

FORTY-EIGHTH DAY

Friday, April 11, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:07 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Chaplain Major Scott Kennedy, Schofield Barracks, after which the Roll was called showing all members present with the exception of Representatives Awana, Karamatsu, McKelvey, Nakasone, Shimabukuro, Souki and Yamashita, who were excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 606 through 620) were received and announced by the Clerk:

Sen. Com. No. 606, transmitting S.C.R. No. 17, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP AND ADOPT ADMINISTRATIVE RULES REGARDING THE CREATION AND ENFORCEMENT OF LIMITS FOR THE COLLECTION OF ORNAMENTAL REEF FISH AND URGING THE ESTABLISHMENT OF FISH REPLENISHMENT AREAS FOR THE WATERS OF OAHU AND MAUI TO REGULATE THE COLLECTION OF ORNAMENTAL, NON-CONSUMPTIVE FISH ONLY," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 607, transmitting S.C.R. No. 20, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ASSESS THE ADVANTAGES AND DISADVANTAGES OF REQUIRING CERVICAL CANCER VACCINATIONS FOR GIRLS BEFORE THEY ENTER THE SEVENTH GRADE," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 608, transmitting S.C.R. No. 93, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE BUILDING CODE COUNCIL TO ADOPT EXPEDITIOUSLY PROVISIONS IN THE INTERNATIONAL BUILDING CODE, 2006 EDITION, RELATING TO PHYSICAL ASSISTANCE IN EVACUATION FOR RESIDENTS IN ASSISTED LIVING FACILITIES OR SIMILAR FACILITIES," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 609, transmitting S.C.R. No. 118, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING STATUS REPORTS ON CURRENT UTILIZATION OF FUNDS AND PLANS TO CLEARLY DEMONSTRATE HOW FUNDING IS BEING TARGETED TO IMPROVE STUDENT ACHIEVEMENT AS WELL AS A COMPARISON OF HAWAII'S UTILIZATION TO OTHER STATES," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 610, transmitting S.C.R. No. 126, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A GLOBAL WARMING TASK FORCE TO ASSESS THE IMPACTS OF GLOBAL WARMING ON THE STATE," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 611, transmitting S.C.R. No. 147, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REGULARLY CONSULT WITH HO'OLAULIMA IA KAWAINUI TO COORDINATE EFFORTS TO PROTECT,

CONSERVE, AND RESTORE THE NATURAL, CULTURAL, AND SCENIC RESOURCES OF THE KAWAINUI/HAMAKUA MARSH COMPLEX AND RELATED WATERWAYS," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 612, transmitting S.C.R. No. 152, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII PUBLIC HOUSING AUTHORITY AND THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO CONVENE A WORKING GROUP TO CREATE REDEVELOPMENT MASTER PLANS FOR KUKUI GARDENS AND MAYOR WRIGHT HOMES," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 613, transmitting S.C.R. No. 161, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO IMPLEMENT A STATEWIDE RAINWATER DETENTION AND RETENTION POND SAFETY PROGRAM," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 614, transmitting S.C.R. No. 202, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE WILLIAM S. RICHARDSON SCHOOL OF LAW TO FACILITATE A DISCUSSION TO ADDRESS THE IMPACT OF TYPE II ADULT RESIDENTIAL CARE HOME FACILITIES ON RESIDENTIAL NEIGHBORHOODS," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 615, transmitting S.C.R. No. 230, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EVALUATE RECYCLING OPTIONS AVAILABLE TO SCHOOLS, INCLUDING A FEASIBILITY REPORT RELATED TO THE ESTABLISHMENT OF A SCHOOL RECYCLING PROGRAM IN THE STATE," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 616, transmitting S.C.R. No. 235, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII AT MANOA EXPAND UPON A MASTER OF ARTS PROGRAM IN APPLIED ARCHAEOLOGY, THAT THE UNIVERSITY OF HAWAII AT HILO ESTABLISH A GRADUATE PROGRAM IN CULTURAL RESOURCES MANAGEMENT, AND THAT THE STATE HISTORICAL PRESERVATION DIVISION REVIVE ITS ARCHAEOLOGICAL WORKING GROUP," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 617, transmitting H.C.R. No. 53, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HEALTHCARE ASSOCIATION OF HAWAII TO CONTINUE ITS EFFORTS TO DEVELOP SOLUTIONS TO THE PROBLEM OF PATIENTS IN HOSPITALS WHO ARE WAITLISTED FOR LONG-TERM CARE," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 618, dated April 10, 2008, informing the House that the Senate has on April 8, 2008, agreed to the amendments proposed by the House to the following Senate Bill and that said bill has this day passed Final Reading:

S.B. No. 2141, "RELATING TO PUBLIC HOUSING."
HD 1

Sen. Com. No. 619, dated April 10, 2008, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

		S.B. No. 1384, S.D. 1, H.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair.
S.B. No. 96, S.D. 3, H.D. 2	Senator Hee discharged as Co-Chair; Added as conferee. Senator Taniguchi added as Co-Chair. Senator Slom added as conferee.	S.B. No. 1386, S.D. 1, H.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair.
S.B. No. 156, S.D. 2, H.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Whalen added as conferee.	S.B. No. 1387, S.D. 1, H.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair.
S.B. No. 170, S.D. 1, H.D. 1	Senator Taniguchi discharged as Chair; Added as conferee. Senator Kokubun added as Chair.	S.B. No. 1391, S.D. 1, H.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair.
S.B. No. 662, S.D. 2, H.D. 2	Senator Kokubun discharged as Chair; Added as conferee. Senator Tokuda discharged as conferee; Added as Chair.	S.B. No. 1412, S.D. 2, H.D. 2	Senator Taniguchi discharged as Chair; Added as 1st Co-Chair. Senator Hee discharged as Co-Chair; Added as conferee. Senator Kokubun added as Chair.
S.B. No. 1011, S.D. 1, H.D. 1	Senator Taniguchi discharged as Chair; Added as conferee. Senator Kokubun added as Chair. Senator Whalen added as conferee.	S.B. No. 1636, S.D. 2, H.D. 3	Senator Hee discharged as Co-Chair; Added as conferee. Senator Taniguchi added as Co-Chair.
S.B. No. 1068, S.D. 1, H.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.	S.B. No. 1756, S.D. 1, H.D. 2	Senator Kokubun discharged as Chair; Added as conferee. Senator Tokuda discharged as conferee; Added as Chair. Senator Hee discharged as conferee; Added as 1st Co-Chair.
S.B. No. 1093, S.D. 2, H.D. 1	Senator Kokubun discharged as Chair; Added as conferee. Senator Hee discharged as conferee; Added as Chair.	S.B. No. 1923, S.D. 2, H.D. 2	Senator Kokubun discharged as Chair; Added as conferee. Senator Hee added as Chair. Senator Whalen added as conferee.
S.B. No. 1113, S.D. 1, H.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.	S.B. No. 1932, S.D. 2, H.D. 1	Senator Slom added as conferee.
S.B. No. 1177, S.D. 2, H.D. 1	Senator Whalen added as conferee.	S.B. No. 1928, S.D. 2, H.D. 3	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair.
S.B. No. 1184, S.D. 2, H.D. 3	Senator Hee discharged as Co-Chair; Added as conferee. Senator Taniguchi added as Co-Chair.	S.B. No. 1950, S.D. 2, H.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair.
S.B. No. 1221, S.D. 2, H.D. 2	Senator Kokubun discharged as Chair; Added as conferee. Senator Tokuda discharged as conferee; Added as Chair.	S.B. No. 1954, S.D. 1, H.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
S.B. No. 1229, S.D. 2, H.D. 1	Senator Taniguchi discharged as Chair; Added as 1st Co-Chair. Senator Hee discharged as Co-Chair; Added as conferee. Senator Kokubun added as Chair.	S.B. No. 1957, S.D. 1, H.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
S.B. No. 1236, S.D. 1, H.D. 1	Senator Kokubun discharged as Chair; Added as conferee. Senator Tokuda discharged as conferee; Added as Chair.	H.B. No. 17, H.D. 1, S.D. 1	Senator Whalen added as conferee.
S.B. No. 1352, S.D. 2, H.D. 2	Senator Taniguchi discharged as Chair; Added as conferee. Senator Kokubun added as Chair.	H.B. No. 92, H.D. 1, S.D. 1	Senator Taniguchi discharged as Chair; Added as conferee. Senator Kokubun added as Chair.
S.B. No. 1383, S.D. 1, H.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair.	H.B. No. 119, S.D. 1	Senator Tokuda discharged as conferee; Added as Chair. Senator Kokubun discharged as Chair; Added as conferee.

H.B. No. 150, H.D. 2, S.D. 2	Senator Taniguchi discharged as Co-Chair; Added as conferee. Senator Hee added as 2nd Co-Chair.	H.B. No. 987, H.D. 1, S.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
H.B. No. 158, S.D. 1	Senator Trimble added as conferee.	H.B. No. 1001, H.D. 2, S.D. 2	Senator Taniguchi discharged as Chair; Added as conferee. Senator Kokubun added as Chair.
H.B. No. 356, H.D. 2, S.D. 1	Senator Hee discharged as Co-Chair; Added as conferee. Senator Taniguchi added as Co-Chair.	H.B. No. 1104, H.D. 1, S.D. 1	Senator Kokubun discharged as Chair; Added as conferee. Senator Tokuda added as Chair.
H.B. No. 357, H.D. 2, S.D. 1	Senator Trimble added as conferee.	H.B. No. 1114, H.D. 2, S.D. 2	Senator Kokubun discharged as Chair; Added as conferee. Senator Tokuda added as Chair.
H.B. No. 379, H.D. 1, S.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.	H.B. No. 1133, H.D. 1, S.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
H.B. No. 451, H.D. 1, S.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.	H.B. No. 1149, H.D. 1, S.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
H.B. No. 469, H.D. 1, S.D. 2	Senator Hee discharged as Co-Chair; Added as conferee. Senator Kokubun added as Co-Chair.	H.B. No. 1152, H.D. 1, S.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
H.B. No. 483, H.D. 1, S.D. 1	Senator Taniguchi discharged as Chair; Added as conferee. Senator Kokubun added as Chair.	H.B. No. 1153, S.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
H.B. No. 600, H.D. 1, S.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Whalen added as conferee.	H.B. No. 1201, H.D. 1, S.D. 1	Senator Kokubun discharged as Chair; Added as conferee. Senator Tokuda added as Chair.
H.B. No. 639, H.D. 2, S.D. 1	Senator Whalen added as conferee.	H.B. No. 1260, H.D. 1, S.D. 1	Senator Hee discharged as Co-Chair; Added as conferee. Senator Taniguchi added as Co-Chair.
H.B. No. 652, H.D. 2, S.D. 2	Senator Kokubun discharged as Chair; Added as conferee. Senator Hee discharged as conferee; Added as Chair.	H.B. No. 1268, H.D. 3, S.D. 2	Senator Slom added as conferee.
H.B. No. 676, H.D. 1, S.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.	H.B. No. 1283, H.D. 2, S.D. 2	Senator Kokubun discharged as Chair; Added as 1st Co-Chair. Senator Taniguchi discharged as Co-Chair; Added as conferee. Senator Hee added as Chair.
H.B. No. 760, H.D. 2, S.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair.	H.B. No. 1292, H.D. 1, S.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
H.B. No. 859, H.D. 2, S.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair.	H.B. No. 1339, H.D. 1, S.D. 1	Senator Taniguchi discharged as Chair; Added as conferee. Senator Kokubun added as Chair.
H.B. No. 902, H.D. 2, S.D. 3	Senator Kokubun discharged as Chair; Added as conferee. Senator Tokuda discharged as conferee; Added as Chair.	H.B. No. 1353, H.D. 1, S.D. 1	Senator Kokubun discharged as Chair; Added as conferee. Discharged Senator Tokuda as conferee; Added as Chair.
H.B. No. 931, H.D. 1, S.D. 1	Senator Whalen added as conferee.	H.B. No. 1359, H.D. 1, S.D. 2	Senator Taniguchi discharged as Co-Chair; Added as conferee. Senator Kokubun added as Co-Chair.
H.B. No. 936, H.D. 2, S.D. 1	Senator Taniguchi discharged as Chair; Added as conferee. Senator Kokubun added as Chair. Senator Whalen added as conferee.		

H.B. No. 1406, H.D. 1, S.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.	S.B. No. 2083, S.D. 2, H.D. 1 S.B. No. 2094, S.D. 2, H.D. 2 S.B. No. 2146, S.D. 2, H.D. 1 S.B. No. 2150, S.D. 2, H.D. 2 S.B. No. 2151, S.D. 2, H.D. 1 S.B. No. 2157, S.D. 1, H.D. 2 S.B. No. 2170, S.D. 1, H.D. 1 S.B. No. 2196, S.D. 2, H.D. 2 S.B. No. 2198, S.D. 2, H.D. 2 S.B. No. 2202, H.D. 1 S.B. No. 2212, S.D. 1, H.D. 2 S.B. No. 2218, S.D. 1, H.D. 2 S.B. No. 2245, S.D. 1, H.D. 2 S.B. No. 2262, S.D. 1, H.D. 2 S.B. No. 2263, S.D. 2, H.D. 1 S.B. No. 2273, S.D. 2, H.D. 3 S.B. No. 2293, S.D. 1, H.D. 1 S.B. No. 2294, S.D. 2, H.D. 1 S.B. No. 2313, S.D. 1, H.D. 2 S.B. No. 2314, S.D. 1, H.D. 2 S.B. No. 2334, S.D. 2, H.D. 1 S.B. No. 2341, S.D. 1, H.D. 1 S.B. No. 2342, S.D. 2, H.D. 1 S.B. No. 2365, S.D. 1, H.D. 1 S.B. No. 2394, H.D. 2 S.B. No. 2396, S.D. 1, H.D. 3 S.B. No. 2400, S.D. 1, H.D. 1 S.B. No. 2407, S.D. 1, H.D. 1 S.B. No. 2421, S.D. 2, H.D. 1 S.B. No. 2423, S.D. 2, H.D. 2 S.B. No. 2433, S.D. 2, H.D. 1 S.B. No. 2449, S.D. 2, H.D. 2 S.B. No. 2454, S.D. 1, H.D. 1 S.B. No. 2480, S.D. 2, H.D. 2 S.B. No. 2528, S.D. 2, H.D. 1 S.B. No. 2542, S.D. 2, H.D. 2 S.B. No. 2546, S.D. 2, H.D. 1 S.B. No. 2644, S.D. 1, H.D. 1 S.B. No. 2646, S.D. 2, H.D. 2 S.B. No. 2652, S.D. 2, H.D. 2 S.B. No. 2660, S.D. 3, H.D. 2 S.B. No. 2663, S.D. 2, H.D. 2 S.B. No. 2668, S.D. 2, H.D. 1 S.B. No. 2720, S.D. 2, H.D. 1 S.B. No. 2730, S.D. 2, H.D. 2 S.B. No. 2768, S.D. 2, H.D. 1 S.B. No. 2779, H.D. 2 S.B. No. 2785, S.D. 1, H.D. 1 S.B. No. 2803, S.D. 1, H.D. 1 S.B. No. 2808, S.D. 2, H.D. 1 S.B. No. 2825, S.D. 1, H.D. 2 S.B. No. 2826, S.D. 2, H.D. 1 S.B. No. 2829, S.D. 2, H.D. 2 S.B. No. 2830, S.D. 2, H.D. 2 S.B. No. 2831, S.D. 1, H.D. 1 S.B. No. 2833, S.D. 1, H.D. 1 S.B. No. 2838, S.D. 2, H.D. 1 S.B. No. 2840, S.D. 2, H.D. 1 S.B. No. 2842, S.D. 2, H.D. 2 S.B. No. 2843, S.D. 2, H.D. 3 S.B. No. 2850, S.D. 2, H.D. 2 S.B. No. 2857, S.D. 2, H.D. 1 S.B. No. 2864, S.D. 2, H.D. 2 S.B. No. 2867, S.D. 2, H.D. 2 S.B. No. 2876, H.D. 2 S.B. No. 2878, S.D. 2, H.D. 2 S.B. No. 2879, S.D. 2, H.D. 1 S.B. No. 2886, S.D. 1, H.D. 2 S.B. No. 2896, S.D. 2, H.D. 2 S.B. No. 2915, S.D. 2, H.D. 1 S.B. No. 2933, S.D. 2, H.D. 2 S.B. No. 2961, S.D. 2, H.D. 2 S.B. No. 2982, H.D. 2
H.B. No. 1423, S.D. 1	Senator Trimble added as conferee.	
H.B. No. 1440, H.D. 3, S.D. 1	Senator Hee discharged as Co-Chair; Added as conferee. Senator Taniguchi added as Co-Chair.	
H.B. No. 1479, H.D. 2, S.D. 2	Senator Taniguchi discharged as Co-Chair; Added as conferee. Senator Kokubun added as Co-Chair.	
H.B. No. 1516, H.D. 2, S.D. 2	Senator Kokubun discharged as Chair; Added as conferee. Senator Hee added as Chair.	
H.B. No. 1639, H.D. 2, S.D. 3	Senator Kokubun discharged as Chair; Added as conferee. Senator Tokuda discharged as conferee; Added as Chair.	
H.B. No. 1836, H.D. 1, S.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.	
H.B. No. 1848, H.D. 2, S.D. 2	Senator Kokubun discharged as Chair; Added as conferee. Senator Hee added as Chair.	
H.B. No. 1909, H.D. 1, S.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.	
H.B. No. 1950, H.D. 1, S.D. 2	Senator Taniguchi discharged as Co-Chair; Added as conferee. Senator Hee added as 1st Co-Chair. Senator Whalen added as conferee.	
Sen. Com. No. 620, dated April 10, 2008, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bills:		
S.B. No. 6, H.D. 2		
S.B. No. 409, S.D. 2, H.D. 1		
S.B. No. 546, S.D. 2, H.D. 1		
S.B. No. 644, S.D. 3, H.D. 3		
S.B. No. 651, S.D. 2, H.D. 2		
S.B. No. 711, H.D. 2		
S.B. No. 945, H.D. 1		
S.B. No. 988, S.D. 2, H.D. 3		
S.B. No. 1311, H.D. 1		
S.B. No. 1337, H.D. 1		
S.B. No. 1487, S.D. 2, H.D. 2		
S.B. No. 1491, S.D. 1, H.D. 2		
S.B. No. 1526, S.D. 2, H.D. 3		
S.B. No. 1720, S.D. 1, H.D. 2		
S.B. No. 1780, S.D. 2, H.D. 2		
S.B. No. 1891, S.D. 1, H.D. 1		
S.B. No. 1934, S.D. 1, H.D. 1		
S.B. No. 1961, S.D. 1, H.D. 1		
S.B. No. 2004, S.D. 2, H.D. 2		
S.B. No. 2034, H.D. 2		
S.B. No. 2040, S.D. 1, H.D. 2		
S.B. No. 2041, H.D. 1		
S.B. No. 2054, S.D. 2, H.D. 2		
S.B. No. 2055, S.D. 2, H.D. 2		

S.B. No. 2986, S.D. 2, H.D. 1
 S.B. No. 3001, S.D. 2, H.D. 2
 S.B. No. 3004, S.D. 2, H.D. 2
 S.B. No. 3005, S.D. 2, H.D. 2
 S.B. No. 3008, S.D. 2, H.D. 1
 S.B. No. 3009, S.D. 2, H.D. 2
 S.B. No. 3015, S.D. 2, H.D. 2
 S.B. No. 3019, S.D. 1, H.D. 2
 S.B. No. 3023, S.D. 2, H.D. 2
 S.B. No. 3030, S.D. 2, H.D. 2
 S.B. No. 3048, S.D. 1, H.D. 1
 S.B. No. 3050, S.D. 1, H.D. 2
 S.B. No. 3068, S.D. 1, H.D. 1
 S.B. No. 3069, S.D. 2, H.D. 1
 S.B. No. 3074, S.D. 1, H.D. 1
 S.B. No. 3076, H.D. 1
 S.B. No. 3080, S.D. 1, H.D. 1
 S.B. No. 3092, S.D. 1, H.D. 1
 S.B. No. 3102, S.D. 2, H.D. 1
 S.B. No. 3103, S.D. 1, H.D. 2
 S.B. No. 3137, S.D. 2, H.D. 1
 S.B. No. 3138, S.D. 1, H.D. 1
 S.B. No. 3165, S.D. 2, H.D. 2
 S.B. No. 3171, S.D. 2, H.D. 2
 S.B. No. 3174, S.D. 2, H.D. 2
 S.B. No. 3185, S.D. 2, H.D. 1
 S.B. No. 3190, H.D. 1
 S.B. No. 3202, H.D. 1
 S.B. No. 3206, S.D. 2, H.D. 1
 S.B. No. 3215, S.D. 3, H.D. 2
 S.B. No. 3228, H.D. 1
 S.B. No. 3252, S.D. 2, H.D. 2
 S.B. No. 3255, S.D. 2, H.D. 2
 S.B. No. 3257, S.D. 3, H.D. 2

INTRODUCTION

The following introduction was made to the members of the House:

Representative Yamane introduced Chaplain Major Scott Kennedy of Schofield Barracks who delivered today's invocation, accompanied his wife, Mrs. Dawn Kennedy; and daughter, Ms. Virginia Grace Kennedy.

ORDER OF THE DAY

UNFINISHED BUSINESS

At this time, the Chair announced:

"Members, please note that House Resolution No. 154 was referred solely to the Committee on International Affairs per Committee Referral Sheet No. 78 that was placed on your desks today. The Committee on Judiciary waived its referral to the measure and therefore it is appropriate for the House to consider action for adoption."

SUSPENSION OF RULES

Representative Caldwell moved to suspend the rules of the House to reconsider action previously taken on H.R. No. 154, seconded by Representative B. Oshiro and carried. (Representatives Awana, Karamatsu, McKelvey, Nakasone, Shimabukuro and Souki were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved to reconsider action taken pursuant to the recommendations contained in Stand. Com. Rep. No. 1382-08 in referring H.R. No. 154 to the Committee on Judiciary, seconded by Representative B. Oshiro and carried. (Representatives Awana, Karamatsu, McKelvey, Nakasone, Shimabukuro and Souki were excused.)

ADOPTION

Representative Caldwell then moved that H.R. No. 154 be adopted, seconded by Representative B. Oshiro.

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

"I rise in strong support of House Resolution No. 154. This Resolution talks about amending Public Law 97-359 which provides for preferential treatment in the admission of children of United States citizens when the child was born in Korea, Vietnam, Laos, Cambodia or Thailand after 1950 until October 22, 1982, and who were fathered by United States citizens. This Resolution amends it in a way to include children from the Philippines. Mr. Speaker, I would just like to inform the audience why.

"During the Vietnam War, hundreds of thousands of sailors and airmen used the Philippines as an R&R facility. As a result of this activity, thousands of Amerasian children were born. But besides that Mr. Speaker, since 1898, when the U.S. first colonized the Philippines, there have been as many as 21 U.S. bases and hundreds of thousands of military personnel stationed there. The bases closed in 1992 leaving behind thousands of Amerasian children. The Pearl S. Buck International Foundation estimates that there are 52,000 Amerasian scattered throughout the Philippines with 5,000 in the Clark Air Base area alone. The majority of the children have been abandoned by their American fathers, unlike their counterparts in other countries; American-Asians in the Philippines remain impoverished and neglected.

"A study made by the University of the Philippines Center of Women's Studies further disclosed startling facts that many Amerasians have experienced some form of abuse or even domestic violence. The findings cite cases of racial gender and class discrimination that Amerasian children in youth suffer from strangers, peers, classmates and teachers. The study also said that Black Amerasians seem to suffer more from racial and class discrimination than their white counterparts. White female Amerasians are highly vulnerable to sexual harassment, the study noted. Two-thirds are raised by single mothers, others by relatives and non-relatives; six percent live on their own or in institutions. Ninety percent are born out of wedlock. It was reported in 1993 that prostitutes are increasingly Amerasian. Children of prostitutes are caught in the cycle which transcends generations.

"Lastly Mr. Speaker, I would like to thank the Chair of Judiciary for waiving his referral to this, and I ask the Members for its passage. Thank you."

Representative Sonson rose in support of the measure and asked that the remarks of Representative Cabanilla be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

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

"Mr. Speaker, I wish the remarks of the Chair of the International Affairs Committee be entered as my own. This is clearly a Resolution about no child left behind. Thank you."

The motion was put to vote by the Chair and carried, and H.R. No. 154, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO AMEND THE DEFINITION OF "AMERASIANS" IN THE AMERASIAN IMMIGRATION ACT

OF 1982," was adopted, with Representatives Awana, Karamatsu, McKelvey, Nakasone and Shimabukuro being excused.

STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1865-08) recommending that H.C.R. No. 27, as amended in HD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 27, HD 1, be adopted, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I wanted to register a vote with reservations on Stand. Com. Rep. 1865, HCR 27, HD 1. This Resolution is asking the Department of Transportation, Airport Division to prepare a report explaining the procurement process for the awarding of the Wiki Wiki Shuttle service contract and include in this report the reasons for the decision of the new contractor to not hire the employees of the former contractor, and the steps, if any, taken by the procurement officer to protect the jobs of these employees. It also goes on to ask the Department of Transportation to consider rebidding the Wiki Wiki Shuttle service.

"I mean, this is like so many other measures that we've had, like failing hotels bought by a new owner and that we want them to retain all the employees that are in place. I think that we should be looking for the best service we can have. And this new contractor probably has employees of their own, and they want to improve the service of the Wiki Wiki Shuttle, so I have some strong reservations."

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

"On HCR No. 27, HD 1, I am in strong support. Mr. Speaker, as I take a look at the facts we relied upon in the Committee, there has been evidence showing that clearly there is some potential appearance of impropriety as far as how the bidding took place. Let me just summarize what was presented to us.

"An RFP by the Department of Transportation was issued, and four businesses responded. Roberts Hawaii was one of those companies that responded. Roberts Hawaii, however, was the second highest bidder. Before the bids were opened however, the Department found that there was supposedly a route that was not included in the RFP which meant that this will be an added item to all the bidders. Instead of just keeping the bid sealed, given that they are going to reissue a new RFP, the Department of Transportation opened the bids and showed the bid numbers to all those who bid. Subsequently they reissued the RFP and three businesses submitted a response. Two of those that submitted a response to the RFP added an extra \$900 to \$1.5 million in their bids, making them higher.

"However Roberts Hawaii, instead of raising the amount of money to do the contract, they lowered their bid to \$250,000. I think with those facts, I think there is some cause for concerns, for this body. And we believe that all service contracts, especially the ones coming from the State of Hawaii, should be bid in such a way so that there's an even playing field. There certainly is a cause for concern when something like this happens when you think that the bids should go up and it does go up for competitors, but one of them is lower. That sounds pretty funny, and it sort of smells a little bit. So I think there should be a lot of support for this particular Resolution. Please vote yes, Members."

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

"Thank you, Mr. Speaker. In strong support. I just want to add a few comments that haven't been brought up yet. I really hope that with this Resolution, if it passes, even in the Senate, that we really need to look at the procurement process and how DOT procured this, because in my previous experience in another State when they opened bids and they determined that they left something out, they would only allow the two lowest bidders to come back and rebid on it. They would not allow four or five or six bidders.

"The information is out. Everybody knows and is knowledgeable, so you just allow the two lowest ones. You're obviously the lowest and we're going to deal with you two. You come back and rebid. We just have to modify this. So I think this whole procurement process definitely has to change because to open up those bids and have everybody understand the four bidders that bid on it, exactly what other people are bidding, and then come back after a minor adjustment and then the highest bidder came in the lowest two months later when they bid it? Something is just wrong with the process, so I really want to encourage the Members to look at this. Thank you."

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

"Mr. Speaker, brief comments in support. I'd like to incorporate the words of the Chair of Labor as if they were my own, and also want to thank the Chair of Labor for jumping on this so quickly. This is something that was brought to our attention early this week. He jumped on it right away. It's something that needs to be looked at as stated by speakers here today.

"When you think about the impact of this bid and re-bid, it resulted in a substantial number of former employees being laid off in a time when so many other people are being laid off. If you met with these women mainly, and saw their faces and saw what they're going through, you'd understand why this Resolution needs to proceed. Thank you very much, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 27, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PROCUREMENT OFFICER OF THE DEPARTMENT OF TRANSPORTATION TO PREPARE A REPORT EXPLAINING THE PROCUREMENT PROCESS USED TO AWARD THE HONOLULU WIKI WIKI SERVICE CONTRACT," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1866-08) recommending that H.C.R. No. 105, as amended in HD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 105, HD 1, be adopted, 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. No. 1866 regarding the re-regulation of air carriers. Mr. Speaker, when I was a freshman in the early '90s we had the exact opposite happen as we have now. Aloha was the strongest carrier and Hawaiian was the weakest carrier, and we did the right thing. We actually had a loan guarantee program that we put in place. It was in fact, so timely that when Hawaiian did ask for bankruptcy, by the time that our loan guarantee came around to be effective they actually had turned the corner and actually didn't need it.

"Now I can see after that we're trying to do the same thing because after we did the loan guarantee we had a bill that we passed that said that we need to re-regulate our airlines, basically put in price controls. And I think these Resolutions today resurrect that, unless

the Chair of Transportation sees me as inconsistent, I re-visited my vote in 1993 and I didn't vote for price or re-regulation and there's a couple of reasons for that.

"Number one was the bill that we did pass, the sunset of 2002, but it was never really implemented to the extent that it was then passed again and then vetoed and there was no override of the veto. The point being that there was no move in Congress to say, 'Yes, Hawaii. You have permission to re-regulate.' And I know this is trying to follow the example of Alaska. The point being Mr. Speaker, is that we now have the weakest carrier being the strongest, and the strongest carrier being the weakest.

"It really boils down to management and not price control. If you want just reliability, we can look at our electrical bills and know that our electricity is reliable, but the prices are going crazy. And I think that if you do that with the airlines, we're going put in place some of the things that we otherwise would fear, which otherwise is competition and having the carriers working themselves out the way Hawaiian did and Aloha to the private sector and the free market, letting the forces prevail. Having said that Mr. Speaker, with reservations for this Resolution. Thank you."

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

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

"Mr. Speaker, I rise in strong support of this measure. I realize the concerns of my colleagues from the other side of the aisle, but I'm still standing in support of it because as you know today based on this experience, Mr. Speaker, our cliental really doesn't have any support for our local carriers. This is a clear demonstration. Somebody who came from the outside and started lowering the price and all of us want to use the lower price. There are companies out there that have a lot of money that can withstand competition for a long time. Our local carriers really don't have that much of a capital base like they do.

"So we stand to lose. This time Aloha Airlines lost with this competition. Maybe another carrier will come in the future and it will be Hawaiian Airlines next. Who knows? But I think the people in Hawaii who benefit from the taxes that we collect from these local businesses, we owe something to our local businesses. These companies coming from the outside do not pay taxes in the State of Hawaii. They pay taxes from wherever they're incorporated. So I think this measure is toward self-preservation of the State, Mr. Speaker. It may not be a perfect solution, but I think that we should support it for now until a better solution comes up. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker just a brief retort to that. Basically, all the airlines are owned from the outside. Hawaiian is publically owned. It's not private like Aloha is. The other thing is that with this, quote, PUC/Civil Aviation Board approach we are taking, we will actually be rewarding the airline which otherwise we said was a predator from the outside, because it will lock in place those who are now in place. Thank you, Mr. Speaker."

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

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

"Mr. Speaker, in support. I was not going to speak on this measure, but some Members here obviously have some concerns with the regulation. We've had regulation in the past. Many of you weren't born yet, but prior to 1978, all airlines were regulated at that time by

the federal government. They didn't have problems like we have now. We have a situation now that is a domino effect, and it's affecting all the airlines. I believe even in Washington, Senator Inouye made mention that maybe it's time to relook at the need for regulation on the national level.

"But what we're asking here is that the Congress give us an exemption like they did for Alaska, to provide that the State of Hawaii can regulate its own airlines. Alaska has that, and the reason they gave an exemption to Alaska was one, because of the sparse population which is similar to Hawaii. And number two, because they didn't have the connecting highways throughout that huge, vast State. They need to go either through the rivers or the Yukon, or use the pontoon planes that stop in little rivers throughout the State.

"Similarly in Hawaii, our highways are the ocean and the air. We cannot drive from Maui to the Big Island, or Kauai like they can in the mainland. We're different. We have a very small population that's made it very difficult to support more than two airlines. Or for that matter, maybe even more than one airline. I've not known any airline to make a profit in the last 20 or 30 years that have been here. They have not made any money.

"So we need to relook at this. There needs to be a debate and a discussion about if we should do this. I'm not saying that this should be done. This may be a panacea, but it may not. We should take a good hard look at it.

"Now you're talking about how the predatory airline might benefit. If we had the regulations we would have prevented a predatory airline from coming here. We would have prevented the airline from having \$1 fares which is unreasonable, even a \$29 or \$39 fare. Airlines should be charging a fare that will cover their costs with a reasonable profit. And that's the only way you can survive. There isn't any business that can survive if you sell your cut of goods for less than what it costs to make and prepare and sell the goods. It should at least at the minimum be able to meet your costs.

"And that's what a regulated airline should do. It will say that the airlines would be able to make its cost of operation with some profit, similar to Young Brothers, similar to HECO and huge utilities that we have. And that's how they can survive. Do you think that Hawaiian Electric and Young Brothers could survive if we didn't have some kind of protected measures? They couldn't. And we would be without lights three-fourths of the time.

"So I ask the Members to think about this. Think about regulation. It may not be a bad idea in this current time that we're living in. Thank you, very much."

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

"If I may, Mr. Speaker. I'd like to vote yes, however with serious concerns. Anytime that we try to interfere in the marketplace, we have to be very careful because we have to take a look at the costs and benefits of this. I think it should be advanced to further discussions. Yes, I thought about this as the prior speaker said, 'Let's think about it.' I always think about the free market. I always think that the free market is best left on its own unless there is really something that needs to be corrected.

"If we are worried about predatory pricing, this is the reason why we are introducing this Resolution, I think that the discussion has already been covered by existing laws. Predatory pricing is already controlled by federal law. It's illegal and it can be enforced. I think we've seen the result of that in those million dollar judgments. Regulation costs money and you have to be paid by somebody, and that somebody is usually the consumer.

"In this particular case, there have been examples saying that we should regulate the airlines similarly as HECO and other large companies. Mr. Speaker, I agree that they should be regulated in such

a way because they are a different kind of business. I don't know how similar they are with the airlines, but I think a competition in the airline industry would be a lot different from the Hawaiian Electric example, because the Hawaiian Electric example frankly is a business that has a lot of costs just to enter the marketplace.

"It makes sense that the government supports a monopoly, a natural monopoly in a sense. However I don't agree that the airline industry, even in Hawaii, is a natural monopoly. I think a competitive market is best for the consumer. As we've seen through these bills such as the bill regarding regulation of money transmitters, it costs a lot of money. And I'm worried that the cost will have to be borne by our consumers. For example if we have to regulate them, that means that we guarantee them a place in the State of Hawaii, a place of business guaranteed in such that they are guaranteed a profit, such as we almost guarantee Hawaiian Electric a profit. In that sense Mr. Speaker, it makes the marketplace less efficient. I think we should be very careful as we proceed forward. Thank you very much."

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

"In support. And I just have to note that only one of the previous speakers relies on inter-island airlines every week. I'm old enough to remember when Hawaiian Airlines was the only carrier in the State of Hawaii, and they were so arrogant it was unbelievable. I don't want to see us return to that."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 105, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED STATES CONGRESS TO ENACT FEDERAL LEGISLATION TO ALLOW HAWAII TO REGULATE AIR CARRIERS OPERATING BETWEEN ISLANDS IN THE STATE UNDER THE HAWAII REVISED STATUTES," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1867-08) recommending that H.C.R. No. 164, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 164, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ON THE IMPACT OF ACT 226, SESSION LAWS OF HAWAII 2007, ON NURSE AIDES WHO ARE EMPLOYED IN STATE-CERTIFIED OR STATE-LICENSED HEALTH CARE SETTINGS TO PROVIDE A BASIS FOR THE LEGISLATURE TO DECIDE WHETHER TO AMEND ACT 226, SESSION LAWS OF HAWAII 2007," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1868-08) recommending that H.C.R. No. 288, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 288, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW ON THE REGULATION OF PERSONS WHO APPREHEND BAIL FUGITIVES," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1869-08) recommending that H.C.R. No. 62, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 62, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE FOR DIAGNOSIS AND TREATMENT OF AUTISM SPECTRUM DISORDERS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1870-08) recommending that H.C.R. No. 125, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 125, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO EXAMINE UPCOMING CONDOMINIUM LEASEHOLD EXPIRATIONS AND THEIR IMPACT ON THE AVAILABILITY OF REPLACEMENT AND AFFORDABLE HOUSING FOR HAWAII RESIDENTS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1871-08) recommending that H.C.R. No. 214, HD 1, as amended in HD 2, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 214, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PERFORMANCE AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY, MAINLAND AND FDC BRANCH, ON CONTRACT COMPLIANCE OF PRIVATE PRISONS THAT HOUSE HAWAII INMATES," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1872-08) recommending that H.C.R. No. 231, as amended in HD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 231, HD 1, be adopted, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I rise in opposition to House Concurrent Resolution 231, Stand. Com. 1872-08. Thank you. For starters, I would like to clarify that through the life of this Resolution in this House I supported the intent, but not the approach that is now embodied in House Draft 1. I agree with some of my colleagues such as the good Representatives from Hanalei and Pearl City, that cost should not be a factor for voters as they decide whether to convene a Constitutional Convention. But I do believe it will be a factor for many voters as demonstrated by the Winter 2008, *People's Pulse* survey. And I also believe that anti-Con Con groups will use cost as a reason to urge voters to vote against the Convention. For this reason, we need to put the best information forward to our voters.

"As Legislators, we expect the best, most accurate information presented to us when we're making those often difficult decision on which programs deserve funding. The voters too deserve nothing less than the best, most accurate information for determining the costs of convening a Constitutional Convention. While I'm in support of the

Resolution's intent, I still believe that there is a better way to address the issue of cost. A taskforce made up of representatives from State agencies directly involved in convening a Constitutional Convention, bipartisan legislators and citizens' groups would be best situated to determine a reliable and accurate figure that the voters can have faith in. Agencies such as the Campaign Spending Commission, the Office of Budget and Finance, the Office of Elections, the Department of Accounting and General Services, are all State agencies that are directly involved in the election of delegates, the handling of elections and convention funds, and the use of facility space. Therefore it would be entirely appropriate to use agencies that will know how much it will cost to prepare and implement a Constitutional Convention. Bipartisan legislators would have accountability to this taskforce. And since all legislators are held accountable to the voters, it would encourage transparency and promote fair figures in the interest of citizens.

"Of all the groups that consider a taskforce, none is more important than a citizen group. A citizen group is necessary to the taskforce for its ability to bring the ideas of the voters and all of Hawaii's citizens to the table. Citizens' groups like the League of Women Voters are esteemed in their community, especially the League which is recognized for working civic engagement and for their past history with previous conventions. They are informed about the issues and would be able to assist by presenting options regarding aspects of the Constitutional Convention concerning cost and voter education. Citizens will ultimately be voting as to whether to convene the Constitutional Convention therefore it is highly appropriate for them to be involved in this process to create a reliable and accurate figure. I urge our colleagues in the Senate who will be considering this Resolution next to consider these suggestions that have been presented and rejected by this House. Consider using the taskforce made of agencies that are directly involved in the Convention. Incorporate the voices of our public through a citizen group like the League of Women Voters. These suggestions will help the voters make an informed decision this November. Thank you, Mr. Speaker."

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

"I also rise in opposition to this measure. Mr. Speaker, there is a saying that says that if you have to ask the price of something really valuable, you probably can't afford it. The subliminal message of this bill to the people of Hawaii is, 'Hey we can't really afford a Constitutional Convention.' Instead of focusing on democracy and the enfranchisement, the empowerment of our people, we're saying, 'Well look at the dollar amount.' And let us look at ourselves in terms of, do we do this all of the time, or some of the time, or not really at all? And I think this is a rare occasion that we'll look at the cost before we're going to pass this or before we're really going to implement it.

"I think it's a little bit disingenuous, I think we're raising the bar higher than we ever do with other pieces of legislation. And I think what we're trying to do is as it was pointed out earlier by a colleague, on line 34, we're trying to jack up the price the way we've put the wording in it. It says we must have a lease facility, costed out by the researcher here. A leased facility means we're going to have to pay for it, and not get it free. Hopefully in a Committee Report, it would say we could lease it for \$1 and not what other lies in a large commercial lease.

"If anything that I said is untrue, it will do one other thing and that is create doubts. If people have a doubt whether we kept this thing passed or not passed, it's going to create doubts. My fear is that doubts usually pull back participation. Pull back participation means that they're going to leave it blank. If they leave it blank, we know that the Supreme Court has said a blank vote is a no vote. Each time we have a vote, people want to have a Constitutional Convention, they prevail by a number, but then the no, vis-à-vis the blank votes, will prevail. Mr. Speaker that's not a good way to enfranchise people of Hawaii. I think it's a good Resolution with bad intent, and I hope

as the previous speaker said, that the Senate will prevail more logically than we have. Thank you."

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

"Mr. Speaker, I rise in strong support. From the fiscal perspective, I think this a wise course for the Legislature to take. I note that in the HCR, the reporting date for the study will be September 1, 2008. I think it's appropriate because when I look at the Committee Report on page 3 it states that, 'if the 1978 Constitutional Convention costs of \$2 million were adjusted for inflation, the cost would be approximately \$6.5 million.' And I think it's appropriate for taxpayers to know the true costs of the Convention. Thank you."

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

"Mr. Speaker, also in support with some brief comments. We've heard several arguments made today in opposition to this Resolution. And when you look at the Resolution and you read the Resolution, and reflect back and talk to LRB, what they're doing in this Resolution which they drafted, is following the model of the 1978 Constitutional Convention. Nothing more, nothing less.

"When they referenced the word, 'leased', which everyone seems to focus on, in fact we did lease the old Federal Building over where the Post Office is because when you think about it, whatever space you're going to take for a period of time, two to five months, you want to make sure there's terms and conditions even if the rent is free or \$1. What landlord, whether it be government or the private sector, would just turn over a large facility and say we can have it with no terms and conditions, liability, we'll accept it. That's ridiculous. So somehow they think that by putting the word 'lease', we're talking about dollars, a lot of money. Just absolutely not correct. And in fact, the facility was leased, and this Resolution follows that model.

"As far as a taskforce, LRB has been involved in the Constitutional Conventions that have been held in our State. They are a non-partisan body at the Legislature drafting legislation for all parties who request it. They know how a Constitutional Convention is organized and run. They have the institutional knowledge. They can jump on this if this Resolution passes, and they can get it implemented and the information to the public well before a vote, because we want an informed republic.

"When we hear arguments today and earlier this month, that somehow the people should vote first and then we tell them the cost. When did that become good policy, I ask? When did that become good policy? And we really are short-changing our electorate. If we think they are so ignorant as to not want to know the cost, or that somehow by giving them the true cost, they're going to decide wrongly? I think we owe it to our constituents and anyone who stands on this Floor and we don't want to let them know the costs because they may vote for it is outrageous and bad public policy.

"So I encourage our Members to support it. I hope the Senate will support it. I hope we'll have a Resolution passed, a study done, we'll know the cost, and the public can then decide in an informed way when they vote this coming November. Thank you very much, Mr. Speaker."

Representative Belatti rose to respond, stating:

"Thank you, Mr. Speaker. Just in brief rebuttal and actually in agreement with the previous speaker. I do agree that we should do a cost analysis. And I also do agree that LRB has the institutional knowledge. But I think we should also bring other people who have information readily available and who stand ready to participate in this cost analysis.

"When this Resolution was heard before the Judiciary Committee, a representative from the Lieutenant Governor's Office came and offered that representatives from the Office of Budget and Finance, from DAGS would be ready and willing to work on this. So I don't see the harm in opening it up and, again, coming up with the best, most accurate, reliable figures.

"Secondly, as to the issue of leased facilities, I would like to note, and I hope that LRB, if they are tasked with doing this, that the language in this Resolution allows them to look at various options. I would especially like to point, not to the lease facility provision, but to the provision that a Convention should convene not less than five months prior to the next regularly scheduled General Election. That provision there, in and of itself, raises the cost of a Constitutional Convention because it presupposes a Special Election for the delegates.

"Now clearly, the Constitution provides a second option; that delegates could be voted on by the next general election and then that would not present us with the cost of the Special Election. That is clearly going to be one of the big cost drivers in this Convention. So again, I rise in opposition. I think there's a better way that we could put this together knowing that this is probably the way it's going to move forward, and I urge and hope that the LRB does put forward a range of numbers. Thank you."

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

"Thank you, Mr. Speaker. I'm rising in opposition and I would like the words of the Representative from Makiki inserted in the Journal as if they were my own. I like the idea of a task force and including a lot more people, I think that's part of the education process that would help to encourage the public and more people that it is something we should look at: The Constitutional Convention was held a long time ago, and it would benefit our State by having another one.

"I do like the idea of making things transparent and giving people information. I was surprised at some of these figures and I think even the \$6.5 million with inflation is something. We should expect it to be at least that. But for the other provisions, having 102 delegates, that may not be what we have to have. And the time, for so many months, and the designation of the period, when it should be held. All these things should be in flux and should be discussed by a taskforce. Thank you, Mr. Speaker."

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

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

"Thank you, Mr. Speaker. In opposition and short comments. In review of some of the information in regard to the Con Con, I realize that the higher the cost, the most likely the people don't want to invest in the Con Con as it was shown in the *People's Pulse* earlier this year. So why couldn't we have a Resolution that stated maybe something along the lines of a study of what would a Constitutional Convention be?

"If we included the best possible scenario with the different technologies that we have, that's different from 30 years ago. Or study what it would be to look at different examples in how we can save money or something like that. That would still give the opportunity for the people of Hawaii to decide on important issues of the State.

"Mr. Speaker, I think that this is strategic like the previous speaker was saying, in regard to turning off people from the Con Con. Mr. Speaker, I'll just submit some additional comments."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations of H.C.R. 231 which requests the Legislative Reference Bureau to study the cost of convening a Constitutional Convention. I am concerned that the intent of this Resolution may misguide the public into thinking that a Constitutional Convention is too expensive and not worth the price tag. I understand that for planning purposes it's best to plan for the worst, but conducting a study solely on the cost would be incomplete.

"I would prefer to see a task force with representation from other government agencies, developed to look at the "big picture". They need to look at different ways to achieve a Constitutional Convention with a reasonable investment from our government to run it. Cost should be incorporated in all phases of planning and definitely needs to be a consideration when developing a plan to convene a Constitutional Convention. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I'm rising with very serious concerns about this measure and I would like to ask that the first comments of the Representative from Tantalus, Makiki and McCully be entered into the Journal as if they were my own.

"Mr. Speaker, the Resolution still sets up a process where LRB is directed to do a Lexus type of analysis. Well some may claim it's a Toyota, and yes, Toyota makes Lexus. But a Lexus costs a lot more money. That's going to be the perception that will be the end result. And we all know then that the voters will, in most likelihood, turn this down.

"I hope as the measure goes over to the Senate, we can have a better look at it and get better language. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 231, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE COST OF CONVENING A CONSTITUTIONAL CONVENTION," was adopted, with Representatives Belatti, Finnegan, Meyer and Ward voting no, and with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1873-08) recommending that H.C.R. No. 349, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 349, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE EFFECTS OF MEDICAL TORT REFORM ON ACCESS TO HEALTH CARE," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1874-08) recommending that H.R. No. 181, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 181, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO NEGOTIATE A CONTRACT EXTENSION WITH THE NATIONAL FOOTBALL LEAGUE TO KEEP THE PRO BOWL IN HONOLULU," was adopted, with Representatives Har,

Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1875-08) recommending that H.C.R. No. 213, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 213, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO NEGOTIATE A CONTRACT EXTENSION WITH THE NATIONAL FOOTBALL LEAGUE TO KEEP THE PRO BOWL IN HONOLULU," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1876-08) recommending that H.R. No. 96, HD 1, as amended in HD 2, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 96, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A RELATIONSHIP BETWEEN THE STATE OF HAWAII AND THE ISLANDS OF POLYNESIA," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1877-08) recommending that H.C.R. No. 113, HD 1, as amended in HD 2, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 113, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A RELATIONSHIP BETWEEN THE STATE OF HAWAII AND THE ISLANDS OF POLYNESIA," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1878-08) recommending that H.C.R. No. 348, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 348, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO REVIEW AND SUBMIT A LEGAL OPINION REGARDING WHETHER VACATION RENTAL USES IN SINGLE-FAMILY DWELLINGS AND FARM DWELLINGS IN STATE AGRICULTURAL DISTRICTS ARE PROHIBITED UNDER CHAPTER 205, HAWAII REVISED STATUTES," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Waters, for the Committee on Judiciary presented two reports:

(Stand. Com. Rep. No. 1879-08) recommending that H.R. No. 60, as amended in HD 1, be adopted; and

(Stand. Com. Rep. No. 1880-08) recommending that H.C.R. No. 69, as amended in HD 1, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 60, HD 1, and H.C.R. No. 69, HD 1, be adopted, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm just rising in very strong support for HR 60, HD 1, and HCR 69, HD 1."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 60, HD 1, entitled: "HOUSE RESOLUTION ESTABLISHING A TASK FORCE TO REVIEW THE RETIREMENT AGE FOR STATE COURT JUSTICES AND JUDGES; THE TERM LIMITS OF STATE COURT JUSTICES AND JUDGES; THE POSSIBILITY OF ESTABLISHING A SENIOR JUDGE SYSTEM FOR STATE COURT JUSTICES AND JUDGES; JUDICIAL ACCOUNTABILITY AND FITNESS IN THE STATE OF HAWAII; AND RELATED MATTERS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused; and

H.C.R. No. 69, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A TASK FORCE TO REVIEW THE RETIREMENT AGE FOR STATE COURT JUSTICES AND JUDGES; THE TERM LIMITS OF STATE COURT JUSTICES AND JUDGES; THE POSSIBILITY OF ESTABLISHING A SENIOR JUDGE SYSTEM FOR STATE COURT JUSTICES AND JUDGES; JUDICIAL ACCOUNTABILITY AND FITNESS IN THE STATE OF HAWAII; AND RELATED MATTERS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1881-08) recommending that H.R. No. 62, HD 1, as amended in HD 2, be adopted; and

(Stand. Com. Rep. No. 1882-08) recommending that H.C.R. No. 71, HD 1, as amended in HD 2, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 62, HD 2, and H.C.R. No. 71, HD 2, be adopted, seconded by Representative B. Oshiro.

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

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of HR62/HCR71, HD2, which would require the Board of Education to study school bus seat belt policies.

"For years in Hawaii there has been opposition to seat belts in school buses because of outdated research done many years ago. However, it is a fact that children do die in seat belt accidents across the United States at an average of 11 per year. Just because no one in Hawaii has yet died in a school bus crash is no reason for us to ignore the facts:

1. The American Association of Pediatrics estimates 6,000 to 10,000 children are injured in school bus crashes each year and would have been spared injury if they were wearing lap shoulder belts.
2. Seat belts will help reduce or prevent injuries in rollover crashes and side crashes more than mere compartmentalization, the current safety method used for school buses.
3. According to the 2007 National Highway Safety Administration (NHTSA) Notice of Proposed Rulemaking, shoulder/lap seat belts would make a child safer on large school buses.

4. Many children stand on the bus. This practice could be eliminated if students were required to wear safety belts. This would also aid the discipline problem.

"Let's not quibble about cost when it comes to safety. Implementing seat belts on school buses is not prohibitively expensive if done on a graduated schedule and calling for newly-acquired buses to have seat belts first.

"Prevention is the new cost saving strategy in healthcare. Would we wait to give a diabetic insulin until he lapsed into coma? Would we prefer spending the money on rehabilitation from brain injury before acting to decrease risks? Of course not!

"Seat belt laws have been passed in New York, New Jersey, Florida, Texas, Kansas and California. Hawaii should follow their lead. How can we insist that children be placed in booster seats, car seats and seat belts in private cars, yet send them off to school beltless. This is a no brainer.

"The HD 2 makes amendments to the original resolution as the BOE is to:

a) Compile and analyze data on all school bus accidents in the state during the past five years, including injuries sustained and costs to the DOE.

b) Review and analyze the DOE's current policy toward seat belt use.

"The DOE is requested to submit a report of findings and recommendations regarding bus safety – this is to include issues related to seat belts and any proposed legislation. The recent bus accident in Kahuku makes this report more important than ever. Hopefully next session, we will be able to pass a seatbelt bill and also look into the possibility of Federal funding for a portion of the cost.

"Times have changed. We must be aggressive in protecting our children from unnecessary injury through prevention."

Representative Cabanilla rose in support of both measures 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 have some concerns about HCR 72 and HR 62. It is my belief that seat belts are not necessary on school buses because first and foremost, certain research has shown that seat belts on these transportation systems are not necessarily the best option for safety. Also, if seat belts are installed, enforcement of their use becomes a prohibitive factor. For these reasons, Mr. Speaker, I do not think that the installation of seat belts in our school buses is necessary."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 62, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO STUDY SCHOOL BUS SEAT BELT POLICIES AND COMPILER DATA RELATING TO SCHOOL BUS SAFETY AND TO REPORT TO THE LEGISLATURE WITH RECOMMENDATIONS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused; and

H.C.R. No. 71, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO STUDY SCHOOL BUS SEAT BELT POLICIES AND COMPILER DATA RELATING TO SCHOOL BUS SAFETY AND TO REPORT TO THE LEGISLATURE WITH RECOMMENDATIONS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1883-08) recommending that H.R. No. 119, HD 1, as amended in HD 2, be adopted; and

(Stand. Com. Rep. No. 1884-08) recommending that H.C.R. No. 138, HD 1, as amended in HD 2, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 119, HD 2, and H.C.R. No. 138, HD 2, be adopted, seconded by Representative B. Oshiro.

Representative Mizuno rose in support of both measures and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"I rise in support of HCR 138 and HR 119, Requesting the Task Force to Review the Potential Expansion of the Current Practices and Equipment of Hawaii's Telemedicine System.

"Mr. Speaker, telemedicine technologies have a great deal of potential to help address the mal-distribution of healthcare resources and the geographic challenges of our island state.

"The foundation is already here, thus we should move forward and support a viable telemedicine system, which will serve not only mainstream Hawaii, but our rural areas. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 119, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII JOHN A. BURNS SCHOOL OF MEDICINE'S TELEHEALTH RESEARCH INSTITUTE TO FORM A TASK FORCE TO REVIEW THE POTENTIAL EXPANSION OF THE CURRENT PRACTICES AND EQUIPMENT OF HAWAII'S TELEMEDICINE SYSTEM," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused; and

H.C.R. No. 138, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII JOHN A. BURNS SCHOOL OF MEDICINE'S TELEHEALTH RESEARCH INSTITUTE TO FORM A TASK FORCE TO REVIEW THE POTENTIAL EXPANSION OF THE CURRENT PRACTICES AND EQUIPMENT OF HAWAII'S TELEMEDICINE SYSTEM," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1885-08) recommending that H.R. No. 308, as amended in HD 1, be adopted; and

(Stand. Com. Rep. No. 1886-08) recommending that H.C.R. No. 372, as amended in HD 1, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 308, HD 1, and H.C.R. No. 372, HD 1, be adopted, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I am in support."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 308, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE

JUDICIARY TO REPORT ON THE FEASIBILITY OF CREATING A FIFTH JUDGE OF THE CIRCUIT COURT OF THE SECOND CIRCUIT AND HOLDING SESSIONS ON MOLOKAI UNDER CERTAIN CIRCUMSTANCES," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused; and

H.C.R. No. 372, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO REPORT ON THE FEASIBILITY OF CREATING A FIFTH JUDGE OF THE CIRCUIT COURT OF THE SECOND CIRCUIT AND HOLDING SESSIONS ON MOLOKAI UNDER CERTAIN CIRCUMSTANCES," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1887-08) recommending that H.R. No. 174, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 174, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO CONDUCT A STUDY ON THE FEASIBILITY OF ESTABLISHING COMPUTER GENERATED AUTO-CALCULATING TAX FORMS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1888-08) recommending that H.C.R. No. 206, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 206, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO CONDUCT A STUDY ON THE FEASIBILITY OF ESTABLISHING COMPUTER GENERATED AUTO-CALCULATING TAX FORMS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1889-08) recommending that H.R. No. 280, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 280, entitled: "HOUSE RESOLUTION MANDATING THE CREATION OF A SINGLE WEBSITE FOR PUBLIC ACCESS TO STATE EXPENDITURES," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1890-08) recommending that H.C.R. No. 339, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 339, entitled: "HOUSE CONCURRENT RESOLUTION MANDATING THE CREATION OF A SINGLE WEBSITE FOR PUBLIC ACCESS TO STATE EXPENDITURES," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1891-08) recommending that H.R. No. 289, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 289, entitled: "HOUSE RESOLUTION REQUESTING A FEASIBILITY STUDY ON IMPLEMENTING THE BEST PRACTICE OF FRONT LOADING REPAIR AND MAINTENANCE COSTS OF STATE FACILITIES FOR SET ASIDE FOR EVENTUAL FUTURE REPAIR AND MAINTENANCE COSTS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1892-08) recommending that H.C.R. No. 351, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 351, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON IMPLEMENTING THE BEST PRACTICE OF FRONT LOADING REPAIR AND MAINTENANCE COSTS OF STATE FACILITIES FOR SET ASIDE FOR EVENTUAL FUTURE REPAIR AND MAINTENANCE COSTS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1893-08) recommending that H.R. No. 85, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 85, entitled: "HOUSE RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF A STATE-PROVINCE AFFILIATION BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF NEGROS ORIENTAL OF THE REPUBLIC OF THE PHILIPPINES," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1894-08) recommending that H.C.R. No. 103, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 103, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF A STATE-PROVINCE AFFILIATION BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF NEGROS ORIENTAL OF THE REPUBLIC OF THE PHILIPPINES," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1895-08) recommending that H.R. No. 290, HD 1, as amended in HD 2, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 290, HD 2, entitled: "HOUSE RESOLUTION URGING THE COUNTIES TO ADOPT AND IMPLEMENT GRAY WATER RECYCLING PROGRAMS FOR RESIDENTIAL IRRIGATION PURPOSES AS PROVIDED UNDER THE UNIFORM PLUMBING CODE STANDARDS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1896-08) recommending that H.C.R. No. 353, HD 1, as amended in HD 2, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 353, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTIES TO ADOPT AND IMPLEMENT GRAY WATER RECYCLING PROGRAMS FOR RESIDENTIAL IRRIGATION PURPOSES AS PROVIDED UNDER THE UNIFORM PLUMBING CODE STANDARDS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1897-08) recommending that H.R. No. 161, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 161, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE LEGISLATIVE REFERENCE BUREAU CONDUCT A FEASIBILITY STUDY ON THE USE OF POLYSTYRENE FOAM ALTERNATIVE PRODUCTS IN HAWAII," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1898-08) recommending that H.C.R. No. 192, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 192, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE LEGISLATIVE REFERENCE BUREAU CONDUCT A FEASIBILITY STUDY ON THE USE OF POLYSTYRENE FOAM ALTERNATIVE PRODUCTS IN HAWAII," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented two reports:

(Stand. Com. Rep. No. 1899-08) recommending that H.R. No. 270, HD 1, as amended in HD 2, be adopted; and

(Stand. Com. Rep. No. 1900-08) recommending that H.C.R. No. 326, HD 1, as amended in HD 2, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.R. No. 270, HD 2 and H.C.R. No. 326, HD 2, be adopted, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I am in strong support of Stand. Com. Rep. 1899 and 1900. I just wanted to express gratitude that this task force is going to come into existence and just to quickly summarize again why cacao is so important.

"It was imported here in 1850, a long time ago. Cacao was used for centuries as medicine. It has high concentrations of theobromide, an alkaloid used for its calming effect on the brain, as well as the nervous system. It's been found to reduce fatigue. It raises serotonin levels in the brain, which is why it was primarily used for warriors to give them energy and keep on going. The fact is that cacao never was

really for children initially. Cacao was a spiritual drink compared to tea for Asia, and wine for Europe. It is so special that we are able now to capitalize on one of the last wholesale products that is not freely marketed.

"Each year the chocolate industry produces \$75 billion worldwide and Hawaii's position is as the only State in the United States that can commercially grow it. It's ideally located to both Asia and mainland USA in order to capture and prosper from the opportunity of a growing cacao market. The fact is that Asia has already developed into a major chocolate market. I attended a symposium in New York City hosted by the Asia Society and I will tell you that Asia is going crazy for cacao, and Japan has experienced a significant increase. They're one of the top consumers of this product.

"In 2002 we passed a Resolution that recognized the economic benefits. In 2003 the Hawaii Tropical Fruit Growers organized a cacao chapter. In 2004, Dole Company rejuvenated the Oahu Cacao, creating one of the best cacaos probably anywhere in the US or the world. So again, I express my gratitude for the passing of this measure."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 270, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DEPARTMENT OF AGRICULTURE CONVENE A TASK FORCE TO DEVISE A PLAN WITHIN ONE YEAR TO TIMELY EXPEDITE THE INTRODUCTION AND DELIVERY OF HAWAIIAN CACAO TO THE MARKETPLACE," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused; and

H.C.R. No. 326, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF AGRICULTURE CONVENE A TASK FORCE TO DEVISE A PLAN WITHIN ONE YEAR TO TIMELY EXPEDITE THE INTRODUCTION AND DELIVERY OF HAWAIIAN CACAO TO THE MARKETPLACE," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1901-08) recommending that S.C.R. No. 53, SD 1, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 53, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO ENTER INTO A FREE TRADE AGREEMENT WITH TAIWAN," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1902-08), recommending that H.C.R. No. 15, 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.C.R. No. 15, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR HEARING AIDS," was referred to the Committee on Finance with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

At this time, the Chair announced:

"Members on April 7, 2008 the Senate President and the Speaker of the House signed a memorandum authorizing the Senate Clerk and the House Clerk to process, transmit and receive House Bill 2250, HD 1. The memorandum states in pertinent part:

Please be advised that we have authorized an exception to the 2008 Legislative time table agreed upon and dated December 27, 2007. The continued well-being and stability of the State's inter-island air industry, passenger as well as cargo transport, is of paramount importance to the people of the State of Hawaii.

"So Members at this time, please note the 48-hour notice for Standing Committee report 1903-08."

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1903-08) recommending that H.B. No. 2250, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1903-08 on H.B. No. 2250, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2250, HD 1, were made available to the members of the House.

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments proposed by the Senate to certain House bills. (Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters were excused.)

At 1:01 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 1:01 o'clock p.m.

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate, and gave notice of intent to agree to such amendments for the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters were excused.)

H.B. No. 2045, SD 1
H.B. No. 2163, HD 2, SD 1
H.B. No. 2263, SD 1
H.B. No. 2301, HD 1, SD 1
H.B. No. 2436, HD 2, SD 2
H.B. No. 2517, HD 1, SD 1

ANNOUNCEMENTS

Representative Evans: "Thank you. I wish to inform the Members that there was a news release. The Department of Land and Natural Resources now has an Administrator and a manager in the State Historic Perseveration Division. Dr. Puaalaokalani Aiu will serve as the administrator of the State Historic Preservation Division and she will be assisted by Nancy McMahan, a 20 year veteran of the Department who will serve as archeology and historic preservation manager. Thank you."

Representative Herkes: "Thank you Mr. Speaker. I have two announcements. First I want to remind the Members that the Hawaii Psychological Association lunch is following session in Room 329.

"And secondly Mr. Speaker I just want to talk a bit about Nona Beamer. We lost a wonderful, wonderful woman yesterday and I was privileged to know her. When I was with Interisland Resorts in the 1970s, we had seven hotels on three islands, and she was our Entertainment Director. We had made some substantial improvements at the Kona Inn. We had a large area with a big deck, and a restaurant.

"We had invited the Hawaii Hotel Association over to be at the opening of this new facility. It was a nice quiet Kona evening, the ocean was calm, the people around the deck enjoying their pupus and cocktails. As part of the ceremony, Nona Beamer started to chant, and suddenly from no where three waves came up, crashed over the wall, filled the pool, covered the deck, everybody got wet and then everything quieted down.

"And after it was over I went to Nona and I said, 'What happened?' She said, 'Bob, no one was listening.' And so I cautioned everybody after that. When Nona chants up a storm, you better pay attention. I adored Nona. We will all miss her, and at the appropriate time Mr. Speaker, I would ask that we have a moment of silence for this wonderful, wonderful lady."

Representative B. Oshiro: "Mr. Speaker, on a much happier and more pleasant note, I would like to take this time to announce the results of our Penny War fundraiser for the Hawaii Foodbank, and I would like to sincerely thank all of the Members and staff and members of the public that participated. Just to let everyone know we did raise a total of \$1,609.54 for just the House alone so that is a significant amount of money. We actually had a total of 105,194 pennies so that's quite a lot of copper and I'm glad there was no copper thieves around. The Sergeant-at-Arms really took awhile to unload it and carry it down from my office.

"As for the results, what I thought I'd do instead of just making it simple, I thought I'd kind of frame this like in sumo where what you have are prizes that everybody cherishes and really wants. It's not like first, second and third. Instead what they do is they name these different awards.

"So for the first award which is the *Shukun-sho* or the Outstanding Performance prize, basically the person that raised the most amount of points, that would go to Representative Meyer's office. She raised 17,710 points. Although on a footnote, she did combine hers with Representative Finnegan so we were thinking of disqualifying them, but there were no established rules so we thought that would be unfair. So again, congratulations to Representative Meyer.

"The next prize actually is the *Kanto-sho*, which is the Fighting Spirit prize, and that actually goes to you, Vice Speaker Chong, for raising the second most amount of points.

"The third prize that I did want to mention is the *Gino-sho* and that is the Technique prize. And I really must commend the Sergeant-at-Arms because they came up with a very unique way of doing it. It seems like they kind of gave up on collecting pennies after a while, but they did have a number of dollar bills and several silver coins in it. So even though they only had 40 pennies, they in fact had \$148 total in their jar and so for that, I did want to recognize them.

"And the final prize I did want to give is for the *Zannen-sho*, and that's basically the Consolation prize. It's sort of the, 'Oh too bad, so sad. You didn't quite win.' And of course this goes to Representative Nishimoto because his jar got stolen, but you know their office, they all kept trying and they were in third place. So I did want to recognize them.

"And again I just wanted to thank everybody for participating and for all of these funds that are going to the Foodbank."

Representative Finnegan: "Thank you, Mr. Speaker. And thank you Majority Floor Leader. I just wanted to say that I cannot take credit for my 53 pennies, and that Coleen really did a great job."

At this time, the House of Representatives stood for a moment of silence in memory of the late Aunty Winona Beamer.

ADJOURNMENT

At 1:08 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, April 14, 2008. (Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 11, 2008, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate, on April 10, 2008 and gives notice of intent to agree for the following House Bills:

H.B. No. 2045, SD 1
H.B. No. 2263, SD 1
H.B. No. 2436, HD 2, SD 2

House Communication dated April 11, 2008, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate, on April 8, 2008 and gives notice of intent to agree for the following House Bills:

H.B. No. 2163, HD 2, SD 1
H.B. No. 2517, HD 1, SD 1

House Communication dated April 11, 2008, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate, on April 4, 2008 and gives notice of intent to agree for the following House Bill No. 2301, HD 1, SD 1.