No. 523, informing the House that on June 15, 2007, the following bill was signed into law:

S.B. No. 866, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM." (ACT 187)

Gov. Msg. No. 524, informing the House that on June 15, 2007, the following bill was signed into law:

H.B. No. 1337, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEATH CARE INDUSTRY." (ACT 188)

Gov. Msg. No. 525, informing the House that on June 15, 2007, the following bill was signed into law:

H.B. No. 1612, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER CREDIT REPORTING AGENCIES." (ACT 189)

Gov. Msg. No. 526, informing the House that on June 16, 2007, the following bill was signed into law:

S.B. No. 249, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON FATHERHOOD." (ACT 190)

Gov. Msg. No. 527, informing the House that on June 18, 2007, the following bill was signed into law:

H.B. No. 1171, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT." (ACT 191)

Gov. Msg. No. 528, informing the House that on June 18, 2007, the following bill was signed into law:

H.B. No. 34, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM." (ACT 192)

Gov. Msg. No. 529, informing the House that on June 18, 2007, the following bill was signed into law:

H.B. No. 1361, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING." (ACT 193)

Gov. Msg. No. 530, informing the House that on June 19, 2007, the following bill was signed into law:

H.B. No. 13, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 194)

Gov. Msg. No. 531, informing the House that on June 19, 2007, the following bill was signed into law:

S.B. No. 323, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY." (ACT 195)

Gov. Msg. No. 532, informing the House that on June 19, 2007, the following bill was signed into law:

S.B. No. 228, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GRAFFITI." (ACT 196)

Gov. Msg. No. 533, informing the House that on June 19, 2007, the following bill was signed into law:

H.B. No. 1246, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO METAL." (ACT 197)

Gov. Msg. No. 534, informing the House that on June 19, 2007, the following bill was signed into law:

H.B. No. 154, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY." (ACT 198)

Gov. Msg. No. 535, informing the House that on June 19, 2007, the following bill was signed into law:

H.B. No. 1493, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIME VICTIM COMPENSATION COMMISSION." (ACT 199)

Gov. Msg. No. 536, informing the House that on June 20, 2007, the following bill was signed into law:

H.B. No. 1130, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING." (ACT 200)

Gov. Msg. No. 537, informing the House that on June 20, 2007, the following bill was signed into law:

H.B. No. 575, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCIES." (ACT 201)

Gov. Msg. No. 538, informing the House that on June 20, 2007, the following bill was signed into law:

H.B. No. 1307, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION." (ACT 202)

Gov. Msg. No. 539, dated June 20, 2007, transmitting the Department of Land and Natural Resources' report relating to the Division of Conservation and Resources Enforcement's monthly enforcement activities for May 2007.

Gov. Msg. No. 540, informing the House that on June 21, 2007, the following bill was signed into law:

H.B. No. 835, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING." (ACT 203)

Gov. Msg. No. 541, informing the House that on June 21, 2007, the following bill was signed into law:

S.B. No. 1916, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING." (ACT 204)

Gov. Msg. No. 542, informing the House that on June 21, 2007, the following bill was signed into law:

S.B. No. 987, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY." (ACT 205)

Gov. Msg. No. 543, informing the House that on June 21, 2007, the following bill was signed into law:

H.B. No. 1631, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY BUSINESS INVESTMENT TAX CREDIT." (ACT 206)

Gov. Msg. No. 544, informing the House that on June 21, 2007, the following bill was signed into law:

H.B. No. 1518, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONALS." (ACT 207)

Gov. Msg. No. 545, informing the House that on June 21, 2007, the following bill was signed into law:

S.B. No. 1017, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING." (ACT 208)

Gov. Msg. No. 546, transmitting 33 proclamations giving notice to the House of the Governor's plans to return the following House and Senate Bills:

H.B. No. 30, A BILL FOR AN ACT RELATING TO
HD 2, SD 1, INTERNATIONAL TRADE AGREEMENTS
CD 1

H.B. No. 91, A BILL FOR AN ACT RELATING TO
HD 1, PUBLIC ACCOUNTANCY

H.B. No. 310, A BILL FOR AN ACT RELATING TO
HD 2, SD 2, TECHNOLOGY
CD 2

H.B. No. 436, A BILL FOR AN ACT RELATING TO
HD 1, SD 1, HUMAN SERVICES
CD 1

H.B. No. 718, A BILL FOR AN ACT RELATING TO
SD 2, CD 1, KAKAAKO

H.B. No. 855, A BILL FOR AN ACT RELATING TO
HD 1, SD 1, WORKERS' COMPENSATION
CD 1

H.B. No. 1270, A BILL FOR AN ACT RELATING TO
HD 2, SD 2, STATE PLANNING
CD 2

H.B. No. 1503, A BILL FOR AN ACT RELATING TO
HD 1, SD 1, EMPLOYMENT
CD 1

H.B. No. 1605, A BILL FOR AN ACT RELATING TO
HD 1, SD 1, TRAFFIC CONTROL
CD 1

H.B. No. 1659, A BILL FOR AN ACT RELATING TO
HD 2, SD 1, PROCUREMENT
CD 1

H.B. No. 1670, A BILL FOR AN ACT RELATING TO THE
HD 2, SD 2, INGENUITY CHARTER
CD 1

H.B. No. 1746, SD 2 A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS

H.B. No. 1764, HD 1, SD 1, CD 1 A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUE BONDS TO ASSIST HAWAII HEALTH SYSTEMS CORPORATION OR ANY OF ITS REGIONAL SUBSIDIARY CORPORATIONS

H.B. No. 1818, HD 2, SD 1 A BILL FOR AN ACT RELATING TO GOVERNMENT EMPLOYEES

H.B. No. 1830, HD 2, SD 2, CD 1 A BILL FOR AN ACT RELATING TO CHILD PROTECTION

S.B. No. 46, SD 1, HD 1, CD 1 A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS

S.B. No. 138, SD 1, HD 1, CD 1 A BILL FOR AN ACT RELATING TO DIAMOND HEAD STATE MONUMENT

S.B. No. 162, SD 1, HD 2, CD 1 A BILL FOR AN ACT RELATING TO IOLANI PALACE

S.B. No. 613, SD 2, HD 2, CD 1 A BILL FOR AN ACT RELATING TO EDUCATION

S.B. No. 755, SD 1, HD 1, CD 1 A BILL FOR AN ACT RELATING TO COUNTY ETHICS COMMISSION

S.B. No. 810, SD 2, HD 1, CD 1 A BILL FOR AN ACT RELATING TO WAIMANO RIDGE

S.B. No. 837, SD 2, HD 2, CD 1 A BILL FOR AN ACT RELATING TO AGRICULTURE

S.B. No. 870, SD 1, HD 2, CD 1 A BILL FOR AN ACT RELATING THE DESIGNATION OF A HAWAII ARCHAEOLOGICAL DATA SURVEY

S.B. No. 932, SD 2, HD 2, CD 1 A BILL FOR AN ACT RELATING TO A COMPREHENSIVE OFFENDER REENTRY SYSTEM

S.B. No. 946, SD 2, HD 1, CD 1 A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSE REVOCATION

S.B. No. 1004, SD 2, HD 2, CD 1 A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS

S.B. No. 1060, SD 1, HD 2, CD 1 A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW

S.B. No. 1066, SD 2, HD 2, CD 1 A BILL FOR AN ACT RELATING TO INVASIVE SPECIES

S.B. No. 1191, SD 2, HD 2, CD 1 A BILL FOR AN ACT RELATING TO PEDESTRIAN SAFETY

S.B. No. 1283, SD 2, HD 2, A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND

S.B. No. 1833, SD 1, HD 1, CD 1 A BILL FOR AN ACT RELATING TO FAMILY LEAVE

S.B. No. 1922, SD 2, HD 1, CD 1 A BILL FOR AN ACT RELATING TO CREATIVE MEDIA

S.B. No. 1988, SD 1, HD 2 A BILL FOR AN ACT RELATING TO HONEY

"PROCLAMATION"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 30, entitled "A Bill for an Act Relating to International Trade Agreements," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 30 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 30 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 91, entitled "A Bill for an Act Relating to Public Accountancy," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 91 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 91 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,

State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 310, entitled "A Bill for an Act Relating to Technology," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 310 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 310 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 436, entitled "A Bill for an Act Relating to Human Services," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 436 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 436 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 718, entitled "A Bill for an Act Relating to Kakaako," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 718 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 718 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 855, entitled "A Bill for an Act Relating to Workers' Compensation," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 855 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 855 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1270, entitled "A Bill for an Act Relating to State Planning," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1270 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1270 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1503, entitled "A Bill for an Act Relating to Employment," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1503 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1503 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1605, entitled "A Bill for an Act Relating to Traffic Control," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1605 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the

provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1605 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1659, entitled "A Bill for an Act Relating to Procurement," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1659 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1659 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1670, entitled "A Bill for an Act Relating to the Ingenuity Charter," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1670 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1670 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1746, entitled "A Bill for an Act Relating to Voluntary Employees' Beneficiary Association Trusts," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1746 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1746 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1764, entitled "A Bill for an Act Relating to the Issuance of Revenue Bonds to Assist Hawaii Health Systems Corporation Or Any of Its Regional Subsidiary Corporations," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1764 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1764 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1818, entitled "A Bill for an Act Relating to Government Employees," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1818 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1818 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1830, entitled "A Bill for an Act Relating to Child Protection," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1830 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1830 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 46, entitled "A Bill for an Act Relating to Government Operations," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 46 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 46 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 138, entitled "A Bill for an Act Relating to Diamond Head State Monument," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 138 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 138 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 162, entitled "A Bill for an Act Relating to Iolani Palace," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 162 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 162 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 613, entitled "A Bill for an Act Relating to Education," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 613 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 613 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 755, entitled "A Bill for an Act Relating to County Ethics Commissions," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 755 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 755 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th

day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 810, entitled "A Bill for an Act Relating to Waimano Ridge," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 810 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 810 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 837, entitled "A Bill for an Act Relating to Agriculture," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 837 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 837 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 870, entitled "A Bill for an Act Relating to the Designation of a Hawaii Archaeological Data Survey," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 870 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 870 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 932, entitled "A Bill for an Act Relating to A Comprehensive Offender Reentry System," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 932 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 932 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days

before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 946, entitled "A Bill for an Act Relating to Administrative License Revocation," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 946 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 946 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1004, entitled "A Bill for an Act Relating to Psychologists," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1004 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1004 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1060, entitled "A Bill for an Act Relating to Workers' Compensation Law," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1060 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1060 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1066, entitled "A Bill for an Act Relating to Invasive Species," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1066 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1066 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1191, entitled "A Bill for an Act Relating to Pedestrian Safety," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1191 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1191 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1283, entitled "A Bill for an Act Relating to the Hawaii Tobacco Settlement Special Fund," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1283 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1283 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1833, entitled "A Bill for an Act Relating to Family Leave," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1833 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1833 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1922, entitled "A Bill for an Act Relating to Creative Media," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1922 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1922 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1988, entitled "A Bill for an Act Relating to Honey," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1988 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1988 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 547, informing the House that on June 26, 2007, the following bill was signed into law:

H.B. No. 1757, HD 1, SD 3, CD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION." (ACT 209)

Gov. Msg. No. 548, informing the House that on June 26, 2007, the following bill was signed into law:

S.B. No. 148, SD 2, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT." (ACT 210)

Gov. Msg. No. 549, informing the House that on June 26, 2007, the following bill was signed into law:

S.B. No. 1882, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION." (ACT 211)

Gov. Msg. No. 550, informing the House that on June 27, 2007, the following bill was signed into law:

S.B. No. 1853, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS." (ACT 212)

Gov. Msg. No. 551, informing the House that on June 27, 2007, the following bill was signed into law:

H.B. No. 500, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET." (ACT 213)

Gov. Msg. No. 552, informing the House that on June 27, 2007, the following bill was signed into law:

H.B. No. 1322, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE LICENSING." (ACT 214)

Gov. Msg. No. 553, informing the House that on June 27, 2007, the following bill was signed into law:

H.B. No. 1291, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM." (ACT 215)

Gov. Msg. No. 554, informing the House that on June 27, 2007, the following bill was signed into law:

S.B. No. 1750, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH." (ACT 216)

Gov. Msg. No. 555, informing the House that on June 28, 2007, the following bill was signed into law:

S.B. No. 188, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT." (ACT 217)

Gov. Msg. No. 556, informing the House that on June 28, 2007, the following bill was signed into law:

H.B. No. 1211, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT." (ACT 218)

Gov. Msg. No. 557, informing the House that on June 28, 2007, the following bill was signed into law:

H.B. No. 212, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE." (ACT 219)

Gov. Msg. No. 558, informing the House that on June 28, 2007, the following bill was signed into law:

S.B. No. 1820, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION." (ACT 220)

Gov. Msg. No. 559, informing the House that on June 28, 2007, the following bill was signed into law:

H.B. No. 1221, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE." (ACT 221)

Gov. Msg. No. 560, informing the House that on June 28, 2007, the following bill was signed into law:

S.B. No. 1917, SD 3, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING." (ACT 222)

Gov. Msg. No. 561, informing the House that on June 28, 2007, the following bill was signed into law:

H.B. No. 1364, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RENT SUPPLEMENT PROGRAM." (ACT 223)

Gov. Msg. No. 562, informing the House that on June 28, 2007, the following bill was signed into law:

H.B. No. 1323, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE." (ACT 224)

Gov. Msg. No. 563, informing the House that on June 28, 2007, the following bill was signed into law:

H.B. No. 317, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYMENT ORGANIZATIONS." (ACT 225)

Gov. Msg. No. 564, informing the House that on June 28, 2007, the following bill was signed into law:

H.B. No. 71, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES." (ACT 226)

Gov. Msg. No. 565, informing the House that on June 29, 2007, the following bill was signed into law:

H.B. No. 90, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE." (ACT 227)

Gov. Msg. No. 566, informing the House that on June 29, 2007, the following bill was signed into law:

H.B. No. 24, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS." (ACT 228)

Gov. Msg. No. 567, informing the House that on June 29, 2007, the following bill was signed into law:

H.B. No. 334, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY." (ACT 229)

Gov. Msg. No. 568, informing the House that on June 29, 2007, the following bill was signed into law:

S.B. No. 880, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE." (ACT 230)

Gov. Msg. No. 569, informing the House that on June 29, 2007, the following bill was signed into law:

H.B. No. 667, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KUKUI GARDENS RENTAL HOUSING COMPLEX." (ACT 231)

Gov. Msg. No. 570, informing the House that on June 29, 2007, the following bill was signed into law:

H.B. No. 272, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES." (ACT 232)

Gov. Msg. No. 571, informing the House that on June 29, 2007, the following bill was signed into law:

S.B. No. 1410, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE." (ACT 233)

Gov. Msg. No. 572, informing the House that on June 30, 2007, the following bill was signed into law:

H.B. No. 226, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS." (ACT 234)

Gov. Msg. No. 573, informing the House that on June 30, 2007, the following bill was signed into law:

H.B. No. 1899, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KAWAI NUI MARSH." (ACT 235)

Gov. Msg. No. 574, informing the House that on June 30, 2007, the following bill was signed into law:

H.B. No. 1008, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN'S HEALTH CARE." (ACT 236)

Gov. Msg. No. 575, informing the House that on June 30, 2007, the following bill was signed into law:

H.B. No. 928, HD 1, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES." (ACT 237)

Gov. Msg. No. 576, informing the House that on June 30, 2007, the following bill was signed into law:

H.B. No. 400, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE." (ACT 238)

Gov. Msg. No. 577, informing the House that on July 2, 2007, the following bill was signed into law:

H.B. No. 1719, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX." (ACT 239)

Gov. Msg. No. 578, informing the House that on July 2, 2007, the following bill was signed into law:

H.B. No. 1207, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DISHONORED PAYMENTS." (ACT 240)

Gov. Msg. No. 579, informing the House that on July 2, 2007, the following bill was signed into law:

S.B. No. 921, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM ASSOCIATION RECORDS." (ACT 241)

Gov. Msg. No. 580, informing the House that on July 2, 2007, the following bill was signed into law:

S.B. No. 1654, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT DISPUTE RESOLUTION." (ACT 242)

Gov. Msg. No. 581, informing the House that on July 2, 2007, the following bill was signed into law:

S.B. No. 920, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS." (ACT 243)

Gov. Msg. No. 582, informing the House that on July 2, 2007, the following bill was signed into law:

S.B. No. 1704, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS." (ACT 244)

Gov. Msg. No. 583, informing the House that on July 3, 2007, the following bill was signed into law:

H.B. No. 19, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 245)

Gov. Msg. No. 584, informing the House that on July 3, 2007, the following bill was signed into law:

S.B. No. 17, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT." (ACT 246)

Gov. Msg. No. 585, informing the House that on July 3, 2007, the following bill was signed into law:

S.B. No. 1803, SD 1, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE." (ACT 247)

Gov. Msg. No. 586, informing the House that on July 3, 2007, the following bill was signed into law:

H.B. No. 275, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ATHLETE AGENTS ACT." (ACT 248)

Gov. Msg. No. 587, informing the House that on July 3, 2007, the following bill was signed into law:

H.B. No. 487, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING PROGRAMS." (ACT 249)

Gov. Msg. No. 588, informing the House that on July 3, 2007, the following bill was signed into law:

S.B. No. 1174, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INCARCERATED PARENTS." (ACT 250)

Gov. Msg. No. 589, informing the House that on July 3, 2007, the following bill was signed into law:

H.B. No. 1833, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR BUSINESS PRACTICES." (ACT 251)

Gov. Msg. No. 590, informing the House that on July 5, 2007, the following bill was signed into law:

S.B. No. 667, SD 3, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH COUNSELORS." (ACT 252)

Gov. Msg. No. 591, informing the House that on July 5, 2007, the following bill was signed into law:

H.B. No. 1003, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY." (ACT 253)

Gov. Msg. No. 592, informing the House that on July 5, 2007, the following bill was signed into law:

H.B. No. 869, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY ON ENERGY EFFICIENT TRANSPORTATION STRATEGIES." (ACT 254)

Gov. Msg. No. 593, informing the House that on July 5, 2007, the following bill was signed into law:

S.B. No. 1674, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH." (ACT 255)

Gov. Msg. No. 594, informing the House that on July 5, 2007, the following bill was signed into law:

S.B. No. 1284, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM." (ACT 256)

Gov. Msg. No. 595, informing the House that on July 5, 2007, the following bill was signed into law:

S.B. No. 1008, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANNUITIES." (ACT 257)

Gov. Msg. No. 596, informing the House that on July 5, 2007, the following bill was signed into law:

S.B. No. 1133, SD 3, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION." (ACT 258)

Gov. Msg. No. 597, informing the House that on July 6, 2007, the following bill was signed into law:

H.B. No. 833, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT." (ACT 259)

Gov. Msg. No. 598, informing the House that on July 6, 2007, the following bill was signed into law:

S.B. No. 1365, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INNOVATION ECONOMY." (ACT 260)

Gov. Msg. No. 599, informing the House that on July 6, 2007, the following bill was signed into law:

S.B. No. 1718, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ELECTRICAL GENERATION ON THE ISLAND OF MAUI." (ACT 261)

Gov. Msg. No. 600, informing the House that on July 6, 2007, the following bill was signed into law:

S.B. No. 1946, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DAM SAFETY." (ACT 262)

Gov. Msg. No. 601, informing the House that on July 7, 2007, the following bill was signed into law:

H.B. No. 18, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 263)

Gov. Msg. No. 602, informing the House that on July 9, 2007, the following bill was signed into law:

S.B. No. 1283, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND." (ACT 264)

SUPPLEMENTAL CALENDAR #1

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 603 through 629) were announced by the Clerk and were received for possible consideration:

Gov. Msg. No. 603, transmitting her statement of objections to H.B. No. 30, HD 2, SD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 30

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 30, entitled "A Bill for an Act Relating to International Trade Agreements."

The purpose of this bill is to prohibit the Governor from agreeing to bind the State in international trade agreements that contain procurement provisions between the United States and another nation without the approval of the Legislature by a simple majority vote on a concurrent resolution. This bill requires the Governor to notify the President of the Senate and the Speaker of the House of Representatives if the federal government seeks the State's participation in an international trade agreement when the Legislature is not in session. The Legislature may then consider the approval of the agreement's procurement provisions in a special session.

This bill is objectionable because it curtails the Governor's authority by requiring legislative approval for the State to enter into international trade agreements that relate to environmental, health, safety, and procurement issues where State standards may apply. This is an area that has traditionally been recognized as within the scope of executive responsibility.

Second, this bill would hinder the ability of the State to enter into international trade agreements and respond to the federal government in a timely manner because the federal government often requests states to consent within a limited period of time. When the Legislature is not in session, the agreement could not take effect until, and if, a special session was called, which will incur additional taxpayer-funded costs to bring the legislators back into session. If the Legislature failed to convene or to enact a concurrent resolution during a special or regular session, the State of Hawaii would be precluded from participation in the Agreement.

The procurement provisions of these international trade agreements are usually reciprocal. If the Legislature cannot or does not act in time to commit the State to consent to those reciprocal agreements, there may be adverse consequences for businesses in Hawaii. The Department of Accounting and General Services believes, and I agree, that the Legislature's involvement in the review of these international agreements could result in foreign companies not conducting business in Hawaii and Hawaii companies being subject to tariff and trade barriers.

For the foregoing reasons, I am returning House Bill No. 30 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 604, transmitting her statement of objections to H.B. No. 91, HD 1, as follows:

"EXECUTIVE CHAMBERS

HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 91

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 91, entitled "A Bill for an Act Relating to Public Accountancy."

The purposes of this bill are to delete the private or government experience alternative for licensure as a certified public accountant (CPA) and to amend the educational requirements to take the CPA examination.

This bill is objectionable because it concurrently erects barriers to licensure while diluting CPA licensing requirements.

First, this bill repeals the ability of an applicant for a CPA license to substitute experience in the private or government sector for all or part of the two years of experience in public accounting practice that is required. Hawaii enacted its statute in 1997 to allow private sector or government experience to count toward the licensing requirement. The overwhelming majority of other licensing jurisdictions in the United States recognize and accept private and government work as qualifying experience for licensure as a CPA (i.e., out of fifty-five jurisdictions, fifty jurisdictions recognize government or private experience in one form or another).

Second, this bill lowers the standards for licensure by allowing an individual to sit for the CPA licensing examination without first obtaining a baccalaureate degree in accounting or a bachelor of arts degree in another field with an additional eighteen semester hours of upper division or graduate level accounting or auditing coursework. Instead, an individual with a baccalaureate degree in any course of study and no accounting or auditing coursework can sit for the examination. According to the American Institute of Certified Public Accountants, this would make Hawaii the only state that would allow an individual to sit for the CPA licensing examination without the required baccalaureate accounting degree and accounting and auditing coursework.

For the foregoing reasons, I am returning House Bill No. 91 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 605, transmitting her statement of objections to H.B. No. 310, HD 2, SD 2, CD 2, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 310

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 310, entitled "A Bill for an Act Relating to Technology."

The purpose of this bill is to establish the fifteen-member Hawaii Broadband Task Force appointed by the Senate President and the Speaker of the House. This bill requires the Office of the Auditor to provide the research and organizational support services to the task force and appropriates \$50,000 from general funds in fiscal year 2007-2008 to pay for the support.

Although creation of a broadband network in Hawaii is important, this bill is objectionable because it fails to recognize the proper and logical governmental agency to support the task force.

Assigning to the Office of the Auditor the responsibility to provide staff support for this effort is not consistent with the Auditor's statutory duties and is an inappropriate function of that office. Pursuant to section 23-4, Hawaii Revised Statutes, the Auditor's primary duties are to "conduct postaudits of the transactions, accounts, programs, and performance of all departments, offices, and agencies of the State and its political subdivisions" and to conduct "examinations to discover evidence of any unauthorized, illegal, irregular, improper, or unsafe handling or expenditure of state funds or other improper practice of financial administration."

The Department of Accounting and General Services is the state agency tasked with the management of the State's Internet and website systems. This Department also handles the planning and implementation of the State's communication networks. The Department of Commerce and Consumer Affairs has oversight over communications entities. Either of these departments would be a more appropriate state agency than the Office of the Auditor to provide staff support to a Broadband Task Force.

For the foregoing reasons, I am returning House Bill No. 310 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 606, transmitting her statement of objections to H.B. No. 436, HD 1, SD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 436

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 436, entitled "A Bill for an Act Relating to Human Services."

The purpose of this bill is to create a new section in chapter 346, Hawaii Revised Statutes, which would require the Department of Human Services (DHS) to cover chiropractic services for persons who receive Medicaid QUEST or fee-for-service benefits.

This bill is objectionable because of the precedent it sets in codifying a benefit into statute, thereby making it mandatory. Services provided under Medicaid QUEST and fee-for-service plans have been made part of the plan via submission of a State Plan amendment with the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services, and appropriating the requisite State matching funds.

Because this bill takes the approach of adding the benefit in State law, making chiropractic coverage a statutorily mandated benefit,

doing so obligates the State to pay for this coverage without prescribed limits, since none are set in this bill. This jeopardizes other optional benefits if utilization rates for the mandatory benefits are higher than budgeted projections.

Additionally, there are significant potential fiscal implications for the Medicaid health system if chiropractic services are added.

Accordingly, I am returning House Bill No. 436 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 607, transmitting her statement of objections to H.B. No. 718, SD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 718

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 718, entitled "A Bill for an Act Relating to Kakaako."

The purposes of this bill are to (1) require the Hawaii Community Development Authority (HCDA) to set aside the old ice chute and fuel dock operations building site at the Kewalo Basin Cove for use by the Kewalo Keiki Fishing Conservancy, and (2) require HCDA to proceed with necessary environmental remediation at the site.

This bill is objectionable because Section 5 of Article XI of the State Constitution provides that "[t]he legislative power over the lands owned by or under the control of the state . . . shall be exercised only by general laws."

Section 5 of Article XI clearly limits the Legislature's administration or disposition of lands owned or controlled by the State by general law only. In its broadest sense, the term "general laws" denotes laws that apply uniformly throughout the political subdivisions of the State. Bulgo v. County of Maui, 50 Haw. 51 (1967). A law is special if it relates to particular persons or things. (82 C.J.S. Statutes Sec. 166, p. 279)

This bill makes a disposition of specific parcels of land, "portions of tax map key (first division) 2-1-058:41 and 2-1-058:116," for the benefit of a specific entity, the Kewalo Keiki Fishing Conservancy. Therefore, the Attorney General has opined that the disposition is in violation of the State Constitution.

It should be noted that the site has environmental contamination issues and the Hawaii Community Development Authority has offered an alternative site to the Kewalo Keiki Fishing Conservancy.

For the foregoing reason, I am returning House Bill No. 718 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 608, transmitting her statement of objections to H.B. No. 855, HD 1, SD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 855

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 855, entitled "A Bill for an Act Relating to Workers' Compensation."

This bill would allow an injured employee to continue to receive medical services when a dispute exists between the injured employee and the employer or employer's insurer regarding whether medical care should continue, until the Director of Labor and Industrial Relations renders a final decision on the matter. Furthermore, this bill would further restrict the rulemaking authority of the Director of Labor and Industrial Relations.

This bill is objectionable because it requires an employer or employer's insurer to continue to pay for medical treatments after the employer or employer's insurer considers the continued treatments to be inappropriate, excessive, or for a non-compensable condition, and after an independent medical examiner has concluded that the treatment the employee is ready to return to work. Requiring an insurer to pay for medical services that were determined unwarranted or unnecessary with no substantive right to recovery until the parties are notified of the Director's decision denying such benefits, will likely result in higher workers' compensation premiums since this adds to the workers' compensation risk exposure of all businesses in Hawaii.

This bill fundamentally changes the balance between employer and employee regarding the method by which medical care can be terminated. It essentially overrides the workers' compensation medical fee schedule and negates the "reasonable and necessary" language in current Hawaii workers' compensation law by requiring an employer or employer's insurer to pay for medical benefits that the Director determines is unreasonable and unnecessary until the parties are notified of the Director's decision, thereby placing in jeopardy the fiscal integrity of the State's workers' compensation system.

The bill additionally restricts the ability to recover inappropriate and unwarranted medical payments by not permitting recapture of these payments prior to the issuance of the Director's decision. This is unfair to those employees who genuinely need their medical treatments by allowing other employees who are fit to return to work to draw down benefits, adversely impacting the workers' compensation fund.

This bill is also objectionable because, by requiring that the Director of Labor and Industrial Relations submit any proposed adoption, amendment, or repeal of workers' compensation rules to the Legislature for approval prior to submission to the Governor, it would limit the Director's ability to promptly respond to the changing needs of the workers' compensation program. It is critical that the Director have the ability to expeditiously make, repeal, and amend rules pertaining to workers' compensation in order to be responsive to the immediate needs of the State. To encumber the Director with the proposed procedure would severely frustrate the Director's and the State's ability to facilitate and promote the efficient execution of the workers' compensation laws.

Finally, this bill requires that the Director of Labor and Industrial Relations' proposed adoption, amendment, or repeal of workers' compensation rules be submitted to both houses of the Legislature and must be approved in their entirety by concurrent resolution. Having given the Director the authority to create, amend and repeal workers' compensation rules, the Legislature's retaining the power to disapprove the Director's proposed adoption, amendment, or repeal of workers' compensation rules may violate the enactment and presentment provisions of the Hawaii Constitution and the separation of powers doctrine.

For the foregoing reasons, I am returning House Bill No. 855 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 609, transmitting her statement of objections to H.B. No. 1270, HD 2, SD 2, CD 2, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1270

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1270, entitled "A Bill for an Act Relating to State Planning."

The purpose of this bill is to revise the due date of completion of the Hawaii 2050 Sustainability Plan, appropriate an additional \$850,000 to the Office of the Auditor to develop the plan, and set up a special fund for the Office of Planning's geographic information system (GIS).

Although the enhancement of the GIS system is important, this bill is objectionable because it fails to recognize the proper location and logical nexus for development of the Hawaii 2050 Sustainability Plan.

Assigning the Office of the Auditor with the responsibility for developing the Hawaii 2050 Sustainability Plan is not consistent with the Auditor's primary duties and is an inappropriate function of that office. Pursuant to section 23-4, Hawaii Revised Statutes, the Auditor's primary duties are "to conduct post audits of the transactions, accounts, programs, and performance of all departments, offices, and agencies of the State and its political subdivisions" and "examinations to discover evidence of any unauthorized, illegal, irregular, improper, or unsafe handling or expenditure of state funds or improper practice of financial administration." The Office of Planning is responsible for comprehensive, long-range, and strategic planning, pursuant to chapter 225M, Hawaii Revised Statutes, and is the more appropriate agency to develop the Hawaii 2050 Sustainability Plan.

Second, this bill further delays the issuance of the sustainability report. The original report was due prior to the start of the 2006 legislative session. Act 211 of 2006 delayed this deadline to the 2007 legislative session. This bill further postpones the deadline to the start of the 2008 legislative session.

These delays have occurred despite the appropriation of \$850,000 for this project. This measure proposes to appropriate an additional \$850,000 to the Auditor's Office for the Hawaii 2050 Sustainability

Plan. If approved, this measure would appropriate a total of \$1,700,000 for this project. It is unclear that the project merits the expenditure of an additional \$850,000 of taxpayer funds.

For the foregoing reasons, I am returning House Bill No. 1270 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 610, transmitting her statement of objections to H.B. No. 1503, HD 1, SD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1503

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1503, entitled "A Bill for an Act Relating to Employment".

This bill expands the scope of Section 394B-9, Hawaii Revised Statutes, which requires an employer of a business employing fifty or more employees to provide to each employee and the Director of Labor and Industrial Relations at least sixty days' prior written notification of a "closing, partial closing, or relocation." It will also require a sixty days' prior written notification for any "divestiture," including the sale, transfer, merger, bankruptcy, or other business takeover or transaction of business interests that may cause workers to lose their jobs.

This bill is objectionable because requiring public disclosure may negatively impact the very employees this bill seeks to help since it can jeopardize the owner's efforts to reconstitute the business.

Although this bill exempts from the notice requirement an owner actively seeking a buyer for the business, it does not provide a similar exemption for an owner actively renegotiating a lease, seeking refinancing, seeking additional credit, or making other last minute efforts to save a business that is in imminent danger of closure. Requiring a business to post public notice of impending closure may jeopardize any attempts to save the businesses, because financial institutions may stop extending credit or refuse to grant loans. Customers may take their business elsewhere and employees may seek immediate employment elsewhere.

By including bankruptcies, this bill will unreasonably burden businesses least able to afford added burdens and may force a failing company to close sooner than expected or lay off more workers to retain sufficient finances for payments.

This bill also adds additional penalties to section 394B-9 for back pay and benefits and a \$500 civil penalty for each day of violation. Current law already makes employers liable to all affected employees in an amount equal to the value of all their wages, benefits, and other compensation for the three months preceding the closure, partial closure, or relocation of the covered establishment.

Additionally, the federal law under Worker Adjustment and Retraining Notification Act of 1989 (WARN) allows an employer to give less than sixty days notice under certain circumstances where, at the time notice would have been required, the employer was actively seeking capital to avoid or postpone closure and believed that public

notice would jeopardize the business transition. This bill has no similar provision. Thus, this bill creates inconsistencies between federal and state law without good reason,

Although this measure intends to protect employees from the effects of unexpected and sudden layoffs or terminations, it may result in earlier business closures and less monetary benefit for the employee,

For the foregoing reasons, I am returning House Bill 1503 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 611, transmitting her statement of objections to H.B. No. 1605, HD 1, SD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1605

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1605, entitled "A Bill for an Act Relating to Traffic Control."

The purpose of this bill is to appropriate funds for the development and implementation of an intelligent transportation system architectural plan for Maui that includes a Maui traffic control center.

I concur with the goal to establish a traffic control system on each of the major islands that allows both the public and highway traffic managers to better utilize routes and re-route traffic as traffic congestion occurs.

However, this bill is objectionable because it utilizes moneys from the State Highway Fund for a project that is not yet on the approved State Transportation Improvement Plan (STIP). This plan sets priorities of traffic improvement projects on each island and allows a fair and transparent use of highway funds for the priority projects that are specifically on the plan as set by the community. To divert moneys out of the Highway Fund for this specific project at the expense of other community approved projects that have been waiting for funding is both unfair and not sound fiscal planning.

Further, the State has been informed by the County of Maui that it has not budgeted its own funds for the Maui Traffic Control Center and it is unknown at the present time whether Maui will allocate resources for this project.

As noted in my July 5, 2007 communication to Speaker Say and President Hanabusa, the defect in this bill can be easily remedied by appropriating moneys from the General Fund rather than the State Highway Fund to construct this center. I have asked the Legislature to make this amendment so that I may sign this measure for the people of Maui. Without this amendment, which only the Legislature can enact, the bill is unacceptable.

For the foregoing reasons, I am returning House Bill No. 1605 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 612, transmitting her statement of objections to H.B. No. 1659, HD 2, SD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1659

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1659, entitled "A Bill for an Act Relating to Procurement."

The purpose of this bill is to require that all funds received by, on behalf of, or for the benefit of a governmental body pursuant to a solicitation by a governmental body to pay for the costs of State-sponsored trips and other efforts to generate business opportunities, be deposited in the General Fund, to be disbursed pursuant to legislative appropriation. The bill also appropriates \$50,000 in Fiscal Year 2007-2008 only to cover costs for such public-private marketing endeavors.

This bill is objectionable because it would compromise the effectiveness of State agencies such as the Department of Business and Economic Development (DBEDT), Department of Agriculture, and the High Technology Innovation Corporation in their efforts to coordinate trade shows and endeavors that feature and highlight many of Hawaii's businesses and business opportunities. While the bill would allow such agencies to solicit partnership funds from the private sector, those funds would be deposited into the General Fund and there is no assurance that the agency that solicited the funds would have access to the funds for the specific purpose for which they were contributed.

Furthermore, this bill would result in the use of public dollars to purchase trade show booths, exhibit space, convention fees, and marketing expenses that should be borne by the private businesses and firms that directly benefit from these activities. It is inappropriate and poor fiscal policy to ask the taxpayers of the State of Hawaii to subsidize profitable, private firms.

For the foregoing reasons, I am returning House Bill No. 1659 without my approval.

Respectfully,

/s/
LINDA LINGLE:
Governor of Hawaii"

Gov. Msg. No. 613, transmitting her statement of objections to H.B. No. 1670, HD 2, SD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1670

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1670, entitled "A Bill for an Act Relating to the Ingenuity Charter."

The purpose of this bill is to establish the Ingenuity Company, a private, for-profit, non-stock, limited liability company chartered by the State, authorized to hold and leverage intellectual property.

This bill is objectionable for a number of reasons. First, this bill appropriates public funds to a private, for-profit company but does so absent standards required by Section 4 of Article VII of the State Constitution that prohibits State appropriations for private purposes.

Second, while its title refers to ingenuity, it is unclear how the bill assists inventors or attracts them to Hawaii. The benefits to the inventor members who grant their intellectual property rights to the company appear to be minimal. The inventor must license their invention to the company under contract. But the bill fails to describe any rights the inventor members receive in return, other than royalties. In that respect, they receive no profits beyond royalties. The bill states that financial rewards of ingenuity are meant to be distributed to others, not to the actual inventors. The remaining portion of generated income from their invention would be distributed to the other members as fees or as distributed profits, of which the inventor member does not share. The members who receive all profits are designated private organizations that are not part of the inventors' work. In addition, the inventor members have no guaranteed voting rights in the company.

Under the bill, all assets of this company would be distributed to the private organization members upon dissolution. Rights to the original licenses, remaining funds, and all other assets are neither returned to the inventor members nor to the State. In turn, the private organization members would not be subject to any State oversight and, thus, there would be no accountability for the manner in which these public funds are used. This bill appears to create a vehicle to appropriate public money for private organizations without public accountability.

Third, the bill creates ambiguities and contradictions that are difficult to resolve. Though the company is created by State charter, it is not a government instrumentality. This makes it look as though the company is actually just a conventional private company receiving preferential treatment from the State. The Attorney General believes this unequal treatment may subject this bill to a constitutional challenge under the Equal Protection Clause.

Further, the tension in the bill between creating a State charter, but maintaining the entity as a private, for-profit company, makes unclear the State's authority and legal responsibilities with respect to the Ingenuity Company. On the one hand, there is no attachment to or oversight by a governmental department. On the other hand, a degree of governmental control is interjected in the bill. This degree of control could render the State legally responsible for the acts of this private company.

To further confuse the rights and obligations of this company, the bill states that the Ingenuity Company is both a "body corporate" and a limited liability company, as defined under chapter 428, Hawaii Revised Statutes. The bill seems to create a hybrid entity with unusual provisions, such as authorizing parties who are not members or managers of the company, to control the voting rights of members. In other words, those who manage the company may vote if and only if third-parties to the company permit these managing members to vote. This creates oversight control by third-parties without imposing any fiduciary responsibility or accountability.

The Ingenuity Company also takes on characteristics of a corporation, rather than a limited liability company. If the company were directed to register as a business in Hawaii as a private company in its current formation, the company would not be able to register due to the ambiguity of its business structure.

It is imperative that we transform Hawaii's economy. Encouraging ingenuity and rewarding innovators who take risks are central to that transformation. This bill does neither. Instead, it transfers the benefits of our inventors' hard work to designated private organizations. Equally important is the care we take in using our resources to be sure that we do not waste them on underdeveloped or impractical solutions. It does a disservice to promote and pass a bill that supports innovation in name only. It is unclear how this bill in its current incarnation attracts inventors to Hawaii or assists them in their innovation.

For the foregoing reasons, I am returning House Bill No. 1670 without my approval.

Respectfully,

/s/

LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 614, transmitting her statement of objections to H.B. No. 1764, HD 1, SD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1764

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1764, entitled "A Bill for an Act Relating to the Issuance of Revenue Bonds to Assist Hawaii Health Systems Corporation or Any of its Regional Subsidiary Corporations."

This bill would authorize "the Hawaii health systems corporation, its regional system boards, or any of its regional subsidiary corporations," upon the approval of the Governor, to issue revenue bonds of up to \$100,000,000 to finance the costs of acquisition, construction, improvement, or extension of healthcare facilities exclusively on Maui.

This bill is objectionable because of its potential adverse impact upon the powers of newly created regional systems boards (regional boards) within the Hawaii Health Systems Corporation (HHSC). This session, Senate Bill No. 1792 has been passed to create five new regional boards within HHSC with the intent to give greater local control over the governance of the HHSC hospitals. Senate Bill No. 1792 vests all five of these regional boards with the authority to issue revenue bonds up to \$100,000,000. The issuance of these bonds is subject to approval by HHSC and the Governor or the Director of Budget and Finance. The bond underwriters would need to determine that there are sufficient revenues to support the issuance of revenue bonds.

However, Senate Bill No. 1792 specifically provides that if House Bill 1764 becomes law in any form this session, then the amendments to section 333F-7(c) (15) that empowers all five regional boards with bond issuing authority "shall not take effect." Therefore, this bill must be returned without my approval in order for all five regional boards to be vested with the full revenue bond issuing authority that is granted under Senate Bill No. 1792.

For the foregoing reason, I am returning House Bill No. 1764 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 615, transmitting her statement of objections to H.B. No. 1818, HD 2, SD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1818

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1818, entitled "A Bill for an Act Relating to Government Employees."

The reported purpose of this bill is to "close a loophole that could potentially allow a department head of an executive department to remain in a holdover capacity indefinitely." This bill amends section 26-31, Hawaii Revised Statutes, to provide that the single executive head of a principal department, who is not renominated during the regular session of the Legislature immediately following the expiration of the executive's term, shall cease to hold office, including in the capacity of a holdover, upon the end of the legislative session. This bill also amends section 26-33, Hawaii Revised Statutes, to insert a proviso stating that, if the Governor does not designate an officer or employee, the "highest ranking and most senior" officer as specified in the proviso shall perform the duties of the vacant office. Furthermore, this bill amends section 26-33 to exclude from its application boards and commissions, unless the chair of the board or commission is the executive of a department.

This bill is objectionable because it goes beyond its reported purpose by depriving the Governor of the power, under section 26-33, Hawaii Revised Statutes, to designate a state officer or employee to temporarily perform the duties of a member of a board or commission to which the Governor has the power of appointment or nomination if a vacancy occurs on the board or commission. The bill appears to be drafted under the mistaken belief that section 26-33 is to be used for the vacant offices of only department heads. However, there are other offices for which the Governor has the power of appointment or nomination, including positions on boards and commissions that are not executive heads of departments. Section 26-33 has, for example, been used to designate state employees to temporarily perform the duties of members of the three-member Hawaii Paroling Authority when two of the authority's members resigned in close succession during the 2003 legislative session. If the temporary designations had not been made, the operation of the Hawaii Paroling Authority would have come to a halt until the process for appointing and confirming members to fill the vacancies was completed or until the legislative session ended and the Governor could make interim appointments. The Governor's power to make temporary designations when vacancies occur on boards and commissions is necessary to achieve the strong policy interest in continuing governmental functions.

Furthermore, the bill could lead to situations where an employee with little executive management experience may be put in charge of a large state department with hundreds of employees and millions of dollars in operating and capital improvement program funds. There are legitimate circumstances that may arise when it is difficult to identify the most qualified candidate to fill a department head position. Because these positions pay relatively less than comparable private sector jobs, the field of candidates is smaller and those who do step forward make financial sacrifices to do so. To place an

artificial timetable on this process could lead to placing an unqualified person in the department director position, contrary to sound public and personnel policies.

Also, this bill is ambiguous because it relies upon two different factors for determining who would be put in charge of a department. It is unclear whether it would designate the highest ranking person by virtue of that person's title and position within a department, or the person with the most seniority, regardless of that person's position. Enactment of this measure could jeopardize the ability of the State to deliver services and programs to the residents of Hawaii in the most effective manner.

While I concur in the position that an acting director should not remain in place indefinitely, I can assure you this Administration has acted in good faith to fill vacant senior positions with well qualified individuals.

For the foregoing reasons, I am returning House Bill No. 1818 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 616, transmitting her statement of objections to H.B. No. 1830, HD 2, SD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1830

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1830, entitled "A Bill for an Act Relating to Child Protection."

The purpose of this bill is to provide full immunity from prosecution for any person who abandons an infant at a hospital, fire or police station, or with emergency medical services personnel as long as the infant is left within 72 hours of birth and is left in unharmed condition.

My Administration shares the goal of ensuring that every child in Hawaii has a safe and secure home. However, this bill has consequences that could adversely impact the very children it is attempting to help.

Under this bill, persons abandoning an infant would not be required to identify themselves or to demonstrate their relationship to the infant. As such, it would be impossible to determine if the person leaving the infant was lawfully in possession of the infant at the time of abandonment. In this regard, House Bill 1830 provides no safeguards to protect the rights of both parents to seek custody of their child. Similarly, there are no safeguards to allow extended family members, especially grandparents, to assert their interests in caring for the infant.

The infant would be prevented from learning about its medical and genealogical history, which could have health implications for the infant, particularly later in life.

Unlike other states, Hawaii provides a number of programs that provide benefits based on one's ancestral roots. Enactment of this bill would preclude abandoned children of Hawaiian ancestry from

knowing of, or being able to prove, their blood quantum to qualify for housing, schooling, or other benefits.

Enactment of H.B. No. 1830 may lead some women, who would ordinarily relinquish their child via adoption proceedings, to take the more expedient route of abandoning their infant.

Adoption is the preferable approach for parents to surrender their parental rights because adoption proceedings provide a mechanism by which the medical history and the genealogical history of the infant may be determined and verified. In addition, adoption procedures provide a mechanism to safeguard the rights of the infant's father and to ascertain if the father or members of the parents' extended families are willing and able to adopt the infant.

Programs such as Project Cuddle focus on the pregnant girl or woman and work with frightened prospective mothers to find safe, legal options for their newborns and are a more constructive approach to this problem.

This Administration remains committed to protecting the welfare of all children and will continue its comprehensive efforts to provide the full array of supportive services and nurturing environments that young mothers and their newborns deserve.

For the foregoing reasons, I am returning House Bill No. 1830 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 617, transmitting her statement of objections to S.B. No. 46, SD 1, HD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
JULY 10, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 46

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 46, entitled "A Bill for an Act Relating to Government Operations."

This bill amends sections 89C-4, 92-5, 304A-1001, and 304A-1004, Hawaii Revised Statutes, to provide that proposed compensation or changes in compensation for administrative positions excluded from chapter 89C, Hawaii Revised Statutes, in the University of Hawaii system shall be disclosed in open meetings for purposes of public comment. Section 92-5(a) (2) is amended to narrow the purposes for which closed meetings may be held by excluding compensation or changes in compensation for University of Hawaii administrative positions. Section 304A-1001 is amended to require the Board of Regents to publicly disclose compensation or changes in compensation for the University's administrative positions no later than six business days before any related open meeting is convened for public comment.

This bill is objectionable for three reasons. First, disclosure would hinder the University's ability to negotiate terms, including salaries, of employment contracts favorable to the University and taxpayers. Allowing proposed compensation to be publicly disclosed, before a contract is negotiated or executed, could damage the University's

bargaining stance. This frustrates a legitimate government purpose for which existing law provides protections.

Second, under the public records law (Uniform Information Practices Act Chapter 92F), the University of Hawaii is required to disclose actual salaries of exempt employees. In contrast, government employees have a privacy interest in proposed compensation and proposed pay, which is currently not considered public information and may be properly withheld from public disclosure. Further, the Uniform Information Practices Act is intended to protect an individual's privacy interest by allowing a board to discuss personnel matters in a closed meeting. Disclosure of proposed salaries of these University of Hawaii employees is not of sufficient public interest to sufficiently warrant the invasion of privacy of these public servants.

Third, transparency is already provided. The Sunshine Law, part I of chapter 92, Hawaii Revised Statutes, currently gives the public the opportunity to testify on matters listed on a board's agenda. While the exact salary the Board of Regents proposes to pay a specific employee is not included on the agenda, the Board is already required by the Sunshine Law to provide sufficient information to inform the public that it is considering a compensation matter for a prospective or current employee. Salary ranges are publicly disclosed and give the public an opportunity to know the parameters of the proposed personnel action.

For the foregoing reasons, I am returning Senate Bill No. 46 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 618, transmitting her statement of objections to S.B. No. 613, SD 2, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 613

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 613, entitled "A Bill for an Act Relating to Education."

This bill is objectionable because it prematurely requires the Department to make changes in early childhood education programs prior to the completion of the work of the legislatively mandated Early Learning Educational Task Force set up pursuant to Act 259 of 2006.

This bill directs the Department of Education to conduct an assessment on an individual kindergarten or junior kindergarten student's readiness for grade one based on a range of characteristics that will be developed by the Department. However, the Department of Education believes it will not be able to comply with this requirement and develop the assessment tool within the time constraints imposed by this measure.

Additionally, this bill directs the Department of Education to report to the Legislature before the regular session of 2008 on the planning and development of the appropriate curriculum for junior kindergarten and to submit its findings and recommendations on the

planned junior kindergarten curricula, successful models, and assessments to be used in the placement of junior kindergarten and kindergarten students in the first grade, as well as the facilities to be used for junior kindergarten. Again, the Department of Education has stated that this deadline is unrealistic and that it will not be able to comply.

For the foregoing reasons, I am returning Senate Bill No. 613 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 619, transmitting her statement of objections to S.B. No. 755, SD 1, HD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 755

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 755, entitled "A Bill for an Act Relating to County Ethics Commissions."

The purpose of this bill is to direct counties to set forth, by county ordinance, a process by which county ethics commissioners will be selected by an independent body in the interest of ensuring sufficient independence and impartiality.

This bill is objectionable because it presumes that only one model, the State's model, is the only way to select independent and impartial county ethics commissioners. In addition, the bill establishes a criteria upon which commissioners are to be selected that is vague.

Further, the bill requires that the process be "set forth by county ordinance," which is problematic because it conflicts with existing county laws that require each of the county ethics commissions and the process for appointing commissions' members to be established by charter. As a result, each of the counties' charters would have to be amended to implement this bill's requirement that the appointment process be set forth by ordinance. This is an inappropriate and unnecessary infringement on county home rule.

For the foregoing reasons, I am returning Senate Bill No. 755 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 620, transmitting her statement of objections to S.B. No. 837, SD 2, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 837

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 837, entitled "A Bill Relating to Agriculture [sic]."

This bill authorizes the agribusiness development corporation to purchase agricultural lands in the Kunia and Ewa areas of Oahu for the preservation of agricultural lands in the Kunia and Ewa areas and allows the agribusiness development corporation to enter into land lease agreements and contract with financial institutions to provide lease management services.

This bill is objectionable because it proposes to pay the full asking price advertised by a large private landowner and includes lands within the City's Urban Growth Boundary scheduled for development under the Ewa Development Plan adopted in 1997 by the City and County of Honolulu, pursuant to Ordinance 97-49.

The General Fund appropriation contained in this bill coincidentally matches the sales price of two parcels of property offered by a large private corporation. Should the State wish to retain lands in agriculture for the public good, it is more appropriate to use eminent domain laws and purchase said property at market value, rather than the full asking price.

The inclusion of Ewa lands within the Urban Growth Boundary is unacceptable because the Attorney General has opined that the Governor cannot legally make a guarantee that the funds within this bill would not be considered for purchase of properties located in Ewa. Thus, if the State acquired lands or attempted to acquire lands in Ewa to keep the lands in agriculture, it may expose the State to unnecessary and avoidable litigation.

Further, it should be noted that the agribusiness development corporation already has statutory authority to purchase and lease lands under Hawaii Revised Statutes §1630-4. The State owns a 150 acre parcel of land planned for future use as the Royal Kunia Agricultural Park. The park will be under the oversight of the Department of Agriculture's Agricultural Resource Management Division as part of this Administration's program to preserve agricultural land in the area.

As noted in my July 5, 2007 communications to Speaker Say and President Hanabusa, the defect of this bill can be easily remedied by statutorily authorizing the use of eminent domain proceedings as provided for in Chapter 201-14 of the Hawaii Revised Statutes. I have asked the Legislature to make this amendment, which only the Legislature can do. Further, enacting this amendment would establish an important precedent of using eminent domain powers for the preservation of agricultural property. If the Legislature makes the necessary corrections to this bill, I have stated my willingness to sign this measure.

For the foregoing reasons, I am returning Senate Bill No. 837 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 621, transmitting her statement of objections to S.B. No. 870, SD 1, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 870

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 870, entitled "A Bill for an Act Relating to the Designation of a Hawaii Archaeological Data Survey."

The purpose of this bill is to establish as an online database a Hawaii archaeological data survey consisting of archaeological documents and materials including reports, maps, and artifacts beginning with the collections of the Bishop Museum and including records of the State Historic Preservation Division.

First, this bill is objectionable because the broad online public availability of records concerning the location of archaeological artifacts could put these artifacts in jeopardy. The test in the bill for withholding such information, Section 92F-13(3), Hawaii Revised Statutes, applies to records maintained by State and county agencies. Because Bishop Museum is a private, nonprofit organization, not a State agency, this section of the statutes would not be applicable.

Second, this bill may result in a constitutional violation. Although the Bernice Pauahi Bishop Museum has been designated as the "State Museum of Natural and Cultural History," the designation did not make the Bishop Museum a government agency. Because the Bishop Museum remains a private, nonprofit organization, this bill's mandate to make available the Bishop Museum's collection of archaeological material without compensation may result in an unconstitutional taking of property without just compensation.

Finally, there is concern that disclosure of items on federal lands, Department of Hawaiian Home Lands, and lands utilizing federal funds violates the Archaeological Resources Protection Act of 1979. Failure to secure and protect information on cultural and archaeological sites exposes the State and county agencies to federal funding sanctions. Additionally, the bill fails to recognize the homeland security restrictions that apply to sites on military installations.

For the foregoing reasons, I am returning Senate Bill No. 870 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 622, transmitting her statement of objections to S.B. No. 932, SD 2, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 932

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 932, entitled "A Bill for an Act Relating to A Comprehensive Offender Reentry System."

The purposes of this bill are to establish a comprehensive offender reentry system for adult offenders with reentry programs, form a one-

year pilot day reporting center work furlough program administered by the department of public safety, and create a legislative oversight committee. A total of \$3.5 million is appropriated in fiscal year 2007-08 only for these programs.

This bill is objectionable because it endangers the well-being of the inmate population, compromises the safety of the community, may expose the State to costly litigation, and provides only a single year of funding for programs with multi-year impacts.

First, this bill would require the return of out-of-state inmates at least one year prior to the inmate's parole or release date, irrespective of whether there is available space to house the inmates. This is objectionable because statutorily requiring the indiscriminate determination of an offender's eligibility for reentry into the community based on his/her release date, rather than the cognitive and behavioral preparedness of the offender without consideration for public safety and inmate security, endangers the safety of the community, may create additional overcrowding and unsafe conditions for prisoners, and exposes the State to liability. This will also increase the number of inmate litigations in cases where the department has no available beds and could result in the early release of prisoners.

Second, the bill establishes unrealistic expectations that inmates will be incarcerated in facilities nearest their families without providing the means for carrying out this policy. Overcrowding already exists at a number of Hawaii's current in-state correctional institutions. To lead inmates to believe they will be placed in a location where there is no room is unfair to the prisoner, misleading to his or her family, and discriminates against those inmates who do not have dependents. Further, it may expose the State to potential costly litigation.

Third, the bill appropriates \$3.5 million outside of the legislatively approved biennium budget to start programs in fiscal year 2007-2008 but fails to provide funding in the subsequent year or address the fiscal implications of these programs in future years. This is fiscally imprudent and could lead to the start-up of programs that would have to be closed down less than 12 months later.

Finally, The Offender Reentry Legislative Oversight Committee, established by Part II, is duplicative of the authority the Legislature already has to conduct site visits, access areas in correctional facilities, hold public meetings, and make recommendations to the Department of Public Safety. Further, this Committee duplicates efforts of the Corrections Population Management Commission established by Act 343 of 1993 which already includes members of the Legislature.

For the foregoing reasons, I am returning Senate Bill No. 932 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 623, transmitting her statement of objections to S.B. No. 946, SD 2, HD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 946

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 946, entitled "A Bill for an Act Relating to Administrative License Revocation."

The purpose of this bill is to permit persons who have had their driver's licenses administratively revoked for life, for repeatedly driving while intoxicated, to request and obtain a reinstatement of the license if: (1) ten years or more have passed since the revocation; (2) the person obtains certification that the person is not in need of substance abuse treatment; and (3) since the revocation, the person has not been arrested, convicted, or adjudicated for any traffic infraction.

This bill is objectionable because it will reduce the deterrent impact of the lifetime revocation provision and allow these high-risk offenders back on the roads, jeopardizing public safety. An individual is not subjected to a lifetime revocation unless he or she has been convicted of driving while intoxicated four times within a ten-year period. The lifetime revocation is not imposed suddenly or without warning. An individual subjected to a lifetime revocation has been arrested, put through the court process, and faced a judge at sentencing at least three times before receiving the lifetime suspension. History has shown that this individual did not benefit from the numerous court proceedings and sentencing provisions, which could have included periods of incarceration. This individual poses a high risk of danger to himself or herself and others on the road.

Another concern is that the bill could be interpreted to allow a reinstated driver to get three subsequent convictions for driving while intoxicated, and still avoid another lifetime revocation.

The bill does not have sufficient safeguards to prevent habitually intoxicated drivers who have had a lifetime revocation of their driver's license from driving under the influence again. To be eligible for relicensing, the bill only requires that an applicant have a recent certification (within ninety days) that the applicant is not in need of substance abuse treatment, and that the applicant has not been arrested, convicted, or adjudicated for any traffic infraction while the applicant's license was revoked. Neither of these requirements will prevent the relicensing of a person with current alcohol abuse problems.

The lifetime revocation provision has been part of Hawaii law since 1991. Prior to the 2000 legislative session, this provision was reviewed and made a part of a new comprehensive bill on impaired driving. Act 189, Session Laws of Hawaii 2000, included the enactment of chapter 291E, Use of Intoxicants While Operating a Vehicle. Chapter 291E was the result of a comprehensive effort to address the serious problem of impaired driving by the Department of Transportation and the Governor's Highway Safety Council Impaired Driving Task Force. The task force, made up of over seventy-five individuals and organizations from around the State, including but not limited to police, prosecutors, defense attorneys, judiciary representatives, the administrative driver's license revocation office, and emergency room physicians, undertook a comprehensive review of Hawaii's impaired driving laws and proposed to retain the lifetime revocation of driver's license provision in the law.

For the foregoing reasons, I am returning Senate Bill No. 946 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 624, transmitting her statement of objections to S.B. No. 1004, SD 2, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1004

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1004, entitled "A Bill for an Act Relating to Psychologists."

The stated purpose of this bill "is to authorize appropriately trained and supervised licensed medical psychologists practicing in federally qualified health centers, to prescribe psychotropic medications for the treatment of mental illness."

This bill is objectionable because its actual effect goes beyond its stated purpose by allowing psychologists who obtain the second of the two tiers of prescriptive authority established by the bill -- a prescription certificate -- to practice outside of federally qualified health centers (FQHCs) and to prescribe medications to individuals who are not patients at FQHCs. Furthermore, this bill does not require medical supervision of psychologists holding a prescription certificate.

This bill is also objectionable because psychologists do not have the training necessary to prescribe drugs and this bill does not require sufficient didactic and clinical training for prescriptive authority. Modeled after the Department of Defense's Psychopharmacology Demonstration Project (PDP), this bill differs significantly from the PDP. With respect to the didactic training differences, the bill lacks classroom training in two core areas, cell biology and clinical pharmacology, that is required by the PDP. Regarding the clinical training differences, the PDP specified the number of hours required and how many months must be inpatient and outpatient experience, whereas this bill fails to do so. The PDP, furthermore, required close supervision by a psychiatrist with advanced training in psychopharmacology while this bill only requires supervision two hours a week by a physician or psychiatrist.

Also, as noted in the 2007 report by the Legislative Reference Bureau, PDP psychologists trained in an "optimum learning environment in a comprehensive medical center that offered a wide range of medical care, proximity to a large number of physician and nonphysician health care providers, available diagnostic and treatment equipment and facilities, and other advantages or learning experiences that may not be available at small medical facilities." This bill, on the other hand, provides for practicum training in FQHCs that are smaller with limited staffing and equipment and not as well integrated into a larger medical environment. The clinical experience settings are distinctly different and the bill's practicum training is not comparable to that provided for in the PDP model.

In addition, this bill gives psychologists with prescriptive authority a scope of practice broader than that afforded to the PDP psychologists. PDP psychologists were limited to prescribing psychotropic medications to patients between the ages of 18 and 65 with mental conditions but without medical complications as evaluated by the supervising psychiatrist. This bill allows psychologists to prescribe psychotropic medications to patients of all ages, including children, elderly, and those with medical illnesses in addition to mental conditions. Psychologists with limited didactic and clinical training are not prepared to handle the side effects of psychotropic medications on patients with medical complications.

In recognition of this concern, both the Board of Medical Examiners and the Board of Psychology, the professional licensing bodies for these two professions, have asked that this bill not become law.

For the foregoing reasons, I am returning Senate Bill No. 1004 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 625, transmitting her statement of objections to S.B. No. 1060, SD 1, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1060

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1060, entitled "A Bill for an Act Relating to Workers' Compensation Law."

The purpose of this bill is to make numerous changes to the workers' compensation statutes.

This bill is objectionable because the amendment it contains to Act 11, Special Session Laws of Hawaii 2005, would delete the sunset provision of Act 11. In 2005 the Legislature imposed a temporary moratorium on the Director of Labor and Industrial Relations' workers' compensation rule-making authority. By its terms, Act 11 envisioned the repeal of the temporary suspension of the Director's rule-making authority on July 1, 2007.

This bill proposes to make the temporary moratorium on the Director's rule-making authority permanent. Such a provision frustrates and prevents the ability of the Director to perform an important function. The bill permanently limits the Director's ability to promptly respond to the changing needs of the workers' compensation program. It is critical that the Director have the ability to expeditiously make, repeal, and amend rules pertaining to workers' compensation in order to be responsive to the immediate needs of the State. To permanently prohibit the Director from adopting or amending rules having the force and effect of law would severely frustrate the State's ability to facilitate and promote the efficient execution of the workers' compensation laws.

This bill is also objectionable because it requires an employer or employer's insurer to continue to pay for medical treatments and temporary total disability benefits after the employer or employer's insurer, using a physician's determination, considers the continued treatments and/or disability to be inappropriate, excessive, or for a non-compensable condition. Requiring payment for medical services and/or temporary total disability benefits that were determined unwarranted and unnecessary will likely result in higher workers' compensation premiums because this adds to the workers' compensation risk exposure of all businesses in Hawaii.

Further, the bill would create a disincentive to return to work. More specifically, it may encourage certain employees to continue to contest returning to work because even if the Director determines the employee should and could have returned to work, the employee bears no risk for failing to do so, as the benefits the employee were paid are non-recoverable by the employees.

Finally, this bill fundamentally changes the balance between employer and employee regarding the method by which medical care

can be terminated. It essentially overrides the workers' compensation medical fee schedule and negates the "reasonable and necessary" language in current Hawaii workers' compensation law, thereby placing in jeopardy the integrity of the State's workers' compensation system.

For the foregoing reasons, I am returning Senate Bill No. 1060 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 626, transmitting her statement of objections to S.B. No. 1066, SD 2, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1066

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1066, entitled "A Bill for an Act Relating to Invasive Species."

The purposes of this bill are to establish a special fund for invasive species inspection, quarantine, eradication, and monitoring programs and to impose a fee for the inspection, quarantine, and eradication of invasive species contained in any marine commercial container shipment, foreign or domestic, that is brought into the State, computed on a basis of \$1 for each twenty-foot equivalent unit per container.

The goal to enhance inspections for invasive species is laudable. However the bill is objectionable because it creates a context in which out-of-state fees could be imposed on Hawaii shippers.

Currently the State of California is considering placing a surcharge fee on all containers leaving its ports. The proposed fee would be substantial -- \$30 per container, per movement into and out of California. The majority of Hawaii's goods are shipped out of Oakland and Long Beach ports and return to California. This would result in an estimated \$45.2 million more per year to Hawaii consumers to ship basic essentials into our State. Passage of this bill would make it difficult to defend against efforts by other jurisdictions to impose their state-mandated fees on the containers coming into Hawaii.

This measure would undermine our efforts to persuade the California State Assembly and members of the United States Congress that state-imposed fees should not be imposed on containers moving in interstate commerce.

The Department of Agriculture presently conducts inspections of goods shipped into Hawaii for invasive species. The amount of \$7,600,000 in general funds has been budgeted for fiscal year 2007-2008, and a similar amount for fiscal year 2008-2009, for the Plant, Pest, and Disease Control program to carry out program activities, including inspection for invasive species.

For the foregoing reasons, I am returning Senate Bill No. 1066 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

Gov. Msg. No. 627, transmitting her statement of objections to S.B. No. 1191, SD 2, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1191

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1191, entitled "A Bill for an Act Relating to Pedestrian Safety."

This bill appropriates \$1,500,000 in fiscal year 2007-2008 and \$1,500,000 in fiscal year 2008-2009 for projects that are designed to increase pedestrian safety. The bill would require the State Department of Transportation to submit an interim report to the Legislature for the 2008 regular session and a final report before the 2009 regular session.

While my administration strongly supports improved pedestrian safety, we are concerned about the adverse impact this bill creates on the State Highway Fund. The State Highway Fund has been decreasing as a result of increased efforts to address long-standing highway construction needs in the State. In fiscal year 2005-2006 the Fund had a balance of \$135,200,000. At the end of fiscal year 2008-2009, the Fund is projected to have a balance of about \$36,700,000.

In recognition of this decline, my Administration requested a \$72,000,000 cash infusion into the State Highway Fund to ensure that ongoing projects can continue. The Legislature did not approve this funding request. Diverting \$3,000,000 from the State Highway Fund will cause further depletion of resources needed to match federal highway dollars and construct much needed roadways in our State.

The bill would allocate \$1,200,000 from State Highway funds as grants to the counties to purchase and install pedestrian-related changes on county roads and county intersections. The county fuel tax is already available for addressing these types of improvements on county roadways.

As noted in my July 5, 2007 communication to Speaker Say and President Hanabusa, the defect in this bill can be easily remedied by appropriating moneys from the General Fund rather than the State Highway Fund. I have asked the Legislature to make this amendment so that I may sign this measure for improved pedestrian safety. Without this amendment, which only the Legislature can enact, the bill is unacceptable.

For the foregoing reasons, I am returning Senate Bill No. 1191 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 628, transmitting her statement of objections to S.B. No. 1922, SD 2, HD 2, CD 1, as follows:

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1922

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1922, entitled "A Bill for an Act Relating to Creative Media."

The purposes of this bill are to: (1) require a portion of the existing Public Broadcasting System (PBS) facility and studio at the University of Hawaii Manoa campus to be designated as an interim home for the Academy for Creative Media; (2) require the existing PBS facility and studio be leased to PBS at no cost; and (3) establish the Music and Enterprise Learning Experience program at the University of Hawaii-Honolulu Community College.

This bill is objectionable for the following reasons. First, the bill's mandate of a lease of a particular property (the existing PBS facility, to a particular private entity (PBS) would likely be construed as a special and not a general law. Section 5 of Article XI of the State Constitution requires that the legislative power over state lands be exercised only by general law. The Attorney General has opined that this constitutional infirmity, in and of itself, justifies a veto of this bill.

Second, Section 6 of Article X of the State Constitution grants the University of Hawaii's Board of Regents exclusive jurisdiction over the internal structure, management, and operation of the university. Although this is qualified by the Legislature's power to enact laws of statewide concern, the assignment and use of campus facilities are inherently part of the University's internal structure, management, and operation and are not matters of statewide concern. Moreover, pursuant to the executive order setting aside the land on which the PBS facility is located, the set aside was explicitly stated as land set aside for educational purposes to be under the control and management of the Board of Regents of the University of Hawaii.

Third, Section 14 of Article III of the State Constitution provides that each law shall embrace but one subject, which shall be expressed in its title. It is questionable whether the PBS lease provisions of this bill properly fall within the scope of this bill's title, "A Bill for an Act Relating to Creative Media," again making this bill subject to a legal challenge.

This Administration is supportive of the work of the Academy for Creative Media. My Administration also recognizes the importance of the Public Broadcasting System in Hawaii. Additionally, my Administration proposed and fully supports the creation of a Music Education Learning Experience (MELE) at the University of Hawaii-Honolulu Community College. It is unfortunate that this measure failed to provide sufficient funding for this new program, as originally proposed in legislation requested by my Administration.

Regrettably, this measure is legally defective. As noted in my July 5, 2007 communication to Speaker Say and President Hanabusa, the defect in this bill can easily be remedied by deleting Section 3 of Part II of this bill dealing with the lease to the Public Broadcasting System. I have asked the Legislature to make this amendment so that I may sign this measure. Without this amendment, which only the Legislature can enact, the bill is constitutionally flawed.

For the foregoing reasons, I am returning Senate Bill No. 1922 without my approval.

Respectfully,

/s/

LINDA LINGLE
Governor of Hawaii"

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 629, transmitting her statement of objections to S.B. No. 1988, SD 1, HD 2, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1988

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1988, entitled "A Bill for an Act Relating to Honey."

The purpose of this bill is to establish labeling and advertising requirements for products produced in whole or in part from Hawaii-produced honey.

This bill is objectionable because it raises serious constitutional issues, particularly in its effect on interstate commerce and commercial free speech.

While I applaud this bill's attempt to ensure the accurate labeling and advertising of honey products that are produced in Hawaii and the integrity of products that claim to contain Hawaii's high quality honey, this bill does not limit its application to such. Instead it is far-reaching in its application to all honey products that contain any amount of Hawaii-produced honey, even reaching labeling requirements for those who were not planning on making any claims with regard to geographic origin. For example, this bill would require particular geographic identification for honey with a very small quantity of Hawaii honey, even in the absence of a desire by the manufacturer to make any representation as to type or origin of the honey. Thus, this bill is simply not narrowly tailored to prevent the deception or misleading of consumers, as its labeling and advertising requirements would apply even to products that may not otherwise make a claim to contain Hawaii-produced honey or are not otherwise deceptive or misleading. Therefore, this bill's labeling and advertising requirements may be deemed to be more extensive than necessary to advance the Legislature's purpose, in violation of the First Amendment.

The bill also presents significant Commerce Clause issues, especially as it reaches products distributed outside Hawaii. The bill attempts to regulate manufacturers and advertisers outside of Hawaii who deal with products that contain at least a portion of Hawaii-produced honey. Additionally, the wording of this bill would require honey produced outside of Hawaii to meet Hawaii's grade standards.

In contrast, current law regulating the labeling of Hawaii-grown coffee applies only to the portion of the coffee that is Hawaii-grown. Similarly, labeling requirements for Hawaii-grown macadamia nuts apply only to package labels making the geographic claim that all or a portion of its macadamia nut contents were grown in Hawaii. These laws are more narrowly tailored to achieving accurate and non-deceptive labeling of Hawaii-grown products.

I believe this bill should be re-written so that misleading or deceptive claims about Hawaii honey are prohibited, but also so that the bill does not violate provisions of the United States Constitution.

For the foregoing reasons, I am returning Senate Bill No. 1988 without my approval.

Respectfully,

H.B. No. 310, HD 2, SD 2, CD 2

Representative Caldwell moved to override the veto of H.B. No. 310, HD 2, SD 2, CD 2, as contained in Gov. Msg. No. 605, seconded by Representative B. Oshiro.

At 1:08 o'clock p.m., Representative Finnegan requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:09 o'clock p.m.

At 1:09 o'clock p.m., Representative Meyer requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:13 o'clock p.m.

Representative Meyer rose to speak in opposition to the motion to override, stating:

"Mr. Speaker, I'm rising in opposition to the veto override. HB 310 establishes the Hawaii Broadband Task Force to be staffed by the Office of the Legislative Auditor, a function outside of the Auditor's duties that more properly belong with the Department of Accounting and General Services.

"I think the Governor is right when she pointed out that this Broadband Task Force is assigned to the wrong governmental agency. The Office of the Auditor's primary duty is to conduct post audits of the transactions, accounts, programs and performance of all departments, offices and agencies of the State and its political subdivisions, and to conduct examinations to discover evidence of any unauthorized, illegal, irregular, improper or unsafe handling or expenditure of State funds, or improper practice of financial administration.

"Mr. Speaker, this taskforce should rest with either the Department of Accounting of General Services which is tasked with the management of the State's internet and website systems. They already have a team that's working. They are very skilled. They are ahead of the curve. I believe very strongly that that is where the taskforce should be. Or, if not that Department, then with the Department of Commerce and Consumer Affairs. For these reasons, I cannot support an override."

At this time the Chair called for a roll call vote and the motion to override the veto of H.B. No. 310, HD 2, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," as contained in Gov. Msg. No. 605, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes, 39: Representatives Bertram, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Say, Shimabukuro, Sonson, Souki, Takai, Takamine, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane and Yamashita.

Noes, 10: Representatives Awana, Belatti, Ching, Finnegan, Luke, Marumoto, Meyer, Pine, Thielen and Ward.

Excused, 2: Representatives Berg and Saiki.

At 1:17 o'clock p.m., the Chair noted that the motion to override the veto of H.B. No. 310, HD 2, SD 2, CD 2, as contained in Gov. Msg. No. 605, had carried.

H.B. No. 718, SD 2, CD 1

Representative Caldwell moved to override the veto of H.B. No. 718, SD 2, CD 1, as contained in Gov. Msg. No. 607, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the motion to override, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this override. I spoke against this bill all along during the process. This bill would give this over in Kewalo, on the shoreline, in the harbor actually, it's harbor frontage, to a non-profit organization. The Kewalo Keiki Fishing Conservancy.

"The Legislature many years ago created the HCDA to do comprehensive planning for areas in Kakaako and Kewalo Basin. Right now, Kewalo Basin is under the Department of Transpiration. There have been bills to try to turn it over to the Department of Land and Natural Resources. That hasn't happened. The HCDA has put out for bid to developers, that comprehensive plan. A&B was one of them. That didn't happen. A previous lawmaker, Andy Anderson, was the selected developer for another plan which would have put a giant Ferris wheel similar to the one in London which is a big visitor attraction, giving a view of Oahu from, looking at the top of Tantalus all the way to Waikiki, almost into Kahala. But there wasn't a lot of support for that.

"For one thing, it's against Article IX of our Hawaii State Constitution to have the Legislature assign specific pieces of property to an entity. And that's what this bill does. As I argued on the Floor many times, this is kind of a feel-good bill. Who's against *keiki*? Who's against fishing? And especially if it's tag and release. We're protecting the resource. It's an exciting experience for children. But we have absolutely miles and miles of shoreline on the Island of Oahu. Lots of places where there's fishing where this good work could be done.

"I just feel like the Legislature is interfering with the development of Kakaako to satisfy a very small constituency, taking this extremely valuable property that's worth millions of dollars and handing it over to this very small non-profit. The gentleman who is down here lobbying did a great job. He's a very personable guy. I have no question that he's sincere and he sees the value in this program. The kids have a lot of fun. The parents learn a lot in the process. But we have to have a business-like approach to the resources of the State of Hawaii. This is just so irresponsible, it's almost beyond my comprehension. So for those reasons, I'm voting against this override."

Representative Brower rose to speak in support of the motion to override, stating:

"Thank you, Mr. Speaker. In strong support of the override. Thank you. The previous speaker mentioned that the Legislature shouldn't get involved in determining maybe, the future of the land area in Kakaako. Well, about a year ago, the Legislature needed to get involved because several hundred people put on red shirts and showed up here continuously during Session. That's what happens when someone doesn't take the ball and run with it. If your vision of Kakaako includes a children's fishing village that may compliment the Children's Discovery Center, then I urge you to support the measure.

"We know what happens when we allow planning to be in the hands of someone else. I trust this body to make the right decision. Thank you."

Representative Pine rose to speak in opposition to the motion to override, stating:

"Yes Mr. Speaker. I rise in opposition to the override. I just want to clarify. I think that the Representative sitting beside me was not saying the Legislature not get involved in how we want Kakaako to be run. What she was specifically trying to talk about was unconstitutionality of us specifically giving a contract to a specific company, and in this case, a non-profit. What it would be more appropriate for the Legislature to do is to pass a law that says that we want to specifically allocate this plot of land or this area for *keiki* fishing programs. And I'm sure the Governor would have nothing to object about that. We're basically giving it to a specific person and there are many other non-profits out there that I know that would like to do that same thing. But we are putting this into law that no other *keiki* programs can ever use this land for that purpose."

Representative Ward rose to speak in opposition to the motion to override, stating:

"Mr. Speaker, I rise in support of the measure by being against the override. If that's not clear, let me say that I've consistently voted for this bill. But after jousting with the Attorney General, after having committed to what my daughter and myself love in terms of fishing, I still want this, but I want this to be done correctly.

"Here's what happened. The Attorney General kind of wrestled me to the ground and said, 'Do you know why this thing is unconstitutional?' He said that because in the old days of this legislative body, what we did for our friends was to designate certain parcels to either companies who were for us in getting us elected, or friends that we wanted to pay off. So they said in the Constitution that we have now, no specific parcels, in law, in specific law rather than general law, will be allowed by this body. So in effect, it's an override which our forefathers have said, 'Look, if we get into this, who knows what parcels may go to who.'

"The project is very deserving. They project is needy. The fishing for that particular area is going to be very dense, is very, very appropriate. And let me say, Mr. Speaker, that historically the Discovery Center which is just around the corner, even the Governor's wife didn't do it this way. She did it properly. I'm referring to the Discovery Center and Lynne Waihee, who went to the HCDA, got their permission, got the parcel, came back to us, and we funded it. That was the proper procedure that this should be done in so when it's done, it's going to be done properly, and we're not going to have any snag in our hook. Because the Attorney General is ultimately saying that he's going to bring this to court. I don't want all this fishing to get snagged up in this legal battle because that's where it's going if we do the override. So for that reason, I'm for it, and I'm against it. Thank you."

Representative Mizuno rose to speak in support of the motion to override, stating:

"Thank you, Mr. Speaker. I'm in support of the override. I would also like to have the words of the speaker from Waikiki to be placed in the Journal as my own," and the Chair "so ordered."

"Thank you. Mr. Speaker, this measure is not against public policy. In fact, it does serve a legitimate purpose. Education and conservation. In addition, Mr. Speaker, this measure is focused on teaching fishing skills for not only our *keiki*, but our *kapuna* and the disabled. This program is an outstanding tag and release program that has already tagged and released 17,000 fish caught throughout the Hawaiian Islands. Mr. Speaker, it also educates us on the Hawaiian culture and its traditions. This measure also works to build and unite families, to get parents closer to their children. And again, this is not an ordinary measure because, not only does it provide for *keiki*, but as mentioned earlier, our *kapuna* and our handicapped who I don't believe would have a chance to fish if it was not for this program."

"On the constitutional argument, I would suggest that it does not violate the Hawaii Constitution. Mr. Speaker, I understand that the Hawaii Community Development Authority is going to be granting a long term development lease to a private developer for the commercial development of the remainder of the Kakaako *makai* lands. For those reasons, I feel this measure does not violate our Constitution."

Representative Brower rose to respond, stating:

"Thank you, Mr. Speaker. Still in strong support. When I heard the reasoning of the Governor for not supporting this measure, I talked to lawyers in the House and went to the Legislative Reference Bureau to get an opinion. They quoted to me that this was a gray area at best. Making the right decision is never easy, and doing what it best for the community is never easy. There's always reasons we can find to put something like this off. But if the future goes well and we do establish a fishing village, I think that this will be something that everyone will be proud of and all their children will attend. Thank you."

Representative Meyer rose to respond, stating:

"Thank you, Mr. Speaker. I just want to read this provision from the Constitution.

The legislative power over the lands owned by or under the control of the state and its political subdivisions shall be exercised only by general laws except in transfers to, or for the use of the state or the political subdivision, or any department or agency thereof.

"The Constitution specifically forbids the Legislature to set aside the authority of one entity to exercise its own authority. I'm sure that HCDA will probably bring a suit if we override this because we don't have the ability to do it. I mean, the bill is so broad. Not only are we giving the exclusive use of this extremely valuable property to a small non-profit corporation, but we don't limit the time they can be there. It's yours for as long as you want to do it. And we are funding \$30,000 to have the area cleaned up or something on this valuable property that we will get no return on. Now, if any of you owned or invested in a million dollar piece of property, you would not be sitting there getting no income, not trying to get the highest and best use. Nothing. We have a responsibility to the taxpayers of Hawaii to use clear thinking and to do things that are financially reasonable. I don't see that happening there. Again, I'm voting no on this."

Representative Belatti rose to speak in opposition to the motion to override, stating:

"Thank you, Mr. Speaker. I rise in opposition to the override of this veto. I struggled with this bill because I love the Kakaako area. I love the surfing areas. I love the Children's Discovery Center. And I know the fishing village would be a very appropriate entity there. But I'm concerned because this bill sets a very dangerous precedent that some of the Members across the aisle have already touched upon, and that is a dangerous precedent of setting aside a specific piece of property for a specific non-profit agency. I think that is a dangerous precedent, and so I will be voting no and in opposition to this."

Representative Finnegan rose to speak in motion to override to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition and I would like to adopt the words of the Representative who just spoke before me, as well as the Representative from Hawaii Kai. Basically it is about the integrity of the process, Mr. Speaker. When I was first elected to office, I remember in bill drafting, they would always suggest, in fact not even suggest. It was almost a rule to not specify. And because I voted for this bill all the way through the Regular Session, it did make it difficult for me because I basically had forgotten about that and was reminded by this particular veto. I do feel strongly about the constitutional part of it. Thank you."

At this time the Chair called for a roll call vote and the motion to override the veto of H.B. No. 718, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," as contained in Gov. Msg. No. 607, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes, 42: Representatives Awana, Bertram, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, Marumoto, McKelvey, Mizuno, Morita, Nakasone, B. Oshiro, M. Oshiro, Rhoads, Sagum, Say, Shimabukuro, Sonson, Souki, Takai, Takamine, Takumi, Thielen, Tokioka, Tsuji, Wakai, Waters, Yamane and Yamashita.

Noes, 7: Representatives Belatti, Ching, Finnegan, Meyer, Nishimoto, Pine and Ward.

Excused, 2: Representatives Berg and Saiki.

At 1:33 o'clock p.m., the Chair noted that the motion to override the veto of H.B. No. 718, SD 2, CD 1, as contained in Gov. Msg. No. 607, had carried.

LATE INTRODUCTION

The following late introduction was made to the members of the House:

Representative Rhoads introduced Ms. Dolores Mollring of the Downtown Neighborhood Board, and Chinatown Citizens' Patrol.

H.B. No. 1270, HD 2, SD 2, CD 2

Representative Caldwell moved to override the veto of H.B. No. 1270, HD 2, SD 2, CD 2, as contained in Gov. Msg. No. 609, seconded by Representative B. Oshiro.

Representative Thielen rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like to disclose a potential conflict. My daughter is the Director of the Office of Planning," and the Chair ruled, "no conflict."

At this time the Chair called for a roll call vote and the motion to override the veto of H.B. No. 1270, HD 2, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING," as contained in Gov. Msg. No. 609, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes, 47: Representatives Awana, Belatti, Bertram, Brower, Cabanilla, Caldwell, Carroll, Chang, Ching, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Luke, Lee, Magaoay, Manahan, Marumoto, McKelvey, Meyer, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Say, Shimabukuro, Sonson, Souki, Takai, Takamine, Takumi, Thielen, Tokioka, Tsuji, Wakai, Ward, Waters, Yamane and Yamashita.

Noes, 2: Representatives Finnegan and Pine.

Excused, 2: Representatives Berg and Saiki.

At 1:36 o'clock p.m., the Chair noted that the motion to override the veto of H.B. No. 1270, HD 2, SD 2, CD 2, as contained in Gov. Msg. No. 609, had carried.

H.B. No. 1503, HD 1, SD 1, CD 1

Representative Caldwell moved to override the veto of H.B. No. 1503, HD 1, SD 1, CD 1, as contained in Gov. Msg. No. 610, seconded by Representative B. Oshiro.

Representative Ward to speak in opposition to the motion to override, stating:

"Mr. Speaker, I rise in opposition to the override. I have a few reasons for that. One is that the Hawaii, per capita is one of the largest small-business states in the nation. And I learned while studying ethnic enterprise at the University of Hawaii for my Ph.D., that we have a distinct subculture of both an Asian and Western orientation. For example, the Asian-oriented businesses tend to understate their prosperity while the Western-oriented businesses tend to overstate their prosperity. Businesses for example, can be making millions of dollars, and when you ask them how things are going they will say, 'Look it's slow. Could be better.' Whereas in the opposite camp, when you ask them how business is and they're going bankrupt tomorrow, they say, 'Hey, business couldn't be better.' Both of these are acting out of their subculture, and their subculture of disclosure that this bill calls for, HB 1503, causes this body to violate the subculture norms of both of these cultures of which we are one of the top ten in the nation.

"This bill forces both to expose themselves to the extent that it will close a business even faster by setting off, for example, a message to your creditors, or your banker to call in your loan, or for your landlord to give notice that he's going to cut you off, or your electricity, for constituent suppliers and anybody who knows, including employees which I understand this bill is attempting to protect, will run away from you before you can even close on 60 days notice. So what the benefit of this is other than making a statement for a particular group of constituents is, I'm not really sure.

"Lastly, no business actually wants to close. But the reality is, Mr. Speaker, that 80% of all new businesses never reach their 5th birthday. That's a high rate. This bill will dampen the entrepreneurial spirit of our community. This bill will do more harm than good. This bill deserves to be vetoed because we are open for business. After this Administration was elected they said we are open for business. This sends a message that we are not open for business and if you close, watch out because we're going to punish you, and we're going to expose you, and we're going to make you embarrassed. I'm not sure that that's the best way to deal with those who 80% of all of our workforce comes out of those businesses. For those reasons, I think an override is deserved. Thank you."

Representative Finnegan rose to speak in opposition to the motion to override, stating:

"Mr. Speaker, in opposition. Thank you, Mr. Speaker. You know, in my recent past when I was in the mortgage business, I remember when we were going through slow economic times, and there were business owners who basically came to me and said that, 'I need to get equity out of my home. I need to keep this business afloat. It's going downhill. I have good employees who work for me.' And they really, really sacrificed a lot. What this says is that basically, in those types of situations when things are going downhill, and these businesses are turning around and saying, 'You know what? I am going to do whatever I can.' There are a lot of businesses like that out there. 'I am going to do whatever I can because I know that this particular business and these particular employees are depending on me.'

"Human nature says that if something is going downhill and you're on that boat or car or whatever, that you are going to jump ship. Now to me I see that as like we want to protect employees from arriving at a business and all of sudden seeing that there are doors locked and they no longer have jobs. But on the other side of it, there are a lot of times when you can avoid the possibilities of a close

down. Sometimes it's just a matter of time in which you can get over that hump in the slowing of a business.

"Overall, I think that this is good legislation for employees because it will actually encourage more businesses to close down faster. Thank you, Mr. Speaker."

Representative Marumoto rose to speak in opposition to the motion to override, stating:

"Thank you, Mr. Speaker. I also am in opposition to this measure. I did mention at final passage of this bill, my reasons against this bill so I will just go over them very briefly. The Representative from Hawaii Kai just outlined very well how people will scatter if they hear that your business might close. Your creditors, your suppliers, your employees may all scatter. And I think all your friends might desert you, as well as customers.

"I don't think this bill is well thought out. Although it may purport to help workers, I think this bill will do just the opposite in making businesses close faster and jobs disappear faster. This is not a good idea in that our economy is starting to level off. If it tends to go down, since the economy is cyclical, it may go down again and this will hasten the demise of many businesses. I think it's not a good idea to override this bill. Thank you."

Representative Sonson rose to speak in support of the motion to override, stating:

"Thank you very much, Mr. Speaker. In support. First of all, there's an existing law that already requires a 60-day notification. Bear in mind, especially for those who were attempting to speak for small businesses such as myself, that this bill is aimed at those larger businesses with 50 employees or more. The tweak that we are attempting to do in the particular measure, and I think it's a very good one, is to include other types of actions such as partial closing, a transfer or relocation, mergers, etc. Business transactions are being conducted by large corporations or larger companies where they don't tell the workers that they have a plan to partner-up with somebody, and that a lot of the employees will not be rehired or retained. This extends the protection to the employees that are working for corporations or businesses that have 50 or more employees. This gives them the same protection; to allow them to make sure they can prepare their families and their lives for this particular closing or partial closing of this particular business.

"Also, the business community did come to the Committee to make sure that they expressed their concerns. And their concerns were actually taken care of by the language in the bill. For example, the Hotel Association did come up with wording in the original version where they do have situations where we are planning to do certain things, for example to seek refinancing, or renegotiating a lease, or merge with somebody. There are exemptions for those things to make sure they don't have to post notices if the result of those negotiations or transactions to try to save the business does not result in divestiture as defined in the bill.

"There is an existing law and this tweaks it to make it even better. It does not harm the small businesses, those with less than 50 employees so that is not a huge concern. Think of what happened recently in Kunia. There are over 500 families there that are dislocated. Think of situations like that. We're thinking of workers, but we are also thinking of the welfare of their families with this particular measure. Thank you."

Representative Meyer rose to speak in opposition to the motion to override, stating:

"Thank you, Mr. Speaker. I'm rising in opposition. I believe that that this bill, by including bankruptcies, would unreasonably burden businesses least able to afford the added burden and may force a failing company to close sooner than expected. Additionally, there's a federal law called Worker Adjustment and Retraining Notification

Act passed in 1989. It allows an employer to give less than 60 days notice under certain circumstances, where at the time notice would have to be required, the employer was actively seeking capital to avoid or postpone closure and believed and public notice would jeopardize the business transaction. This bill has no similar provision and I think it's something that should be in there. That's just an additional reason why I can't support it. Thank you."

Representative Rhoads rose to speak in support of the motion to override, stating:

"Mr. Speaker, in support. I'm from a small business background. My mother and father ran a small business when I was growing up and I definitely understand the management side of things. Having said that, most people in Hawaii live month to month. They need their paycheck every two weeks or half a month. If they don't get it, their whole financial world and their whole personal life collapses. I think it's only fair to workers for businesses to let them know if there is a possibility that they will lose their jobs. Yes, they may cut and run because they have to protect themselves and their families from financial disaster. I think that a perfectly reasonable thing to do, and a perfectly reasonable thing for this Legislature to support. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, just to add a couple of points. No one ever, or can know with certainty when they're going to go bust. The point is, we're forcing them to say when you're going to close. I would submit that most of these businesses are trying to survive, and trying to get a merger or capital. Even some of our airlines, Mr. Speaker. We don't know if they are coming or landing. Are they going to take off or be bought out, with the fare wars that are going on? You cannot tell when 60 days is going to be the time that you do it. We're slapping with a \$500 a day penalty.

"My sense is that they are not going to know, and this is going to force a lot confusion for people who are trying to survive and do their best, and this will discourage them to try to do it. The job of management is to try to make it right, not to go bust or go under. Nobody wants to go under. To say that in 60 days, you will predict who will come and bail you out or not bail you out, or if your Chapter 11 is not going to be successful. You can never tell.

"This is just another *puka*, and if it's not good for business, it's bad for business. Nobody wants to throw their employees out on the street. We've got the lowest unemployment of anyplace by being friendly to business with this Administration. But the fact is we can't be hostile to business so they can keep hiring and growing and become healthy so they don't even get close to this 60 days. Thank you."

Representative Marumoto rose to respond, stating:

"Thank you. Still in opposition, Mr. Speaker. People seem to think that larger companies are better targets to go after. If it's 50 or 100 employees, it's okay. It's not small business. But the larger company means a larger number of jobs and that is what will be lost. The larger companies separate the small businesses. I hope that you will remember that the civil penalties for noncompliance are quite severe. I think it includes three months of wages and benefits to each affected employee for the three month prior to the closing or partial closure, or relocation of the company. This is a double whammy, or triple whammy to the businesses that are in trouble.

"I think that recently we've seen some restaurant closures such as Jackie Chan's and TGIF. They closed suddenly and without any warning to their employees or their creditors. It may be that they did close before July 1st to avoid this law that would go into effect very shortly. As a member of the Economic Development & Business Concerns Committee, I feel that I should not support this measure because it is against economic development. Thank you."

Representative Evans rose to speak in support of the motion to override, stating:

"Thank you, Mr. Speaker. I do want to add something that has not been mentioned. I am in support. I think the Chair of Labor rightfully said that the business community came in and the Labor Committee heard their concerns.

"There's one part to this bill, the reason why I can support the override is because of the one section of the bill that says that an employer of a covered establishment that is actively seeking a buyer for a sale, transfer or merger shall not be required to provide the notice under this subsection until the employer has entered into a binding agreement for the sale, transfer or merger of the covered establishment that results in divestiture. And then you look back to the definition of divestiture. Basically, what it says is that until the deal is done, they are not required to notify. That says to me that the Labor Chair heard the business community and tried to protect the business community, and at the same time protect people who could be eventually unemployed.

"So I think it was a good balance and I applaud the Labor Chair for putting that in. Thank you."

Representative Finnegan rose to respond, stating:

"This is my second time, Mr. Speaker and I just have short comments. Thank you, Mr. Speaker. Although this bill exempts from the notice requirement an owner actively seeking a buyer for the business, it does not provide a similar exemption for an owner renegotiating a lease, seeking refinancing, seeking additional credit, or making other last minute efforts to save a business that might in eminent danger. I just wanted to add on to the previous comments so we can get the full picture of what this does. Thank you."

At this time the Chair called for a roll call vote and the motion to override the veto of H.B. No. 1503, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," as contained in Gov. Msg. No. 610, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes, 40: Representatives Belatti, Bertram, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoy, Manahan, McKelvey, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Say, Shimabukuro, Sonson, Souki, Takai, Takamine, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane and Yamashita.

Noes, 9: Representatives Awana, Ching, Finnegan, Marumoto, Meyer, Pine, Sagum, Thielen and Ward.

Excused, 2: Representatives Berg and Saiki.

At 1:54 o'clock a.m., the Chair noted that the motion to override the veto of H.B. No. 1503, HD 1, SD 1, CD 1, as contained in Gov. Msg. No. 610, had carried.

H.B. No. 30, HD 2, SD 1, CD 1

Representative Caldwell moved to override the veto of H.B. No. 30, HD 2, SD 1, CD 1, as contained in Gov. Msg. No. 603, seconded by Representative B. Oshiro.

Representative Ward rose to speak in opposition to the motion to override, stating:

"Mr. Speaker, I rise against the override. Mr. Speaker, the people of Hawaii like who they are and where they live. As a state located in the middle of the Pacific Ocean, we are by our very geography an international entity. Our economy with millions of visitors from

hundreds, well let's say dozens, of countries. We are an international entity. Our ethnic diversity, our racial heritage, we are clearly one of the most international entities in the world. In short, we are everything international. It's been our competitive edge and our survival strategy. We have been open. And because we've embraced the international spirit we are who we are today.

"But this bill makes us look at internationalism with a paranoia, a suspicion, and a spirit of protectionism. HB 30 represents an attempt to assert State authority over national authority in an area that the US Constitution reserves to the federal government which is international trade. The US Constitution gives the US Congress, not us the states, the ability to regulate foreign commerce, and limits the states' ability to negotiate with foreign countries.

"This bill Mr. Speaker, I believe is borderline in its constitutionality. And at most it is marginal, or unmanageable for a number of reasons. For example, it says that the policy of this State is that the State Legislature should first give consent to the Congress before the Congress passes any international trade agreements. That Mr. Speaker, is an impossibility. The US Congress is never going to poll the legislators and say, 'Hey, what do you guys think of this trade agreement?' This bill has that as its front and center on one of it's pages.

"This bill also creates an enforcement mechanism by creating a new Office of Trade Enforcement, kind of like a police state. We're going to create a new Office of Trade Enforcement and a Citizens Commission on Globalization. These are two creations that come out of it. This new office will mostly do, among other things, as noted on page 6 of the bill: monitor, analyze and provide technical assistance to workers and write an annual trade impact report. We know what the trade impact so far is in Hawaii. We import 90% of everything and export very few things except tourists. But we're creating a new office to do this.

"The trade impact report will monitor all foreign contractors, all foreign purchased goods, even suggest banning all foreign contractors. That's on page 7 for those following this or those who have directed us earlier to read the bill.

"And lastly, this bill asks for the creation and implementation of an ethical growth strategy for the State of Hawaii. Mr. Speaker, what does that sound like? An ethical growth strategy for the State of Hawaii. It sounds like that socially responsible corporation bill that we tried to pass in this House before. The ethical growth strategy would be, as mentioned, workers would be given more early warning or aversion measures for lay offs. I think we just passed a bill about that. Increased assistance to displaced workers, and more investment in workforce training. If you're like me, you get the sense that this bill is really saying something about the role of labor in Hawaii rather than the role of international trade in our economy.

"Mr. Speaker, this is not all. This bill has the distinction of taking away the power of the Governor and giving it to us in the Legislature, as if we are the trade experts. And unlike the other states, 49 of them who give all these powers and so far as we have done in this State, given it to the Governor. This is one of those 119 bills by which this body has tried to take away from the people on the Fifth Floor, the powers of the Governor of this State of this beautiful Hawaii.

"Interestingly, as those two states that don't allow the Governor, this bill is not welcome to international trade. In fact, it seems to be measure that would be contrary to the prosperity of the State which is dependant upon the goodwill of the international community and international trade.

"This bill will also cause us to convene many special sessions. This specific session, I know you were quoted as saying that this was going to cost us \$3,000 to \$5,000 for today. Can you imagine coming in to a special session to ratify an international trade agreement? What do you think the people out there are going to

think of us if we did that? I mean, they're even questioning some of the things that we're doing today. But if we have an international trade agreement by which you call a special session, I don't think we're going to look very good.

"The bottom line is we need to welcome international trade instead of being suspicious about these agreements, to help our economy. And I should note that all the big trade agreements are already done; the NAFTA, and the huge ones. But there's a new one coming up. It's called the Proposed South Korea US Free Trade. It's a report that was just delivered to Congress ... Am I out of time?"

Representative Ching rose to yield her time and the Chair, "so ordered."

Representative Ward continued, stating:

"Mr. Speaker, the point about mentioning Korea is that we have a lot of ranking members of our community from Korea. It is an opportunity to get our exports to Korea, and more imports without duty from Korea. Case in point. Of the tariffs on fruits of which we have an abundance of guava and mangoes to export, this agreement could bring those in and narrow the tariffs over the next 10 to 15 years. Also, US automobiles. Right now we have a 2.5% tariff on imports of Korean cars. And do you know why there are no Korean trucks in Hawaii? Have you seen a Korean truck here? Mr. Speaker, it's because there is a 25% tariff agreement that we have. If your truck comes from Korea, we charge you 25% extra. That would be eliminated. These are the international agreements. Those are the big things that this bill says, 'Hey we want you Congress, to ask us first whether we want to get involved in this.'

"Mr. Speaker, again the bottom line is that we should be making international trade easier and not more difficult by running it through this body. Taxpayers don't want more needless government spending on an International Trade Enforcement Office. We don't even have an International Affairs Office yet. This body created it, but never funded it. So are we pretending that we are great internationalists now by having this International Trade Enforcement Office when we don't even have an International Affairs Office. We do not need more labor protection. We need more economic expansion that has been provided by this Governor and her Administration. And the economy that has prospered under this Governor, why do we want to handcuff her to keep creating jobs in the way she has handled the economy so far.

"Lastly Mr. Speaker, we don't need to ruin our reputation as being unfriendly to the international community because people like us have been living on it and have benefited from it, and have been blessed by it. This bill in summary, is not good public policy. It is a jingoistic call for isolationism, anti-trade and protectionism. This is not who we are as a people. This is not who we are in terms of our destiny. This is a bill that deserves a veto. We are international and will remain international, and this bill takes us away from who we are. Thank you, Mr. Speaker."

Representative Herkes rose to speak in support of the motion to override, stating:

"In support. I think the previous speaker forgets the fact that the federal government was created by the states, and the states are supreme. We've given far too much power to the states. The dumbest thing we ever did was the Internal Revenue Act.

"As for the macadamia nut growers, the impact of the Free Trade Agreement on them is that Australia is killing our macadamia nut industry. Thank you."

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

"Mr. Speaker, I rise in support. Very briefly, I just wanted to counter some of the comments made by the Representative from

Hawaii Kai. I found it to be a very interesting discussion. Unfortunately, that has nothing to do with this bill.

"If people look at the bill, page 5, lines 13 to 16, this really does not preclude State officials from entering into international trade agreements. The only prohibition is when you go what's found in section 2, on page 4, lines 15 to 16 which talk about procurement. The only time this bill comes into effect is when you're talking about procurement. The only time procurement comes into effect is when you're talking about spending of government money and how we're going to do that, and whether they need to comply with Chapter 103D. That's the only question we're talking about.

"And as much as I appreciate the discussion about Korean trucks and everything else, that has nothing to do with this. This is about how we spend taxpayers' money and whether we need to do it under our own Procurement Code which is strictly the State's authority to decide how we are going to spend taxpayer money. Thank you."

Representative Takumi rose to speak in support of the motion to override, stating:

"Thank you very much, Mr. Speaker. In support. And like the previous speaker, I do appreciate the eloquent remarks of the speaker from Hawaii Kai. Unfortunately, he's talking about the wrong bill. This bill does not have anything to do with establishing an Office of Trade Enforcement that was in a previous version of the bill. We're talking about CD 1 as far as I'm concerned. That is what's on the Order of the Day, the calendar. But anyone who uses 'jingoism' in a floor speech, I do appreciate that kind of nice symmetry; linguistic symmetry.

"If you want to talk about the US – Korea Free Trade Agreement, why is it Mr. Speaker, that tens of thousands of Korean rice farmers have protested that Agreement. Why hasn't it been signed into agreement as of yet? The reason is that the Korean rice farmers know the devastating impact that when rice from the United States floods their markets, what it will do. Because in the United States, rice is grown by huge agri-businesses. In South Korea it's grown by mainly small farmers that have relatively small acreage. They know what that impact will be. Now if people are telling me that that is good because international trade is good, I would just say that free trade is not good. Fair trade is good. Thank you, Mr. Speaker."

At this time the Chair called for a roll call vote and the motion to override the veto of H.B. No. 30, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL TRADE AGREEMENTS," as contained in Gov. Msg. No. 603, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes, 42: Representatives Awana, Belatti, Bertram, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Say, Shimabukuro, Sonson, Souki, Takai, Takamine, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane and Yamashita.

Noes, 7: Representatives Ching, Finnegan, Marumoto, Meyer, Pine, Thielen and Ward.

Excused, 2: Representatives Berg and Saiki.

At 2:08 o'clock p.m., the Chair noted that the motion to override the veto of H.B. No. 30, HD 2, SD 1, CD 1, as contained in Gov. Msg. No. 603, had carried.

H.B. No. 1605, HD 1, SD 1, CD 1

Representative Caldwell moved to override the veto of H.B. No. 1605, HD 1, SD 1, CD 1, as contained in Gov. Msg. No. 611, seconded by Representative B. Oshiro.

Representative McKelvey rose to speak in support of the motion to override, stating:

"Mr. Speaker, I would love to submit written comments for the Journal in support. Thank you very much, Mr. Speaker."

Representative Bertram rose to speak in support of the motion to override, stating:

"I would like to submit written comments in support as well. Thank you."

Representative Meyer rose to speak in opposition to the motion to override, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. This bill diverts \$400,000 from the State Highway Fund for a project exclusively on Maui that is not on the approved State Transportation Improvement Plan and is not included in the Maui County budget. So that there is a pretty big question mark as to why we are doing this if Maui County has not put any money into it, and has not set it as a priority.

"This bill utilizes money from the State Highway Fund for a project that is not yet in the State Transportation Improvement Plan. This Plan sets priority for traffic improvement projects on every island. This allows fair and transparent use of the Highway funds for the projects that are a priority for each community. Diverting funds from the Highway Fund for this specific project at the expense of other community projects that are higher priorities is not sound fiscal planning.

"The County of Maui has not budgeted its own funds for this project. It is unknown if Maui will allocate resources for this project. So for those reasons I think we should vote this override down. Thank you."

Representative McKelvey rose to respond, stating:

"Mr. Speaker, if I may respond to the comments made by the previous speaker. I have in my possession an email sent by Councilwoman Jo Anne Johnson, ranking Republican of the Maui County Council, in addition to the Mayor's Office and Chair Riki Hokama. And in this email Jo Anne Johnson tells the Governor that basically, they were waiting for the State, for us, to move the bill forward. This bill was moving through the process when the County was closing the books. What they were looking for was direction.

"Maui County, from the Mayor's Office, and please feel free to call Mayor Charmaine Tavares and talk to her. Call Jo Anne Johnson. Call Riki Hokama. Call County Transportation Director Don Mederios who's met with me several times, and ask them. They support this project. They are willing to allocate funds to this project. What they were waiting for is to see if this bill would pass and for direction.

"And I just want to say one thing. If you look at the State Transportation Improvement Plan, every project on there only benefits one area, Mr. Speaker. From the Queen Kaahumanu extension, from the North-South Connector Road, from the Honoapiilani Highway, to Kauai; every plan addresses a single regional area. That's really what it's about right there.

"An ITS is a proven technological system that works. It improves traffic efficiency. Because of this efficiency in traffic, it means that we won't have to spend hundreds of millions of dollars on widening. I think it's ironic that if you look at the STIP, we've got millions for painting guardrails, and yet this is for \$400,000. \$400,000 Members.

We're going to debate a bill later for \$1.5 million and that's a very worthy bill. This is \$400,000.

"What really is at stake here Mr. Speaker, is this: Is the STIP the sole prerogative of the Executive Branch? Does only the Executive Branch get to basically set priorities? Or is it the communities from which we come from? We the Legislature are trying to bring innovative ideas. This is a cost effective idea. This is \$400,000 that will track 80% federal money. It will save millions needed for other highway projects in Maui. This is about cost-effective, conservative government at its best. It's innovative government. And what we are saying as a body is that we are willing to give up the policy making, the innovation of this Branch and of the people to the Executive Branch. Come on. Let's not be pennywise and pound foolish."

The Chair addressed Representative McKelvey, stating:

"Representative McKelvey, please control your emotions."

Representative McKelvey continued, stating:

"I know I'm emotional. But Mr. Speaker, and I say this to everybody in this State, and to the people of Maui. We are dying, and we are suffering economically and physically from this. And not only will the ITS improve traffic, improvement the revenue stream to the State which will then come back to our coffers for projects in everybody's district. Not only that Mr. Speaker, but the federal government itself has said that the ITS is proven successful in emergency situations. In the South Carolina hurricane, 44% improved efficiency in evacuation. As a man who just escaped from a fire, I cannot tell you how important it is that we do something now.

"This is so important. I'm begging you, the Members of this body to look at what is at stake here, and I hope that I can have your support – that we the people of Maui can have your support. If we fail today, we may fall, but it is to the ruin of all. All innovation that comes from this body for any help and improved transportation for the people of this State. And that's really what's at stake. I hope that I can have the support of the Chamber in something that will bring dollars back into your districts by saving money on projects that are need for the Island of Maui. Thank you."

Representative Belatti rose to speak in support of the motion to override, stating:

"Thank you, Mr. Speaker. This is another bill that I also struggled with, because on its face, it appears to be a bill that only benefits one county. After much discussion with the previous Representative, I want to amplify the statement that he made; that through this innovation, money will be saved on the roadways and repairs on Maui, and then be a cost-saving measure for the rest of the State. So in that respect, we are going to be pegged with 'raiding' the Highway Fund, but as the previous Representative said, this is an innovative measure that comes from the community and it is money well spent. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in opposition to the motion to override, stating:

"Thank you, Mr. Speaker. In opposition. I can really appreciate the passionate plea of the Representative from Maui. And I do hang on the fact too, that it is coming from the Highway Fund versus a general fund appropriation or allocation.

"One of the things that we as a State body can think about in this particular measure is, and I understand that we have communication that it does have support in Maui. The problem that I have is, where should the direction come from? If it's a priority for Maui, then it should be a priority for the State. I can agree with that. However, what I want to make clear is, if it's a priority from the county, it should be signaled somehow. Not just through emails or whatever, but thought process. Maybe this is a new process that had come up

and so they weren't able to talk about it sooner. But it's the whole thing. What happened with the rail here back about ten-plus years ago? What happened with the rail here? The federal government basically said, 'We're going to do this match for you,' and then we didn't come through. So we can compare those kinds of situations. The direction can come from the county. The direction in regards to allocating funds for the project. Then we can follow up by saying, 'Yes, this is a priority for the State.'

"So it's just a matter of which way we're going to think about this. Should the State come in and say that it's priority for Maui first? Or should the County of Maui come in and say that this is a priority for Maui and then the State say, 'Yes, we will support you.' So that's why I have difficulty with that, as well as it is coming out of the Highway Fund which is depleting and which we have used when there were floods, when in Aiea we had to fix some roads. That's where that money is coming from. The airport, I'm sure we all travel on that. At times there are those things sticking up from the road and it creates a very dangerous situation for even people who are driving the speed limit. I'm just saying that the State Highway Fund is something that we should protect as well. And if we were serious, it would have been general fund money. Thank you."

Representative Har rose to speak in support of the motion to override, stating:

"Mr. Speaker, I rise in strong support and request that the words of the speaker from Lahaina be incorporated as my own. Thank you, Mr. Speaker," and the Chair "so ordered." (By reference only.)

Representative Mizuno rose to speak in support of the motion to override, stating:

"Thank you, Mr. Speaker. I'd like to have the words of the speaker from Lahaina, as well as Makiki be placed as my own. Thank you, Mr. Speaker. And just a short comment. I supported this on the final Floor vote, and I stand here today to again support it because money spent today will be saving us three to four times in the future. Thank you, Mr. Speaker."

Representative M. Oshiro rose to speak in support of the motion to override, stating:

"Mr. Speaker, in strong support. I ask that the remarks of the Representative of Lahaina be entered into the Journal as my own. Also I thank him for reminding us that we are a co-equal branch of government along with the Judicial and Executive Branch and so a move here to override this veto is appropriate.

"I just want to add three points regarding the Highway Fund. I remind Members that about two months ago, we passed legislation by unanimous and bipartisan support, to increase the Rental Vehicle Surcharge on motor vehicles. In fact Mr. Speaker, it was one of those bills that the Administration supported through the Department of Transportation, to increase the Rental Vehicle Surcharge of \$3 per day. It was reinstated this year. This means that the Highway Fund would receive about \$14 million more over the next two years. So, let's add about \$14 million to that ledger column.

"We also passed a measure that gave some savings to consumers at the gas pump of 11 cents. Hopefully it will be passed on and monitored by the PUC. But that measure also increased by one penny the gas tax that goes into the Highway Fund. That was also supported by the Department of Transportation and the Administration. That one cent will generate about \$7 million to \$9 million more each year to the State Highway Fund. Let's add that to the \$14 million.

"So, in total, the Highway Fund will stand to gain about \$21 million to \$23 million more in revenue. I believe that is a sufficient amount to cover the mere \$400,000 for this very worthy project to benefit the people of Maui. Thank you, Mr. Speaker."

Representative Souki rose to speak in support of the motion to override, stating:

"Yes, Mr. Speaker. I wish to speak in favor of this and incorporate the words of the Representative from Lahiana, without the volume. Furthermore Mr. Speaker, I want to make mention that we have an increase in Highway Funds, thanks to this body here.

"The federal government provides to us approximately \$150 million per year in highway funds, and we match it with 20% and that's approximately \$30 million. We get no more in federal funds other than that. We do have sufficient surplus to carry us and to take care of the \$400,000, as well as the \$3 million in the bill to come. Thank you very much Member and Mr. Speaker."

Representative Bertram rose to respond, stating:

"Yes, Mr. Speaker. I wanted to say just a few words in support of my colleague since I'm from there as well. What he brings up is very important. We're going to be having to look at the use of highway funds and all funds toward transportation in a much broader sense if we're ever going to get out of the mess that we're in. Otherwise we're going to be stuck in traffic for the rest of our lives if we just continue to build roads. We need to look at traffic management and demand management types of things; look at bike and pedestrian funds. We constantly hear that it can't go for these things; it can't go for that because it has to go to the Highway Fund for cars. But we have got to look at different ways. We have to get ourselves out of this box that we've boxed ourselves in to. This is a great way to get started. And to look at it for other things as well. We have to start thinking outside of the box if we're going to get out of this highway stranglehold that we have on our land and on our lives.

"I am very much in support of this. I hope Members will start looking and thinking creatively. STIP is not written in stone, and it has been controlled by just a few traffic engineers for years. I've seen bike and pedestrian and other type of facilities just go ignored because it's been controlled by just a few people. It's great now that we're looking at where these funds are going and how best to utilize them to create the quality of life that we're trying to create here in Hawaii. Transportation is going to be a key element in that, and it has to be based around traffic demand management, walking and biking. Thank you very much."

Representative Meyer rose to respond, stating:

"Thank you, Mr. Speaker. I'm still rising in opposition in spite of that impassioned plea from the good Representative from Lahaina. I think he had honed his argument by twisting a lot of arms on your side of the aisle."

The Chair then addressed Representative Meyer, stating:

"Representative Meyer, that statement you made is out of order."

Representative Meyer continued, stating:

"Thank you, Mr. Speaker. The Representative from Wahiawa talked about bills that we passed this Session to beef-up the Highway Fund. The surcharge on rental cars was scheduled to sunset this year, and we could have gone through that process if we had not taken over \$160 million out of the Highway Fund in the past, probably starting in about 1996. We have a lot of responsibility for the fact that the Highway Fund is at such a low level as it was at the beginning of this Session.

"On many, many bills in the Transportation Committee which I sit on, the people speaking for the DOT made pleas not to use those funds for things that are far afield from what they normally use. That was their feeling on this bill. It's not going to a highway. It's going to this plan that is yet to be developed. If we continued to find more creative ways of using the Highway Fund, we will never get out of the situation we are in now. Thank you."

Representative Carroll rose to speak in support of the motion to override, stating:

"Thank you, Mr. Speaker. In support. I'd like to insert the words of the Representative from Lahaina and just add that there was a comment made today in terms of who should take the lead in addressing the issue. Unless you live in a place like Hana where you have a State highway, and if that State highway closes down, is it the county's responsibility to do something about it? I think the State should take the lead.

"I want to commend my colleague for thinking outside of the box and doing something, because he has first-hand experience with his State highway. When there's a fire, there's no way out, and people's lives get affected. So I am in strong support."

At this time the Chair called for a roll call vote and the motion to override the veto of H.B. No. 1605, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC CONTROL," as contained in Gov. Msg. No. 611, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes, 40: Representatives Belatti, Bertram, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Say, Shimabukuro, Sonson, Souki, Takai, Takamine, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane and Yamashita.

Noes, 7: Representatives Ching, Finnegan, Green, Marumoto, Meyer, Thielen and Ward.

Excused, 4: Representatives Awana, Berg, Pine and Saiki.

At 2:27 o'clock p.m., the Chair noted that the motion to override the veto of H.B. No. 1605, HD 1, SD 1, CD 1, as contained in Gov. Msg. No. 611, had carried.

H.B. No. 1830, HD 2, SD 2, CD 1

Representative Caldwell moved to override the veto of H.B. No. 1830, HD 2, SD 2, CD 1, as contained in Gov. Msg. No. 616, seconded by Representative B. Oshiro.

Representative Mizuno rose to speak in support of the motion to override, stating:

"Thank you, Mr. Speaker. I rise in support of the override. I want to first commend the Representative from Liliha for doing a stupendous job on educating this body on the plight of baby abandonment in our nation. There are 20,000 newborns abandoned every year, according to her Resolution. I also want to thank the Representative from Liliha who also indirectly put me in touch with the Adoption Circle of Hawaii. I understand how important medical history of the newborn is; genealogical history, as well as parents' rights whenever we talk about newborns and newborn abandonments.

"With that said Mr. Speaker, of the 48 state legislatures that have passed baby safe haven bills, our Governor, Governor Linda Lingle, is the only Governor to ever veto a baby safe haven law, in fact not once, but twice. She did this back in 2003 with H.B. 133, and just a few hours ago she vetoed H.B. 1830. This bill was to provide an option to baby abandonment in Hawaii.

"Mr. Speaker, you may hear in testimony today about affirmative defense, and how 16 other states have affirmative defense instead of immunity. That should not preclude them from being considered as a state that has a baby safe haven law or a safe surrender law. I think

the Governor is confused when she mentioned that during her impending veto message that I attended on July 25th. She doesn't say it in today's veto message, but she brought it up before. If we hear testimony on affirmative defense and that 16 states have it and how it excludes them from baby safe haven states, that's incorrect. They do not quite understand about safe surrender laws, Mr. Speaker.

"Mr. Speaker and Members, the government needs to do everything in its power to protect and preserve the lives of all their people. Here, every single person is important. Our government must especially protect our most vulnerable and helpless in our population, and that would be our newborns.

"Mr. Speaker, I would like to point out a real quick case, State v. Aiwohi. In 2005 the Supreme Court gave us the definition of a person. It means a human being that is born alive. It is very important that I note that, Mr. Speaker, because pursuant to the Aiwohi decision, a newborn baby is considered a person, and therefore afforded the same right to life as all of Hawaii's residents and visitors. This right is not negotiable. The right to life is a fundamental right. So important is this right that it is guaranteed by both our State Constitution in Article I, Section 5; and the US Constitution in the 14th Amendment which provides in relevant part, 'no person shall be deprived of life'. There is no dispute here that both our State and federal Constitutions protect newborns' rights. It is a guaranteed right as stated earlier. This is not negotiable.

"I'd also like to address some of the concerns the Governor mentioned in her veto message. The Governor seems to be concerned about the parents' rights; the parents of the newborn, and the possibility of that they may not be able to come back and seek custody of the newborn. She seems to be concerned with some of the relatives with our wonderful system of *hanai* adoption in Hawaii. With the medical history. With blood-quantum based programs for that newborn.

"Mr. Speaker, I'm here to say that all those issues that she brought up are important. No doubt, they are very important. But again, when we are talking about the life of the newborn, these will not matter if our baby dies. If we lose that life, again, all of these important issues, and I do agree with the Governor that they are important. But it all becomes moot with the death of the newborn. And that is why I say that we have to secure the life of that newborn, and then after that we need to continue to see what we can do to protect those other rights, which I also feel are important."

Representative Sagum rose to yield his time, and the Chair "so ordered."

Representative Mizuno continued, stating:

"Thank you, very much. Mr. Speaker, I'm going to try to go real fast through this. I want to commend the work of not only this Legislature, but of the other 47 state legislatures throughout our nation. As you know, it's very difficult, the work we do. But it is very rewarding and commendable. And I bring that up because, 6 of those states have actually repealed their sunset clause, as it relates to baby safe haven laws. It's very important to point that out Mr. Speaker, because you might here testimony today that other states have concerns about their baby safe havens. As you know, why would we have a sunset clause? The reason would be to terminate or repeal all or portions of the law after a specific date. As everyone here knows, when the sunset clause is eliminated or repealed, the law goes on indefinitely.

"Mr. Speaker, California passed their law in 2000. And whenever I say law, it relates to baby safe haven laws. They repealed their sunset clause in 2006. Delaware in 2001, and they repealed their sunset clause in 2006. Illinois passed their law in 2001, and they repealed their sunset clause in 2007. Michigan passed their law in 2000, and repealed it in 2004; their sunset clause. Montana passed their law in 2001 and repealed their sunset clause in 2004. Utah passed their law in 2001 and repealed their sunset clause in 2006.

Massachusetts which is the 7th state, passed their law in 2004 and are set to repeal their sunset clause in 2008. Of all 47 other states, Mr. Speaker, Massachusetts is the only state left that has a sunset clause, and again as stated earlier, they will repeal their sunset clause in 2008.

"Mr. Speaker, I did want to talk about the Governor's Senior Policy Advisor, Linda Smith, in relation to this bill and comments that she had on her attack on this bill, because I am here to defend this bill. And I'm going to be quoting Linda Smith in her interview with reporter Ron Mizutani from KHON, this is on June 20, 2007. And I quote, this is what Linda Smith had to say, 'One of the things that the Department of Human Services pointed out is that we have no incidents in the State of Hawaii according to their records, of children being left on doorsteps, in dumpsters, and bathrooms.' Once again, that was Linda Smith, Governor's senior policy advisor.

"Mr. Speaker, in response to Linda Smith's comments that we have no incidents in the State of Hawaii regarding baby abandonment, I offer the following facts. On April 24, 1990, on a Saturday afternoon, a baby, Heather Clafta was found lying face down on the bank of Lake Wilson. Dehydrated, dirty, dirt in her mouth, numerous bruises, and infested with maggots which were eating her. Heather was abandoned by her mother who was later charged and convicted with attempted murder in the second degree and sentenced to life in prison with the mandatory minimum term of 15 years. This was not mentioned by the Governor's senior policy advisor during her June 20th interview.

"In 1995, two men made the gruesome discovery of a body of a baby wrapped in a white blanket in a shoe box in Tantalus. Again, Mr. Speaker, the senior policy advisor never mentioned this. And I don't mean to be picking on Ms. Smith, I know she's reviewing a number of bills, but she failed to report this.

"In 2001, a Kauai woman, Kristen Lopez, age 22, placed her newborn baby in a rice bag and then transferred that newborn in a trashcan behind her house. An autopsy determined that the baby had suffocated. Ms. Lopez pleaded guilty to manslaughter. Again, this was not reported by the senior policy advisor of the Governor.

"Mr. Speaker, in 2005, a fetus was discovered wrapped in a shirt in a shallow grave at a Kalihi home. And again, this was not reported by the Governor's senior policy advisor.

"I'm very concerned because the senior policy advisor also failed to report that the Department of Human Services, there's no doubt she should have this information, had confirmed that 106 children have been abandoned in the last 10 years. Of that number, 50 were newborn. And this was also reported on June 20th by KGMB, which Governor's senior policy advisor failed to note."

Representative B. Oshiro rose, stating:

"I'll yield one minute of my time, Mr. Speaker," and the Chair "so ordered."

Representative Mizuno continued, stating

"Thank you very much. I think I can bring it down to 30 seconds. Mr. Speaker, Members, today we have an opportunity to provide an option to baby abandonment in Hawaii. This law will save the lives of newborns from abandonment because I believe Hawaii is ready to join the other 47 states with safe surrender laws.

"I respectfully implore all members to vote in support of an override to Governor Lingle's veto of House Bill 1830, so that we can save the lives of our newborn babies from abandonment. Thank you, Mr. Speaker."

Representative Ching rose to speak in opposition to the override, stating:

"Thank you, Mr. Speaker. And thank you to the Representative of Kalihi for his kind words. We're neighboring Representatives and we enjoy sharing a lot of concerns and this is one. Unfortunately, this is one that the ridge seems to have us in different valleys this time.

"Mr. Speaker, it's interesting because I know that the Representative of Kalihi will say you're going to hear about certain things. You're going to hear about affirmative defense. You'll hear about other states. You'll hear about concerns. Unless there's another person who's going to speak on this bill, I will let you know that's not what I'm going to say. It's kind of ironic because I think there's a lot of that going around. Thinking that, I know you. I know what you're going to say. I know your experience. The fact is you don't.

"Mr. Speaker, I rise in opposition to the measure and in opposition to the override because this bill encourages anonymous abandoning of a baby. This bill has permission to ask for, but does not require any form of identification for the baby being dropped off at the aforementioned police, fire, medical facilities. This bill does not appropriate any funds for education, prenatal care, toll-free line, PSA, etc. to provide the awareness for troubled mothers who contemplate abandonment. What this bill basically does is just make convenient the disposal of a baby, its identity, medical and genealogical history for eternity. And Mr. Speaker, I cannot support that.

"Truly, it is true right now, different states around the country have adopted different versions of what is being referred to as safe haven measures. And those measures differ, but have one intention: to save a baby.

"There's a concept in logic, and I'm sure those that have law degrees are familiar with the 'straw man' argument. 'Straw man' argument means you create a 'straw man,' a 'boogeyman' and then you proceed to tear it down to show that your position is correct and the 'straw man' is not. And the 'straw man' this time is the 'boogeyman,' the 'boogeyman' who doesn't want to save lives.

"We had emails pouring in that say, 'Save the babies, save the babies.' And you wonder who? Who? You wonder who could be against saving babies? Who are the bad people who don't want to save babies? And the answer is no one. That's right, no one. Not one person is against saving babies.

"And right now we have bills across the nation and we are one of the last states to adopt this measure along with Alaska and Nebraska. And I'll talk about Nebraska in a minute. There is an advantage to being the last in the fact that you can, just like if you were the last person in anything, you can determine by compare and contrast, from other states what works and what doesn't work.

"An example, in California this bill, this law was enacted but actually no babies, no change in the saved babies. Babies are still being abandoned. The change, the only time it changed was when massive funding was appropriated to create awareness, massive funding.

"It's kind of like when you talk about Hawaii versus some other states, the contiguous states, and I say this for a reason because those are contiguous states. You jump on a train and you go to another state. Hawaii is so far away, Alaska is so far away, we are unique in many ways. The Representative from Hawaii Kai was talking about how unique we are.

"And in that case, it's similar to like a doctor. We all consider ourselves professionals here right? But if a doctor were to say to us, everybody has O blood, we're going to give you O blood in this surgery. What would you say? That's not fair, I'm unique. That's the situation with this. We're unique.

"I'm going to give you a chart that I would just like to share with you."

Representative Pine rose to yield her time, and the Chair, "so ordered."

Representative Ching continued, stating:

"Thank you. I have here a pie chart of emails received in favor of House Bill 1830. This pie chart reveals this. Out of the emails that were received by us, out of state is 47% in favor; in state, Hawaii, 37%; residency unknown, 16%. Emails received in favor of a veto or not in favor of this particular legislation, in state, 50%; out of state, 44%; residency unknown, 6%. Just a little information about who we are talking about? Are we talking about our people? Or what are we talking about? I contend there are three profiles of mothers. The delusional, panicked, distraught, possible addict, but distraught mother, who probably isn't going to ask her boyfriend to go to a police station or anything. She was not in that frame of mind. Number two, the fearful mother that really doesn't know what to do. Who really doesn't know and would take advantage of public awareness campaigns and alternatives if given them. Finally, this is the profile that I'm worried about. This is the profile of the parent who would have gone through baby adoption, and that probably accounts for some of the quote, 'successes in other states,' but now they can shortcut and they're going to go down to the police department instead of telling mom and dad and *hanai*.

"In research, in compare and contrast, the fact is education is the key. Mothers just need education. There's a mention on *Oprah*. And that's why Nebraska doesn't even have to have a safe haven because they didn't put the cart before the horse. They put in all this education, 24-hour hotline, etc., 365 days of the year. And because there's that knowledge, an alternative to baby dumping, those changes, awareness is the solution. But are there funds in this bill to do that? Does it counsel? No. Does it educate? No. Does it raise awareness? No. Are there funds in this bill to do any of that? No. Will this save babies? No.

"I'll tell you what saves babies, Project Cuddle. That's a record you want to look at. 500 babies across the nation. That's education. Project Cuddle passed this Session, if you give it a chance. It actually says that there should be a report before next Session by our Director of Human Services.

"There has been much disagreement albeit passion on which way to go on this bill. And there should be, there should be. Why? Because we're talking about life's most precious aspect, our children. And understandably we are passionate. Understandably we want to save innocent lives. The child that is hours old, no one to turn to but its mother. That undeniable link. That unmatched connection. The one that nature gives, that privilege, that gift, that honor.

"I'm a mother, I know that honor, Mr. Speaker. And I also know that children grow up. And you want to know what are those children thinking. You ask, what do they feel. Because this is the constituents you say that you're legislating for. So like when we legislate for education, we like ask. We like to ask frontlines men. When we want to legislate for any kinds of things that we're really going to do something important, that affects someone's destiny, their life, we ask. And I'm proud of this Chamber because we generally ask. In fact, sustainability, we're going to go out and ask people what they think.

"What was that mother thinking, the birth mother? And what does an adoptive mother feel? Because gosh, you can't fathom somebody who would give away a life. Mr. Speaker, that constituency if you'd like to ask, the people you presume to legislate our destiny, ask. They sit in the gallery before you today and they are here to tell you how they feel. What their thoughts are. Ask the frontlines men. There's a doctor. I have emails from doctors, from pediatricians, OB-GYNs, ask all these people who are frontlines men on this issue and then presume to legislate our destiny.

"I know Mr. Morrisey who's here, feels passionately, and we have the Representative of Kalihi who has never experienced an abandoned baby, but I'm sure he feels Mr. Morrisey's pain. He feels the pain for a mother, for abandoned baby."

Representative Thielen rose to yield her time, and the Chair, "so ordered."

Representative Ching continued, stating:

"Thank you, Representative. But I will share with you, you will feel not the pain whatever you folks feel who feel pain, like the pain when you really walk in someone's moccasins. Because we know that. And we know the pain. And you know what? Today, in the gallery, you've got the Adoption Circle's membership. Birth mothers, they all took off time today to be here, lots of time from their jobs. They are the frontlines men.

"You want to talk about identity theft, this is ultimate identity theft. And in 10 years if you're still here, you know what? You're going to probably experience some of the people who are going to be in the Adoption Circle and they're going to be here. They're going to be walking around the halls. They're going to be walking around your office and say, 'Why? Why when you knew education was the key, you could have done that? Why? Why did you erase any possibility of me ever knowing my medical, ethnical, genealogical grandchild's medical history? Why? When there wasn't even a huge problem here with it? Why?' And you are going to say because the other states were doing it. And we listened to people who thought it was a good idea, but we chose not to listen to those who are affected.

"But one day, one day there'll be a child. One day there'll be a child on the street and somehow you walk by that child and you say, 'That child looks so familiar. Golly.' You walk by and say, 'Funny. Funny that child looks so much like my daughter when she was 12. Or my son when he was 12.' And you'll think, 'Funny. Nah, just a coincidence. Couldn't be. No way. No way. Because I had such good communication with my daughter. She was away that year.' And that child will disappear into the crowds, into the anonymous crowds. Maybe forever and you'll wonder. And will you know? For your sake, I hope you do.

"I hope that that girlfriend, that boyfriend, your son or daughter brings home fifteen years from now, would you know? Would you absolutely know? The fact is with this law, you won't know. Period. But it seemed like a good idea at the time. You won't know.

"Adoption Circle knows. We have the facts, we have the figures, we know. And we know how ironic it is that people do find each other and they tend to gravitate towards similar things because of genealogy. Because it's genetic. You'd be shocked, but twins they found it.

"I'll leave with one quote. I just wanted you folks to know. "In all of us there is a hunger, there's a marrow-deep, to know our heritage, to know who we are, and where we come from. Without this enriching knowledge, there is a hollow yearning. No matter what our attainment in life, there is still a vacuum. An emptiness. And the most disquieting loneliness." It's written by Alex Haley, author of *Roots*. There's a better way, Project Cuddle. Education is the key.

"My office manager just remarked to me today, how she noticed how on the graveyards, I just visited my mother's graveyard, how unique it seemed to her in Hawaii, she never seen it on the mainland, that we leave such interesting things on our graveyards. A can of beer, a lot of flowers. Heritage is important, please don't take it from us. Thank you."

At this time, Representative Luke called for the previous question, seconded by Representative B. Oshiro.

At 2:54 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:57 o'clock p.m.

The Chair then stated:

"The Chair will allow Members to say a few words with their vote at this point. Representative Finnegan, and then Representative Ward, and anyone else who would like to say a few words. Keeping it to a minute would be very helpful."

Representative Finnegan rose to speak in opposition to the override, stating:

"Thank you, Mr. Speaker. I appreciate giving just a couple of minutes to voice my vote on this particular issue. I am voting against the override, Mr. Speaker, and I did want to explain it. I've been for this bill all the way along and actually the main reason why I switched my vote, Mr. Speaker, is because of I believe that a successful safe haven bill should come with the ability to educate the public. That that's where the success comes when you're talking about a safe haven bill.

"I agree with my colleague from Liliha that through education, at least people will know that the option is there. One or two mentions in the paper about what we did this year won't necessarily help the situation, and education is key. However, I do have to be honest with my vote and that I still support safe haven and that as much as I believe that genealogy and heritage is important, I believe that the safe haven bill is looking at the life of the child. So Mr. Speaker, again I just want to quickly reiterate that I support the bill, but cannot the support the override at this time until we have an education program attached to it. Thank you."

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

"Thank you, Mr. Speaker. I rise as a legislator and an adoptive parent and in support of the override. First, I'd like to thank everybody in this Chamber particularly the Representative from Kalihi for his facts, statistics, and for all of the emails that people have sent from the State, people have sent from the mainland whether they were for or against. This, Mr. Speaker, was the ultimate in democracy and for the speaker of Liliha to speak, to show that this is a give and take. This is the marketplace of ideas where ideas have to be debated.

"However, I think the jury is in, the unanimous decision is as follows. Number one, the baby has done nothing wrong to deserve death. Number two, the baby is innocent of any acts of its mother. Number three, the baby cannot be indicted as a coconspirator because it does not know its heritage or its ethnicity. And fourthly, and most importantly, the baby is therefore found not guilty and deserves to live.

"And the last that I know Mr. Speaker, people who are not alive cannot walk around and try to find their parents. If this Session does nothing else than this override of \$3,000, \$4,000, \$5,000 or whatever it costs us today, this bill saving one life, saving one person on the shores of Lake Wilson or in the rice bag in somebody's backyard, this Session is worthwhile. This is not an easy bill for a lot of us, but I think all of you who have votes to save lives, and everybody whether they're born in a manger or they're born in a dumpster, deserves to live. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I have consistently voted against this bill and today, I'm voting against the override. I believe that the figures about the problem of infanticide, people killing newborn

babies is grossly over exaggerated. I looked at some figures for total births in the United States in 1997, almost 4 million births; infants unsafely abandoned, 105; 33 were dead. It's not known whether they were born dead, maybe a late miscarriage, we don't know. So this is not like an epidemic across the country.

"I've seen other kinds of bills on this Floor, we hear where 48 states, 47 states, like that justifies that we should do it, like the law *du jour*, this is the one. We want all 50 states, somebody has that as their goal to put a gold star when they finally do that.

"I think this bill sends a wrong message. It makes it okay for a young mother to abandon her baby. I think we will see more babies being abandoned. Hawaii is a unique place. We have a *hanai* system. I have never heard of anybody giving up their baby. There's extended family, everybody's got room for another baby if the mommy and daddy are not equipped to take care of them.

"I think that this bill will encourage women to conceal pregnancies and then abandon infants who otherwise would have been placed for adoption. I also think it creates an opportunity for upset family members, disgruntled boyfriends, or others who have no legal rights to abandon babies without the birth mother's consent. I think there are a lot of problems that this bill will create. And I guess the biggest one is that it takes the stigma of abandoning a baby and makes it all right. And the biggest loser is that poor child who will know nothing about their relatives, their heritage. And I think it's a huge disservice.

"There's been much said here about the wonderful give and take and democracy at its best. The way you have to look at it is we're a part-time Legislature. There's 300 and some odd bills that go through. The opportunity for the public to really know what's going on down here and what's at stake is not very good. If the press doesn't want to cover it, they don't even know we're talking about it. We saw that with the no smoking in bars, the all overarching law. You cannot smoke anywhere in public places. People that were in the business did not know. I use it as an example, Mr. Speaker, that's all.

"This safe haven bill, I would venture to say there are absolutely thousands of people in this State that have no idea that we are considering making an all right activity to abandon your baby. So I don't want to get all worked up, but I do not support this."

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

"Thank you, Mr. Speaker. In requesting that my remarks in favor of this bill be inserted in the Journal, I would like to thank the Representative from Kalihi who is the principal sponsor of this bill. I have spoken to him at the beginning of Session reminding him that this would be a very good bill to introduce. Thank you."

Representative Marumoto's written remarks are as follows:

"Remarks in favor of the motion to override

"At the beginning of Session I asked the Representative from the Kalihi area to introduce the Safe Baby Haven bill again. He was familiar with the measure since former Rep. Arakaki had pursued it in previous years, and it had been vetoed once before. It was vetoed again today, but this time the bill faces an override vote. I rise to speak in favor of the motion to override.

"While adoption of an unwanted child is desirable, planned well before the birth of the baby, and while the *hanai* tradition is admirable, and while passing on the medical history of the parents is helpful, a desperate mother of an unwanted child does not typically make these types of arrangements.

"Sometimes the girl or woman does not know that she is pregnant. Sometimes she has no one to talk to, or to help her. Sometimes she

doesn't know who or where the father is. Sometimes she knows the father is a family member. Very often she does not know what services are available to help her or where to get them. She may be in denial, angry, afraid – desperate.

"I spent time with opponents of this measure and listened carefully. They spoke earnestly of their support of adoption or the *hanai* custom and the importance of handing down medical histories. I learned that a number of them were themselves abandoned or adopted. They became more animated when recounting that they had been rejected by their mothers. They became emotional when explaining that they strongly opposed mothers giving up their infants. They felt that by making it easier to "drop off" children, it would encourage more abandoned children. Having been similarly rejected, they empathized strongly with these children. No doubt they had harbored this pain since childhood and I am certain they will carry the hurt with them forever. No arguments that they are luckier to be alive seemed to assuage their opinion of the bill.

"The opponents are to be commended for understanding the situation of an adoptee. But I do not believe that they understand the predicament that the mother believes that she is in. She may be immature rather than mature, poor rather than rich, friendless rather than surrounded by support. Helpless, alone and afraid, a new mother may see the dumpster as a solution. Without advice, medical care, a supportive father, resources, she may be driven to an unwise course of action.

"There must be an alternative to death. Life beckons at a hospital, police or fire station. This measure offers the infant a chance to live and to grow up. The mother may know not whether she will be prosecuted for abandonment, but she will know that there is someplace she can leave the child – a safe baby haven. It is a solution to her desperation and a promise of life for the newborn."

At this time, Representative Cabanilla called for the question.

The Chair then stated:

"Thank you very much. Before I call for the question, the Chair will allow members today to voice their particular position on this measure. But I'm not going to allow you to speak, but you may insert comments at this point in time, in support of the override or against the override. It's been 45 minutes on this one particular measure and you all knew that."

Representative Sonson rose to speak in opposition to the override, stating:

"Mr. Speaker, I'm going to have to change my vote to no. I wish could have two minutes to explain.

The Chair then stated:

"Well the Chair will allow you if you are going to vote yes on the override. Are you going to vote yes on the override? The Chair will allow you to speak why you have to vote yes on the override. The question has been called. I'll allow you to state your two minutes at this point in time. Since I've given the Minority over 10 minutes as far as giving them the opportunity of their position. Please proceed."

Representative Sonson continued, stating:

"Two minutes. Thank you very much. I'll try to speak as quickly as possible. I voted yes throughout the Session, but when I saw the debates on television and as I spoke with my son, he gave me some insight on this. The choice is not really between either trash can, and keep. That's actually the situation that we're discussing. Because of the legislation, we're giving a mother who may be unstable, or immature, or somebody that's not thinking properly, a third choice. And that is trash can, keep, or just leave it in a safe haven. The unstable person is not going to say that this legislation will affect. An unstable person will choose whatever the person will choose. If

we are looking at the person in that situation, we have to assume that that person is stable. If we give through this law a third choice, a young lady who may be contemplating trash can or keep, more than likely the person, and I would expect my daughter when she's at that age, to think responsibly and say, 'keep'.

"But if you put a situation now with this law, when you give a third choice, trash can, keep, or put it in a safe haven, then that third choice might be enticing. And then the person who might keep that child, and the child will grow, and will be so happy with that situation in the long run will now take this third choice. It will make it a lot easier for that child to be separated from his or her family.

"So despite the debates about death of the baby or the identity of the baby, I think if we look at this legislation and what it offers to a rational thinking young mother, I think that that is a negative for this particular legislation. And therefore, I now change my mind and I will be voting no on the bill, no on the override. Thank you very much."

Representative McKelvey rose to speak in support of the override, stating:

"Mr. Speaker, just real quick. In support. And I'd like the words of the speaker from Hawaii Kai, except for the adoptive father part to be inserted in the Journal as if they were my own," and the Chair "so ordered."

At this time the Chair called for a roll call vote and the motion to override the veto of H.B. No. 1830, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," as contained in Gov. Msg. No. 616, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes, 42: Representatives Awana, Belatti, Bertram, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, Marumoto, McKelvey, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Say, Shimabukuro, Souki, Takamine, Thielen, Tokioka, Tsuji, Wakai, Ward, Waters, Yamane and Yamashita.

Noes, 5: Representatives Ching, Finnegan, Meyer, Pine and Sonson.

Excused, 4: Representatives Berg, Saiki, Takai and Takumi.

At 3:10 o'clock p.m., the Chair noted that the motion to override the veto of H.B. No. 1830, HD 2, SD 2, CD 1, as contained in Gov. Msg. No. 616, had carried.

S.B. No. 932, SD 2, HD 2, CD 1

Representative Caldwell moved to override the veto of S.B. No. 932, SD 2, HD 2, CD 1, as contained in Gov. Msg. No. 622, seconded by Representative B. Oshiro.

Representative Bertram rose to speak in support of the override, stating:

"Thank you, Speaker. I rise in strong support for the override. This is the result of many, many years on Maui especially. We're working to create a better system for handling people who were put in jail and it is the way of the future.

"We really, really need to start from the time that people are incarcerated until the time that they're released in getting them to be rehabilitated. I call it actually our comprehensive reintegration. We have to start in getting people back in the community even as we're taking them out. And it is the way that we're moving. We can't just keep building more prisons the way we can't just keep building more

roads. We have to look at ways that would actually make a better thing for people to actually get better lives.

"What this is based on is the BEST program which is on Maui. And we just had a hearing on Maui where 50 people were there. Many of them former prisoners and people who are part of the program and they just, they were ecstatic. They were just overjoyed with the way that it helped them. I call it our redemption program because it is. It is a redemptive program and it's what we need to do if we're going to find an answer to crime in our communities. And I hope that everyone considers that in voting for this. Thank you."

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

"Mr. Speaker, small point in opposition. I agree with everything that's in the bill and what should be done with the bill, what should be done for rehabilitation. We've got to get recidivism down. We've got to give these guys a break, we've got to bring them home. There's only one problem, Mr. Speaker. We don't, number one, have the capacity to do it. We're not ready for it. I heard in the press conference that we didn't even know where the money is going to come from. This is a bill that the State of Hawaii is not prepared to implement. And that's where the Governor is coming from. It's a great bill with bad timing. Money and preparation is not the timing of it now. And that's why I'm going to be voting no, Mr. Speaker."

Representative Finnegan rose to speak in opposition to the override, stating:

"Mr. Speaker, if I could adopt the words from the previous speaker in opposition. But I just wanted to add a few more. I'm a strong supporter of reentry into the community. I believe that that is the way to go. That is the way to stop recidivism. I also believe that we need to do it. It's just that now, reading through the bill and reading through, we aren't prepared for it. And sometimes, these past two bills that we've discussed are probably the most difficult ones for me this year because it does go against, my vote particularly goes against my feelings on the bill, but sometimes we just got to look at the reality of the situation. And you can count on that I will continue to support rehabilitation and reentry into the community. Thank you."

Representative Evans rose to speak in support of the override, stating:

"Thank you, Mr. Speaker. I rise in strong support. Thank you. I just want to make a few comments to previous speakers on not having maybe enough money to support this. And I disagree with that argument because this bill is really an overriding, guiding principle bill of where we are going to head into the future in Hawaii with dealing with our inmate population. And we're telling the Department of Public Safety, this body, legislative body, is creating a new vision, a new future on how we are going to lead us into the maybe the next ten years. And we're asking the Department to start moving in that direction.

"There is \$3.5 million appropriated for what this bill is asking for. We're asking the Department to move in that direction. They'll come back and tell us how well they're succeeding. They'll come back and report to us. So there'll be a progress report. It's all about moving forward. They come next year, they keep talking to us, we keep working with them. But if we don't change the tide, we don't change the direction, nothing will change.

"So to say there's no money, I don't believe that's true. I think this is all about the willpower to make a conscience shift in the Department and where we're headed.

"We talk about important ag lands in this State. We talk about many things we do in this State. We don't just give an idea to a department and expect them to magically overnight in one year achieve it. No. It takes years to achieve it. But if you don't change the ship, if you don't change the direction, we're not going to get

where we want to go. This is what this bill is about. It's a very strong public policy bill. And I ask everyone to support the override. Thank you."

Representative Har rose to speak in support of the override, stating:

"In strong support, Mr. Speaker. I request that I be allowed to insert written comments into the Journal. Thank you," and the Chair, "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I am in strong support of the override of the Governor's veto of SB 932. One of the privileges of being a freshman legislator is serving as Vice Chair of a Standing Committee. In serving as a Vice Chair of a Standing Committee, a freshman legislator is exposed to the subject matter of that Committee and hopefully learns a thing or two about the issues relating to that specific subject matter.

"This past Session, I was privileged to serve as Vice Chair of Public Safety and Military Affairs which, among other things, opened my eyes to the issues relating to our prison system in Hawaii. I am the first to admit that when I started off the legislative Session, my views on crime were rather myopic in that my solution to crime was to simply lock up all criminals. While I still believe that one who breaks the law must pay for his or her crime, I have learned that beyond just locking someone up and throwing away the key, we must focus on reducing recidivism as it serves two very important functions. First, it ends a perpetrator's revolving door of crime which clearly benefits society as a whole. Secondly, it allows one who is convicted and who has served his or her time the chance to become a productive member of our community.

"The question Mr. Speaker, becomes, how exactly do we reduce the rates of recidivism? The research is clear that treatment and rehabilitation programs reduce recidivism by as much as 60%. SB 932 is a comprehensive bill that incorporates treatment and rehabilitation programs such as restorative circles, the Maui BEST program, reentry programs and services projects, the day reporting pilot project, and community based reintegration programs. The self-esteem and self confidence that flow from these successful programs are society's best deterrent against crime. Accordingly Mr. Speaker, I stand in strong support of the override of the Governor's veto of SB 932."

Representative McKelvey rose to speak in support of the override, and asked that the remarks of Representative Evans be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Bertram rose to respond, stating:

"Just on the idea that we don't have the facilities, we don't have a program already. This is supporting a program that's been ongoing for over three years on Maui. They need the funding to continue this. They've gotten funds from the federal government that set up this whole BEST program on Maui and the Delancey Street program. And this is just going to make sure that this survives so there is a model that the State can follow in doing this statewide now.

"So this is so important that we continue to support a successful program. Not a startup. Not something that's just doing an experiment, but a true success story that has saved many people's lives on Maui and can now be transferred to the rest of the State if we give it the critical funding that it needs right now. So they're really trying to see this continue. And I ask our colleagues support."

Representative Souki rose to speak in support of the override, stating:

"Mr. Speaker, I speak very strongly in favor of this measure. I believe this measure will act as a catalyst as we begin to look at the whole penal system that we have right now. Right now the system that we have is slanted towards incarceration. It's slanted towards providing grave sentences like the 'three strikes' bill that we passed. Hopefully it will be repealed some day. It's a shame on the State.

"And also we look at this continuous flow of felony bills. Every time we initiate a bill or make a change, we include a felony charge. That's jail time friends. Not only jail time. When you have a felony, you lose your right as a citizen. You can't vote. It's difficult to travel. So there's a lot of factors in this.

"I think what we need to look at now is we can look into this new era, hopefully it will act as a catalyst in to the deprogramming our system. For the nonviolent crimes, they need not to go to jail. For the druggies, there's 95% of the populace, the prison populace on Maui is for drug charges. And as we walk around the prison site, they're young people. They're not pushers; they're users. They're not supposed to be in jail. They should be in a treatment center having rehabilitation, counseling, and education. That's what we need. Hopefully, as we go into a new era in the prison reform, we will look more at these kinds of things. Thank you very much."

At this time the Chair called for a roll call vote and the motion to override the veto of S.B. No. 932, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A COMPREHENSIVE OFFENDER REENTRY SYSTEM," as contained in Gov. Msg. No. 622, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes, 38: Representatives Awana, Belatti, Bertram, Brower, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoy, Manahan, McKelvey, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Say, Shimabukuro, Sonson, Souki, Takamine, Tokioka, Tsuji, Wakai, Yamane and Yamashita.

Noes, 8: Representatives Ching, Finnegan, Marumoto, Meyer, Pine, Thielen, Ward and Waters.

Excused, 5: Representatives Berg, Cabanilla, Saiki, Takai and Takumi.

At 3:22 o'clock a.m., the Chair noted that the motion to override the veto of S.B. No. 932, SD 2, HD 2, CD 1, as contained in Gov. Msg. No. 622, had carried.

At 3:22 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:37 o'clock p.m., with Vice Speaker Karamatsu presiding.

LATE INTRODUCTION

Representative McKelvey introduced Mr. Stephen West of Maui.

S.B. No. 1066, SD 2, HD 2, CD 1

Representative Caldwell moved to override the veto of S.B. No. 1066, SD 2, HD 2, CD 1, as contained in Gov. Msg. No. 626, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I rise to not override if I can stay standing. It's apropos to what I'm going to say because this bill is picking a fight with the Terminator. You know what I'm talking about. I'm talking about California and the \$30 per container, if we slap them with \$1 or \$10 or whatever the figure is in this bill, they are just sitting there, and I think it's already at the floor level, it's locked ready to go, like a chamber, or a bullet in the chamber. And I'm not sure playing, the kind of a poker game that the Terminator always wins. This is going to be a showdown that I don't think is going to be worth it for the people of Hawaii.

"The people of Hawaii are so tired of higher cost of living prices, fees, everything going up, up, and up. And this is going to add to the food bill. This is going to add every bill that we've got because 90% of everything we have comes in those containers and if we say, well look that will be another \$1 it's going to cost. And going to the origin or the genesis of this, we have to remember it was the good Senator who said that the federal government has no more money. And I would encourage this body to encourage the federal government to continue funding this invasive species. To continue protecting us as we have been in the past rather than saying, okay, we're going to do this and then start a container war if you will, with California.

"So Mr. Speaker, I just think that this may be, to stay on the path, is probably not going to be a pretty one because I've never seen a Terminator lose any battle whatsoever so far. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in opposition to the override, stating:

"Thank you, Mr. Speaker. Thank you for the opportunity to speak on this bill. I stand in opposition of the veto override. This bill imposes a \$1 inspection fee on imported commercial shipping containers without addressing airlines and noncommercial containers, and creates an environment conducive to the imposition of out of state fees on shipments into Hawaii.

"One of the things that I wanted to expound upon is what the Representative from Hawaii Kai is saying. Currently, California is considering placing a surcharge fee on all containers leaving its ports. This will affect Hawaii substantially. The timing of this particular bill, we may think it's \$1, it's a \$1 inspection fee. But just the timing that we're willing to do it upon ourselves, I think adds fuel to the fire for California to say that they can do it too. This \$30 per container equates to \$45.2 million more per year to Hawaii consumers. This is basically a quality of life issue. A higher cost of living for Hawaii.

"We mentioned how we did higher taxes earlier this year when we were talking about the State Highway Fund and getting more money into the State Highway Fund. And basically, when this money comes out of the pocket of the taxpayer, and when we push this legislation, we have to remember that not all the time do we just live in Hawaii and only can consider the \$1 inspection fee in Hawaii. The timing of this is that there is another state that other elected officials, other people from Hawaii, are trying to convince, do not do this because it will raise the cost of living for Hawaii's people. And it just doesn't help that we will do it on ourselves anyways. So Mr. Speaker, I just ask that we think twice about this. I know most have already made up their minds on this House Floor. This is a huge situation that is not only talking about invasive species but it is talking about the quality of life of our residents. Thank you."

Representative Evans rose to speak in support of the override, stating:

"Thank you. I rise in support. Thank you. Speaking of quality of life and the huge issue, I can't think of anything other than a new invasive species coming into Hawaii and impacting our agricultural industry. Our exports to other states, they may not even allow us

exporting our flowers, our foods into other states if they have an invasive species that other states find totally objectionable.

"We have a crisis. We've got ants. We've got coqui frogs. We've got many things that are in Hawaii now. And this is about protection. Speaking of education, this is truly about protection and I think the public is very concerned about it. When we talk about it out in the community, I think everybody acknowledges invasive species can actually affect the economy of Hawaii in a big way. So I see this as being very proactive. It's a dollar. It's meant I think to really send a strong message to people that are shipping into Hawaii that you need to pay attention. Thank you."

Representative Tsuji rose to speak in support of the override, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. I would like to say that lack of adequate sustainable funding has been one of our greatest problems in the State of Hawaii that we face to fight and protect Hawaii from invasive species. Apparently, invasive species of various sorts have a polarizing effect, a preferential effect to our State of Hawaii.

"We just heard about "the timing might not be right" because we have other legislative actions in other states considering imposing fees as far as invasive species is concerned. Yes, I'm aware of the State of California. It's considering taxing shipments to the State of Hawaii, \$30 per twenty foot unit containers, but this is to import and even empty containers going back to California, another \$30. So that's about \$60 per container. If it's double the 20 foot container, that would collectively mean \$120 and this would be considered a multi-million dollar source of revenue for the State of California.

"I believe that the taxes from the State of California funds will be used for freight mobility, railroads enhancement, and air emission reductions. Will this affect the cost of goods in the State of Hawaii? Absolutely, yes it will. But what would make us believe that we pulling back this legislation will stop the State of California from passing legislation? I believe that there is no other time, that it's still enacting if I may say repeatedly, piecemeal legislation year after year. And all these pests coming in through year after year, costing taxpayers millions of dollars. Why not establish what I believe is a front-end proposition?

"This measure imposes a nominal \$1 fee on maritime commercial shipment. I should I say a 20 foot shipment container. Really a miniscule 'buck in the bucket'. It is the intent of this measure to collect fees from the importer of the shipment and deposit it into the Inspection, Quarantine and Eradication Fund. We as lawmakers should, or I say at this very moment are obligated to take a firm stand against invasive species in order to protect our quality island lifestyle.

"We must take the responsibility, firmly stand shoulder to shoulder and I implore upon you that since only standing together here today, this evening, can we expect to turn the tide against our war on invasive species. A dollar per 20 foot container, Mr. Speaker. Please consider this. Thank you very much."

Representative Bertram rose to speak in support of the override, stating:

"I wouldn't be able to go home if I didn't stand up and speak for this bill. Invasive species is something that is so, so important on Maui. And it really affects our quality of life. We've seen our *wiliwili* knocked out. We've seen our honey bees losing ground.

"California has imposed on us already the onus of inspecting everything that comes out of our State at the airports before it can get to California. And that is something that we've had to shoulder and do for them. It's the least they can do is what we're doing for ourselves. We have to be sustainable. We have to get this for ourselves. We can't rely on the federal government or anybody else

to do what we need to do for ourselves to really ensure the integrity of our agricultural products. And if we're going to keep agriculture as a viable alternative in this State, then we have to look at invasive species control. And especially if we're looking at an environment being protected, we have to look at invasive species control. And we have to put those controls in our hands, not in California's. Not the federal government, but our own.

"I have talked with the folks that have been at the forefront of invasive species control on Maui and gone out and cut out the large broad leaf plants that came in from Tahiti that went all over the place in Hana. They went and got out other plants. They've been going across our cattle lands and our ranch lands. This is such an important thing. \$1 is going to be just a small step but we got to take it because otherwise it's going to be gone. And it is so important that we do this. I know the Governor's objection to it and we can correct that. We identify who is going to be payer, but it's not taxpayer money. It's the embarkation folks. So let's do this dollar and let's do it in a place where we need it, in invasive species. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, just one thing that the previous two speakers forgot to mention and that is the origin of trade wars or how even floor fights begin. One minute, if somebody says something, then somebody comes back and says another thing. And then they kind of escalate. You put a tariff on me and I put one on you. You put a container fee on me, I put a bigger one on you. We're never going to win with 1 million people in the State of Hawaii versus 30 million in the State of California. It's just that reality. But if we call it off, it gives them no reason to do it. And it's not to say that they will do it, but the origin of fights like this, between legislatures is that so-and-so legislature said this, and they did that. Well, we'll show them. And then it just escalates, that's part of the way World War II started, with the embargos, and the trade fights, and the trade wars that have gone on. It's not an easy solution.

"I'll let also this body know that nobody is against invasive species. Who's going to say I want to raise coqui frogs and I want to raise mites, and we want all those things around. The issue is the funding source just like when we get to this pedestrian safety issue. The issue is the funding source. That's what we're talking about. It's a different kind of argument. People are just arguing invasive species is important, it's exactly invasive species, but let's get the funding sources correct. And let's not pick a fight with the Terminator, Mr. Speaker. Thank you."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. This is my second time, brief additional remarks and still in opposition. Sometimes when we're talking about a veto override and sustaining and everything, I just wanted to add a positive thing, a positive note, and that the Department of Agriculture presently conducts inspections of goods shipped into Hawaii for invasive species. The amount of \$7,600,000 in general funds has been budgeted for fiscal year 2007 and 2008 and a similar amount for fiscal year 2008 and 2009 for the Plant, Pest, and Disease Control Program to carry out program activities including inspection for invasive species. And I just wanted to add that maybe, I'm not sure if it's enough. I'm guessing that it isn't. But I did want to make a statement that there is a lot of money going to invasive species and pest control. Thank you."

At 3:56 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:58 o'clock p.m., with the Speaker presiding.

At this time the Chair called for a roll call vote and the motion to override the veto of S.B. No. 1066, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," as

contained in Gov. Msg. No. 626, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes, 42: Representatives Awana, Belatti, Bertram, Brower, Cabanilla, Caldwell, Carroll, Chang, Ching, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, Marumoto, McKelvey, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Say, Shimabukuro, Sonson, Souki, Takamine, Thielen, Tokioka, Tsuji, Wakai, Waters, Yamane and Yamashita.

Noes, 5: Representatives Finnegan, Meyer, Pine, Sagum and Ward.

Excused, 4: Representatives Berg, Saiki, Takai and Takumi.

At 3:58 o'clock a.m., the Chair noted that the motion to override the veto of S.B. No. 1066, SD 2, HD 2, CD 1, as contained in Gov. Msg. No. 626, had carried.

S.B. No. 1191, SD 2, HD 2, CD 1

Representative Caldwell moved to override the veto of S.B. No. 1191, SD 2, HD 2, CD 1, as contained in Gov. Msg. No. 627, seconded by Representative B. Oshiro.

At 4:00 o'clock p.m., Representative Finnegan requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 4:00 o'clock p.m.

At this time, Representative Finnegan offered Floor Amendment No. 1, amending S.B. No. 1191, SD 2, HD 2, CD 1, as follows:

SECTION 1. Senate Bill No. 1191, S.D. 2, H.D. 1 [sic], C.D. 1, is amended by amending section 3 on page 4, lines 5 through 6 to read as follows:

"There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,500,000 or so much thereof as may be"

Representative Finnegan moved that Floor Amendment No. 1 be adopted, seconded by Representative Meyer.

Representative Cabanilla rose to speak in support of the proposed floor amendment, stating:

"Mr. Speaker, I rise in support of the amendment. I think this is a great initiative that we are to take care of our highway safety and the *kupuna*. It's a much needed change that we need to implement. But I however think that the funding mechanism is not justifiable. You've heard me talk before on this floor on how I don't want the Highway Fund to be used for things other than building new infrastructure.

"If any of my colleagues were to transverse to my district on a weekday morning when public and private schools are open for learning, you may agree with me and come to the conclusion with my constituency that we are indeed in a transportation crisis. And every penny that has accumulated in the Highway Fund should be spent on increasing our roadway capacity.

"Mr. Speaker, I'm in total agreement of the worthiness and legitimacy of spending \$3 million for improvements that would enhance our pedestrian traffic safety measures however, the allocation of funds for such an endeavor should be tapped from the general funds. This is what this floor amendment is all about.

"For each dollar we take out of the Highway Fund, it's an additional depletion of federal funds that I use to augment the State's

spending for constructing new roads. I do not believe that this \$3 million is an eligible for matching funds because it's for traffic safety or pedestrian safety.

"Furthermore Mr. Speaker, if we don't acquiesce to this floor amendment, and just go for straight override, the Governor may not release the funds and we get nothing. By going with her, we stand a better chance for improving our pedestrian safety by getting money from the general fund. So I urge my colleagues to support this floor amendment and sustain the veto along with the Governor because I think what matters here is pedestrian safety. It is not a matter of politics, not a matter of parties, but rather for the people of the State of Hawaii. Thank you."

Representative Finnegan rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker. I just wanted to talk a little bit more in support of the amendment. And basically it is a very simple amendment. It just changes the funding source to general funds instead of the highway funds as we've discussed before of how important the State highway funds are. Some additional information. The State Highway Fund will have a balance of \$36.7 million at the end of 2008 and 2009. I'm not sure if those calculations include what we are talking about in regards to the rental vehicle tax.

"But this Session, the Administration requested an infusion of \$72 million from the general fund to ensure that ongoing projects can continue. And the Legislature did not approve this request. Mr. Speaker, so as much as we're saying we're going to infuse the money, as you can tell, what was requested by the Administration was much more than we can infuse with that rental vehicle tax. So I'd just like to say we are looking at a State Highway Fund that needs money. The projects are not only in my backyard, but all of our backyards and need to have enough money to be completed. Mr. Speaker, that's why I support this amendment and I hope that more of us on this House Floor will do the same."

Representative M. Oshiro rose to speak in opposition to the proposed floor amendment, stating:

"Mr. Speaker, I'm speaking against this amendment. First point, I believe this is a dilatory motion. And if I was given leave and permission, I would move that this particular amendment would be tabled. Especially in light of the fact that in order for this measure to move forward, we would have to have agreement by the State Senate to the exact same form of the bill. That's point number one.

"The second point, Mr. Speaker, is that by making an amendment to this bill, I believe the Legislature will foreclose its opportunity to view the final bill that might pass to the Governor for approval. So on those two points, I just wanted to raise the issue with the membership that in my mind, this is a waste of our time to even discuss this particular amendment.

"On the measure before us, Mr. Speaker, I just wanted to point out and recite some facts from the fiscal side of the equation. On the percentage of total revenues of the Highway Fund, it generates about \$200 million on an annual basis. So \$3 million represents about 1.5% of the total. And 1.5% to save even a single life is a wise and prudent investment.

"There's also about 135% cushion established by law. And Speaker Emeritus knows this quite well. It means that the State is required to carry a reserve equivalent to 35% of the annual expenditures. That means that there should always be a cushion of about 35% for unforeseen circumstances. The Highway Fund is expected to have \$92 million at the end of fiscal year 2007. 35% requires a minimum of about \$60 million. So I just wanted to point that out to the Members. Thank you, Mr. Speaker."

Representative Thielen rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker. Before the Representative from Ewa speaks, I just wanted to respond to one brief comment made by the Finance Chair. Yes, I am speaking for the amendment. But I don't want to take away from the ability of the Representative from Ewa to speak. I just wanted to raise one small point to the Finance Chair. In support of the measure.

"I just would like to remind the Finance Chair that I think many times, the House of Representatives leads the Senate with the House's wisdom on what we should and could do. This is one of those examples today. So I wouldn't like to further the Senate on whether or not they're acting at this point. I think we can be the leaders and tell them go ahead and act so we can do it properly. Thank you."

The Chair then stated:

"For the edification of the Members of the House, the other Chamber has rejected the proposed floor amendment and they have adopted the override at this particular point in time."

Representative Thielen rose, stating:

"Thank you, Mr. Speaker. I'm just saying we can give them a second chance. Thank you."

Representative Pine rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker. I don't think it's a waste of time to do the right thing and that's why I'm in support of this amendment right now. This Chamber has done things that I never thought it could do like what they're doing today with all these overrides in larger percentages than it ever has done in history. I do believe that we can actually make this bill to be funded. The Governor was very clear that she cannot support a raid of the Highway Fund.

"You know, I'm here standing here today as a member of the Transportation Committee who's followed this issue from the very beginning and I'm just perplexed. How could it be that an issue that all of us agree on that the Governor agrees on, how could it come to this, a funding mechanism?

"In 2005, I remember sitting in my home and watching the TV and I'm seeing the Governor making the first and the boldest statement ever that I've ever seen a leader in Hawaii talk about the importance of pedestrian safety and how this State can no longer just sit down while our *kupuna*, while our friends are being killed.

"And so I had really high hopes for the legislation that she introduced in 2005, it really increased penalties for people that violated the law. They increased our funding for more pedestrian measures that I'm going to talk about that this Administration pushed in the past.

"I was very disappointed that this very same Legislature amended one of her pedestrian safety laws during that year so that anyone can walk across a crosswalk at any time, even on a green light, in a 45 miles an hour zone. Of course as we all know, that one amendment that this legislature did killed that bill. In 2006 and 2007, the Governor herself again introduced measures just like this that accomplished the same thing and testified herself many times in support of legislation like this. And so I wonder how did we get here today?

"I really commend the Governor for really sticking to her principals on the raid of the Highway Fund. For a person who lives in Ewa we don't really want to touch that fund ever again because we have suffered severely.

"All through this Session on this particular bill, representatives of the Governor, the Governor herself said how they strongly support

this legislation. And in every single Transportation meeting, every single Finance Committee meeting, the members of the Department of Transportation always said whatever you do, do not raid the Highway Fund. Because that single action truly hurts us financially.

"Even going up to the Conference Committee, the moneys that were taken for this particular legislation came out of the general fund. It was changed in the Conference Committee. I remember that Conference Committee very well because what we were really fighting out in the House and the Senate was over the red lights. And I commend the Chair of the Transportation Committee for holding to his beliefs in taking as far as he could, but in the end we realized we couldn't compromise. Not once in that Conference Committee did we ever talk about amending the bill to change the funding from the general fund to the Highway Fund. That was never discussed. That was never voted on. And somehow, it ended up in this bill today despite the fact that all Session for the last three years the Governor said whatever you do, do not raid the Highway Fund for non-highway related projects.

"The Conference Committee Report that came out of that Conference Committee, it says, your Committee has amended this measure by appropriating the sum of \$1.5 million in each fiscal year, \$3 million total, for expenditure of the Department of Transportation. And it basically also says, it deletes all other appropriations, deletes the provisions related to a red light imaging detector system, changes the effective date to July 1, 2007. It never talks about the amendment that was made in the last hour to change the funding mechanism to truly do this bill from being signed by the Governor, who said this is the one thing that she could not support. I want to talk about why ..."

Representative Meyer rose to yield her time, and the Chair, "so ordered."

Representative Pine continued, stating:

"I want to make it very clear that I support the essence of this bill and I want to thank the AARP for coming here today because they don't care where the funds come from, that's not their job as advocates for our *kupuna*. Their job is to get this legislation passed. It is our job to look out for the people of Hawaii knowing that this is not a raid of \$3 million. Whenever we raid the Highway Fund, we lose out that 1 to 4 matching federal funds. And sometimes, it's more than the 80% match. If we're truly smart in how we use our Highway Fund and our federal matching funds, this isn't just a \$3 million raid, this is a potential \$30 million raid. A \$3 million raid from the general fund is a lot more acceptable.

"The Highway Fund does a lot of things Mr. Speaker. We talked about the financial situation of the Highway Fund. But it does so many things. The State Highway Fund financial and fiscal biennium 2000 to 2009 reflects a decreasing fund balance and reduction to the State Highway operating budget. I won't go further into the exact numbers but the denial of \$32 million and \$21 million to the Highway Fund to complete many of the projects that are for all of us that sit here was denied by this very Legislature.

"Additional appropriations were not provided to enable the Department of Transportation to properly maintain the State Highway System that is essential to the health, welfare, and safety of our motoring public. The State Highway System includes 2,423 miles of lanes. In the past, although we have increased the lane miles of the State Highway System, the routine operation and maintenance budget has not been increased sufficiently to properly maintain the additional lane miles. Furthermore, Environmental Protection Agency related requirements have increased operational costs. But we have not increased the Highway Fund for those that run it.

"Not maintaining our highways properly may jeopardize our ability to obtain federal funds in the future. A reduction of the Highway Fund will result in a poorer overall condition of the State

Highway System, and deferred maintenance significantly increases the future costs to rehabilitate and reconstruct our highways.

"As I mentioned earlier, normally you can get an 80% to 20% matching federal funds, but in some very good instances, you can get up to 90% federal funds for our 10% investment. So this is not just a \$3 million or a 1.5% raid.

"The Highway Fund also pays for salaries, fringe benefits, administration costs. It pays for a debt service for highway revenue bonds, the primary State funding source for the CIP programs for all of our districts. Reduction in the Fund may negatively impact our current bond rating. Any degrade in bond ratings caused by a revenue reduction will increase the cost of borrowing. And that affects all of us. We talked about giving \$400,000 for a bigger return for our highway system on Maui. This impacts us negatively even more.

"Furthermore, finally, the projected depletion of State highway funds will take away the ability for the Highway Division to fund emergency projects if for some reason we go below the 35% mark that the Finance Chair talked about. As demonstrated in the past, the Highways Division was able to cope with emergency projects such as the Kalaniana'ole Highway emergency landslide repairs at Castle Junction; the Kailua Road rockfall mitigation, permanent repairs at Kailua Road; Kauai emergency flood repairs at various locations which we all know was an emergency; emergency culvert repair on H-1 at Olopana Street; and Kalaniana'ole Highway drainage improvements at Keolu Hills.

"This Legislature has raided and this is how it has extremely hurt my district Mr. Speaker, this Legislature has raided over \$150 million from the Highway Fund. And that's just not \$150 million if we maximize our investment to the 90% return by the federal government. This Legislature has raided \$1.4 billion from the people of Hawaii to have roads in their district."

Representative Marumoto rose to yield her time, and the Chair, "so ordered."

Representative Pine continued, stating:

"Some possible repercussions to these transfers include the DOT's ability to implement the capital improvement projects that we have asked for. A significant reduction on Highways special division maintenance program. Preventing the DOT from responding to further other emergencies.

"Mr. Speaker, I want to commend the Lingle Administration for doing so much for pedestrian safety. And here's just some of the things that they're working on. \$1.3 million was allocated for the conversion of brighter traffic signals so the elderly can see. The conversion of pedestrian signals to countdown timers, \$2 million allocated for that. Multi-use pedestrian pathways by Maemau."

Representative B. Oshiro rose to a point of order, stating:

"Point of order, Mr. Speaker. I don't think she's talking about the floor amendment anymore."

The Chair then ruled:

"Representative Pine please proceed. We are addressing the special fund versus general fund at this point in time."

Representative Pine continued, stating:

"I'm hoping that perhaps some of these items that I'm going to list, we can possibly temporarily include that if for some reason we don't get this done.

"Restriping existing crosswalks and the installation of advanced pavement, words at unsignalized crosswalks. We're going to start

Farrington Highway along Nanakuli and Waianae Coast. In-pavement flashing lights on Kamehameha Highway at Sunset Beach Elementary School, \$30,000. Multi-use path Fort Weaver Road, \$40 million. Queen Kaahumanu Highway, sidewalks are being installed, \$25 million. Ala Moana Boulevard ..."

Representative Souki rose to a point of order, stating:

"Mr. Speaker, point of order. You've been much too generous. I don't believe that's germane to the bill at hand. Thank you very much."

The Chair then ruled:

"The Chair will allow Representative Pine to continue because she is itemizing a respective appropriation for these particular projects that she feels may be reallocated from those projects to what we are proposing today in pedestrian safety. Please proceed, Representative Pine."

Representative Pine continued, stating:

"Thank you. I will try to shorten this. I'm sorry. There's many other programs Mr. Speaker. Including the Walkwise Hawaii Program that does many things that are in this bill today. But in the end Mr. Speaker, I know the Governor would have liked to add this \$3 million to this list. I know it is in her heart."

"Today we can do something, instead of just making a statement, overriding this bill, knowing the Governor will not fund it, and going to AARP, or the Governor is evil, Republicans are evil, we can actually pass this amendment, fund the bill, and have it start now. And that is just my point, Mr. Speaker. I simply cannot support this override and so I'm desperately asking that we think smartly right now. Just change the funding because that's really all the problem is here. Thank you."

The Chair then announced:

"For the Members of the House, you have heard my response to Representative Thielen as far as what has transpired in the Senate. I am giving you, the Minority Caucus, the opportunity to share your point of view knowing that if this floor amendment is adopted, this measure is dead for the year. Let's not play politics as far as the discussion on Floor of the House. I hope I have been very gracious with the Minority Leader, that I did request that maybe two or three speakers at the most on this floor amendment. But for the record, all of you should be voting down on this floor amendment because the Senate has already adjourned and has overridden the veto of this measure. So at this point, the Chair will allow further discussion on the proposed floor amendment."

Representative Souki rose to a point of information, stating:

"Mr. Speaker, I rise to a point of information. My point is there was some information that was given that is totally wrong and needs to be corrected for the record."

The Chair responded, stating:

"The Chair has recognized Representative Rhoads first, and then will recognize you after this in response to programs and projects that were stated on the Floor of this House."

Representative Rhoads rose to speak in opposition to the proposed floor amendment, stating:

"Thank you, Mr. Speaker. As the Representative from the Chinatown, Downtown area, it's very puzzling to me that the nexus between pedestrian safety and traffic can't be seen by everyone. In Chinatown, thousands of people commute to work, to school, to go buy their groceries, by walking. We're not just going out for a stroll. This is a form of transportation. And for those of you who are

commuting from Mililani or Ewa or somewhere else, it does affect you too because if we weren't walking, we'd be in our cars and your commute to work will take even longer than they do now."

"So I would say that this is a perfectly appropriate place to get \$3 million. Nothing could be more connected, nothing could make more sense in terms of the funding source than taking pedestrian safety from the Highway Fund. This is a form of transportation that should be encouraged as much as possible. And if people are afraid they're going to be hit by a car every time they go out to walk to work, they're going to be discouraged from doing that and they're going to get in their cars and join everybody if that's the only safe way to go. Thank you."

Representative Souki rose, stating:

"Mr. Speaker, thank you very much for your generosity. There was mention by the previous speaker from the Minority that we raided \$150 million over the years from the Highway Fund and that amounted to \$1.5 or \$1.2 billion in lost highway funds. That's not accurate at all because again as I mentioned previously, we are allowed between \$140 and \$150 million a year. We have met that obligation throughout the years."

"What has been taken over the past years, and I was not necessarily in favor of it, was surplus funds. Because we need to provide a surplus per the federal regulation which we've had continually. So we did not lose \$150 billion in Highway funds and I want that to be on the record. Thank you."

Representative Pine rose to respond, stating:

"Just for the record. We did potentially lose that return, Mr. Speaker. When you raid the Highway Fund, you're not just raiding the \$153 million, you're losing the potential of the 90% or 80% federal matching funds. If we're doing the smart thing for the people of Hawaii, we'll invest their money wisely."

Representative McKelvey rose to speak in opposition to the proposed floor amendment, stating:

"Thank you, Mr. Speaker. Just very quickly. In opposition of the amendment. Thank you, sir. First of all, I'd like to recognize, it's a legitimate form of opinion you know, general fund money for projects versus special fund. But don't call it a raid. A raid says there's no rational nexus between the project at hand and the special funding source. A raid would be taking the special Highway Fund money and using it for school repairs, water improvements, ag land improvements. That's a raid, because the special Highway Fund wasn't intended for that."

"I would like to ask to ask the Members to go to the DOT's own website, www.hawaii.gov/dot/stp/stip/priority-guideline.pdf. Why? Because that's the highway selection criteria guidelines that the DOT puts out as to what goes on the STIP. Number one, Mr. Speaker, federally mandated programs. Number two, safety programs. Number three, ITS."

"My point being is that I respect the opinion of the Minority, it's a valid opinion, but let's not call it a raid. There's a rational nexus here. The good speaker from Chinatown really hit on that. Let's say what it is. It's a difference of opinion. I feel however that the Governor has stated that she wants to protect general fund money given the projection of revenues. So if we do change the method of funding to general funds, I don't think it will materialize which will effectively kill the bill."

"There's a rational nexus. The DOT's own guidelines say it is the number two priority below federal mandates. I think that real point that I hope the members can keep in mind. It's a legitimate purpose. As to the method of funding, that is a debatable point but let's not call it a raid. Let's be honest with the people of Hawaii. It's a

rational nexus to the program according to the DOT's own documentation. Thank you, Mr. Speaker."

Representative Cabanilla rose to respond, stating:

"Thank you, Mr. Speaker, for giving me the opportunity to talk again. As a Representative from Ewa Beach, I really cannot support anything being removed from the Highway Fund other than for the construction of new roads. We only have one access to town and we are so lane deficient. I understand safety of the pedestrians, but I think that as the Representative from Maui said, that it should be by priority. I think as far as we're concerned, on the Leeward side, of which a lot of migration is coming in, that more lanes should be the priority.

"As far as the surplus being spent, I don't think there is any surplus, or any money that should be considered surplus in the Highway Fund. I don't think that we should be tied up with federal matching funds. I think that the reason why we're so lane deficient. Because we don't want to spend any State money without federal matching funds. The federal matching funds are so limited.

"And so, since the Senate has already closed for the day, and we cannot go back for amendments, I would like us to go back to the original measure and table it until next year just like the Chair of Finance said, because we need to fix this. I cannot agree on it coming from the Highway Fund because there are priorities. More lanes should be the priority at this time. So I ask Members, my colleagues, to table this measure and let's come back next year and fix it in the right format. I ask to not to take any money from the Highway Fund. We need this. Thank you."

The Chair then addressed Representative Cabanilla, stating:

"Representative Cabanilla, I believe you are out of order in regards to that particular statement in tabling this Floor Amendment. Why are you supporting the Floor Amendment if you want to table the Amendment? What is before us is the Floor Amendment."

Representative Cabanilla responded, stating:

"Yes, so I'm not supporting it, and I would like us to go back to the original measure. I'm changing my vote."

Speaker Say: "Okay, you are against the Floor Amendment."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. I just wanted to give a brief rebuttal to the Representative from Maui, with who I agree with on a lot of issues, but not on this. If the Representative would, in addition to looking at the website, look at the Governor's veto message, and specifically the bill would allocate \$1,200,000 from the State Highway Fund, this is the raid, as grants to the counties to purchase and install pedestrian related changes on county roads and county intersections. The county fuel tax. The county fuel tax is already available for addressing these types of improvements on county roadways."

Representative Herkes rose to a point of order, stating:

"Point of order. Would the speaker address the Speaker, and not the Representative?"

Representative Thielen continued, stating:

"Thank you, Mr. Speaker. So, they are talking about right here, the raid to pay for county roadway and pedestrian improvements which should be paid for by the counties out of money they are already are collecting and already have. Thank you."

Representative Tokioka rose to speak in opposition to the proposed floor amendment, stating:

"Thank you, Mr. Speaker. I rise against the amendment. I would like to say 'hello' to our Senate colleagues who are probably watching us right now. And I would like to ask Mr. Speaker, if we can call for the question."

The Chair then stated:

"Thank you very much. Representative Finnegan, yes. At this point, the Chair will allow you."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. I'm rising in support of the amendment. Thank you Mr. Speaker, for allowing me a second time up. Mr. Speaker, I just wanted to say in regards to the comment that we are wasting our time and in this process, you don't want to end up killing the bill. Number one, as the Representative from Ewa Beach has said, the Governor has said year after year, do not raid the Highway Fund, or take money from the Highway Fund. Whatever word you want to use. That indication and her veto would probably mean not releasing the funds. So in essence, it's very possible that the bill is not going to be acted on because of that.

"The second thing would be that it's interesting because the Senate, or a Senator, has made a comment in regards to these amendments that the Senate has offered. 'Amendments would be great, but since the House is not taking up amendments, we can't support these Senate amendments.' So what does that mean? In the meanwhile, we'll just go ahead and do 'blame game'? Over there, it was their fault. And then over there is saying, 'Oh no, it's over there. It's their fault.' We should take a stand and say, 'It was not us.' We can take up this amendment. We can do this to show that what we want is pedestrian safety. What we want is to make a fiscally sound decision by saying that we will take it out of the general fund.

"Mr. Speaker, let's be very transparent about this. Put it on the table. We vote for the amendment. We say that this is what the House wanted. And don't let them say that this is not what the House wanted. We did not want to work collaboratively with the Governor. Thank you, Mr. Speaker."

The motion that Floor Amendment No. 1, amending S.B. No. 1191, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIAN SAFETY," be adopted, was put to vote by the Chair and failed to carry, with Representatives Berg, Saiki, Takai and Takumi being excused.

(Main Motion)

The Chair then stated:

"Members, we are back to the main motion. We have had a 45-minute discussion. At this time with your indulgence, Members can we call for the question on this measure? We have had a lot of debate already."

Representative M. Oshiro rose in support of the motion to override and asked that his written remarks be entered into the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I wish to speak in favor of overriding the veto of SB 1191 CD1. This measure is a matter of life or death.

"SB 1191, if enacted, would provide \$3 million for pedestrian safety issues statewide.

"Mr. Speaker, I am, quite frankly, surprised by the amount of rhetoric being generated by this issue. I'd simply like to stick to the facts.

"TRN 597 is a program within the State of Hawaii Department of Transportation (DOT) called "Highway Safety". Mr. Speaker, please let me repeat that. There is an entire program within the Department of Transportation entitled, "Highway Safety". Their objective is to provide a safe, efficient, and accessible highway system.

"It is completely disingenuous for the Governor and our colleagues from across the aisle to characterize this appropriation as a "raid" of the Highway Fund. Clearly, there is a nexus for the use of these funds for safety purposes. Even the DOT acknowledges this fact, with an entire program dedicated to safety.

"It's unfortunate that Governor Lingle feels a need to spin a story to avoid criticism of mismanagement and ineptitude over her oversight of the DOT. In recent days, the rhetoric and misdirection from the Governor's Office regarding information released by the Reason Foundation has reached preposterous proportions.

"On June 29, 2007, the Star Bulletin wrote about a study conducted by the Reason Foundation which revealed that, in 2005, Hawaii spent the 5th highest amount of money to build and maintain each mile of highway. Yet, Hawaii ranked the 5th lowest for highway safety. The Department of Transportation did not dispute the data.

"That's not what Governor Lingle and her colleagues from across the aisle are saying. What we've been hearing is that Hawaii has some of the worst highways in the nation – and that's because Democrats have "raided" the Highway Fund. Taking the conclusion from an independent study, then inventing a cause, and affixing blame is, unfortunately, another tactic that Governor Lingle has learned from Karl Rove, George Bush, Dick Cheney, and their public relations team. Let's not forget or get diverted by what the Reason Foundation study really said.

"Hawaii SPENDS the 5th most amount of money – yet is the 5th WORST when it comes to safety. This is clearly a management issue, and should rightly fall in the Governor's lap. However, instead of finding solutions, Governor Lingle chooses to point her finger and blame someone else for her failure and mismanagement. She is well into her second term as Governor and 5th year in office. Governor Lingle must bear responsibility and act honestly.

"The DOT requested that the Rental Vehicle Surcharge of \$3 per day be reinstated this past session. This means that the Highway Fund will receive \$14 million more than anticipated for the next 2 years. Additionally, the legislation that eliminated the general excise tax on gasoline sales also increased the highway gas tax by 1 cent. This is "new" money that will go directly into the Highway Fund and generate another \$7 to \$9 million every year. Thus, because of these two Acts, Act 258 and Act 209 the Highway Fund will gain about \$25 million more in annual revenue. This is additional money that has not been previously set aside for any project, pothole, or pavement. It is money that is available for pedestrian safety improvements.

"According to the DOT, it already generates about \$200 million annually. It should now get about \$225 million annually. The Highway Fund is expected to have a fund balance of \$92 million at the end of fiscal year 2007.

"The appropriation in this bill to improve safety is a mere \$3 million. That represents 1.3% of the total amount of money the DOT gets every year. 1.3% to save even one life is a bargain. Governor Lingle needs to stop the blame game. She needs to stop pointing fingers, and take responsibility. She needs to stop misdirecting the public, and get back to working for the public.

"The Legislature will override her veto by a super-majority, 34 votes-plus, and follow the rules. She should discontinue on her abstinent rant, and instead follow the clear directive of a co-equal branch of government – the Legislature – and the representative

voices of the community reflected therein. Be certain, the community will hold Governor Lingle accountable for each day that passes by and we find the appropriated funds restricted by her. The meter starts running tomorrow and it will not stop until the funds are released to the respective State and county agencies. I only hope that no lives are lost due to her hardheadedness and indifference. I hope that her need to curry favor with potential voters overcomes her need to foist blame and shirk responsibility.

"This bill will save lives. I urge all my colleagues to override this veto. I urge the Governor to then release the funds."

Representative Ward rose to speak in opposition to the motion to override, stating:

"Mr. Speaker, I need to rise for 30 seconds. This is about governance and not about pedestrian safety. And I am totally confident, and you should be confident that the Governor will make sure the pedestrians are safe in this State.

"However Mr. Speaker, would we go out and buy a car or house with our credit card? That's what this bill is doing. It's losing the leverage of which we have with our choice of funds. That's the only difficulty. And if we don't do it this time, let's remember the next time when we go out and make a big purchase, let's go out and use the funds that will give us a four to one, a 400%, which is a gazillion APR per year, by which we can safe taxpayers money. Thank you."

The Chair then stated:

"I've stated for the record that the Chair has called for the question. Is there anyone else who would like to submit written comments, for or against, you may do so at this time. Otherwise your comments discussed on the floor amendment will be a part of this particular discussion."

Representative Meyer rose in opposition to the motion to override and asked that her written remarks be entered into the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I am in opposition to the override and wish to sustain the Governor's veto

"Mr. Speaker, I'm glad this Legislature is trying to find ways to help pedestrians. We need to enact laws that protect the safety of pedestrians all across the State. I am solidly behind all efforts to protect our citizens, especially senior citizens, who walk along and across our roadways.

"Had this bill been passed in the same form it was introduced, with funding coming out of the general fund, I would endorse it without question.

"However, this bill appropriates \$3 million out of the wrong fund--the State Highway Fund.

"The State Highway Fund is used for matching funds with the federal government. By appropriating funds from the State Highway Fund, we're taking away the chance for receiving matching funds of four times this amount from the federal government ... or in the case of rural highways, as much as nine times the amount in federal matching funds.

"Consider this. Using the matching fund figure of four times means there is a potential of \$12 million for projects in major urban areas ... or using the rural figure, there's the possibility of losing 3 million times nine ... or \$27 million for rural projects. Whether the potential is 12 million or 27 million, it's a whole lot more than \$3 million to help protect both pedestrians and drivers on safe highways. Imagine, for example, some of those monies being used for badly-

needed repairs on the airport viaduct or on rural stretches of Kamehameha Highway.

"The State Highway Fund has been depleted significantly over the past several years ... with Democrats raiding more than \$150 million from the Fund. That number multiplied by 4:1 or 9:1 means we have lost potential federal matching funds of over a billion dollars.

"We already have in place a biennium budget that contains funding for pedestrian safety improvements, as well as statewide pedestrian safety projects. I wholeheartedly support that proper funding ... and I wholeheartedly support pedestrian safety projects. We currently have the \$1.5 million in this year's budget to fund pedestrian safety projects, so vital projects will not go un-funded.

"We cannot continue the foolhardy, shortsighted behavior of raiding the Highway Fund for projects that don't comply with the federal government's matching guidelines. We must maximize our dollars for the safety of pedestrians and highway users alike.

"I urge my colleagues to vote 'no' on the veto override in order to provide both pedestrian safety and fiscal responsibility."

Representative Cabanilla rose in opposition to the motion to override and asked that her written remarks be entered into the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I am in support of the Governor's veto and urge my colleagues to sustain the veto and not override this piece of legislation.

"If any of my colleagues were to traverse through my district on a weekday morning when public and private schools are open for learning, you may agree with me and come to the conclusion with my constituency that we are indeed in a transportation crisis and every penny that has accumulated in the Highway Fund should be spent on increasing our roadway capacity.

"Mr. Speaker, it appears that we are all in agreement on the worthiness and legitimacy of expending \$3 million for improvements that would enhance our pedestrian traffic safety features. However, the allocation of funds for such endeavor should be tapped from the general fund.

"For each dollar we take out of the Highway Fund - is in addition, depleting federal funds that are used to augment the State's spending for constructing new roads.

"So in conclusion Mr. Speaker, the monies contained in the Highway Fund should be used for highway projects and the Legislature return next Session to pass this bill using monies from the general fund. To my knowledge, the federal government does not match funds for pedestrian signage or appurtenances such as is contained in this bill which then makes the appropriation from the Highway Fund unjustifiable in its current form."

At this time the Chair called for a roll call vote and the motion to override the veto of S.B. No. 1191, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIAN SAFETY," as contained in Gov. Msg. No. 627, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes, 42: Representatives Awana, Belatti, Bertram, Brower, Caldwell, Carroll, Chang, Ching, Chong, Evans, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, Marumoto, McKelvey, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Say, Shimabukuro, Sonson, Souki, Takamine, Thielen, Tokioka, Tsuji, Wakai, Ward, Waters, Yamane and Yamashita.

Noes, 5: Representatives Cabanilla, Finnegan, Green, Meyer and Pine.

Excused, 4: Representatives Berg, Saiki, Takai and Takumi.

At 4:38 o'clock p.m., the Chair noted that the motion to override the veto of S.B. No. 1191, SD 2, HD 2, CD 1, as contained in Gov. Msg. No. 627, had carried.

S.B. No. 1922, SD 2, HD 1, CD 1

Representative Caldwell moved to override the veto of S.B. No. 1922, SD 2, HD 1, CD 1, as contained in Gov. Msg. No. 628, seconded by Representative B. Oshiro.

Representative Belatti rose in support of the motion to override and asked that her written remarks be entered into the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I support overriding the Governor's veto of Senate Bill 1922. This bill is critical to supporting and growing the creative media and music industries in our State. By seeking to create a permanent home for the University of Hawaii's Academy for Creative Media and supporting the Music and Enterprise Learning Experience at the University of Hawaii-Honolulu Community College, this bill takes concrete steps in supporting innovation of Hawaii's economy.

"The Governor objects to this bill for a number of reasons, but I am compelled to address her concern that this bill "would likely be construed as a special and not a general law" because of "the bill's mandate of a lease of a particular property (the existing PBS facility) to a particular private entity (PBS)." Unlike House Bill 718 which sets aside a specific portion of land for the benefit of a specific entity without any conditions, qualifications or provisions for allowing the State to take back that parcel of land, Senate Bill 1922 has several safeguards and provisions that reflect a true private-public partnership that serves a public purpose.

"For example, Senate Bill 1922 does not permanently set the property aside for PBS. Instead, the bill allows for a long-term lease whereby the facility will be returned to the University of Hawaii at Manoa "if PBS Hawaii is no longer a public broadcasting system affiliate in good standing, or is no longer licensed by the Federal Communications Commission as either a community or university licensee."

"In addition, as a partner with the State, PBS Hawaii is required to commit substantial financial resources for the lease of the property. According to the bill, PBS Hawaii is "responsible for renovation and construction of any additional space to the existing facility[, . . .] for the annual maintenance and operating costs of the building and shall continue to pay for the costs attributed to the [A]cademy for [C]reative [M]edia based on current allocations of cost to square footage."

"Ultimately, this bill clearly supports the public purposes of education and strengthening the diversity of our State's economy; and there are sufficient safeguards and provisions that protect the public land and do not relinquish State ownership of that public land. I support this measure as a critical step in supporting our local industries, and in helping to keep our children here in the Islands with the prospect of positive economic opportunities."

Representative Chang rose in support of the motion to override and asked that his written remarks be entered into the Journal, and the Chair "so ordered."

Representative Chang's written remarks are as follows:

"Mr. Speaker, I am in support of the veto override of SB 1922.

"The Academy for Creative Media (ACM) was approved by the Board of Regents three years ago. It is the fastest growing new program at the University. However, the Academy does not have a central facility or permanent home on any campus and does not receive any funding for program needs, other than faculty salaries and office overhead which are State funded.

"The Governor's veto of this bill is based on two constitutional provisions. One relates to legislative power over public lands. The other relates to powers of the Board of Regents.

"The land under the facilities of the existing public broadcasting facility and studio on the campus of the University of Hawaii (UH) is owned by the University. This Act does not alienate the land from ownership by the University or by the State. This Act effectuates a temporary land use transfer by lease to an entity (PBS Hawaii) that serves a related public purpose of media production, like that of the ACM. Furthermore, the ACM is an entity under the jurisdiction of the UH which would continue to own the land under this measure.

"PBS Hawaii does not have a "no cost" lease. PBS Hawaii has been situated on the University campus since 1966. It was then closed-circuit network serving the Manoa campus and the University's Laboratory School. This bill does not evict PBS Hawaii from that property nor does it provide the use of the facility at no cost to PBS Hawaii. This bill requires that PBS Hawaii provide an interim home for the ACM in space equal to 40% of the net usable square footage of the facility, including any newly constructed space. The Academy will be the only subtenant of the facility. PBS Hawaii shall be responsible for the costs of renovation and construction of any additional space to the existing facility.

"Under the measure, PBS Hawaii shall be responsible for the annual maintenance and operating costs of the building and shall continue to pay for the costs attributed to the ACM based on current allocations of cost to square footage.

"The UH testified in favor of this bill. In fact, the University stands to gain by obtaining a permanent home for the ACM and receives an appropriation for production equipment and related facilities."

Representative Meyer rose to speak in opposition to the motion to override, stating:

"Since I don't think I'm going to convince anybody, I will just submit written comments in opposition," and the Chair, "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I am in support of sustaining the veto, and against the override.

"This bill is affectionately known as the 'MELE bill'--a program that we can all get behind. But the Governor's Office has noted a particular concern that should have been amended.

"The problem is that the bill appears unconstitutional because of Article 11, Section 5 of the State Constitution.

"Here is the specific paragraph on Article 11, Section 5 of the Hawaii State Constitution. It is brief and to the point:

"The legislative power over the lands owned by or under the control of the state and its political subdivisions shall be exercised only by general laws, except in transfers to or for the use of the state, or a political subdivision, or any department or agency thereof."

"Thus, the constitution specifically forbids the Legislature to set aside the authority of one entity to exercise its own authority.

"In the case of the so-called "MELE bill", the Constitution is violated because of two points:

"First, the University of Hawaii provides the Board of Regents with "exclusive jurisdiction over the internal structure, management and operation of the University." The land on which the current PBS facility is located is "under the control and management of the Board of Regents of the University of Hawaii." Thus, the bill in its current form sets aside the authority of the Board of Regents to control and manage the land that they are responsible for by substituting the Legislature's direct mandate. That, colleagues, is a direct violation of the State Constitution.

"Next, there is the issue of autonomy for the University. It was just a few years ago that the Legislature and then the voters of the State granted the University autonomy. That autonomy means the Legislature will not interfere with the decision-making process of the University, which is led by the Board of Regents. This bill directly violates that mandate by substituting the Legislature's determination of how the land will be used rather than the Regents.

"Another issue is revenue. We have all heard how the University struggles to produce revenue. Currently, this site is used as a revenue source, as the University collects rent monies. The bill mandates that the site be given over to PBS rent-free. Thus, the Legislature is not only violating the autonomy rights of the University, but also is taking money out of the University's pocket.

"For these reasons, I cannot in good conscience support this bill in its current form. I urge all my colleagues to fix the bill next Session ... and vote 'no' to the override today. Thank you."

Representative Finnegan rose to speak in opposition to the motion to override, stating:

"Thank you, Mr. Speaker. In opposition and just short comments. Thank you. In regards to this particular bill after reviewing it, we were going to offer an amendment, but as we know, this is how it goes. The Senate basically says that we're not willing to look at an amendment, and we're saying that they didn't pass an amendment, and so we're stuck there.

"But what I would like to talk about is basically why I believe, and others believe, that we should sustain the veto. It basically has to do with the authority of the Board of Regents at the University of Hawaii, and not getting into micromanaging them by mandating the lease of a particular property which is the existing PBS facility, to a particular private entity which is PBS. It will likely be construed as a special and not a general law. Section 5 of Article XI of the State Constitution requires that legislative power over State lands be exercised only by general law. The Attorney General has opined on this constitutional infirmity, in and of itself, justifies a veto of this bill.

"So I hope that we can come together and know that we are: one, passing an unconstitutional law; or decide to sustain the veto.

"And Mr. Speaker, one last comment. This is a very important bill for the Governor. As we all know, Creative Media and the MELE, everything is included in this. So this does not come lightly, I don't think, for the Governor or any of us who really wanted to see this bill pass. I believe that PBS, that particular part, should not be in there. Thank you."

Representative M. Oshiro rose in support of the motion to override and asked that his written remarks be entered into the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"SB 1922 supports creative media in Hawaii by authorizing the Academy for Creative Media (ACM) to designate the existing PBS

Hawaii facility and studio located on the University of Hawaii at Manoa campus as its interim home, appropriates funds for this purpose and establishes and appropriates funds for the MELE program at Honolulu Community College.

"The Governor's rationale for vetoing this measure is that it may violate Article XI, Section 5 of the State Constitution by requiring the University to lease a specific property to PBS Hawaii (a private entity) at no cost but with specific terms and conditions. The Governor also cites the University's autonomy as another reason for her veto.

"This bill mandates the University to lease the existing public broadcasting facility and studio located on the University's Manoa campus to PBS Hawaii under the condition that PBS Hawaii provides an interim home for ACM. By passing this measure the Legislature was not exercising legislative power over state owned or controlled lands, as the Governor suggests in her veto, but rather the Legislature properly exercised its power over the University. While the State Constitution provides the University's Board of Regents with "exclusive jurisdiction over the internal organization and management" of the University, it also allows the Legislature to enact laws that are of statewide concern.

"The Academy of Creative media is one of the fastest growing programs at the University with over 300 students enrolled for the 2007 Fall semester. ACM has been responsible for raising and funding all of its own operating expenses outside of faculty salaries and basic office overhead and has raised over \$1.4 million since its inception three years ago. Despite all the successes of its students and programs, ACM has yet to find a central facility or permanent home. By passing this measure the Legislature is providing ACM with an interim home until a more permanent one can be found. With the Governor's call for innovation in education and in the workforce it is surprising that she would veto a bill that will provide Hawaii students with an opportunity to stay and continue their education at home, and at the same time, create a critical mass of talented individuals that can support this up and coming industry in the long term.

"The television show, "Lost", has proven that Hawaii, with its diverse geography, topography, flora, fauna, and culture, is a viable location that can double for practically any location in the world. This bill is one piece of the puzzle that will allow this industry to flourish in Hawaii – with one difference. The talent will come from Hawaii rather than the mainland.

"It is for the aforementioned reasons that we should override the Governor's veto of this bill. Thank you, Mr. Speaker."

Representative Chang rose to speak in support of the motion to override, stating:

"Mr. Speaker, if I could speak for the override. Part of the power of the Board of Regents, in Section 6 of Article X of the Hawaii State Constitution, it provides for the powers of the Board of Regents and it reads as follows:

The board shall the power to formulate policy and to exercise control over the university through its executive officer, the president of the university who shall be appointed by the board. The board shall also have exclusive jurisdiction over the internal structure, management and operation of the university. This section shall not limit the power of the legislature to enact laws of statewide concern. The legislature shall have the exclusive jurisdiction to identify laws of statewide concern.

"The execution of a lease agreement under Part II of SB 1922 is in the best long-term interest of the State and is as such, exercising its powers by identifying the development of the Academy for Creative Media as constituting a statewide concern. This form of economic development is a matter of statewide concern and is outside of the exclusive jurisdiction of the Board of Regents. Thank you."

Representative Finnegan rose to respond, stating:

"Yes Mr. Speaker, in short rebuttal. The assignment and use of campus facilities are inherently part of the University's internal structure of management and operations, and I believe they are not matters of statewide concern. Thank you."

At this time the Chair called for a roll call vote and the motion to override the veto of S.B. No. 1922, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA," as contained in Gov. Msg. No. 628, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes, 40: Representatives Awana, Belatti, Bertram, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoy, Manahan, McKelvey, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Say, Shimabukuro, Sonson, Souki, Takamine, Tokioka, Tsuji, Wakai, Ward, Waters, Yamane and Yamashita.

Noes, 7: Representatives Brower, Ching, Finnegan, Marumoto, Meyer, Pine and Thielen.

Excused, 4: Representatives Berg, Saiki, Takai and Takumi.

At 4:44 o'clock p.m., the Chair noted that the motion to override the veto of S.B. No. 1922, SD 2, HD 1, CD 1, as contained in Gov. Msg. No. 628, had carried.

SENATE COMMUNICATION

The Chair recognized the Clerk, who announced:

"We are in receipt of Senate Resolution No. 2 informing the House and the Governor that the Senate is ready to adjourn Sine Die."

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 60 through 63) were received by the Clerk and were placed on file:

Dept. Com. No. 60, from Isaac Watson, Executive Director, Hawaii Commission for National and Community Service, transmitting the 2005-2006 Annual Report of the Hawaii Commission for National and Community Service.

Dept. Com. No. 61, dated May 14, 2007, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting their response to the OIP Opinion Letter No. 07-08

Dept. Com. No. 62, dated June 5, 2007, from Russ K. Saito, State Comptroller, Department of Accounting and General Services, transmitting the report on internal control over financial reporting for the period January 18, 2006 through January 16, 2007.

Dept. Com. No. 63, from the Division of Financial Institutions, Department of Commerce and Consumer Affairs, transmitting their 2006 Annual Report.

MISCELLANEOUS COMMUNICATIONS

The following miscellaneous communications (Misc. Com. Nos. 6 through 9) were received by the Clerk and was placed on file:

Misc. Com. No. 6, dated May 23, 2007, from Ellen M. Davenport, Secretary of the New Jersey Senate, transmitting receipt of House Concurrent Resolution No. 82.

Misc. Com. No. 7, dated May 29, 2007, from Francesco Bandarin, Director, World Heritage Centre, transmitting receipt of House Concurrent Resolution No. 265.

Misc. Com. No. 8, dated June 4, 2007, from Ivy S. McChesney, Acting Field Director, Accounts, Management Philadelphia, Department of the Treasury, Internal Revenue Service, transmitting receipt of House Concurrent Resolution No. 217.

Misc. Com. No. 9, dated June 1, 2007, from Patrick H. DeLeon, Administrative Assistant to Senator Daniel K. Inouye, United States Senate, transmitting receipt of several House Resolutions.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 1 and 2, Special Session, 2007) were announced by the Clerk and the following action taken:

H.R. No. 1, Special Session 2007, entitled: "HOUSE RESOLUTION AUTHORIZING THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO APPROVE THE JOURNAL OF THIS HOUSE OF ANY LEGISLATIVE DAY BEING COMPILED AS OF THE 1ST LEGISLATIVE DAY," was offered by Representative Say.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.R. No. 1, Special Session 2007, was adopted with Representatives Berg, Cabanilla, Saiki, Takai and Takumi being excused.

H.R. No. 2, Special Session 2007, entitled: "HOUSE RESOLUTION AUTHORIZING AND DIRECTING THE COMMITTEE ON THE JOURNAL TO COMPILE AND PRINT THE JOURNAL OF THE HOUSE OF REPRESENTATIVES, SPECIAL SESSION OF 2007, PURSUANT TO RULE 18 OF THE RULES OF THE HOUSE OF REPRESENTATIVES," was offered by Representative Say.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.R. No. 2, Special Session 2007, was adopted with Representatives Berg, Cabanilla, Saiki, Takai and Takumi being excused.

ANNOUNCEMENTS

Representative Caldwell: "Mr. Speaker, before I make the final motion, I did want to thank all the Members of the House for coming back from their busy work schedules to convene this Special Session. And I would also like to give personal thanks to the members of the Chief Clerk's Office, and to the Sergeant-at-Arms Office for their hard work. To HMSO, and also the Finance Committee staff, many of who are here helping on the Floor today along with the HMSO staff. That has helped us get the work done without incurring extra expense for the taxpayers of the State. I would like to give them a round of applause if that's okay with you, Mr. Speaker."

Representative Finnegan: "Thank you. I would also like to thank our staff as well, along with HMIR, for doing all that they are doing. As you know, we are very reactive in regards to this process, being in the minority. And they have worked very, very hard for us. I would also like to thank the Majority staff and the Clerk's Office staff as well. Thank you."

Speaker Say: "The Chair just has one announcement to make in regards to one of our employees of the House Sergeant-at-Arms Office. For those of you who have been here for over 30 years, and I think Representative Marumoto can attest to this, one of our employees will be retiring at the end of this month.

"Ms. Barbara Leong will be retiring and I wanted to incorporate her name in the Journal. For those of you who know Barbara, she is retiring and to take care of her mother."

ADJOURNMENT

Representative Caldwell moved that the House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Special Session of 2007, adjourn sine die, seconded by Representative B. Oshiro.

The motion was put to vote by the Chair and carried, and at 4:48 o'clock p.m., the Speaker rapped his gavel and declared the House of Representatives of the State of Hawaii, Special Session of 2007, adjourned sine die. (Representatives Berg, Cabanilla, Saiki, Takai and Takumi were excused.)

HOUSE COMMUNICATIONS

House Communication dated July 10, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered the following House Bills, heretofore vetoed as set forth in Governor's Messages dated July 10, 2007, and approved said bills by an affirmative vote of two-thirds of all members of which the House of Representatives of the Twenty-fourth Legislature of the State of Hawaii, is entitled:

H.B. No. 30, HD 2, SD 1, CD 1
 H.B. No. 310, HD 2, SD 2, CD 2
 H.B. No. 718, SD 2, CD 1
 H.B. No. 1270, HD 2, SD 2, CD 2
 H.B. No. 1503, HD 1, SD 1, CD 1
 H.B. No. 1605, HD 1, SD 1, CD 1
 H.B. No. 1830, HD 2, SD 2, CD 1
 S.B. No. 932, SD 2, HD 2, CD 1
 S.B. No. 1066, SD 2, HD 2, CD 1
 S.B. No. 1191, SD 2, HD 2, CD 1
 S.B. No. 1922, SD 2, HD 1, CD 1

House Communication dated July 11, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable Governor Linda Lingle; and Ms. Myra Shozuya, Revisor of Statutes, Legislative Reference Bureau; transmitting a copy of the document certifying that on July 10, 2007, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii State House of Representatives, reconsidered House Bill No. 30, HD 2, SD 1, CD 1, heretofore vetoed as set forth in a Governor's Message dated July 10, 2007, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. A copy of House Bill No. 30, HD 2, SD 1, CD 1, designated as Act 1 of the Twenty-fourth Legislature of the State of Hawaii, Special Session of 2007, was enclosed.

House Communication dated July 11, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable Governor Linda Lingle; and Ms. Myra Shozuya, Revisor of Statutes, Legislative Reference Bureau; transmitting a copy of the document certifying that on July 10, 2007, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii State House of Representatives, reconsidered House Bill No. 310, HD 2, SD 2, CD 2, heretofore vetoed as set forth in a Governor's Message dated July 10, 2007, and approved said bill by an affirmative vote of two-thirds of the

members to which each chamber is entitled. A copy of House Bill No. 310, HD 2, SD 2, CD 2, designated as Act 2 of the Twenty-fourth Legislature of the State of Hawaii, Special Session of 2007, was enclosed.

House Communication dated July 11, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable Governor Linda Lingle; and Ms. Myra Shozuya, Revisor of Statutes, Legislative Reference Bureau; transmitting a copy of the document certifying that on July 10, 2007, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii State House of Representatives, reconsidered House Bill No. 718, SD 2, CD 1, heretofore vetoed as set forth in a Governor's Message dated July 10, 2007, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. A copy of House Bill No. 718, SD 2, CD 1, designated as Act 3 of the Twenty-fourth Legislature of the State of Hawaii, Special Session of 2007, was enclosed.

House Communication dated July 11, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable Governor Linda Lingle; and Ms. Myra Shozuya, Revisor of Statutes, Legislative Reference Bureau; transmitting a copy of the document certifying that on July 10, 2007, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii State House of Representatives, reconsidered House Bill No. 1270, HD 2, SD 2, CD 2, heretofore vetoed as set forth in a Governor's Message dated July 10, 2007, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. A copy of House Bill No. 1270, HD 2, SD 2, CD 2, designated as Act 4 of the Twenty-fourth Legislature of the State of Hawaii, Special Session of 2007, was enclosed.

House Communication dated July 11, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable Governor Linda Lingle; and Ms. Myra Shozuya, Revisor of Statutes, Legislative Reference Bureau; transmitting a copy of the document certifying that on July 10, 2007, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii State House of Representatives, reconsidered House Bill No. 1503, HD 1, SD 1, CD 1, heretofore vetoed as set forth in a Governor's Message dated July 10, 2007, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. A copy of House Bill No. 1503, HD 1, SD 1, CD 1, designated as Act 5 of the Twenty-fourth Legislature of the State of Hawaii, Special Session of 2007, was enclosed.

House Communication dated July 11, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable Governor Linda Lingle; and Ms. Myra Shozuya, Revisor of Statutes, Legislative Reference Bureau; transmitting a copy of the document certifying that on July 10, 2007, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii State House of Representatives, reconsidered House Bill No. 1605, HD 1, SD 1, CD 1, heretofore vetoed as set forth in a Governor's Message dated July 10, 2007, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. A copy of House Bill No. 1605, HD 1, SD 1, CD 1, designated as Act 6 of the Twenty-fourth Legislature of the State of Hawaii, Special Session of 2007, was enclosed.

House Communication dated July 11, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable Governor Linda Lingle; and Ms. Myra Shozuya, Revisor of Statutes, Legislative Reference Bureau; transmitting a copy of the document certifying that on July 10, 2007, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii State House of Representatives, reconsidered House Bill No. 1830, HD 2, SD 2, CD 1, heretofore

vetoed as set forth in a Governor's Message dated July 10, 2007, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. A copy of House Bill No. 1830, HD 2, SD 2, CD 1, designated as Act 7 of the Twenty-fourth Legislature of the State of Hawaii, Special Session of 2007, was enclosed.

OTHER COMMUNICATIONS

Senate Communication dated July 10, 2007, from Carol Taniguchi, Chief Clerk of the Senate, to the Honorable Governor Linda Lingle, transmitting a copy of the document certifying that on July 10, 2007, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii State House of Representatives, reconsidered Senate Bill No. 932, S.D. 2, H.D. 2, C.D. 1, heretofore vetoed as set forth in a Governor's Message dated July 10, 2007, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. A copy of Senate Bill No. 932, S.D. 2, H.D. 2, C.D. 1, designated as Act 8 of the 2007 Special Session, was enclosed.

Senate Communication dated July 10, 2007, from Carol Taniguchi, Chief Clerk of the Senate, to the Honorable Governor Linda Lingle, transmitting a copy of the document certifying that on July 10, 2007, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii State House of Representatives, reconsidered Senate Bill No. 1066, S.D. 2, H.D. 2, C.D. 1, heretofore vetoed as set forth in a Governor's Message dated July 10, 2007, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. A copy of Senate Bill No. 1066, S.D. 2, H.D. 2, C.D. 1, designated as Act 9 of the 2007 Special Session, was enclosed.

Senate Communication dated July 10, 2007, from Carol Taniguchi, Chief Clerk of the Senate, to the Honorable Governor Linda Lingle, transmitting a copy of the document certifying that on July 10, 2007, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii State House of Representatives, reconsidered Senate Bill No. 1191, S.D. 2, H.D. 2, C.D. 1, heretofore vetoed as set forth in a Governor's Message dated July 10, 2007, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. A copy of Senate Bill No. 1191, S.D. 2, H.D. 2, C.D. 1, designated as Act 10 of the 2007 Special Session, was enclosed.

Senate Communication dated July 10, 2007, from Carol Taniguchi, Chief Clerk of the Senate, to the Honorable Governor Linda Lingle, transmitting a copy of the document certifying that on July 10, 2007, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii State House of Representatives, reconsidered Senate Bill No. 1922, S.D. 2, H.D. 1, C.D. 1, heretofore vetoed as set forth in a Governor's Message dated July 10, 2007, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. A copy of Senate Bill No. 1922, S.D. 2, H.D. 1, C.D. 1, designated as Act 11 of the 2007 Special Session, was enclosed.

GOVERNOR'S MESSAGES RECEIVED AFTER ADJOURNMENT OF
THE 2007 SPECIAL SESSION SINE DIE

Gov. Msg. No. 630, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 1833 SD1 HD1 CD1

On July 10, 2007, Senate Bill No. 1833, entitled "A Bill for an Act Relating to Family Leave" became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

The purpose of this bill is to allow the employee, rather than the employer, the choice of either taking unpaid leave or substituting available accrued paid leave for any part of the four-week period allowed for family leave under Hawaii's Family Leave Law.

I continue to have concerns regarding bills that legislate the relationship between employers and employees within the State of Hawaii since these legislative mandates act as a deterrent to the establishment of enterprises within our state. Matters pertaining to leave are best determined by collective bargaining negotiations, by company policies, and by cooperative working relationships between employers and employees.

Under the State Family Leave Law and accompanying administrative rules, employee rights in this area are currently safeguarded. Employers are required to give prior notice to employees if the employer intends to substitute accrued paid leave for all or part of the family leave. And, an employer cannot retroactively apply accrued paid leave against family leave after the employee has returned to work, without employee consent. Furthermore, Hawaii's Family Leave Law is consistent with the federal Family and Medical Leave Act that allows employers to require use of paid leave when a person is on family leave.

I remain concerned that this bill might discourage some employers from providing paid sick leave or other paid leave benefits to their employees since these benefits will accumulate on top of four weeks of unpaid family leave mandated in State law. However, I also recognize the importance of giving employees an opportunity to identify how they wish to take family leave when emergencies occur in their household.

For the foregoing reasons, I allowed Senate Bill No. 1833 to become law as Act 265, effective July 10, 2007, without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 631, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 899 HD1 SD1 CD1

On July 10, 2007, House Bill No. 899, entitled "A Bill for an Act Relating to Integrated Strategies for Statewide Food and Energy Crop Production" became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

House Bill 899 appropriates out of the general revenues of the State of Hawaii the sum of \$450,000 or so much thereof as may be necessary for fiscal year 2007-2008 to the University of Hawaii Center for Conservation Research and Training ("CCRT") for Phase 1 of a project to develop "best strategies consistent with comprehensive agricultural management practices to facilitate sustainable production of crops through long-term enhancement of soil quality using ecologically responsible means." I am told Phase 1 of the project would identify and test charcoal additive strategies to improve the nutrient levels in soils.

There are several concerns with this measure. This bill identifies Phase 1 of a research and development project without providing any insight into what subsequent phases may entail, or whether or not there will be subsequent phases. This raises both fiscal and programmatic concerns. The bill contains neither a plan of action nor recognizable outcomes for the funds invested. Further, it is unclear how the expenditure of moneys in fiscal year 2007-2008 would impact funding levels in subsequent fiscal years.

There appears to be doubt within the scientific community, as expressed in a number of journals and formal publications, as to whether using charcoal as a geologic carbon sequestration technique should be researched and developed at the expense of other environmentally sound, technologically feasible, and economically affordable solutions to climate change, such as improving energy efficient power generation, developing renewable energy, and protecting threatened forests.

Similarly, extensive research into using charcoal as a long-term enhancement of soil quality has been conducted by the U.S. Department of Agriculture and various agricultural research entities. It is unclear how the research proposed in this measure would not duplicate or overlap existing analyses. As the bill recognizes, the use of high carbon anthropogenic soil for agricultural purposes has been applied "since ancient times by indigenous communities in other tropical regions around the world." Thus, it is questionable whether the research contemplated in this measure would significantly help advance human understanding of this technology.

For the foregoing reasons, I allowed House Bill No. 899 to become law as Act 266 effective July 10, 2007 without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 632, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 1083 HD2 SD2 CD1

On July 10, 2007, House Bill No. 1083, entitled "A Bill for an Act Relating to High Technology" became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

The bill would appropriate \$5 million in general funds for firms that have already received federal funds through the Hawaii Technology Development Venture or the National Defense Center of Excellence for Research in Ocean Sciences.

This bill raises a number of concerns. First, it dedicates a significant portion of State taxpayer dollars (\$5 million) to a small number of private firms, most of which are for-profit ventures. An estimated thirteen companies would be eligible for the money. The bill does not establish any standards, criteria, or oversight procedures to ensure that the funds are used to achieve a clear public purpose. The bill also lacks specific results against which the effectiveness of this use of public funds will be measured.

Second, the organization that would select the firms who receive the funds is comprised of individuals who do not appear to have scientific or engineering background, nor are they individuals with extensive credentials in the fields of technology, engineering, and science. To entrust this group with decisions on the allocation of funds that should be based on merit and technical analysis is not appropriate.

Finally, it appears that the bill fails to meet the requirements of a grant in aid, in that it exempts from the statutory requirements in Chapter 42F, Hawaii Revised Statutes, the funding provided for in this bill, yet section 3 of this measure says that the funds shall be provided as a grant, pursuant to Chapter 42F. This internal inconsistency in the language will make it difficult for the Budget and Finance Department to comply with the language regarding the release of money in this bill.

For the foregoing reasons, I allowed House Bill No. 1083 to become law as Act 267, effective July 10, 2007, without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 633, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 1614 SD1 HD1 CD1

On July 10, 2007, Senate Bill No. 1614, entitled "A Bill for an Act Relating to Education" became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

This bill appropriates \$1 million over the biennium period to the Department of Education to implement a human resources management model in the Waianae area complex.

It is important for schools to be able to recruit, train, and retain good teachers. However, it should be pointed out that the Department already has over \$12 million specifically allocated for teacher training and teacher retention. Over \$2.2 million is

provided for teacher recruitment and \$5 million has been set aside for professional development, not counting funds imbedded in other administrative support programs.

The Waianae area should be commended for receiving a \$1 million grant from the U.S. Department of Education to implement teacher recruitment and retention systems targeted for their high school. This three-year grant still has two more years before the project is complete.

Thus, the funding in this bill duplicates resources already within the Department of Education budget and is premature. We would encourage the Waianae area complex to continue the work it has begun under the U.S. Department of Education grant and to provide a comprehensive post-project analysis that can be used by schools in that area, as well as elsewhere throughout the public education system to help identify, place, and retain high quality teachers.

For this reason, I allowed Senate Bill No. 1614 to become law as Act 268, effective July 10, 2007, without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 634, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 895 HD2 SD1 CD1

On July 10, 2007, House Bill No. 895, entitled "A Bill for an Act Relating to Motor Vehicles" became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

This bill authorizes the counties to increase from \$5 to \$10 the portion of the motor vehicle registration fee for disposing of abandoned vehicles. This bill also allows towing companies contracted by a county to increase vehicle towing and storage fees.

This bill runs counter to my long-held position that counties should be given greater flexibility in the administration of county functions. This bill establishes in State statute the specific fees the counties can and cannot charge for motor vehicle-related activities. As I have stated previously, State statutes should not micromanage the activities of duly elected officials at the county level.

For this reason, I allowed House Bill No. 895 to become law as Act 269 effective July 10, 2007 without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 635, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 507 HD2 SD1

On July 10, 2007, House Bill No. 507, entitled "A Bill for an Act Relating to Boating" became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

The purpose of this bill is to prohibit the State from transferring small boat harbors to any county or contracting with any county to manage a small boat harbor unless the Legislature passes a law allowing this transfer.

The bill is objectionable because the proposed statute prohibiting the transfer of the small boat harbors to the counties is more restrictive than the already existing statute (section 200-2.5, Hawaii Revised Statutes). The statute already authorizes the Board of Land and Natural Resources to lease fast lands within an existing State boating facility for private development, management, and operation without legislative approval.

House Bill No. 507 provides that a similar transfer to a county would be prohibited. To the extent that the Legislature has already authorized the Board to lease fast lands to private parties, the prohibition of leases to the counties, which are public bodies that are directly responsible to their citizens, is contrary to public policy because it places the counties at a disadvantage when compared with private parties if the counties desire to seek authority to operate a State-owned small boat harbor.

For the foregoing reasons, I allowed House Bill No. 507 to become law as Act 270 effective July 10, 2007 without my signature.

Sincerely,

/s/

LINDA LINGLE"

Gov. Msg. No. 636, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 1630 HD2 SD2 CD1

On July 10, 2007, House Bill No. 1630, entitled "A Bill for an Act Relating to Technology Workforce Development" became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

This bill appropriates \$1.1 million to be expended by the Economic Development Alliance of Hawaii for the project EAST program. EAST stands for environmental and spatial technology.

This bill poses possible constitutional concerns in that it sets up a spending mechanism without parameters and outside of the State Treasury. Article VII Section 4 of the Hawaii Constitution requires public funds to be spent pursuant to standards provided by law. Based on a review by the Attorney General, we find there are no standards specified in this bill or prior law for the Hawaii 3Ts school technology laboratories fund. There is another provision of existing law that says expenditures shall be approved by the Department of Business, Economic Development and Tourism director. The Department

of Business, Economic Development and Tourism would, therefore, assume the burden of ensuring these funds are spent in accordance with statutorily required standards. An unclear line of accountability for public funds is not in the public's best interests.

For the foregoing reasons, I allowed House Bill No. 1630 to become law as Act 271 effective July 10, 2007 without my signature.

Sincerely,

/s/

LINDA LINGLE"

Gov. Msg. No. 637, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 122 HD1 SD1 CD1

On July 10, 2007, House Bill No. 122 entitled "A Bill for an Act Relating to State Funds" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill requires the Department of Budget and Finance to establish by January 1, 2009 a searchable website that the public can access at no cost for information regarding State grants, contracts, and other awards.

Although the intent of this legislation is in keeping with my Administration's overall theme of transparency and accountability about how government operates and how public funds are spent, this bill raises a number of concerns.

The State Procurement Office (SPO) uses the National Institute of Government Purchasing coding system for purposes of defining categories for Hawaii's electronic procurement system. This bill requires that each award be identified using the North American Industry Classification System code - a code not used by the Department of Budget and Finance or SPO. The value of requiring awards to be identified by this coding system is dubious, as compared to the burden on government agencies and awardees to learn the system.

The basic information required for public accountability with regard to procurement is presently available on the SPO's website. Expansion of SPO's existing website to include additional information on grants or other awards could be accomplished without legislation.

Because some of the information required is not presently captured under current procurement and grant processes, the requirement that subaward information be collected and posted online will increase costs to taxpayers of contracts and grants because the bill allows contractors, subcontractors, grantees, and subgrantees to allocate "reasonable costs" to comply with the subaward reporting requirements.

Additionally, it should be pointed out that the responsibility for collecting and posting data of the type suggested in this bill is more appropriately a function of the Department of Accounting and General Services rather than the Department of Budget and Finance, as proposed in this measure.

For the foregoing reasons, I allowed House Bill No. 122 to become law as Act 272, effective July 10, 2007, without my

signature.

Sincerely,

/s/

LINDA LINGLE"

Gov. Msg. No. 638, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 777 HD2 SD2 CD1

On July 10, 2007, House Bill No. 777, entitled "A Bill for an Act Relating to the Hawaii Educator Loan Program" became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

The bill makes changes to the Hawaii Educator Loan Program administered by the University of Hawaii and appropriates \$250,000 in general funds to the University for the program.

I am a strong supporter of the Hawaii Educator Loan Program and believe it is a tool we can utilize to increase the number of qualified teachers in Hawaii. That is why I introduced House Bill No. 2350 and Senate Bill No. 2313 in 2006, to provide program and funding support to the Hawaii Educator Loan Program. However, this bill does not adopt the programmatic changes that would increase the number of qualified teachers in Hawaii.

Recipients of the Hawaii Educator Loan Program should be allowed to attend any State approved teacher education program approved by the Hawaii Teacher Standards Board, not just the University of Hawaii. Other Hawaii colleges who have State approved teacher education programs include Brigham Young University-Hawaii, Chaminade University of Hawaii, Hawaii Pacific University, and the University of Phoenix-Hawaii. However, the students who attend these schools cannot qualify for the Hawaii Educator Loan Program. Further, recipients of the program should be able to teach in charter schools.

I am hopeful that the Legislature will come back next year and make these needed changes to the Hawaii Educator Loan Program in order to increase the number of qualified teachers in Hawaii.

For the foregoing reason, I allowed House Bill No. 777 to become law as Act 273 effective July 10, 2007, without my signature.

Sincerely,

/s/

LINDA LINGLE"

Gov. Msg. No. 639, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 686 SD1 HD1 CD1

On July 10, 2007, Senate Bill No. 686 entitled "A Bill for an Act Relating to Educational Assistants" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The bill requires the Department of Education to report to the 2008 Legislature on a career ladder program for educational assistants and the cost of repricing these positions.

Although the need to recruit and retain educational assistants is understandable, I question the need for this bill.

The Department of Education provided testimony which requested general fund appropriations of \$8 million in fiscal year 2007-2008 and \$13 million in fiscal year 2008-2009. The Department gave this amount as the cost of implementing a career ladder for education assistants. The Department also testified that 3,100 educational assistants would qualify for the career ladder program. It is not clear how this data, which was provided to the Legislature during session, is different than the data required by this bill. This bill appears to unnecessarily duplicate the analysis that has already been completed by the Department.

Although there is no appropriation contained in this bill, the possibility of future appropriations is evident and causes concern because this was not an item of priority in the Board of Education approved Department of Education budget request, and a significant amount of general funds were requested by the Department outside of their approved budget to implement a career ladder during testimony on this bill.

For the foregoing reason, I allowed Senate Bill No. 686 to become law as Act 274, effective July 10, 2007, without my signature.

Sincerely,

/s/

LINDA LINGLE"

Gov. Msg. No. 640, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 598 HD 1 SD 1 CD1

On July 10, 2007, House Bill No. 598 entitled "A Bill for an Act Relating to Education" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to create the Online Learning Task Force, attached to the Department of Education, to develop a plan to expand online learning to students across the State. This bill appropriates \$50,000 in general funds in fiscal year 2007-2008 to the Department of Education for the work of the task force.

The intent of this legislation is laudable and the inclusion of programmatic measures of success is a constructive feature in this bill.

However, this bill appears to duplicate the existing efforts of the Hawaii Educational Networking Consortium (HENC). The HENC is a collaborative relationship between the Department

of Education, University of Hawaii, East-West Center, and the Hawaii Association of Independent Schools. HENC's purpose is, "to develop, facilitate and promote the use of telecommunications technology in education and research in Hawaii." It appears that HENC's purpose and membership are similar to that of the proposed task force and, as such, may be a duplication of effort.

For the foregoing reasons, I allowed House Bill No. 598 to become law as Act 275, effective July 10, 2007, without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 641, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 15 HD2 SD2 CD1

On July 10, 2007, House Bill No. 15, entitled "A Bill for an Act Relating to Education" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to establish the Felix Stipend Program Special Fund. Repayments from students who failed to meet their contractual agreements with the Department of Education under the Felix Stipend Program will be deposited into this fund, and fund moneys will then be used for the Felix Consent Decree Recruitment and Retention Program, or any successor programs, and related costs.

Although this bill recognizes the Department of Education has encountered challenges in recruiting and retaining special education teachers for public schools, this bill presents two concerns.

According to financial records, the existing Felix Stipend Program has a 30% default rate on student stipends. This indicates that the program has not been as successful as was intended and should not be expanded until a proper review and assessment can be conducted based on the merits and problems with this program.

Second, there are concerns with the establishment of a special fund that does not meet the statutory criteria for a special fund. It appears the Stipend Program Special Fund created in this bill would not be self-sustaining. The Department of Education testified that an appropriation amount of \$50,000 for the fund was recommended, based on average yearly collections for the program. Instead, this bill does not allow legislative appropriations to be deposited into the fund, and appropriates \$250,000 out of the fund. Based on the Department's estimate of \$50,000 in yearly collections, it is unlikely that the Department would be able to operate the retention and recruitment program without a general fund appropriation to supplement the repayments.

For the foregoing reasons, I allowed House Bill No. 15 to become law as Act 276, effective July 10, 2007, without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 642, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 1477 HD2 SD2 CD1

On July 10, 2007, House Bill No. 1477, entitled "A Bill for an Act Relating to Rural Primary Health Care Training" became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

House Bill 1477 appropriates \$4 million in the biennium for the University of Hawaii John A. Burns School of Medicine to provide rural primary health care services. Wahiawa General Hospital has determined that it can no longer support a medical residency program at its facility.

While the goal of maintaining such a program is laudable, it appears that a residency program operated by the John A. Burns School of Medicine would need to be accredited to become eligible for federal matching funds from the Center for Medicare and Medicaid Services (CMS). The accreditation process usually takes two to three years. CMS payments would go to the participating hospitals and cover the salaries of the doctors-in-residence. They would not cover the costs the medical school might incur in overseeing this type of residency program.

The University did not submit an Executive Budget request for this program. With regard to this bill, the University stated, "while this is a worthwhile cause, the John A. Burns School of Medicine has much larger commitments and priorities in fulfilling its mission to train physicians to serve Hawaii and conduct research to improve the lives of our people."

For the foregoing reasons, I allowed House Bill No. 1477 to become law as Act 277 effective July 10, 2007 without my signature.

Sincerely,
/s/
LINDA LINGLE"

Gov. Msg. No. 643, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 1676 SD2 HD1 CD1

On July 10, 2007, Senate Bill No. 1676, entitled "A Bill for an Act Relating to the Hawaii Health Systems Corporation" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The stated purpose of this bill is to require the Hawaii Health Systems Corporation (HHSC) to submit a feasibility report to the Legislature on establishing a domestic captive insurance company to provide medical malpractice and hospital professional and general liability coverage for the corporation,

establishes a captive insurance board and appropriates \$20,000,000 to capitalize the formation of a captive entity.

Although my Administration supports creation of captive insurance companies to lessen health care costs, the bill is problematic because it sets up a governance system for the captive entity that runs contrary to established practices, is ill-timed, and will complicate implementation of new regional boards for HHSC.

The bill contains explicit language that precludes the HHSC management and the HHSC board from managing or overseeing the captive entity. This governance structure runs counter to established practices that ensure a parent company has a seat on its captive entity's board and oversees its captive insurance entity.

In light of the enactment of SB No. 1792 today, which will create five new regional boards within HHSC, it would be prudent to wait until the anticipated changes in HHSC occur and the regional board members are seated who could then provide input and expertise as to the creation of a captive entity that would best serve the needs of HHSC.

Further, this bill proposes to use \$13,279,000 from the Hawaii Health Systems Corporation Special Fund that is necessary to operate the State's regional 13-facility hospital network and provide basic health care services to our residents.

For the foregoing reasons, I allowed Senate Bill No. 1676 to become law as Act 278, effective July 10, 2007, without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 644, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 1866 HD3 SD2 CD1

On July 10, 2007, House Bill No. 1866, entitled "A Bill for an Act Relating to Mixed Martial Arts" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to establish a new, comprehensive regulatory scheme for professional mixed martial arts contests and participants.

Mixed martial arts contests are growing in popularity throughout Hawaii with eight such events held in 2000 and 29 events held in 2005. Thus the need to regulate these contests is apparent and I have therefore allowed this bill to become law as a matter of public safety in order to best protect those engaged in mixed martial arts activities.

This bill is objectionable because it finances the start-up costs of mixed martial arts regulation from the Compliance Resolution Fund (CRF). General funds should be used to defray the start-up costs of implementing new professional or vocational regulatory programs. By using CRF funds, this bill forces licensees from other professional and vocational licensing programs who pay into the CRF (e.g., certified public

accountants, nurses, emergency medical technicians, social workers) to subsidize the start-up costs of another profession.

The manner in which the source of funding in this bill was decided is also troubling. From its introduction in January through the end of April, the language in the first six versions of this bill was consistent in sourcing the appropriations for the start-up costs of the mixed martial arts regulatory scheme from the general fund. Only in Conference Committee was the source of funding switched from general funds to the CRF. While such legislative action is not unprecedented, it is nevertheless unfortunate.

Additionally, I am troubled that the regulations the Department of Commerce and Consumer Affairs develops to protect the participants of this sport will not be allowed to take effect until July 1, 2009.

For the foregoing reasons, I allowed House Bill No. 1866 to become law as Act 279, effective July 10, 2007, without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 645, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 1014 HD2 SD1 CD1

On July 10, 2007, House Bill No. 1014, entitled "A Bill for an Act Relating to Education" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to appropriate \$585,000 in Fiscal Year 2007-2008 to the Department of Education for five complex areas for support services including professional development, alignment of curriculum, and mentoring in schools. This bill also appropriates \$165,000 in Fiscal Year 2007-2008 to the Department of Education for the Teach for America program.

This bill raises two concerns.

First, appropriations for professional development of teachers in the classroom should be under the jurisdiction, decision making, and expending authority of the school principal. This bill contradicts the spirit of Act 51: Session Laws of Hawaii 2004, weighted student formula, and control by the principal over school-level funding priorities and programs. It also fails to recognize that the Department of Education has funds within its base budget for professional development, training, and curriculum alignment.

Second, this bill also appropriates general funds to the Department of Education for the Teach for America program. The Teach for America project is currently funded by federal dollars, pursuant to the No Child Left Behind law, and should continue to be funded in that manner because this federal funding source will be ongoing for several years.

The University of Hawaii has also expressed concern that

they should have been the designated expending agency for the appropriation contained in this bill, and not the Department of Education. The University of Hawaii is the responsible state agency for training the participants in the Teach for America program so these teachers can obtain a teaching certificate in Hawaii.

For the foregoing reasons, I allowed House Bill No. 1014 to become law as Act 280, effective July 10, 2007, without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 646, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 688 SD2 HD1 CD1

On July 10, 2007, Senate Bill No. 688, entitled "A Bill for an Act Relating to Education" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The bill appropriates \$100,000 in general funds over fiscal biennium 2007-2009, for the P-20 Initiative. This Initiative is tasked with creating a continuum of education from early learning to adulthood.

Although the intent of the P-20 Initiative is laudable, I question the need for State funding of this project.

In April 2007, the P-20 Initiative received a \$10 million grant from the W.K. Kellogg Foundation to support the Initiative's goal of having every third grader in Hawaii reading at grade level by 2015. This \$10 million provides substantial private investment for the Initiative.

This year there were programs of priority that did not receive adequate State general funds. Since the P-20 Initiative received a large private award, the \$100,000 in State funds could be used for other worthwhile programs.

For the foregoing reason, I allowed Senate Bill No. 688 to become law as Act 281, effective July 10, 2007, without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 647, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 767 HD2 SD2 CD1

On July 10, 2007, House Bill No. 767, entitled "A Bill for an Act Relating to the Running Start Program for College Preparation" became law without my signature, pursuant to

Section 16 of Article III of the State Constitution.

The purpose of this bill to require the Department of Education to provide students who participate in the Running Start Program with guidance in how to earn credit toward high school graduation through the satisfactory completion of University of Hawaii courses, and to provide funding for scholarships to students who participate in the Running Start Program.

Although the intent of this legislation is laudable, the funding does not appear essential at this time. Scholarship monies for the Running Start Program are funded through GEAR UP - Hawaii, a federally financed program. It appears federal support is likely to continue for this program.

Scholarships for the Running Start program were not identified as a priority for the University of Hawaii in their Board of Regents approved biennium budget request. Further, University of Hawaii has the ability to waive tuition for needy students in the program.

For the foregoing reason, I allowed House Bill No. 767 to become law as Act 282, effective July 10, 2007, without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 648, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill 1931 SD2 HD3 CD2

On July 10, 2007, Senate Bill 1931, entitled "A Bill for an Act Relating to Education" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

Senate Bill 1931 establishes a working group administered by the Department of Labor and Industrial Relations to analyze if workforce development needs are being met by the public schools, and to report to the 2008 Legislative session. Additionally, the University of Hawaii and the Department of Education are required to submit specific reports to the 2008 Legislature on workforce development. The bill appropriates \$200,000 in general funds to the Department of Education and the Department of Labor and Industrial Relations.

The major concern with this bill is that it is redundant with existing programs in the Department of Education and the Department of Labor and Industrial Relations.

The Work Force Development Councils, established in 1998, and attached to the Department of Labor and Industrial Relations, already are tasked with identifying and implementing ways in which our educational system can meet the needs of our workforce. Additionally, this function is also a part of the wider mission of the P-20 Initiative that began in 1993.

This bill contains an appropriation totaling \$175,000 for the two-year biennium to the Department of Education to fund three new staff positions. The Department of Education has stated that the resources are insufficient for it to carry out the

functions of this bill.

For the foregoing reasons, I allowed Senate Bill 1931 to become law as Act 283, effective July 10, 2007, without my signature.

Sincerely,

/s/

LINDA LINGLE"

Gov. Msg. No. 649, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill 1672 SD2 HD3 CD1

On July 10, 2007, Senate Bill 1672, entitled "A Bill for an Act Relating to Health" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill: (1) appropriates \$8 million in fiscal year 2007-2008 and \$8 million in fiscal year 2008-2009 to the Department of Human Services (DHS) in order to increase physician reimbursement rates that are paid to doctors who provide care under Medicaid and QUEST; and (2) requires DHS to submit a supplemental budget request of \$8 million or more for FY2009 to the 2008 Legislature to sustain the increased Medicaid and QUEST payments to physicians.

The objective of this bill to increase physician reimbursement rates is laudable. It is vitally important to address the rates of physician reimbursement to ensure that all Hawaii patients, particularly those who live in rural areas, have access to quality health care. However, this bill poses several serious concerns.

Regrettably, the Legislature appropriated these funds outside of the normal budget process. These expenditures have not been included in the State's six-year financial plan and have not been weighed against other State priorities. Since I took office in 2002, I have urged the Legislature to exercise fiscal discipline and prudent financial planning by acting only after developing a comprehensive, multi-year fiscal framework. This year, as I have in all previous legislative sessions, I exercised financial discipline by developing a six-year, balanced and comprehensive financial plan prior to submitting my executive budget.

Unfortunately, the Legislature did not exercise the same fiscal responsibility by including this appropriation as part of the Executive Biennium Budget. In addition, such a large appropriation raises concerns on the potential adverse impact this expenditure may have on future State spending requirements.

This bill is also objectionable because it unfairly intrudes upon the basic tenants of the separation of powers among the branches of government. The bill unduly interferes into the prerogatives of the Executive Branch by requiring DHS to add millions of dollars to its base budget request.

In addition, this bill is objectionable because, in practice, it will be hard to implement--particularly for the physicians who provide services to QUEST patients. Unlike Medicaid fee-for-service, DHS does not pay a specified rate for physicians who provide services to Medicaid QUEST patients. Instead, DHS pays a capitated, per person daily rate to the contractors who

provide services. Therefore it will be difficult for QUEST to distribute equitably the additional funds, and may subject existing physician-insurer contracts to renegotiation.

This Administration will continue to work with the health industry to develop quality health access standards for both Medicaid-eligible patients and those under managed care programs such as QUEST.

For the foregoing reasons, I allowed Senate Bill 1672 to become law as Act 284, effective July 10, 2007, without my signature.

Sincerely,

/s/

LINDA LINGLE"

Gov. Msg. No. 650, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 1026 SD2 HD3 CD1

On July 10, 2007, Senate Bill No. 1026 entitled "A Bill for an Act Relating to Solid Waste" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to make 2-liter bottles subject to the deposit beverage container law, authorizes the Director of Health to suspend a statutory provision which requires the automatic increase of the non-refundable deposit beverage container fee, and requires redemption centers in high density areas to remain open 30 hours per week, of which at least 5 hours must be on Saturday or Sunday.

This bill is similar to a bill that I vetoed last year that would have included 2-liter bottles under the beverage container program. I vetoed this prior bill because 2-liter bottles are difficult to recycle and would have had little impact on beach or roadside litter. The prior bill did not provide for a phased implementation date to give manufacturers and retailers sufficient time to implement the new law and inclusion of 2-liter bottles under the bottle law would have had a disproportionate impact on families.

This bill addresses one concern from last year by including a phase-in for manufacturers and distributors to label the 2-liter bottles with the "HI-5" designation between December 1, 2007 and March 1, 2008.

However, this bill will still have a disproportionate impact on families. Two-liter bottles are purchased more often by those seeking to buy in bulk to conserve funds and lower their grocery bills. Including larger size containers within the fee and deposit requirements of the beverage container program subjects these buyers to higher costs imposed by this program.

Two-liter bottles are more difficult to recycle. The reverse vending machines that are used in State are not built to redeem 2-liter bottles. While there may be reverse vending machines available, it is not assured that any redemption center will import these machines into the State. In addition, 2-liter bottles are bulkier and cannot be crushed if they are redeemed using machine technologies.

I remain concerned that the Legislature's continued detailed management of the deposit beverage container program may lead some companies to terminate their participation in the program. This bill mandates that redemption centers that are located in "high density" areas remain open 30 hours per week, of which at least 5 hours must be on Saturday or Sunday. Private businesses that are voluntarily operating as redemption centers in the deposit beverage container program have expressed concerns that this provision will force them to operate without adequate staff and expose them to liability if they are unable to remain open.

On balance, however, I feel that Hawaii families and other residents would suffer more harm if this bill does not become law. Currently, section 342G-102, Hawaii Revised Statutes, provides that if the redemption rate exceeds 70% for a particular fiscal year, then the non-refundable container fee will increase to 1.5 cents per container. This bill authorizes the Director of Health to temporarily suspend this automatic increase if, after consultation with the Auditor, it is determined that the Deposit Beverage Container Special Fund contains sufficient funds. This discretion is necessary to ensure that Hawaii residents do not have to pay more for the administration of the deposit beverage container program.

This year, I sought comprehensive amendments to the deposit beverage container program that would have eliminated the non-refundable container fee and would have allowed consumers to redeem their bottles at retailers. This approach would have eliminated the State's role in the administration of the program. It is unfortunate that the Legislature did not enact this proposed bill.

I remain convinced that the best way to protect our environment is through comprehensive curbside recycling programs of all recyclable products. Our experience with this deposit beverage container law has now borne out this conclusion. The program has collected more than \$50 million in fees and deposits over the past three years and yet it addresses only a small fraction, about 2%, of the waste in Hawaii. It would be more cost-effective to phase out this law and to use the accumulated funds to implement comprehensive curbside recycling programs.

Accordingly, for the foregoing reasons, I allowed Senate Bill No. 1026 to become law as Act 285, effective July 10, 2007, without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 651, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

RE: House Bill No. 497 HD2 SD2

On July 10, 2007, House Bill 497 HD2 SD2 entitled "A Bill for an Act Relating to Transportation" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

House Bill No. 497 amends Sections 248-9 and 264-18, Hawaii Revised Statutes, to expand the obligations of the State highway fund to require it to fund multi-use paths and bicycle

lanes on new or existing roadways under design, plan, construction, or reconstruction. Additionally, this bill requires that the planning for mass transit shall include the accommodation for bikeways, bicycle lanes, bicycle routes, and bicycle racks on mass transit vehicles.

While it is understandable that multi-use paths are desirable along certain roadways, it should be recognized that this requirement will add cost burdens to highway projects because these types of facilities require acquisition of wider rights-of-way.

This bill requires the Department of Transportation to work with certain groups of the bicycling community in making determinations where bikeways will not be established. The Department is already working with the biking community to update the Bike Plan Hawaii. Thus, this provision is not needed and may not name some groups that should be involved in the process.

Additionally, the bill fails to recognize that the planning and design of Oahu's mass transit system has been an ongoing undertaking by the City and County of Honolulu. This bill sets requirements on the project that may not be in keeping with Oahu's plans, may not meet federal mass transit criteria, and may impose additional financial and engineering burdens on that project. Further, if the vision is a high speed train system, it is unclear how bike racks on mass transit vehicles will allow these vehicles to move at the speed envisioned in the plan.

For the foregoing reasons, I allowed House Bill No. 497 to become law as Act 286, effective July 10, 2007, without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 652, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

RE: House Bill No. 399 HD1 SD2 CD1

On July 10, 2007, House Bill No. 399 entitled "A Bill for an Act Relating to Agriculture" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

House Bill No. 399 appropriates \$500,000 for fiscal year 2007-2008 to the Hawaii Association of Conservation Districts for the operation of the sixteen soil and water conservation districts.

The objective of this bill to support the soil and water districts in Hawaii is laudable.

Regrettably, the Legislature appropriated these funds outside of the normal budget process. These expenditures have not been included in the State's six-year financial plan and have not been weighed against other State priorities. Since I took office in 2002, I have urged the Legislature to exercise fiscal discipline and prudent financial planning by acting only after developing a comprehensive, multi-year fiscal framework. This year, as I have in all previous legislative sessions, I exercised financial discipline by developing a six-year, balanced and comprehensive financial plan prior to submitting my executive

budget. Unfortunately, the Legislature did not exercise the same fiscal responsibility by including this appropriation as part of the Executive Biennium Budget.

We would urge the Soil and Water Conservation Districts to work closely with their contacts at the federal level, including the U. S. Department of Agriculture, to identify federal resources and grants to continue the federal assistance these districts have traditionally received.

Additionally, we will work with them to effectively use the \$85,000 provided annually through the State's budget for carrying out the work of these districts.

For the foregoing reasons, I allowed House Bill No. 399 to become law as Act 287, effective July 10, 2007, without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 653, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

RE: Senate Bill No. 1047 HD2 CD1

On July 10, 2007, Senate Bill No. 1047 entitled "A Bill for an Act Relating to Highway Safety" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

Senate Bill No. 1047 will allow drivers aged 19 and 20 to drive vehicles weighing 15,000 pounds or less or carrying 15 or fewer occupants. Further, this bill prohibits the acceptance of plea-bargains by commercial drivers for traffic violations, other than parking violations.

In 2005 I vetoed a similar measure which would have allowed commercial drivers licenses to be issued to drivers under the age of 21. This measure is more limited in its scope and application and, thus, I have allowed it to become law. However, I remain concerned that national statistics continue to document that younger drivers have more accidents and exhibit less maturity of judgment in making driving decisions. I would urge the commercial transportation community to institute mandatory training for 19 and 20 year olds, a feature we requested in this bill but was not included by the Legislature.

This measure also contains language that conforms Hawaii statutes to the revised federal Motor Carrier Safety Regulations and will ensure Hawaii continues to be eligible for federal highway matching funds.

For the foregoing reasons, I allowed Senate Bill No. 1047 to become law as Act 288, effective July 10, 2007, without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 654, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 531 HD3 SD2 CD1

On July 10, 2007, House Bill No. 531 entitled "A Bill for an Act Relating to Children" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to establish a "Hawaii 3-5 Transition" task force to study the feasibility of expanding eligibility, pursuant to Part C of the Individuals with Disabilities in Education Act (IDEA), for services from the Department of Health's (DOH) Early Intervention Section to children between 3 to 5 years old who have developmental disabilities. The task force is to submit a report on its findings no later than 20 days prior to the start of the 2008 legislative session, which would be early January 2008. The task force is appropriated \$120,000 for fiscal year 2007-2008. The task force shall cease to exist at the end of the 2008 regular legislative session.

While the objectives of enriching services for early childhood care have merit, I find this bill does not provide sufficient time to study the critical issues that it requests be studied and then to prepare a comprehensive report. The Department of Education, the Department of Health (DOH), and the University of Hawaii's Center for Disability Studies have all expressed concerns that the timeline is too short to accomplish the tasks that are requested in this measure.

The task force must identify the potential number of children who would be served in this new population and who may benefit from intervention services under Part B of the IDEA; research evidence-based practices and service models; define the array of services and derive resource and cost projections; and conduct a needs assessment, including a statewide qualitative study of families of young children who are receiving special education, as well as those who have exited from intervention services.

Conducting the feasibility study will be further hampered because the final federal regulations have not been issued implementing Part B of the Individuals with Disabilities in Education Act of 2004 (PL 108-446). The proposed regulations for 34 Code of Federal Regulations Part 303 were recently published for the notice and comment period. The final federal regulations will not be issued until later this year. Thus, the task force's efforts may be premature.

In addition, this bill proposes to create a large, diverse group that is representative of the affected State agencies, providers, advocates, family members, and other stakeholders. Six months is insufficient time for the task force members to be identified, meet and develop a work plan, explore the relevant topics, develop a state-community-family consensus on issues, and draft, review, finalize, and submit a comprehensive report.

For the foregoing reasons, I allowed House Bill No. 531 to become law as Act 289, effective July 10, 2007, without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 655, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 1792 SD3 HD3 CD2

On July 10, 2007, Senate Bill No. 1792 entitled "A Bill for an Act Relating to the Hawaii Health Systems Corporation" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to create five regional boards within the Hawaii Health Systems Corporation (HHSC), to give these regional boards authority over the operation and governance of HHSC facilities that are located within their regions, to retain the central corporation and increase the membership of the HHSC Board, to exempt the HHSC Board and the regional boards from the Sunshine Laws, and to exempt the regional boards from the Public Procurement Code.

The bill contemplates that the regional boards will exercise substantial control and responsibility for the management of the HHSC facilities and other assets located in their regions, while HHSC and the HHSC Board will act upon corporation-wide matters. Regional boards will be able to retain revenues that are generated by facilities located within their regions, and the regional boards will be responsible for developing budgets and submitting them to the HHSC board for submission to the Legislature. Both HHSC and the regional boards will have authority to contract for goods, services, and construction.

I support the intent of this bill to give local regions more control over the operation of the HHSC facilities that are located in their area. However, I did not sign the bill because this bill poses a number of concerns that could adversely affect the operation of the HHSC hospitals, which is our State's "safety net" of medical facilities.

Among my concerns is this bill exempts the regional boards and the HHSC Board from Part I of this State's Sunshine Law in chapter 92, Hawaii Revised Statutes. This bill also exempts the regional boards from Hawaii's Public Procurement Code. These two exemptions remove transparency, openness, and accountability in the administration of this State's public hospitals, including the utilization of public funds by the regional boards.

Exempting the HHSC Board and the regional boards from "open meetings" requirements of the Sunshine Law means that they will no longer be required to, among other things, post notice of their meetings, allow the public to attend and testify at meetings, or make their minutes publicly available. The HHSC's Board and regional boards will be able to set policy, enter into contracts, begin or conduct lawsuits, and oversee the administration of public health facilities without wide community scrutiny or participation. Although this bill requires each regional board to hold two informational community meetings per year to take comments on the region's performance, this is a far lesser standard of public participation and scrutiny than is provided for under the Sunshine Law.

A governmental agency with the authority to expend funds also should be in compliance with the Procurement Code, which promotes the policy of fair and equitable treatment of all persons and companies who deal with the government, fosters effective broad-based competition, and increases public confidence in public procurement. Open bidding procedures

assure that the State obtains value and that potential vendors/contractors are treated fairly. The Procurement Code establishes a time-tested, fair, and reliable set of rules and processes for award of contracts. To the extent that agencies may need specific purchases to be exempted from the Code requirements, the Code provides an exemption process.

I also have concerns about the timetable for implementation of this bill. Within 15 days, I must receive a total of 120 names of candidates for the regional boards from the Senate President, House Speaker, Management Advisory Committees, and HHSC staff. Thereafter, I have 30 days to select the 60 most qualified persons--12 persons for each region.

In addition to this timetable for selecting regional board members, SB 1792 specifically provides for a new selection of HHSC corporate board members--some of whose terms will prematurely expire in December 2007 and the rest of whose terms will prematurely expire in September 2008. Even supporters of this bill have expressed concern that with a 100% turnover in the HHSC Board at the same time that the regional boards are being constituted, HHSC, as a whole, will lose the "institutional knowledge" of HHSC Board members. At the time of great change in corporate governance, vis-à-vis the constitution of the new regional boards and the sharing of authority and obligations with HHSC, it would appear unwise to have further changes in the governance of HHSC.

I also remain concerned that this bill requires the Governor to select candidates solely from enumerated lists. The Governor's ability to select the most qualified person to fill a vacancy should not be so narrowly restricted.

Additionally, I am concerned that this bill comes at a time when HHSC is facing serious fiscal difficulties and has just assumed responsibility for a new facility--Kahuku Hospital. It is my hope that funding for each respective region will be set based upon true need and not solely as a function of the political power of a respective region's elected officials.

Although I cannot in good conscience endorse this bill with my signature, I wish to reaffirm my commitment to improving the access of local communities in decision-making regarding their health care providers. I have consistently held the position for more than twenty-five years that the government which is closest to the people is the government that can best meet the needs of its citizens. It is refreshing to note that the Legislature has finally recognized this in passing this measure.

For the foregoing reasons, I allowed Senate Bill 1792 to become law as Act 290, effective July 10, 2007, without my signature.

Sincerely,

/s/

LINDA LINGLE"

Gov. Msg. No. 656, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 162 SD1 HD2 CD1

On July 10, 2007, Senate Bill No. 162, entitled "A Bill for an Act Relating to Iolani Palace" became law without my signature, pursuant to Section 16 of Article III of the

Constitution of the State of Hawaii.

The purpose of this bill is to designate a private organization, The Friends of Iolani Palace ("The Friends"), as the "State of Hawaii Museum of Monarchy History" and to exempt it from chapter 42F, Hawaii Revised Statutes, which provides standards to be met by private persons or organizations in order to receive grants or subsidies of State funds.

This bill is objectionable because the exemption from chapter 42F would allow The Friends to receive State funding without requiring it to meet the standards provided for private organizations to receive public money.

Section 4 of Article VII of the State Constitution states, "No grant of public money or property shall be made except pursuant to standards provided by law." The general standards for the grant of public money to private organizations are provided by law in chapter 42F, Hawaii Revised Statutes. This bill would exempt The Friends from the qualifying standards and conditions related to the receipt of funds under chapter 42F, but this bill does not provide substitute standards that would satisfy the requirement of "standards provided by law" that are required by Section 4 of Article VII of the State Constitution. Consequently, any public money appropriated as a grant to The Friends would be a grant made in violation of the State Constitution.

Because Senate Bill No. 162 does not make an appropriation to The Friends of Iolani Palace, this bill, in and of itself, is not unconstitutional. However, the Legislature will need to amend the bill to reinstate the standards of chapter 42F, Hawaii Revised Statutes, or provide alternate standards that meet the constitutional test before this organization could receive public moneys.

For the foregoing reasons, I allowed Senate Bill No. 162 to become law as Act 291, effective July 10, 2007, without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 657, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 138 SD1 HD1 CD1

On July 10, 2007, Senate Bill No. 138, entitled "A Bill for an Act Relating to Diamond Head State Monument" became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

This bill creates a sub-account of the State Parks Special Fund into which fifty-five percent (55%) of the proceeds of the admission fees for the Diamond Head State Monument will be allocated to be used for the maintenance, repair, and operations of the Monument.

This bill raises concerns because it could have an adverse impact on the maintenance and upkeep of our statewide system of parks.

The establishment of a sub-account within the State Parks

Special Fund may set a precedent for other revenue generating parks to request sub-accounts for their use. The State Parks Special Fund is used to support the maintenance and operation of all parks statewide. This will be the first sub-account for a special purpose in this fund. Earmarking moneys within the fund will make it difficult to allocate funds where they are needed for the operations of park facilities. The Department of Land and Natural Resources estimates funding available for other parks will decrease by approximately \$250,000, based upon fiscal year 2006-2007 revenues as a result of this measure.

It should be pointed out that Diamond Head State Monument also receives general fund money and capital improvement funds from the State Treasury, in excess of the amounts it generates. Isolating its admission fees and making it impossible to use these fees for other recreational needs will make it harder to justify using general taxpayer dollars for this particular facility.

Diamond Head State Monument is a universally recognized landmark. Providing a funding stream for this monument is an understandable objective but, unfortunately, this approach may jeopardize other natural assets within our state.

For the foregoing reasons, I allowed Senate Bill No. 138 to become law as Act 292, effective July 10, 2007, without my signature.

Sincerely,

/s/
LINDA LINGLE"

Gov. Msg. No. 658, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 810 SD2 HD1 CD1

On July 10, 2007, Senate Bill No. 810, entitled "A Bill for an Act Relating to Waimano Ridge" became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

This bill appropriates \$150,000 in fiscal year 2007-2008 and \$150,000 in fiscal year 2008-2009 to the Department of Health for operating expenses of the Waimano Ridge task force. My administration supports the work of this task force, established to give members of the community surrounding the former location of the Waimano Hospital and Training School (Waimano Ridge) an opportunity to provide input into the development of Waimano Ridge.

Because the Department of Health has existing funds within the Executive Biennium Budget to accomplish the goals of the Waimano Ridge task force, this bill is unnecessary.

The Executive Biennium Budget in Act 213 (House Bill No. 500) contains substantial appropriations for improvements to Waimano Ridge and the development of a master plan for Waimano Ridge. For fiscal year 2007-2008, a total of \$9,700,000 is appropriated in capital improvement and operating funds specifically for Waimano Ridge, including \$700,000 for the development of a master plan for the area. For fiscal 2008-2009, \$1,800,000 is specifically appropriated for Waimano Ridge building and water system improvements.

Additionally, this bill is technically flawed because it does not contain standard language that provides that "members shall not receive compensation but shall be reimbursed for necessary expenses incurred in carrying out their duties." As a result, this bill lacks the standard prohibitions that make it clear that public funds cannot be used to provide salaries or hourly compensation for task force members.

The Department of Health will continue to assist the task force in carrying out its duties as the planning and improvements work at Waimano Ridge proceeds, using resources already within its budget.

For the foregoing reasons, I allowed Senate Bill No. 810 to become law as Act 293, effective July 10, 2007, without my signature.

Sincerely,

/s/

LINDA LINGLE"

Gov. Msg. No. 659, informing the House that on July 10, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 1746 SD2

On July 10, 2007, House Bill No. 1746, entitled "A Bill for an Act Relating to Voluntary Employees' Beneficiary Association Trusts" became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

The purposes of this bill are to extend the repeal date of Act 245, Session Laws of Hawaii 2005 ("Act 245"), from July 1, 2008 to July 1, 2009; to prohibit the establishment of new voluntary employees' beneficiary association trusts ("VEBA trusts") under Act 245; and to require an employee organization that established a VEBA trust under Act 245 to submit a report to the Legislature after two full plan years of VEBA trust operations.

This bill is objectionable because, if VEBA trusts improve benefits, they likely do so for a select group of employees at the expense of others. As noted in my statement of concerns regarding the original passage of Act 245, VEBA trusts result in increased costs for employee groups that consist of older, less healthy members. This is because VEBA trusts increase adverse selection in two ways. First, bargaining units that have employees with better than average claims or loss experience can form a VEBA trust and exit the Hawaii Employer-Union Health Benefits Trust Fund ("EUTF"). This increases the average claims and loss experience for the remaining EUTF membership and tends to lead to increased rates for that remaining membership. Second, Act 245 provides for VEBA trusts to cover all future retirees but not current retirees. This causes the EUTF to be left with an increasingly older group of existing retirees, resulting in higher rates for the EUTF plans.

The provision of health benefits through a single health benefits delivery system, the EUTF, is the most effective way to control health benefits costs and meet the needs of all State and county employees, retirees, and their dependents. The EUTF was formed, in part, to: (1) eliminate the negative effect on health benefit plan rates due to adverse selection caused by employee organization sponsored health plans; (2) eliminate the

duplication of administrative costs caused by having multiple health plans for State and county employees; and (3) establish one large health plan that would have the leverage to negotiate better rates and benefits with insurance carriers and others offering health benefits plans.

As also noted in my statement of concerns regarding the original passage of Act 245, I remain concerned about the effectiveness of the safeguards in that Act against fraud or mismanagement by VEBA trustees. VEBA trusts established under Act 245 are not covered by the strict standards of the federal Employee Retirement Income and Security Act of 1974 ("ERISA"). Unlike ERISA, there is no single State agency responsible for administering and regulating VEBA trusts. No State agency has been authorized to make rules for administering and regulating VEBA trusts and no funding has been provided for such administration and regulation.

Despite these objections and concerns, I will permit the pilot program for VEBA trusts to operate through June 30, 2009, rather than June 30, 2008, as originally proposed under Act 245. The State Auditor should conduct the study required under Senate Concurrent Resolution No. 178 and submit a report to the Legislature for consideration at the 2008 legislative regular session. Based on the data in that study and report, the Legislature should make a decision on whether to terminate the VEBA trust established under Act 245 on June 30, 2008 or allow the trust to continue for one additional year. I believe under no circumstances should the VEBA pilot program be extended beyond June 30, 2009.

For the foregoing reasons, I allowed House Bill No. 1746 to become law as Act 294, effective July 10, 2007, without my signature.

Sincerely,

/s/

LINDA LINGLE"

Gov. Msg. No. 660, dated June 29, 2007, transmitting the Department of Land and Natural Resources' report Relating To The Division Of Conservation And Resources Enforcement's Efforts To Improve Electronic Report Writing, Data Collection And Retrieval For Field Inspection Reports, And Telecommunications With And Between Officer In The Field.

Gov. Msg. No. 661, dated July 13, 2007, transmitting the Department of the Attorney General's Report on Expenditures Relating to Emergency Relief for Natural Disasters.

Gov. Msg. No. 662, dated July 14, 2007, transmitting the report "Efforts to Increase the Number of High-Skilled Jobs in Targeted Industry Clusters."

Gov. Msg. No. 663, dated July 20, 2007, transmitting the Report from the Department of Transportation, as required by Act 118, Session Laws of Hawaii 2006.

Gov. Msg. No. 664, dated July 20, 2007, transmitting the Department of Land and Natural Resources' report relating to the Division of Conservation and Resources Enforcement's monthly enforcement activities for June 2007.

Gov. Msg. No. 665, dated July 20, 2007, transmitting the Department of Human Services' semi-annual TANF Progress Report.

Gov. Msg. No. 666, dated July 19, 2007, transmitting the Department of Defense's [sic] Annual Report for fiscal year ending June 30, 2006.

Gov. Msg. No. 667, dated July 16, 2007, transmitting the Department of Land and Natural Resources' report Relating to Emergency Relief Expenditures For Natural Disasters Occurring in February And March 2006 And Status Of Dam Safety Inspections And Assessments.

Gov. Msg. No. 668, dated August 3, 2007, transmitting the Department of Agriculture's Expenditure Report on the Emergency Budget Reserve Fund.

Gov. Msg. No. 669, dated August 6, 2007, transmitting the 2003-2006 Annual Report of the State of Hawaii Enterprise Zones Partnership Program prepared by the Department of Business, Economic Development and Tourism.

Gov. Msg. No. 670, dated August 8, 2007, transmitting the Department of Human Services' Report as required by Act 178, Section 162, SLH 2005, for the 4th quarter of FY 07.

Gov. Msg. No. 671, dated August 8, 2007, transmitting the Department of Human Services' Report as required by Act 178, Section 159, SLH 2005, for the 4th quarter of FY 06-07 relating to Vacancies.

Gov. Msg. No. 672, dated August 9, 2007, proclaiming July 22-28, 2007 as Conservation Week.

SENATE COMMUNICATIONS RECEIVED AFTER THE ADJOURNMENT
OF THE 2007 SPECIAL SESSION SINE DIE

Sen. Com. No. 904, informing the House that the Senate has reconsidered has this day overridden the Governor's veto by a two-thirds vote of all members to which the Senate is entitled to the following bills:

S.B. No. 932, Governor's Message No. 1041
SD 2, HD 2,
CD 1

S.B. No. 1066, Governor's Message No. 1045
SD 2, HD 2,
CD 1

S.B. No. 1191, Governor's Message No. 1046
SD 2, HD 2,
CD 1

S.B. No. 1922, Governor's Message No. 1047
SD 2, HD 1,
CD 1

H.B. No. 30, Governor's Message No. 1049
HD 2, SD 1,
CD 1

H.B. No. 310, Governor's Message No. 1051
HD 2, SD 2,
CD 2

H.B. No. 718, Governor's Message No. 1053
SD 2, CD 1

H.B. No. 1270, Governor's Message No. 1055
HD 2, SD 2,
CD 2

H.B. No. 1503, Governor's Message No. 1056
HD 1, SD 1,
CD 1

H.B. No. 1605, Governor's Message No. 1057
HD 1, SD 1,
CD 1

H.B. No. 1764, Governor's Message No. 1060
HD 1, SD 1,
CD 1

H.B. No. 1830, Governor's Message No. 1062
HD 2, SD 2,
CD 1

Sen. Com. No. 905, transmitting S.R. No. 2, entitled: "SENATE RESOLUTION INFORMING THE HOUSE AND GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE," which was adopted by the Senate on July 10, 2007.

**DEPARTMENTAL COMMUNICATION RECEIVED AFTER THE ADJOURNMENT
OF THE 2007 SPECIAL SESSION SINE DIE**

Dept. Com. No. 64, from the Research & Statistics Branch, Crime Prevention & Justice Assistance Division, Office of the Attorney General, transmitting the Crime in Hawaii 2005, A Review of Uniform Crime Reports.

NUMBER AND TITLE	Introduced Referred	First Reading	Second Reading	Third Reading	Action of Senate	Conference Committee	Final Action	Action of Governor	Further Action	Act No.	Vetoed
H.B. No. 13								8		Act 194	
H.B. No. 14								3		Act 099	
H.B. No. 15								63		Act 276	
H.B. No. 18								19		Act 263	
H.B. No. 19								18		Act 245	
H.B. No. 24								17		Act 228	
H.B. No. 25								5		Act 146	
H.B. No. 30					73			8	36		8
AGREEMENTS.								9	57		9
											19
H.B. No. 34								7		Act 192	
RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.											
H.B. No. 55								4		Act 124	
RELATING TO YOUTH SUICIDE PREVENTION.											
H.B. No. 71								17		Act 226	
RELATING TO NURSE AIDES.											
H.B. No. 90								17		Act 227	
RELATING TO INSURANCE.											
H.B. No. 91								8			8
RELATING TO PUBLIC ACCOUNTANCY.								9			9
											19
H.B. No. 104								5		Act 131	
RELATING TO HEALTH.											
H.B. No. 116								7		Act 171	
RELATING TO TELECOMMUNICATIONS.											
H.B. No. 122								61		Act 272	
RELATING TO STATE FUNDS.											
H.B. No. 154								8		Act 198	
RELATING TO MOTOR VEHICLE SAFETY.											
H.B. No. 155								4		Act 121	
RELATING TO THE DEPARTMENT OF TRANSPORTATION.											
H.B. No. 162								6		Act 167	
RELATING TO STATE FINANCES.											
H.B. No. 211								3		Act 086	
RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC.											
H.B. No. 212								17		Act 219	
RELATING TO HEALTH CARE.											

NUMBER AND TITLE	Introduced Referred	First Reading	Second Reading	Third Reading	Action of Senate	Conference Committee	Final Action	Action of Governor	Further Action	Act No.	Vetoed
H.B. No. 226 RELATING TO GREENHOUSE GAS EMISSIONS.								18		Act 234	
H.B. No. 249 RELATING TO HUNTING TOURISM.								5		Act 129	
H.B. No. 250 RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION.								4		Act 127	
H.B. No. 260 RELATING TO APPRAISALS OF RESOURCE VALUE LANDS.								6		Act 158	
H.B. No. 272 RELATING TO CAPTIVE INSURANCE COMPANIES.								18		Act 232	
H.B. No. 275 RELATING TO THE UNIFORM ATHLETE AGENTS ACT.								18		Act 248	
H.B. No. 277 RELATING TO FEES FOR WINDSHIELD PLACARDS FOR PERSONS WITH DISABILITIES.								2		Act 077	
H.B. No. 310 RELATING TO TECHNOLOGY.					73			8 10	32 57		8 10 20
H.B. No. 317 RELATING TO PROFESSIONAL EMPLOYMENT ORGANIZATIONS.								17		Act 225	
H.B. No. 334 RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY.								17		Act 229	
H.B. No. 349 RELATING TO COUNTY REGULATION OF COMMERCIAL BICYCLE TOURS.								7		Act 181	
H.B. No. 367 RELATING TO SUBSTANCE ABUSE.								7		Act 178	
H.B. No. 375 RELATING TO PEDESTRIANS' RIGHT OF WAY.								4		Act 125	
H.B. No. 399 RELATING TO AGRICULTURE								67		Act 287	
H.B. No. 400 RELATING TO AGRICULTURE.								18		Act 238	
H.B. No. 402 RELATING TO THE LAND CONSERVATION FUND.								5		Act 145	
H.B. No. 429 RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SACRED HEARTS ACADEMY.								4		Act 117	

NUMBER AND TITLE	Introduced Referred	First Reading	Second Reading	Third Reading	Action of Senate	Conference Committee	Final Action	Action of Governor	Further Action	Act No.	Vetoed
H.B. No. 436								8 10			8 10 20
H.B. No. 487								18		Act 249	
H.B. No. 497								67		Act 286	
H.B. No. 500								17		Act 213	
H.B. No. 504								4		Act 118	
H.B. No. 506								4		Act 128	
H.B. No. 507								61		Act 270	
H.B. No. 513								7		Act 184	
H.B. No. 531								68		Act 289	
H.B. No. 575								8		Act 201	
H.B. No. 581								4		Act 119	
H.B. No. 598								62		Act 275	
H.B. No. 667								17		Act 231	
H.B. No. 692								2		Act 083	
H.B. No. 714								4		Act 109	
H.B. No. 718					73			8 10	33 57 58		8 10 21
H.B. No. 751								4		Act 123	
H.B. No. 767								65		Act 282	
H.B. No. 776								7		Act 185	
H.B. No. 777								62		Act 273	
H.B. No. 791								5		Act 130	
H.B. No. 807								3		Act 093	

NUMBER AND TITLE	Introduced Referred	First Reading	Second Reading	Third Reading	Action of Senate	Conference Committee	Final Action	Action of Governor	Further Action	Act No.	Vetoed
H.B. No. 831								3		Act 100	
H.B. No. 833								19		Act 259	
H.B. No. 835								8		Act 203	
H.B. No. 843								4		Act 113	
H.B. No. 855								8 10			8 10 21
H.B. No. 869	MAKING AN APPROPRIATION FOR A STUDY ON ENERGY EFFICIENT TRANSPORTATION STRATEGIES.							18		Act 254	
H.B. No. 870	RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU.							6		Act 165	
H.B. No. 895	RELATING TO MOTOR VEHICLES.							60		Act 269	
H.B. No. 899	RELATING TO INTEGRATED STRATEGIES FOR STATEWIDE FOOD AND ENERGY CROP PRODUCTION.							59		Act 266	
H.B. No. 928	RELATING TO SOCIAL SERVICES.							18		Act 237	
H.B. No. 964	RELATING TO SUBSTANCE ABUSE.							7		Act 179	
H.B. No. 1003	RELATING TO ENERGY.							18		Act 253	
H.B. No. 1004	RELATING TO CONSUMER ADVOCACY.							7		Act 183	
H.B. No. 1005	RELATING TO THE PUBLIC UTILITIES COMMISSION.							7		Act 177	
H.B. No. 1008	RELATING TO CHILDREN'S HEALTH CARE.							18		Act 236	
H.B. No. 1014	RELATING TO EDUCATION.							64		Act 280	
H.B. No. 1044	RELATING TO PRESCRIPTION DRUGS.							3		Act 092	
H.B. No. 1063	RELATING TO THE HAWAII NATIONAL GUARD.							2		Act 075	
H.B. No. 1083	RELATING TO HIGH TECHNOLOGY.							59		Act 267	
H.B. No. 1130	RELATING TO CAMPAIGN SPENDING.							8		Act 200	
H.B. No. 1155	RELATING TO CRIMINAL PROPERTY DAMAGE.							3		Act 098	

NUMBER AND TITLE	Introduced Referred	First Reading	Second Reading	Third Reading	Action of Senate	Conference Committee	Final Action	Action of Governor	Further Action	Act No.	Vetoed
H.B. No. 1171								7		Act 191	
H.B. No. 1200								6		Act 170	
H.B. No. 1207								18		Act 240	
H.B. No. 1210								4		Act 122	
H.B. No. 1211								17		Act 218	
H.B. No. 1212								6		Act 169	
H.B. No. 1220								4		Act 120	
H.B. No. 1221								17		Act 221	
H.B. No. 1227								2		Act 067	
H.B. No. 1231								2		Act 076	
H.B. No. 1246								8		Act 197	
H.B. No. 1253								3		Act 088	
H.B. No. 1256								6		Act 154	
H.B. No. 1264								7		Act 186	
H.B. No. 1270					73			8 11	34 57 58		8 11 22
H.B. No. 1291								17		Act 215	
H.B. No. 1306								3		Act 095	
H.B. No. 1307								8		Act 202	
H.B. No. 1322								17		Act 214	
H.B. No. 1323								17		Act 224	
H.B. No. 1334								6		Act 155	

NUMBER AND TITLE	Introduced Referred	First Reading	Second Reading	Third Reading	Action of Senate	Conference Committee	Final Action	Action of Governor	Further Action	Act No.	Vetoed
H.B. No. 1337 RELATING TO THE DEATH CARE INDUSTRY.								7		Act 188	
H.B. No. 1338 MAKING EMERGENCY APPROPRIATIONS FOR THE DIVISION OF CONSUMER ADVOCACY.								2		Act 068	
H.B. No. 1345 MAKING AN EMERGENCY APPROPRIATION FOR NATURAL DISASTERS.								2		Act 078	
H.B. No. 1352 ESTABLISHING A COMMISSION TO PLAN FOR THE FIFTIETH ANNIVERSARY OF HAWAII STATEHOOD.								5		Act 140	
H.B. No. 1361 RELATING TO HOUSING.								7		Act 193	
H.B. No. 1364 RELATING TO THE STATE RENT SUPPLEMENT PROGRAM.								17		Act 223	
H.B. No. 1368 RELATING TO THE HOSPITAL AND MEDICAL FACILITIES SPECIAL FUND.								3		Act 090	
H.B. No. 1370 MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION.								1		Act 066	
H.B. No. 1372 MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH.								1		Act 065	
H.B. No. 1379 RELATING TO EMPLOYMENT SECURITY LAW.								2		Act 070	
H.B. No. 1399 RELATING TO INCARCERATED PERSONS.								3		Act 097	
H.B. No. 1411 RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE.								3		Act 084	
H.B. No. 1435 RELATING TO THE STATE OF HAWAII ENDOWMENT FUND.								6		Act 156	
H.B. No. 1477 RELATING TO RURAL PRIMARY HEALTH CARE TRAINING.								63		Act 277	
H.B. No. 1493 RELATING TO THE CRIME VICTIM COMPENSATION COMMISSION.								8		Act 199	
H.B. No. 1500 RELATING TO EMPLOYMENT SECURITY.								4		Act 110	
H.B. No. 1503 RELATING TO EMPLOYMENT.					73			8 11	35 57 58		8 11 22

NUMBER AND TITLE	Introduced Referred	First Reading	Second Reading	Third Reading	Action of Senate	Conference Committee	Final Action	Action of Governor	Further Action	Act No.	Vetoed
H.B. No. 1518								8		Act 207	
H.B. No. 1529								4		Act 112	
H.B. No. 1567								5		Act 134	
H.B. No. 1568								5		Act 132	
H.B. No. 1569								5		Act 133	
H.B. No. 1570								5		Act 135	
H.B. No. 1572								5		Act 136	
H.B. No. 1605					73			8 11	38 57 58		8 11 23
H.B. No. 1608								5		Act 141	
H.B. No. 1612								7		Act 189	
H.B. No. 1614								7		Act 180	
H.B. No. 1628								6		Act 164	
H.B. No. 1630								61		Act 271	
H.B. No. 1631								8		Act 206	
H.B. No. 1641								2		Act 071	
H.B. No. 1646								7		Act 174	
H.B. No. 1659								8 11			8 11 23
H.B. No. 1670								8 11			8 11 23

NUMBER AND TITLE	Introduced Referred	First Reading	Second Reading	Third Reading	Action of Senate	Conference Committee	Final Action	Action of Governor	Further Action	Act No.	Vetoed
H.B. No. 1719								18		Act 239	
H.B. No. 1721								2		Act 079	
H.B. No. 1746								9 12 71		Act 294	9 12
H.B. No. 1757								16		Act 209	
H.B. No. 1764					73			9 12			9 12 24
H.B. No. 1787								6		Act 157	
H.B. No. 1818								9 12			9 12 25
H.B. No. 1830					73			9 12	40 57 58		9 12 25
H.B. No. 1833								18		Act 251	
H.B. No. 1866								64		Act 279	
H.B. No. 1899								18		Act 235	
H.B. No. 1902								6		Act 160	
H.B. No. 1907								6		Act 153	
H.B. No. 1931								5		Act 143	

NUMBER AND TITLE	Offered	Referred	Report of Committee	Adoption
H.R. No. 1 AUTHORIZING THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO APPROVE THE JOURNAL OF THIS HOUSE OF ANY LEGISLATIVE DAY BEING COMPILED AS OF THE 1ST LEGISLATIVE DAY.	57			57
H.R. No. 2 AUTHORIZING AND DIRECTING THE COMMITTEE ON THE JOURNAL TO COMPILE AND PRINT THE JOURNAL OF THE HOUSE OF REPRESENTATIVES, SPECIAL SESSION OF 2007, PURSUANT TO RULE 18 OF THE RULES OF THE HOUSE OF REPRESENTATIVES.	57			57

NUMBER AND TITLE	Received Referred	First Reading	Second Reading	Third Reading	Action of Senate	Conference Committee	Final Action	Action of Governor	Further Action	Act No.	Vetoed
S.B. No. 12 REGULATION.								7		Act 175	
S.B. No. 17								18		Act 246	
S.B. No. 46								9 13			9 13 26
S.B. No. 55								2		Act 072	
S.B. No. 56								3		Act 087	
S.B. No. 58								7		Act 176	
S.B. No. 98								3		Act 105	
S.B. No. 138 MONUMENT.								9 13 70		Act 292	9 13
S.B. No. 139								3		Act 102	
S.B. No. 148								17		Act 210	
S.B. No. 149								6		Act 168	
S.B. No. 162								9 13 69		Act 291	9 13
S.B. No. 188								17		Act 217	
S.B. No. 228								8		Act 196	
S.B. No. 249 FATHERHOOD.								7		Act 190	
S.B. No. 323								8		Act 195	
S.B. No. 600								6		Act 166	
S.B. No. 603								4		Act 115	
S.B. No. 613								9 13			9 13 26
S.B. No. 618								3		Act 101	

NUMBER AND TITLE	Received Referred	First Reading	Second Reading	Third Reading	Action of Senate	Conference Committee	Final Action	Action of Governor	Further Action	Act No.	Vetoed
S.B. No. 620 RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PREPARATORY ACADEMY.								4		Act 116	
S.B. No. 667 RELATING TO MENTAL HEALTH COUNSELORS.								18		Act 252	
S.B. No. 678 RELATING TO GENERAL EXCISE TAX.								7		Act 173	
S.B. No. 686 RELATING TO EDUCATIONAL ASSISTANTS.								62		Act 274	
S.B. No. 688 RELATING TO EDUCATION.								65		Act 281	
S.B. No. 709 RELATING TO ECONOMIC DEVELOPMENT.								5		Act 148	
S.B. No. 755 RELATING TO COUNTY ETHICS COMMISSIONS.								9 13			9 13 27
S.B. No. 784 RELATING TO DRIVER LICENSING.								2		Act 074	
S.B. No. 795 RELATING TO BUILDING CODES.								2		Act 082	
S.B. No. 798 RELATING TO DISASTER RELIEF.								3		Act 089	
S.B. No. 810 RELATING TO WAIMANO RIDGE.								9 14 70		Act 293	9 14
S.B. No. 837 RELATING TO AGRICULTURE.								9 14			9 14 27
S.B. No. 840 RELATING TO KIKALA-KEOKEA.								2		Act 073	
S.B. No. 866 RELATING TO TOURISM.								7		Act 187	
S.B. No. 870 RELATING TO THE DESIGNATION OF A HAWAII ARCHAEOLOGICAL DATA SURVEY.								9 14			9 14 27
S.B. No. 880 RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE.								17		Act 230	
S.B. No. 885 RELATING TO EDUCATION.								4		Act 111	
S.B. No. 896 RELATING TO HIGH TECHNOLOGY.								6		Act 150	
S.B. No. 905 RELATING TO HEALTH.											
S.B. No. 907 RELATING TO AEROSPACE DEVELOPMENT.								6		Act 149	

NUMBER AND TITLE	Received Referred	First Reading	Second Reading	Third Reading	Action of Senate	Conference Committee	Final Action	Action of Governor	Further Action	Act No.	Vetoed
S.B. No. 914 RELATING TO MENTAL HEALTH ISSUES OF COMMITTED PERSONS.								5		Act 144	
S.B. No. 920 RELATING TO CONDOMINIUMS.								18		Act 243	
S.B. No. 921 RELATING TO CONDOMINIUM ASSOCIATION RECORDS.								18		Act 241	
S.B. No. 932 RELATING TO A COMPREHENSIVE OFFENDER REENTRY SYSTEM.					73			9 14	45 57 58	Act 008 Special Session	9 14 28
S.B. No. 946 RELATING TO ADMINISTRATIVE LICENSE REVOCATION.								9 15			9 15 28
S.B. No. 987 RELATING TO RENEWABLE ENERGY.								8		Act 205	
S.B. No. 990 RELATING TO PETROLEUM INDUSTRY MONITORING.								7		Act 182	
S.B. No. 992 RELATING TO ENERGY.								3		Act 103	
S.B. No. 1004 RELATING TO PSYCHOLOGISTS.								9 15			9 15 29
S.B. No. 1008 RELATING TO ANNUITIES.								19		Act 257	
S.B. No. 1017 RELATING TO HOUSING.								8		Act 208	
S.B. No. 1026 RELATING TO SOLID WASTE.								66		Act 285	
S.B. No. 1047 RELATING TO HIGHWAY SAFETY.								68		Act 288	
S.B. No. 1060 RELATING TO WORKERS' COMPENSATION LAW.								9 15			9 15 30
S.B. No. 1066 RELATING TO INVASIVE SPECIES.					73			9 15	46 57 58	Act 009 Special Session	9 15 30
S.B. No. 1115 RELATING TO PERINATAL CARE.								5		Act 147	
S.B. No. 1133 RELATING TO TAXATION.								19		Act 258	
S.B. No. 1154 RELATING TO THE UNIVERSITY OF HAWAII.								6		Act 161	
S.B. No. 1161 RELATING TO DOMESTIC ABUSE.								4		Act 108	

NUMBER AND TITLE	Received Referred	First Reading	Second Reading	Third Reading	Action of Senate	Conference Committee	Final Action	Action of Governor	Further Action	Act No.	Vetoed
S.B. No. 1170								4		Act 107	
S.B. No. 1174								18		Act 250	
S.B. No. 1182								3		Act 096	
S.B. No. 1191					73			9 15	48 57 58	Act 010 Special Session	9 15 31
S.B. No. 1210								6		Act 162	
S.B. No. 1222								6		Act 151	
S.B. No. 1228								6		Act 163	
S.B. No. 1283								9 16 19		Act 264	9 16
S.B. No. 1284								19		Act 256	
S.B. No. 1315								7		Act 172	
S.B. No. 1365								19		Act 260	
S.B. No. 1372								4		Act 126	
S.B. No. 1382								5		Act 137	
S.B. No. 1388								5		Act 138	
S.B. No. 1400								3		Act 094	
S.B. No. 1402								2		Act 080	
S.B. No. 1410								18		Act 233	
S.B. No. 1425								2		Act 081	
S.B. No. 1515								5		Act 139	

NUMBER AND TITLE	Received Referred	First Reading	Second Reading	Third Reading	Action of Senate	Conference Committee	Final Action	Action of Governor	Further Action	Act No.	Vetoed
S.B. No. 1528								2		Act 069	
S.B. No. 1529								3		Act 085	
S.B. No. 1603								6		Act 152	
S.B. No. 1614								60		Act 268	
S.B. No. 1654								18		Act 242	
S.B. No. 1665								4		Act 114	
S.B. No. 1672								66		Act 284	
S.B. No. 1674								19		Act 255	
S.B. No. 1675								3		Act 091	
S.B. No. 1676								63		Act 278	
S.B. No. 1704								18		Act 244	
S.B. No. 1718								19		Act 261	
S.B. No. 1750								17		Act 216	
S.B. No. 1779								3		Act 106	
S.B. No. 1792								69		Act 290	
S.B. No. 1803								18		Act 247	
S.B. No. 1820								17		Act 220	
S.B. No. 1833								9 16 59		Act 265	9 16
S.B. No. 1853								17		Act 212	
S.B. No. 1882								17		Act 211	
S.B. No. 1916								8		Act 204	
S.B. No. 1917								17		Act 222	

NUMBER AND TITLE	Received Referred	First Reading	Second Reading	Third Reading	Action of Senate	Conference Committee	Final Action	Action of Governor	Further Action	Act No.	Vetoed
S.B. No. 1922					73			9 16	54 57 58	Act 011 Special Session	9 16 31
S.B. No. 1924 THE STATE.								3		Act 104	
S.B. No. 1929								5		Act 142	
S.B. No. 1931								65		Act 283	
S.B. No. 1943								6		Act 159	
S.B. No. 1946								19		Act 262	
S.B. No. 1947 FOR THE DEPOSIT BEVERAGE CONTAINER PROGRAM.								1		Act 064	
S.B. No. 1988								9 16			9 16 32