

THIRTY-SECOND DAY

Friday, March 14, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:11 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Ryan Kalei Tsuji, Manager of the UH Rainbow Wahine Volleyball Team and son of Representative Clift Tsuji, after which the Roll was called showing all members present with the exception of Representatives Awana, Magaoay, Meyer, Nakasone and Thielen, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 275 and 276) were received and announced by the Clerk:

Gov. Msg. No. 275, dated February 29, 2008, transmitting the Hawaii State Public Library System's report on their maintenance and energy efficiency projects for the Fiscal Biennium 2007-2009.

Gov. Msg. No. 276, dated February 7, 2008, transmitting the Hawaii Ocean Resources Management Plan 2007 Annual Report.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 68) was received by the Clerk and was placed on file:

Dept. Com. No. 68, dated March 13, 2008, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Sunset Evaluation: Mental Health Counselors.

INTRODUCTIONS

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

Representative McKelvey introduced Ms. Rita Bareros and Ms. Ann Tristad from Maui, advocates for the elderly.

Representative McKelvey also introduced Ms. Adele Rudd with the American Cancer Society on Maui.

Representative Evans introduced Ms. Kelly Wakayama and Ms. Harriet Yamasaki from Waikoloa and Waimea with the American Cancer Society.

Representative Green introduced and recognized the volunteers with the American Cancer Society, including Board Member, Representative Lee.

Representative Luke introduced Ms. Peggy Chun of Nuuanu, watercolor artist and illustrator of many books including The Watercolor Cat.

Representative Luke also introduced Magdalena Hawajska, fine art restorer from Krakow, Poland who worked with Ms. Peggy Chun on a mosaic of Father Damien at the Holy Trinity School. She was accompanied by Ms. Shelly Mecum of the Holy Trinity School.

Representative Ward recognized Ms. Peggy Chun and Ms. Shelly Mecum for their work at Holy Trinity School, and introduced Sister Rose, the Principal of Holy Trinity School.

Representative Tokioka introduced Ms. Janice Bond, Democratic Party Precinct Chair on Kauai.

Representative Chang introduced his son, Mr. Jensen Chang, and grandson, Seth Chang.

Representative Marumoto introduced 5th grade students from Wilson Elementary School, and their teacher, Ms. Sarah Sugimoto; and parents Ms. Kathy Ikeda and Ms. Kathy Higa.

Representative Ward introduced Ms. Lorraine Shin of Hilo with the U.S. Department of Agriculture.

Representative Caldwell introduced Representative Luke's son, Master Logan Luke of Iolani School.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

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

<u>H.R.</u> <u>Nos.</u>	<u>Referred to:</u>
205	Committee on Economic Development & Business Concerns, then to the Committee on Judiciary
206	Committee on Consumer Protection & Commerce
207	Committee on Tourism & Culture
208	Committee on Economic Development & Business Concerns
209	Committee on Public Safety & Military Affairs, then to the Committee on Finance
210	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
211	Committee on Health
212	Jointly to the Committee on Health and the Committee on Human Services & Housing
213	Jointly to the Committee on Energy & Environmental Protection and the Committee on Education, then to the Committee on Finance
214	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Labor & Public Employment, then to the Committee on Finance
215	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Labor & Public Employment
216	Committee on Public Safety & Military Affairs
217	Committee on Consumer Protection & Commerce
218	Committee on Education, then to the Committee on Finance
219	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

220	Committee on Education, then to the Committee on Finance	245	Committee on Higher Education, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs
221	Jointly to the Committee on Agriculture and the Committee on Public Safety & Military Affairs, then to the Committee on Finance	246	Committee on Higher Education, then to the Committee on Finance
222	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance	247	Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management
223	Committee on Energy & Environmental Protection, then to the Committee on Higher Education	248	Committee on Agriculture, then to the Committee on Higher Education
224	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management	249	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
225	Committee on Education, then to the Committee on Finance	250	Committee on Transportation
226	Committee on Public Safety & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance	251	Committee on Health, then to the Committee on Judiciary
227	Committee on Judiciary, then to the Committee on Legislative Management	252	Committee on Transportation, then to the Committee on Finance
228	Committee on Education, then to the Committee on Finance	253	Committee on Economic Development & Business Concerns
229	Committee on Higher Education, then to the Committee on Energy & Environmental Protection	254	Committee on Consumer Protection & Commerce
230	Committee on Energy & Environmental Protection	255	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Judiciary
231	Committee on Tourism & Culture	256	Committee on Higher Education
232	Committee on Higher Education	257	Committee on Consumer Protection & Commerce
233	Committee on Health, then to the Committee on Finance	258	Committee on Energy & Environmental Protection
234	Committee on Higher Education	259	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
235	Committee on Higher Education, then to the Committee on Health	260	Committee on Higher Education, then to the Committee on Economic Development & Business Concerns
236	Committee on Human Services & Housing, then to the Committee on Judiciary	261	Committee on Higher Education, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
237	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary	262	Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary
238	Committee on Health, then to the Committee on Judiciary	263	Committee on Tourism & Culture, then to the Committee on Finance
239	Committee on Judiciary	264	Committee on Tourism & Culture, then to the Committee on Finance
240	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection	265	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary
241	Jointly to the Committee on Energy & Environmental Protection and the Committee on Education, then to the Committee on Finance	266	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
242	Committee on Education, then to the Committee on Finance	267	Committee on Education, then to the Committee on Health, then to the Committee on Legislative Management
243	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance	268	Committee on Education, then to the Committee on Finance
244	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance		

269	Committee on Public Safety & Military Affairs, then to the Committee on Higher Education	293	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, then to the Committee on Finance
270	Committee on Agriculture, then to the Committee on Economic Development & Business Concerns	294	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, then to the Committee on Higher Education
271	Committee on Education, then to the Committee on Finance	295	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
272	Committee on Higher Education, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance	296	Committee on Judiciary, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance
273	Committee on Health, then to the Committee on Education	297	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Finance
274	Committee on Education	298	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
275	Committee on Health, then to the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce	299	Committee on Energy & Environmental Protection, then to the Committee on Finance
276	Committee on Education, then to the Committee on Finance	300	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection
277	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary	301	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
278	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce	302	Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
279	Jointly to the Committee on Transportation and the Committee on Labor & Public Employment, then to the Committee on Finance	303	Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
280	Committee on Finance	304	Committee on Consumer Protection & Commerce, then to the Committee on Finance
281	Committee on Education, then to the Committee on Finance	305	Committee on Judiciary
282	Committee on Education	306	Committee on Tourism & Culture, then to the Committee on Finance
283	Committee on Education	307	Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
284	Committee on Water, Land, Ocean Resources & Hawaiian Affairs	308	Committee on Judiciary, then to the Committee on Finance
285	Committee on Education	309	Committee on Health
286	Committee on Water, Land, Ocean Resources & Hawaiian Affairs		
287	Committee on Water, Land, Ocean Resources & Hawaiian Affairs		
288	Committee on Water, Land, Ocean Resources & Hawaiian Affairs		
289	Committee on Finance		
290	Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns		
291	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Health		
292	Committee on Water, Land, Ocean Resources & Hawaiian Affairs		
		<u>H.C.R.</u>	<u>Referred to:</u>
		<u>Nos.</u>	
		243	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
		244	Committee on Consumer Protection & Commerce
		245	Committee on Tourism & Culture

246	Committee on Economic Development & Business Concerns	269	Jointly to the Committee on Transportation and the Committee on Public Safety & Military Affairs, then to the Committee on Finance
247	Committee on Public Safety & Military Affairs, then to the Committee on Finance	270	Committee on Higher Education, then to the Committee on Energy & Environmental Protection
248	Committee on Water, Land, Ocean Resources & Hawaiian Affairs	271	Committee on Energy & Environmental Protection
249	Committee on Health	272	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, then to the Committee on Finance
250	Jointly to the Committee on Health and the Committee on Human Services & Housing	273	Committee on Tourism & Culture
251	Jointly to the Committee on Transportation and the Committee on Legislative Management	274	Committee on Higher Education
252	Jointly to the Committee on Energy & Environmental Protection and the Committee on Education, then to the Committee on Finance	275	Committee on Health, then to the Committee on Finance
253	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance	276	Committee on Higher Education
254	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Labor & Public Employment	277	Committee on Higher Education, then to the Committee on Health
255	Committee on Public Safety & Military Affairs	278	Committee on Tourism & Culture
256	Committee on Consumer Protection & Commerce	279	Committee on Legislative Management
257	Committee on Education, then to the Committee on Finance	280	Committee on Legislative Management
258	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance	281	Committee on Human Services & Housing, then to the Committee on Judiciary
259	Committee on Education, then to the Committee on Finance	282	Committee on Tourism & Culture, then to the Committee on Transportation
260	Jointly to the Committee on Agriculture and the Committee on Public Safety & Military Affairs, then to the Committee on Finance	283	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary
261	Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Legislative Management	284	Committee on Health, then to the Committee on Judiciary
262	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance	285	Committee on Judiciary
263	Committee on Energy & Environmental Protection, then to the Committee on Higher Education	286	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection
264	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management	287	Jointly to the Committee on Energy & Environmental Protection and the Committee on Education, then to the Committee on Finance
265	Committee on Education, then to the Committee on Finance	288	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Legislative Management
266	Committee on Public Safety & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance	289	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
267	Committee on Judiciary, then to the Committee on Legislative Management	290	Committee on Education, then to the Committee on Finance
268	Committee on Education, then to the Committee on Finance	291	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
		292	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary
		293	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
		294	Committee on Higher Education, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

295	Committee on Higher Education, then to the Committee on Finance	319	Committee on Tourism & Culture, then to the Committee on Finance
296	Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management	320	Committee on Tourism & Culture, then to the Committee on Finance
297	Committee on Judiciary	321	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary
298	Committee on Agriculture, then to the Committee on Higher Education	322	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
299	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance	323	Committee on Education, then to the Committee on Health, then to the Committee on Legislative Management
300	Committee on Transportation	324	Committee on Education, then to the Committee on Finance
301	Committee on Health, then to the Committee on Judiciary	325	Committee on Public Safety & Military Affairs, then to the Committee on Higher Education
302	Committee on Transportation, then to the Committee on Finance	326	Committee on Agriculture, then to the Committee on Economic Development & Business Concerns
303	Committee on Economic Development & Business Concerns	327	Committee on Higher Education
304	Committee on Consumer Protection & Commerce	328	Committee on Higher Education, then to the Committee on Public Safety & Military Affairs
305	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Transportation, then to the Committee on Finance	329	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance
306	Committee on Transportation, then to the Committee on Finance	330	Committee on Education, then to the Committee on Finance
307	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Judiciary	331	Committee on Higher Education, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
308	Committee on Higher Education	332	Committee on Health, then to the Committee on Education
309	Committee on Consumer Protection & Commerce	333	Committee on Education
310	Committee on Energy & Environmental Protection	334	Committee on Health, then to the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce
311	Committee on Water, Land, Ocean Resources & Hawaiian Affairs	335	Committee on Education, then to the Committee on Finance
312	Committee on Higher Education, then to the Committee on Economic Development & Business Concerns	336	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary
313	Committee on Higher Education, then to the Committee on Legislative Management	337	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
314	Committee on Higher Education, then to the Committee on Finance	338	Jointly to the Committee on Transportation and the Committee on Labor & Public Employment, then to the Committee on Finance
315	Committee on Higher Education, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance	339	Committee on Finance
316	Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary	340	Committee on Education, then to the Committee on Finance
317	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance	341	Committee on Education
318	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Legislative Management	342	Committee on Education

343	Committee on Water, Land, Ocean Resources & Hawaiian Affairs	365	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
344	Committee on Education	366	Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
345	Committee on Water, Land, Ocean Resources & Hawaiian Affairs	367	Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
346	Committee on Water, Land, Ocean Resources & Hawaiian Affairs	368	Committee on Consumer Protection & Commerce, then to the Committee on Finance
347	Committee on Water, Land, Ocean Resources & Hawaiian Affairs	369	Committee on Judiciary
348	Committee on Water, Land, Ocean Resources & Hawaiian Affairs	370	Committee on Tourism & Culture, then to the Committee on Finance
349	Committee on Judiciary, then to the Committee on Legislative Management	371	Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
350	Committee on Judiciary	372	Committee on Judiciary, then to the Committee on Finance
351	Committee on Finance	373	Committee on Health
352	Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Finance		
353	Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns		
354	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Health		
355	Committee on Water, Land, Ocean Resources & Hawaiian Affairs		
356	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, then to the Committee on Finance		
357	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, then to the Committee on Higher Education		
358	Committee on Economic Development & Business Concerns, then to the Committee on Finance		
359	Committee on Water, Land, Ocean Resources & Hawaiian Affairs		
360	Committee on Judiciary, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance		
361	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Finance		
362	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Consumer Protection & Commerce, then to the Committee on Finance		
363	Committee on Energy & Environmental Protection, then to the Committee on Finance		
364	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection		

COMMITTEE REASSIGNMENTS

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

H.R.
No.

Re-referred to:

106 Committee on Labor & Public Employment, then to the Committee on Higher Education

H.C.R.
No.

Re-referred to:

124 Committee on Labor & Public Employment, then to the Committee on Higher Education

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

S.B.
Nos.

Re-referred to:

409, SD2 Committee on Health, then to the Committee on Finance

1805, SD1 Committee on Health, then to the Committee on Consumer Protection & Commerce

2493 Committee on Labor & Public Employment, then to the Committee on Finance

2879, SD2 Committee on Judiciary, then to the Committee on Finance

3168, SD2 Jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3200, Committee on Judiciary
SD1

3255, Jointly to the Committee on Health and the Committee on
SD2, Human Services & Housing, then to the Committee on
HD1 Finance

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 312) was announced by the Clerk and the following action taken:

H.R. No. 312, entitled: "HOUSE RESOLUTION CONGRATULATING B.J. PENN THE CURRENT LIGHTWEIGHT ULTIMATE FIGHTING CHAMPION ON HIS SUCCESSFUL MARTIAL ARTS CAREER," was offered by Representative Chang.

Representative Chang moved that H.R. No. 312 be adopted, seconded by Representative Yamane.

Representative Chang congratulated and introduced the honoree, UFC Lightweight Champion, Mr. BJ Penn who was seated on the floor of the House.

Representative Tsuji then introduced Mr. Jay Dee Penn, BJ Penn's brother and manager who was also seated on the floor.

Representative Chang also introduced family members seated in the gallery:

Parents, Mr. J.D. Penn and Ms. Lorraine Shin;
Sister-in-law, Ms. Jody Penn;
Brother, Mr. Reagan Penn; and
Photographers, Mr. Hoyt Uyehara and Ms. Tracy Lee.

Representative Meyer further recognized Mr. Penn and the sport of Mixed Martial Arts.

Representative Yamane also recognized Mr. Penn for his mastery of Brazilian Jiu-Jitsu and in the Octagon.

The motion was put to vote by the Chair and carried, and H.R. No. 312 was adopted with Representatives Awana, Bertram, Magaoay, Nakasone and Thielen being excused.

The following resolution (H.R. No. 313) was announced by the Clerk and the following action taken:

H.R. No. 313, entitled: "HOUSE RESOLUTION COMMENDS AND CONGRATULATES THE AMERICAN CANCER SOCIETY HAWAII PACIFIC, INC., ON ITS 60 YEARS OF DILIGENT AND DEDICATED SERVICE TOWARDS THE GOAL OF NO MORE CANCER IN HAWAII THROUGH RISK REDUCTION, EDUCATION, RESEARCH, AND ADVOCACY," was jointly offered by Representatives Brower, Lee and Mizuno.

Representative Brower moved that H.R. No. 313 be adopted, seconded by Representative Mizuno.

Representative Brower recognized the work of the American Cancer Society Hawaii Pacific, Inc., and congratulated and thanked them for 60 years of prevention and support programs for the people of Hawaii.

Representative Mizuno then introduced the honorees who were seated on the floor of the House:

Ms. Beverly Wong, District 1 Lead Volunteer;
Ms. Bernie Sakoda, District 2 Lead Volunteer;

Mr. Chris Pablo, Immediate Past Chair;
Ms. Jackie Young, Chief Staff Officer and former Vice Speaker of the House of Representatives;
Ms. Jackie Earle, Chair of the Board; and
Ms. Virginia Pressler, President of the Board.

Representative Herkes recognized the American Cancer Society for their work in prevention education and encouraged everyone to get screened.

Representative Evans also recognized the work of the American Cancer Society and their Relay for Life events.

The motion was put to vote by the Chair and carried, and H.R. No. 313 was adopted with Representatives Awana, Luke, Magaoay, Nakasone, Sagum and Thielen being excused.

At 12:49 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:58 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1079-08) recommending that S.B. No. 3030, SD 2, 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 S.B. No. 3030, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1080-08) recommending that S.B. No. 3083, SD 2, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3083, SD 2, pass Second Reading and 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, on Stand. Com. Rep. 1080. I'm speaking in support with some concerns because of something that I heard today about the PACE program at Maluhia which comes under HHSC. It's the first one in the nation to close. And this is a real concern because this is a program that takes people out of the hospital, provides day care and medical care, and supports family caregivers. And with the number of family caregivers we had here at the State Capitol today, I think we ought to really look at this closely."

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

"Thank you. I am in strong support and would like the words of the Representative of Mililani as my own."

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

"Mr. Speaker, on Stand. Com. Rep. No. 1080, I would like a ruling on a potential conflict of interest. At my law firm, I represent HHSC. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3083, SD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Finance with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1081-08) recommending that S.B. No. 3031, SD 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 S.B. No. 3031, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1082-08) recommending that S.B. No. 2064, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2064, SD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on Stand. Com. Rep. No. 1082, I just wanted to vote with reservations. It's not that I don't think psychologists deserve a jury service exemption any less than any of the other groups that have it now. I just don't think anybody should have a jury service exemption. Mahalo."

Representative Meyer rose in support of the measure with reservations, and asked that the remarks of Representative Rhoads be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Evans rose in support of the measure with reservations, and asked that the remarks of Representative Rhoads be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

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

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

"Mr. Speaker, with reservations. Perhaps psychologists would be the best to serve on a jury. Thank you."

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

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

"In opposition for the same reason. Mr. Speaker, I think we all have the obligation to participate in the process. So any bill of this nature that requires an exemption I think, is a move in the opposite direction. We are all needed. We're all important and we all should serve our people the best way we can. With something like jury duty, we need the expertise of all, such as psychologists. Thank you."

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

"Mr. Speaker, in support. I recognize the very sound judgment on all the comments that were just made. Just to give people the rationale so they can make up their final decisions later. The rationale for exempting psychologists was the continuity of care issues so that a psychologist sometimes will be seeing someone with severe mental illness in coordination with a psychiatrist or on their own. If they do end up getting sequestered for extended periods of time, they could be away from their patient base. As we know, people with mental health disorders are very uncomfortable going and seeing a new provider suddenly in the middle of treatment. And so that's the rationale. But I don't begrudge people in opposition. I do think we need everyone on jury duty when possible."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2064, SD 1, entitled: "A BILL FOR AN ACT RELATING TO JURY SERVICE," passed Second Reading and was referred to the Committee on Judiciary with Representative Cabanilla voting no, and with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1083-08) recommending that S.B. No. 3021, SD 1, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3021, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VIATICAL SETTLEMENTS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1084-08) recommending that S.B. No. 2150, SD 2, 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 S.B. No. 2150, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1085-08) recommending that S.B. No. 1343, SD 1, 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 S.B. No. 1343, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1086-08) recommending that S.B. No. 2977, SD 1, 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 S.B. No. 2977, SD 1, HD 1, entitled: "A BILL

FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1087-08) recommending that S.B. No. 2196, SD 2, 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 S.B. No. 2196, SD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL ACTIVITIES ON OCEAN WATERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1088-08) recommending that S.B. No. 2482, SD 2, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2482, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSTITUTE OF MARINE BIOLOGY," passed Second Reading and was referred to the Committee on Higher Education with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1089-08) recommending that S.B. No. 2423, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Tourism & Culture.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2423, SD 2, HD 1, pass Second Reading and be referred to the Committee on Tourism & Culture, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising with some reservations on Stand. Com. Rep. No. 1089. The bill still has eminent domain in it, which I would not want to see happen. Thank you."

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

"Mr. Speaker, on Stand. Com. Rep. No. 1089, I would like a ruling on a potential conflict of interest. At my law firm I represent the community groups suing Turtle Bay. Thank you," and the Chair ruled, "no conflict."

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

"Mr. Speaker on Stand. Com. Report 1089, may I just stand in strong support. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2423, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION," passed Second Reading and was referred to the Committee on Tourism & Culture with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1090-08) recommending that S.B.

No. 2004, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2004, SD 2, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2004, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1091-08) recommending that S.B. No. 2790, SD 2, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 2790, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE," passed Second Reading and was referred to the Committee on Higher Education with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1092-08) recommending that S.B. No. 3255, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 3255, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," passed Second Reading and was referred to the Committee on Higher Education with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1093-08) recommending that S.B. No. 2151, SD 2, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 2151, SD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2151, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE OMBUDSMAN," passed Second Reading and was referred to the Committee on Finance with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1094-08) recommending that S.B. No. 2047, SD 3, 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 S.B. No. 2047, SD 3, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1095-08) recommending that S.B. No. 2542, SD 2, 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 S.B. No. 2542, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1096-08) recommending that S.B. No. 1805, SD 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 S.B. No. 1805, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GENETIC COUNSELORS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1097-08) recommending that S.B. No. 2864, SD 2, 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 S.B. No. 2864, SD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1098-08) recommending that S.B. No. 3080, SD 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 S.B. No. 3080, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION BACKGROUND CHECKS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1099-08) recommending that S.B. No. 3228, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3228, entitled: "A BILL FOR AN ACT RELATING TO ADJUSTING THE ANNUAL PENSIONS OF RETIRED PATIENT EMPLOYEES AT HANSEN'S DISEASE FACILITIES," passed Second Reading and was referred to the

Committee on Labor & Public Employment with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1100-08) recommending that S.B. No. 2373, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2373, SD 1, HD 1, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'd like to register a no vote on Stand. Com. Rep. No. 1100-08 and I'll reserve my comments for Third Reading. Thank you."

Representative Bertram rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2373, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE SALES," passed Second Reading and was referred to the Committee on Public Safety & Military Affairs with Representatives Belatti and Bertram voting no, and with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1101-08) recommending that S.B. No. 3016, SD 1, 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 S.B. No. 3016, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1102-08) recommending that S.B. No. 2530, SD 2, 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 S.B. No. 2530, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE SUPPORT FOR SMALL BUSINESS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1103-08) recommending that S.B. No. 2824, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2824, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Legislative

Management with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1104-08) recommending that S.B. No. 3165, SD 2, pass Second Reading and be referred jointly to the Committee on Human Services & Housing and the Committee on Health.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3165, SD 2, pass Second Reading and be referred jointly to the Committee on Human Services & Housing and the Committee on Health, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I just want to register an aye vote with reservations on Stand. Com. Rep. No. 1104. I think this a little premature, but of course, it's still early too."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3165, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred jointly to the Committee on Human Services & Housing and the Committee on Health with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1105-08) recommending that S.B. No. 2501, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2501, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RENTAL MOTOR VEHICLE SURCHARGE TAX," passed Second Reading and was referred jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1106-08) recommending that S.B. No. 3234, SD 2, 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 S.B. No. 3234, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1107-08) recommending that S.B. No. 2055, SD 2, 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 S.B. No. 2055, SD 2, 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 Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1108-

08) recommending that S.B. No. 2218, SD 1, 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 S.B. No. 2218, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC MONITORING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1109-08) recommending that S.B. No. 3051, SD 2, 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 S.B. No. 3051, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY BACKGROUND CHECKS FOR SOCIAL SERVICES PROGRAMS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1110-08) recommending that S.B. No. 2214, SD 2, 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 S.B. No. 2214, SD 2, entitled: "A BILL FOR AN ACT RELATING TO BRIDGE TO HOPE PROGRAM," passed Second Reading and was referred to the Committee on Finance with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1111-08) recommending that S.B. No. 2333, SD 2, 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 S.B. No. 2333, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1112-08) recommending that S.B. No. 2668, SD 2, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2668, SD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2668, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF

HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1113-08) recommending that S.B. No. 2782, SD 2, 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 S.B. No. 2782, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO METAL," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1114-08) recommending that S.B. No. 2783, SD 2, 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 S.B. No. 2783, SD 2, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"Yes, I'm just standing with reservations on Stand. Com. Rep. No. 1114-08 which relates to loss mitigation for earthquakes. I'm just a little concerned because it does take money out of the Hurricane Relief Fund and it is not for hurricanes.

"I was very concerned for many years that this body took money out of the Highway Fund for things that did not relate to highways and now, we are currently in a problem where we have very little money to build any highways at all. We already decided in previous Legislatures to give the interest to the general fund from the Hurricane Relief Fund, and currently that'll be \$6 million. So it makes more sense to take money from the \$6 million that we're giving to the general fund instead of the principle of the Hurricane Relief Fund."

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2783, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LOSS MITIGATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1115-08) recommending that S.B. No. 2958, SD 1, 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 S.B. No. 2958, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES FOR MOBILE PHONES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with

Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1116-08) recommending that S.B. No. 2774, SD 2, pass Second Reading and be referred jointly to the Committee on Higher Education and the Committee on Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2774, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred jointly to the Committee on Higher Education and the Committee on Education with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1117-08) recommending that S.B. No. 2571, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2571, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING," passed Second Reading and was referred to the Committee on Education with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1118-08) recommending that S.B. No. 3082, SD 1, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Tourism & Culture and the Committee on Transportation.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3082, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRUISE SHIPS," passed Second Reading and was referred jointly to the Committee on Tourism & Culture and the Committee on Transportation with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1119-08) recommending that S.B. No. 2991, SD 2, 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 S.B. No. 2991, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1120-08) recommending that S.B. No. 2843, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2843, SD 2, HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. For Stand. Com. No. 1120, this is recycling electronic devices. I'll just save my comments for Third Reading, but I will vote with reservations please."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2843, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC DEVICE RECYCLING," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1121-08) recommending that S.B. No. 2341, SD 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 S.B. No. 2341, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1122-08) recommending that S.B. No. 2189, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2189, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MAKUA," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1123-08) recommending that S.B. No. 3001, SD 2, 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 S.B. No. 3001, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representatives Shimabukuro and Morita, for the Committee on Human Services & Housing and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1124-08) recommending that S.B. No. 644, SD 3, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 644, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented

a report (Stand. Com. Rep. No. 1125-08) recommending that S.B. No. 2830, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 2830, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

At 1:08 o'clock p.m., Representative Caldwell requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:34 o'clock p.m.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1126-08) recommending that S.B. No. 2160, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Caldwell moved that notwithstanding the recommendations contained in Standing Committee Report No. 1126-08, that S.B. No. 2160, SD 2, HD 1, be recommitted to the Committee on Health, seconded by Representative Luke.

At this time, Representative Finnegan requested a roll call vote on the motion to recommit.

The request for a roll call vote was put to vote by the Chair and upon a show of hands, failed to carry.

Representative Belatti rose to speak in opposition to the motion, stating:

"I stand to be recognized and speak in opposition to this motion to recommit. Thank you, Mr. Speaker.

"Mr. Speaker I stand in strong opposition to this motion to recommit. We're elected to do the work of the people. We're elected to take on the difficult issues and to find solutions. In the hearing on this bill a lawyer stood before us, a lawyer and a patient, and he talked about the need ..."

The Chair addressed Representative Belatti, stating:

"Representative Belatti, you are out of order."

Representative Belatti: "Mr. Speaker, I am talking about the procedure regarding debate and ..."

Speaker Say: "Yes, the procedure that is before us is the recommittal motion. Confine your remarks to the motion of the recommittal. Please proceed."

Representative Belatti: "This motion to recommit is a motion to stifle debate and consideration. Again I urge these Members in this Chamber not to squander this opportunity to find a solution to the problems of healthcare that are facing citizens and the people of this State.

"I know my call may not be heeded, but I want to register my vote of opposition to this motion to recommit. The call for change will echo far beyond these Chambers and the public may dare well respond to that call. I do not want it on my consciousness, on my record that I shirked my duty. So I stand in opposition to this motion to recommit, Mr. Speaker. Thank you."

Representative Finnegan rose to speak in opposition to the motion, stating:

"Thank you, Mr. Speaker. I strongly am heeding the advice of the previous speaker and would also like to vote no."

Representative Pine rose to speak in opposition to the motion, stating:

"Mr. Speaker I speak in opposition to the recommittal. Mr. Speaker, we've tried to kill this type of legislation over and over in the Legislature. I've never seen it really be put to vote by the entire House of Representatives on a Third Reading. It never made it out of the Judiciary Committee last year. I think the people of Hawaii have a right to see what their legislator feels about this issue.

"And so my feeling in opposition is that we continue to stifle conversation on this issue, and to me, stifling conversation stifles democracy and that is not good for the people of Hawaii."

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

"Thank you, Mr. Speaker. In strong opposition to the motion to recommit. This is not a new bill. I mean, it's not a new idea. We've been working toward something like this for a lot of years. There's been a lot in the papers about the fact that many, many doctors are leaving."

The Chair addressed Representative Meyer, stating:

"Representative Meyer, could you confine your remarks to the motion to recommit; on the procedure and process of recommittal."

Representative Meyer continued, stating:

"Well I think it's a crime what we're doing here; to recommit this. It's as if we are deaf and dumb. We don't listen. We don't read the papers. We don't know what's going on.

"The good Chair of Health, he's a doctor. He's in tune with the problems there and for us to do this, we're doing a huge disservice to the people of Hawaii."

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

"Thank you, Mr. Speaker. I rise in opposition to this recommittal. Mr. Speaker, I don't think it's wise what we're doing, and those who are going to vote for it I think are probably going to regret it later. It sends the wrong message. We're in politics. Politics is perception. Perception is reality. The perception of recommitting is hiding. The perception of recommitting something is running away from it. The perception of recommitting is that we're really not committed to what we were supposed to be doing when it was alive and well, Mr. Speaker.

"What I'm saying is we're not doing the right thing, because if we're going to recommit it, that usually means it's going to die. If you say recommitment, it means we're going to come and recommit it to the Committee. I would like to see the Chair of one of the Committees that it is being recommitted to, to stand up and deny that. Otherwise I think it's going to hurt us.

"We're here to represent the people, not a special interest group. And recommitment means that we're siding with one group over the other. Thank you, Mr. Speaker."

Representative Ching rose to speak in opposition to the motion, stating:

"Thank you I also oppose the recommitment of this bill."

Representative Tokioka rose to speak in support of the motion, stating:

"Thank you, Mr. Chair. I stand in support of the recommittal, Mr. Speaker. This is the second time in this Session that I've heard the comment, 'deaf and dumb'. As a father of a son who is deaf, I would appreciate if the Members of this body do not use that term. Thank you, Mr. Speaker."

Representative Marumoto rose to speak in opposition to the motion, stating:

"Mr. Speaker, I am in opposition to recommitting this bill. It's bottling it up. It's not allowing any debate on the issue which is a very important one to this State. So I would argue very strongly that we allow an airing of this issue and a vote on this issue. I think it's very important. It deserves that much."

Representative Green rose to speak in opposition to the motion, stating:

"Thank you, Mr. Speaker. I stand in opposition, respectfully. I'd like to ask that the words of the Representative from Makiki be entered as my own. But I will only say this very briefly. You win some, you lose some. We will accomplish good things still this Session on healthcare reform, and I'm optimistic we'll all come together. Thank you, Mr. Speaker."

Representative Rhoads rose to speak in support of the motion, stating:

"In support. Mr. Speaker, I've been here 18 months and I can't think of an issue that's been more debated, more discussed in the halls of this building than medical malpractice changes, and I think recommittal makes perfect sense. There's been plenty of discussion on this. There's been plenty of discussion, lots of discussion, more discussion on this issue than any other that I can think of in my brief tenure here. Mahalo."

At this time, Representative Green called for the previous question, and by unanimous consent, the motion carried.

The motion was put to vote by the Chair and carried, and S.B. No. 2160, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was recommitted to the Committee on Health with Representatives Belatti, Ching, Finnegan, Green, Marumoto, Meyer, Pine and Ward voting no, and with Representatives Awana, Berg, Cabanilla, Chang, Magaoay, McKelvey, Nakasone, Sagum, Saiki, Thielen and Wakai being excused.

The Chair then announced:

"For the edification of this Chamber, the motion has been carried. This particular measure has been recommitted to the Committee on Health. Representative Caldwell, let's proceed on."

Representative Lee rose, stating:

"Mr. Speaker I don't believe that we had an opportunity to vote on the measure with Stand. Com. No. 1125."

The Chair responded, stating:

"We did have a voice vote."

Representative Lee: "Can I just make a brief comment?"

Speaker Say: "Not at this point. You'll probably have an opportunity after the Legislative Management Committee, if it survives."

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1127-08) recommending that S.B. No. 2292, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2292, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATED TELLER MACHINES," passed Second Reading and was placed on the calendar for Third Reading with Representatives Awana, Berg, Cabanilla, Chang, Magaoay, McKelvey, Nakasone, Sagum, Saiki, Thielen and Wakai being excused.

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, 35 years ago today, March 14, 1973 a man who served five and a half years as a prisoner of war was repatriated to our shores. If I mention his name, I may be ruled out of order, but I think we know who it is. He's running for President. Thank you, Mr. Speaker."

Representative Ching: "Mr. Speaker, this coming weekend represents the last weekend that a very talented group of dramatic players will be presenting *Aladdin Junior*. The Saint Louis High School players present *Aladdin Junior* and this is its last weekend. One of our esteemed Representative's son is in it, and that is the Representative from the North Shore. His son is in this."

Representative Sonson: "Mr. Speaker, I stand on a matter of personal privilege. Mr. Speaker, we deal with a lot of emotional issues in this particular Chamber. It saddens me that we all get carried away. A few minutes ago I lost my temper with another Member. I think that it was bad and I think that we should all be very patient in the work that we do here at the Legislature. Because the only thing that we have left when we say good bye to one another is our respect for ourselves, and the work that we've done and for colleagues. Thank you."

ADJOURNMENT

At 1:45 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, Monday, March 17, 2008. (Representatives Awana, Berg, Cabanilla, Chang, Magaoay, McKelvey, Nakasone, Sagum, Saiki, Takamine, Thielen and Wakai were excused.)