

TWENTIETH DAY

Thursday, February 14, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:06 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Pastor Charles Couch of Calvary Chapel West O'ahu, after which the Roll was called showing all members present with the exception of Representatives Bertram and M. Oshiro, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the Eighth, Ninth and Tenth Days were approved. (Representatives Bertram and M. Oshiro were excused.)

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 261) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 261, informing the House that on February 13, 2008, the following bill was signed into law:

H.B. No. 2688, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN." (ACT 001)

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 15) was received and announced by the Clerk:

Sen. Com. No. 15, transmitting S.B. No. 2549, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC AUTOMOBILES," which passed Third Reading in the Senate on February 13, 2008.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bill passed First Reading by title and further action was deferred: (Representative M. Oshiro was excused.)

S.B. No. 2549, SD 1

INTRODUCTIONS

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

Representative Nishimoto, on behalf of Representatives Saiki, Brower and himself, introduced the 4th grade students of Ala Wai Elementary School. They were accompanied by their teachers: Ms. Shelly Furutani, Ms. Florence Kawamura, and Ms. Karen Yamasaki; Counselor, Mr. Jarrett Makaimoku; and chaperones, Ms. Dai Young Jung, Ms. Stella Kutaka, Ms. Aslain Joel, Ms. Naomi Horowitz, and Ms. Rita Pasalo.

Representative Takai introduced Mr. Brady Pilster of Utah, minter of the Hawaii Medal of Honor and commemorative coin. He was accompanied by his Office Manager, Ms. Lisa Vargas.

Representative Magaoy introduced Mr. William Carleton, Executive Director of the Ohio Capitol Square Review and Advisory Board, and his wife, Mrs. Pat Carleton who were on vacation.

Representative Takai then introduced Ms. Lari Yasui, former HSTA PAC Chair along with her granddaughter and friends from Orlando, Florida.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

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

H.C.R.Nos.Referred to:

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| 73 | Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance |
| 74 | Committee on Public Safety & Military Affairs, then to the Committee on Finance |
| 75 | Jointly to the Committee on Agriculture and the Committee on Public Safety & Military Affairs, then to the Committee on Finance |
| 76 | Committee on Energy & Environmental Protection, then to the Committee on Finance |

The following bill was referred to committee by the Speaker:

S.B.No.Referred to:

- | | |
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| 2252 | Committee on Judiciary |
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COMMITTEE REASSIGNMENTS

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

H.B.Nos.Re-referred to:

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| 1075 | Committee on Economic Development & Business Concerns |
| 2224 | Committee on Health, then to the Committee on Consumer Protection & Commerce |
| 2291, HD1 | Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance |
| 2357 | Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance |

STANDING COMMITTEE REPORTS

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 395-08) recommending that H.B. No. 2772, HD 1, as amended in HD 2, be referred to the Committee on Finance.

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

was adopted and H.B. No. 2772, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 396-08) recommending that H.B. No. 2693, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2693, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIAL SELECTION COMMISSION," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 397-08) recommending that H.B. No. 3293, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3293, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On Stand. Com. Rep. No. 397, which has to do with the Constitutional Convention, I speak in favor with a couple comments. Mr. Speaker, this is a very important bill in that for 30 years we have not had a Constitutional Convention. I commend the authors for moving ahead of this, and with it.

"But I wanted to draw the attention of the body regarding what was the latest omnibus survey of Hawaii residents in regard to the Constitutional Convention. I believe most of the people want one, except they said there are some limits regarding the cost they are willing to bear. It's said if the cost is \$20 million, 75 percent would disapprove it. If the cost was \$15 to \$19 million, 65 percent would disapprove it. And if it was \$10 to \$14 million, still Mr. Speaker a majority of people in the State of Hawaii, if this is an accurate assessment of what they've given, 53 percent are opposed to a Constitutional Convention.

"So what am I saying? Why am I standing up? Because if this goes to the Finance Committee, I think it's a message to all the members of the Committee, it's a message to the Members of this body. If it's too expensive, if we do paper ballots rather than Internet voting and other kinds of innovative and creative things that are not so expensive, I think it will go the way that each vote has done in the past where blank votes are no-votes. And if people aren't showing up because of the costs and they stay out of it, it's going to be very difficult.

"So I say this as an encouragement for the Constitutional Convention, but as a caution because of the costs. The people of Hawaii, which are increasingly having the cost of living go up and they feel very frustrated, perhaps they might not be willing to go beyond these, at least \$10 to \$14 million. Beyond that I think it's beyond sight. So I think we've got to say \$5 to \$10 million if we're going to get in the ballpark. Thank you very much."

At 12:18 o'clock p.m., Representative Ching requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:19 o'clock p.m.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3293, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A CONSTITUTIONAL CONVENTION," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 398-08) recommending that H.B. No. 3053, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3053, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 399-08) recommending that H.B. No. 3056, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3056, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE VI OF THE CONSTITUTION OF THE STATE OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 400-08) recommending that H.B. No. 2463, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2463, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 401-08) recommending that H.B. No. 2847, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2847, entitled: "A BILL FOR AN ACT RELATING TO CONDITIONAL LICENSE PERMITS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 402-08) recommending that H.B. No. 2856, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2856, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 403-08) recommending that H.B. No. 2273, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2273, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 404-08) recommending that H.B. No. 2039, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2039, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 405-08) recommending that H.B. No. 2207, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2207, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DISASTER RELIEF," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 406-08) recommending that H.B. No. 2757, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2757, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Ching rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, on page 4, Stand. Com. Rep. 406-08, my husband works for Hawaii Medical Center and I would like to disclose this," and the Chair ruled, "no conflict."

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

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I am in strong support of Standing Committee Report 406-08 and House Bill 2757, Relating to Hospitals. This bill would establish a program in the Department of Health to make or guarantee loans to hospitals for capital improvements, equipment, supplies, materials, or working capital. If passed, this measure would provide the State with a strategic tool with which it can enable hospitals such as the Hawaii Medical Center (HMC) to respond effectively to Hawaii's need for affordable, high-quality health care to Hawaii's most underserved patients.

"I urge my colleagues to support this measure and to pass it through so that the HMC can continue to remain solvent and active in providing care to the rapidly growing destitute patient population."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2757, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," passed

Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 407-08) recommending that H.B. No. 2758, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2758, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I am in strong support of Standing Committee Report 407-08 and House Bill 2757, Relating to Health, which requires the Department of Taxation to defer general excise tax collection for a for-profit hospital group that provides services to an annual patient population consisting of sixty per cent or more uninsured, Medicaid and Medicare patients for hospital operations.

"This deferment is necessary to help keep hospitals like the Hawaii Medical Center solvent during a transitional period - so they can continue to provide medical services to this underserved population. In return, HMC will be operating like a nonprofit, in that it will not be making any distributions during this deferment period, but instead is committed to investing all its resources in its facilities, operations and services in order to continue to serve this rapidly growing destitute patient population.

"The survival of the HMC is critical, as they service 8,000 inpatients for over 75,000 patient days annually. This does not include the thousands of outpatients that are also served annually and the unique services provided by HMC that other hospitals are not able to absorb. In addition, HMC employs over one thousand employees who contribute hundreds of thousands of dollars in federal and State income taxes that help support the economy of our State.

"I ask my colleagues to recognize the need for this measure to ensure continued service to the underserved, and ask them humbly to pass this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2758, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 408-08) recommending that H.B. No. 3249, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3249, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representatives Souki and Ito, for the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 409-08) recommending that H.B. No. 3406, pass Second Reading and be referred to the Committee on Finance.

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

was adopted and H.B. No. 3406, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL HARBORS MODERNIZATION," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 410-08) recommending that H.B. No. 2042, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2042, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 411-08) recommending that H.B. No. 2346, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2346, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERING THE WELFARE OF A MINOR," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 412-08) recommending that H.B. No. 3133, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3133, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY REPORTING OF CHILD ABUSE AND NEGLECT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 413-08) recommending that H.B. No. 3379, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3379, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 414-08) recommending that H.B. No. 2238, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2238, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 415-08) recommending that H.B. No. 2513, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2513, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION TO THE DWELLING UNIT REVOLVING FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 416-08) recommending that H.B. No. 2047, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2047, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 417-08) recommending that H.B. No. 2425, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2425, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENIOR CENTERS," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 418-08) recommending that H.B. No. 2761, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 2761, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WOMEN'S HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 419-08) recommending that H.B. No. 2816, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 2816, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 420-08) recommending that H.B. No. 1629, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1629, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATION INCOME TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 421-08) recommending that H.B. No. 2559, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2559, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNCLAIMED PROPERTY ACT," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 422-08) recommending that H.B. No. 3060, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3060, HD 2, entitled: "A BILL FOR AN ACT AUTHORIZING THE RESALE OF RESERVED HOUSING UNITS BY THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 423-08) recommending that H.B. No. 2512, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2512, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 424-08) recommending that H.B. No. 2735, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2735, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I rise in support with a comment on 424, relating to public housing and an allocation of funds to hire three security guards at Mayor Wright housing. This is an important and essential bill for the safety and security of the residents, however my comment Mr. Speaker is that while worthwhile, I'm afraid the bill is symptomatic of how micromanaging we are becoming.

"I know all of our areas have many, many needs, but if we've got to pass a piece of legislation just to get three security guards, either the departments aren't doing their job, or we're having to do their job for them. And I know this is worthwhile, but it seems as though if we really did everything that was needed by everybody in all of our districts in all of the State, we would probably have a full time Legislature, we'd probably be here 24/7 in order to do those things.

"So it's a good bill, but it's symptomatic of the creeping micromanagement that I think this body needs to be aware of. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2735, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 425-08) recommending that H.B. No. 2588, HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2588, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 426-08) recommending that H.B. No. 3309, HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3309, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 427-08) recommending that H.B. No. 2519, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2519, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 428-08) recommending that H.B. No. 2881, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, and the report of the Committee was adopted and H.B. No. 2881, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 429-08) recommending that H.B. No. 3398, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3398, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I am in strong support of Standing Committee Report 429-08 and House Bill 3398, Relating to Foreign Language Programs. I heard this measure in your Committee on International Affairs and received much spirited testimony in support of the need for Philippine language studies.

"In the United States of America, there are four million persons of Philippine descent. Across the world, in Saudi Arabia there are 800,000, in Japan, there are 300,000. All around the world this is a growing population, and as such, to be competitive in this increasingly networked world, a competency in Philippine languages will be increasingly necessary.

"I ask my colleagues to please support this measure and pass it through."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3398, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FOREIGN LANGUAGE PROGRAMS," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 430-08) recommending that H.B. No. 2887, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2887, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TATTOOING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 431-08) recommending that H.B. No. 3262, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3262, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HONOLUA BAY," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 432-08) recommending that H.B. No. 3391, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3391, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 433-08) recommending that H.B. No. 2358, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2358, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 434-08)

recommending that H.B. No. 2607, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2607, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On Standing Committee Report No. 434, relating to land use on the North Kohala coastline, I'd like have a vote cast with reservations, Mr. Speaker. And my reason, Mr. Speaker is that most of the land is under State control and by changing its land use classification, we may be prohibiting the State from doing certain things that would be to the benefit of the community in the conservation district. Thank you."

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

"Mr. Speaker, I stand in strong support with brief comments. The community has been working many, many years on this part of the coast, on the North Kohala coast and it's *makai* of the highway.

"Anyone who drives out of Kawaihae up to Hawi knows that it's a narrow strip of land, it's not very deep between the highway and the ocean. What we know is that King Kamehameha, that was his coastline, his birth place is in that area. There are a lot of artifacts, a lot of heritage, and also a lot of culture in that area. I think the community believes this is really an asset that we need to preserve in open space, as well as preserving all the culture that's there. So I ask for everybody's support. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2607, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 435-08) recommending that H.B. No. 2364, HD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2364, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SAFETY OF MINORS ON ALL-TERRAIN VEHICLES," was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 436-08) recommending that H.B. No. 3089, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3089, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 437-08) recommending that H.B. No. 2308, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2308, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like to ask for a ruling on a potential conflict for Stand. Com. Report 437-08. At my law firm, I represent a number of non-profits and charitable organizations. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2308, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE ORGANIZATIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 438-08) recommending that H.B. No. 2326, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 2326, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 439-08) recommending that H.B. No. 3088, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 3088, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL MORTGAGE PRACTICES," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representatives Yamane and Yamashita, for the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 440-08) recommending that H.B. No. 3196, HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 3196, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE SURCHARGE TAX," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representatives Yamane and Ito, for the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 441-08) recommending that H.B. No. 2323, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2323, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On Standing Committee Report No. 441, relating to resort beach restoration, I would like to have a vote with reservations cast for me please. Mr. Speaker, my concern is that this places resort beaches in priority over our other beaches used by our communities throughout the State. Thank you."

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

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

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

"Also with reservations, Mr. Speaker, primarily because so many of these beach restorations, the original restorations in Waikiki actually wiped out the reef that was beautiful there. It was right off the coast and it is now covered in sand. So I'm concerned that a lot of these things aren't being done looking at the whole ecosystem, especially in this year of the reef. So we need to look at not just the beaches, but the reef as well."

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

"Thank you Mr. Speaker, in support of Standing Committee Report 441. For about 50 years we've had serious erosion problems in Waikiki. This measure is looking for both public and private sector support. These are the beaches in an area that generates approximately 10 to 12 percent of our economy here.

"So I just am very glad that this is going through. I don't think it is a perfect bill, but its one that I think needs support and more discussion needs to take place if we're going to bring people and keep Waikiki as the capital of the world. Thank you."

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

"Mr. Speaker, I'm standing in strong support. Mr. Speaker, this bill will create a subaccount within the current account in the Department of Land and Natural Resources. We made it very clear to the Department that we do not want this to alter their priorities regarding beach restoration.

"Actually what this does is, for Members' clarification, it allows a different type of funding mechanism to allow private, county, as well as a tourism association to team up with government to make needed changes in beaches. This is an opportunity and discussion process which will promote and further develop areas that are being hardest hit through tourism. Thank you, Mr. Speaker."

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

"In support. Just real quickly. I know it says, 'resort beaches', but many of these beaches are used by public quite extensively and this benefits the public. It definitely benefits the public from surfing, to diving, to just going to the beach on Sunday. The public really uses these beaches. I just hope that Members will look at that. And although the title says, 'resort beaches', I believe that these beaches are a great asset to the public and are used heavily by the public as well. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2323, HD 1, entitled:

"A BILL FOR AN ACT RELATING TO BEACHES," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 442-08) recommending that H.B. No. 2566, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2566, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 443-08) recommending that H.B. No. 2301, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2301, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I rise with reservations on Stand. Com. Report No. 443, Relating to Dentistry, which is not really relating to dentistry in that it says it will be unlawful to interfere in the practice of dentistry, and it will be unlawful for the practice of dentistry in the commercial or mercantile establishment.

"To boil it down this is an anti-Costco, anti-Wal-Mart, anti- if you will, allowing the people of Hawaii who are drowning under the cost of living to have a chance to perhaps get something a little less expensive. I don't think we should deny the people of Hawaii this service. In the hearing, it was said what if at 3:00 in the morning you need dental surgery? This is not going to take away the practice of dentistry and dental surgeons that already exist to take care of those things. But this is giving the people of Hawaii an option. If Costco or Wal-Mart or whoever wants to bring in dentists, as they have optometrists and others, in order to facilitate and make it easier, as well less expensive, I don't think we should have this anti-trade kind of bill coming across our desk.

"So if this is related to dentistry, I think its anti-Wal-Mart, it's anti-Costco, it's anti-savings to the people of Hawaii. Thank you, Mr. Speaker."

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

"Mr. Speaker, I am standing in support. In Committee, the way we understood this bill was that the other doctors in town who have offices elsewhere other than these big establishments where you can't get in on a 24 hour basis, these doctors are held to be the ones that have to wake up in the middle of the night and pick up other dentists' clients.

"I know that in the dental and medical profession, since they work all day, it's really a big deal for them to be awaked at certain hours in the morning or at night to attend to their patients, which they most definitely will attend to if it's their own patient. They would feel obligated to do that. But I feel there is a lot of hesitation amongst dentists to service patients of other dentists who cannot, because the facilities that they have would not allow them to do so. So I think it is as simple as that, Mr. Speaker. Thank you."

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

"Thank you, Mr. Speaker. Very briefly in support. I would reiterate some of those premises. If a dental office is open in a Costco or a Wal-Mart or Kmart and a patient has terrible abscess or something late at night, that patient who is in the practice of the dentist working there will not be able to have their dentist take care of them, and that creates an imbalance in the entire profession of dentistry. That was the premise of the bill.

"It was not an easy call for this bill in Health Committee, but dentists, unlike a lot of other professions, can't send people to the ER for that surgery. And they can't do a house-call because they have to have very expensive equipment that is built into their office. They can't move it. They can't take it to do the surgery. So if we don't come to an accommodation with this bill, what we will be doing is we'll have dentists that are able to perform their discipline only during work hours, but then during the after hours, those who sign up with those dentists won't be getting full services.

"This was an attempt by my reading, from the dental community, to have a really comprehensive approach to their practice. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"Mr. Speaker. Just a brief rebuttal. Number one, I don't believe there's a Hippocratic oath that says either in any profession, medical or otherwise, and the good doctor from Kona should know, that if you're not my patient, I'm not going to heal you. I don't think dentists have that sense, mentality or spirit, that if you're not on my rolls therefore I can't handle you. I think that is not a full representation of the service that the dentists give to our community.

"Secondly there's nothing that says that Wal-Mart or Kmart or whoever the 'marts' are, the 'big boxes', are not going to have access in the middle of the night. There's not a lock-out that's implied, if and when they ever do put this into gear. So the sense of, 'you're not my client; I can't heal you,' I think is a stretch.

"And then lastly, Mr. Speaker, this is a rare occasion, that in the middle of the night your abscess is going to break out, so we may have 1 in 500,000. But for the masses of people who could benefit from this, that's what I'm talking about. I don't want to speak against those who in the middle of the night need service, but the bill is for the people of Hawaii and I think there are enough safety nets for those who have emergencies in the middle of the night that they will be taken care of. Thank you, Mr. Speaker."

Representative Green rose to respond, stating:

"Thank you, Mr. Speaker. I promise to be very short, but I feel the need to rebut the comments made earlier. The nature of the medical relationship, whether it is your dentist or doctor, when you see your primary care physician or your specialist, you have a rapport with them and that's who your best bet to get good treatment is from. If suddenly your dentist is not allowed to see you, or can't see you at night, you're going to get worse treatment because you're going to end up going to some other dentist who doesn't know your anatomy, who doesn't know the bacteria that you're being affected by, that doesn't know the major problem that you're being affected by.

"So this, if the dentists can only see somebody during the daytime, this will result in less good care for people. If somehow we can convince Wal-Mart to open at night, it's a moot point. No one believes that they're going to open up their doors for a dental emergency at 2:30 in the morning or 3:00 in the morning to help some poor guy with a dental abscess or something worse. So that's the point of this bill. But the comments that were made were uninformed about the patient/physician dynamic."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2301, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 444-08) recommending that H.B. No. 2198, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2198, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, just in support of 444, House bill 2198, I'd like to insert comments. This is a part of the Joint Legislative Committee of Family Care Giving package of bills so that's important and which we actually discussed this morning in Public Safety related to the children of incarcerated persons. Many of those children are being cared for by grandparents. Thank you."

Representative Lee's written remarks are as follows:

"I am in support of this measure. Many testifiers appeared during the 2006 interim before the Joint Legislative Committee on Family Caregiving, which I co-chaired, in support of recognizing the numerous hidden grandparents as family caregivers in our communities. Falling outside the scope of the JLCFC, it became apparent this group had been overlooked. The definition of family caregiver was then revised under Act 204 to include this group.

"During the 2007 Interim, the UH Department of Family and Consumer Science prepared the Needs Assessment of Grandparents Raising Grandchildren. This report revealed that over 14,000 grandparents are primary caregivers for more than 33,000 grandchildren, statewide. The grandparents needs assessment also revealed that these grandparents providing care for their grandchildren experience emotional, physical, and financial hardships.

"These grandparents take roles that reach deep in our communities. They play a crucial role in insuring the well being of Hawaii's children. They also save the State approximately \$17 million per month by caring for their grandchildren outside the foster care system.

"It is essential for our grandparents, who are taking care of our children, to receive the recognition and support that has been long overdue."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2198, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 445-08) recommending that H.B. No. 2698, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2698, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COURT-APPOINTED COUNSEL AND GUARDIANS AD LITEM IN FAMILY COURT," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 446-08) recommending that H.B. No. 3042, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3042, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVI OF THE CONSTITUTION OF THE STATE OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 447-08) recommending that H.B. No. 2297, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2297, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 448-08) recommending that H.B. No. 2922, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2922, entitled: "A BILL FOR AN ACT RELATING TO FUEL TAX," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 449-08) recommending that H.B. No. 2211, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2211, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WASTEWATER PROJECTS," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 450-08) recommending that H.B. No. 3442, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3442, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 451-08) recommending that H.B. No. 2661, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2661, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," passed Second

Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 452-08) recommending that H.B. No. 2502, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2502, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY," passed Second Reading and was referred jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture with Representatives Nakasone, M. Oshiro and Sonson being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 65) and concurrent resolutions (H.C.R. Nos. 77 through 81) were referred to Printing and further action was deferred:

H.R. No. 65, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION, TO RECONSIDER THE PROPOSED RULE AMENDMENT USCBP-2007-0098, HAWAII COASTWISE CRUISES," was jointly offered by Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

H.C.R. No. 77, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR, THE SENATE, AND THE HOUSE OF REPRESENTATIVES TO STUDY ISSUES RELATING TO THE CONTINUATION OF STATE GOVERNMENT DURING AN EMERGENCY," was offered by Representative Evans.

H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION CALLING FOR A JOINT SESSION OF THE LEGISLATURE FOR THE PURPOSE OF APPOINTING THE DIRECTOR OF THE LEGISLATIVE REFERENCE BUREAU," was jointly offered by Representatives Magaoy, Mizuno, B. Oshiro and Tokioka.

H.C.R. No. 79, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION, TO RECONSIDER THE PROPOSED RULE AMENDMENT USCBP-2007-0098, HAWAII COASTWISE CRUISES," was jointly offered by Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

H.C.R. No. 80, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT PAHOA HIGH AND INTERMEDIATE SCHOOL DEDICATE ITS GYMNASIUM IN HONOR OF FORMER REPRESENTATIVE HELENE H. HALE, BY CHANGING THE NAME OF THE GYMNASIUM TO "HELENE H. HALE GYMNASIUM"," was jointly offered by Representatives Hanohano, Berg, Cabanilla, Carroll, Chang, Ching, Evans, Finnegan, Green, Herkes, Lee, Luke, Marumoto, Meyer, Morita, Takumi, Thielen, Tsuji and Takamine.

H.C.R. No. 81, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE DESIGNATION OF APRIL 6TH OF EVERY YEAR AS TARTAN DAY IN HAWAII," was jointly offered by Representatives Caldwell, Evans, Herkes and McKelvey.

ANNOUNCEMENT

Representative Awana: "Thank you, Mr. Speaker. I'd like to just share with our House Members that following session today, we have a fellowship luncheon in Room 437."

Representative B. Oshiro: "Mr. Speaker, I'd just like to thank everyone for participating in our Hawaii Foodbank fundraiser where we sold approximately over 1,080 lollipops, and raising over \$600 for the Hawaii Foodbank. I'd especially like to thank Erica in my office, our legislative intern who coordinated this and did all the hard work.

"And finally, we didn't keep an unofficial tally of who received the most lollipops, but we do have an official tally as to which office actually gave out the most and that is our Majority Leader, Representative Caldwell's office who bought the most lollipops. I'm not sure if that means that he has 'pissed-off' the most amount of people and needs to make up for it, or he is actually just expressing some aloha. But thank you to everyone nonetheless. Thank you."

Representative Takai: "Thank you, Mr. Speaker. I believe it's the former. I'm just kidding. I just wanted to remind everyone again that at 1:30 in Room 423, Brady is going to be making himself available. And I do have my coin and another example of a coin he made. So if any of you are interested, I'll just keep it up here for a few minutes after session. Thank you, Mr. Speaker."

Representative Ward: "Mr. Speaker I rise as the only male in the Minority Caucus to thank Representative Ching and all the ladies that have been so kind to me, and for the gifts that Representative Berg has given also as a gesture on Valentine's Day. So happy Valentine's Day to all the ladies and gentlemen. Thank you."

Speaker Say: "Vice Speaker, who do you think I should pick on in asking a question?"

Vice Speaker Chong: "Mr. Speaker, I think the Representative from Pukalani/Makawao is available."

Speaker Say: "Representative Yamashita, will you yield to a question? What was Act 1 today?"

Representative Yamashita: "I'm sorry, Mr. Speaker. I don't know."

Speaker Say: "Act 1 was the Legislative Budget bill that was adopted and signed into law. So for all of you who have your delinquent payments, you can go and see the Clerk's Office and get those done with your allowance."

ADJOURNMENT

At 12:38 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 15, 2008. (Representatives Nakasone, M. Oshiro and Sonson were excused.)