

FORTY-SIXTH DAY

Friday, April 9, 2010

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2010, convened at 12:05 o'clock p.m., with the Speaker presiding.

Representative Berg introduced Mr. Matthew Prellberg, her Committee Clerk, who delivered the invocation, after which the Roll was called showing all Members present with the exception of Representatives Belatti, Hanohano and Sagum, who were excused.

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

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 223) was received and announced by the Clerk:

Gov. Msg. No. 223, informing the House that on April 8, 2010, the following bill was signed into law:

H.B. No. 2427, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT." (ACT 012)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 503 through 535) were received and announced by the Clerk:

Sen. Com. No. 503, transmitting S.C.R. No. 50, SD 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 91-1139 KAMAHAHA LOOP, KAPOLEI, HAWAII," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 504, transmitting S.C.R. No. 51, SD 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 91-1072 WELOWELO STREET, KAPOLEI, HAWAII," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 505, transmitting S.C.R. No. 52, SD 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-033 KUAHELANI AVENUE, MILILANI, HAWAII," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 506, transmitting S.C.R. No. 54, SD 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-029 KUAHELANI AVENUE, MILILANI, HAWAII," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 507, transmitting S.C.R. No. 55, SD 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-021 KUAHELANI AVENUE, MILILANI, HAWAII," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 508, transmitting S.C.R. No. 56, SD 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 2949 ALA ILIMA STREET #201, HONOLULU, HAWAII," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 509, transmitting S.C.R. No. 57, SD 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF THE NORTHWEST CORNER PARCEL, KAPOLEI, HAWAII," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 510, transmitting S.C.R. No. 58, SD 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF A 9.105 ACRE VACANT PARCEL IN VILLAGE 8, THE VILLAGES OF KAPOLEI, KAPOLEI, HAWAII," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 511, transmitting S.C.R. No. 59, SD 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF KEKUILANI VILLAGE 4, THE VILLAGES OF KAPOLEI, KAPOLEI, HAWAII," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 512, transmitting S.C.R. No. 155, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO REVIEW THE GUARDIANSHIP PROCESS WITH RESPECT TO THE ISSUE OF PATIENTS IN HOSPITALS WHO ARE WAITLISTED FOR POST-ACUTE CARE," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 513, transmitting S.C.R. No. 180, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT OF THE WIRELESS ENHANCED 911 FUND," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 514, transmitting S.C.R. No. 183, SD 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A LEGISLATIVE NOISE POLLUTION TASK FORCE TO REVIEW BEST PRACTICES FROM OTHER STATES IN REDUCING URBAN NOISE POLLUTION," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 515, transmitting S.C.R. No. 190, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CORRECTIONS POPULATION MANAGEMENT COMMISSION TO RESUME ITS MEETINGS AND TO MEET AT LEAST QUARTERLY," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 516, transmitting S.C.R. No. 192, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO FACILITATE THE DELIVERY OF THE HUIKAHI RESTORATIVE CIRCLES PROGRAM IN HAWAII CORRECTIONAL FACILITIES," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 517, transmitting S.C.R. No. 193, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE OWNER OF THE HONOLULU STAR-BULLETIN TO PROVIDE SUFFICIENT TIME TO FIND A NEW OWNER FOR THE NEWSPAPER TO PRESERVE TWO INDEPENDENT DAILY NEWSPAPERS IN THE COMMUNITY," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 518, transmitting S.C.R. No. 239, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTS THE OFFICE OF THE AUDITOR TO REVIEW AND COMPARE THE HEALTH CARE BENEFITS AVAILABLE UNDER THE MEDICAID PROGRAM AND THE PREPAID HEALTH CARE ACT," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 519, transmitting S.C.R. No. 53, SD 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 94-940 MEHEULA PARKWAY, MILILANI, HAWAII," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 520, transmitting S.C.R. No. 69, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE SALE OF STATE RECLAIMED LAND AT KAALAEA, KOOLAUPOKO, OAHU, FOR PRIVATE PROPERTY PURPOSES," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 521, transmitting S.C.R. No. 70, SD 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE SALE

OF STATE RECLAIMED LANDS AT KANEOHE, KOOLAUPOKO, OAHU," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 522, transmitting S.C.R. No. 71, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE SALE OF STATE LANDS AT HANAPEPE, WAIMEA, KAUAI, FOR RESIDENTIAL PURPOSES," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 523, transmitting S.C.R. No. 73, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AUTHORIZATION TO ENTER INTO A DEVELOPMENT AGREEMENT FOR THE DEVELOPMENT OF GENERAL AVIATION LOTS AT THE KONA INTERNATIONAL AIRPORT AT KEAHOE, ISLAND OF HAWAII," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 524, transmitting S.C.R. No. 100, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING AEROSPACE AS A STRATEGIC AND TIMELY GROWTH INDUSTRY FOR HAWAII AND REQUESTING THE STATE ADMINISTRATION TO TAKE PROACTIVE, COORDINATED, AND SUSTAINED ACTION TO FULLY REALIZE THE SIGNIFICANT SCIENTIFIC, EDUCATIONAL, AND COMMERCIAL BENEFITS THE AEROSPACE INDUSTRY CAN BRING TO THE STATE," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 525, transmitting S.C.R. No. 157, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ESTABLISH LONG-RANGE MASTER PLANS FOR EACH SCHOOL THAT DETERMINE A CONSISTENT APPROACH TO ADDRESSING LONG-STANDING FACILITIES MAINTENANCE, MANAGEMENT, AND CAPITAL IMPROVEMENT ISSUES," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 526, transmitting S.C.R. No. 191, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII PAROLING AUTHORITY TO ESTABLISH A HOPE PAROLE PILOT PROGRAM," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 527, transmitting S.C.R. No. 194, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO AUTHORIZE THE JOINT LEGISLATIVE COMMITTEE ON AGING IN PLACE TO CONTINUE TO MEET AND CARRY OUT THE WORK OF THE COMMITTEE," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 528, transmitting S.C.R. No. 227, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING, FOR REVIEW BY THE LEGISLATURE, AN ACCOUNTING AND REPORT CONCERNING ITEMS OF VALUE, INCLUDING VIEWING TIME ON MAUNA KEA TELESCOPES, PROVIDED TO THE UNIVERSITY OF HAWAII FOR THE LEASE OR USE OF FACILITIES ON PUBLIC TRUST LANDS ON THE SUMMIT OF MAUNA KEA," which was adopted by the Senate on April 8, 2010.

Sen. Com. No. 529, dated April 8, 2010, informing the House that the following bill has this day passed Final Reading:

H.B. No. 1642, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PURCHASES OF HEALTH AND HUMAN SERVICES."

Sen. Com. No. 530, dated April 8, 2010, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bills:

S.B. No. 1230, Baker, Chair; Ige/Kim, Co-Chairs; Kokubun, SD 2, HD 1 Tsutsui

S.B. No. 2001, Kim, Chair; Fukunaga, Co-Chair; Kidani, SD 1, HD 1 Kokubun, Hemmings

S.B. No. 2401, Kim, Chair; Fukunaga, Co-Chair; Kidani, SD 1, HD 1 Kokubun, Hemmings

S.B. No. 2402, Kim, Chair; Fukunaga, Co-Chair; Kidani, SD 1, HD 1 Kokubun, Tsutsui, Hemmings

S.B. No. 2405, Fukunaga, Chair; Kim, Co-Chair; Baker, Kokubun, SD 2, HD 1 Tsutsui

Sen. Com. No. 531, dated April 8, 2010, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 2421, Hee, Chair; Gabbard/Fukunaga/Kim, Co-Chairs; HD 2, SD 2 Kokubun

H.B. No. 2542, Kim, Chair; Kidani, Kokubun HD 1, SD 2

H.B. No. 2595, Taniguchi, Chair; Kim, Co-Chair; Slom HD 1, SD 2

H.B. No. 2690, Kim, Chair; Fukunaga, Co-Chair; Kidani, Kokubun SD 2

H.B. No. 2962, Fukunaga, Chair; Kim, Co-Chair; Ige, Kidani, HD 1, SD 2 Kokubun

H.B. No. 2984, Fukunaga, Chair; Kim, Co-Chair; Ige, Kidani, HD 2, SD 2 Kokubun, Slom

Sen. Com. No. 532, dated April 8, 2010, informing the House that the Senate has on April 6, 2010, agreed to the amendments proposed by the House to the following Senate Bills and that said bills have this day passed Final Reading:

S.B. No. 2137, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CLUBS."

S.B. No. 2201, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

S.B. No. 2325, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS."

S.B. No. 2394, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN."

S.B. No. 2440, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARDS OF WATER SUPPLY."

S.B. No. 2501, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."

Sen. Com. No. 533, dated April 8, 2010, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bills:

S.B. No. 107, HD 2
S.B. No. 358, SD 1, HD 2
S.B. No. 506, SD 1, HD 3
S.B. No. 910, SD 1, HD 2
S.B. No. 930, HD 2
S.B. No. 950, SD 2, HD 3
S.B. No. 1105, SD 2, HD 1
S.B. No. 2019, SD 1, HD 2
S.B. No. 2020, HD 2
S.B. No. 2045, SD 1, HD 1

S.B. No. 2054, SD 2, HD 1	S.B. No. 358, SD 1, HD 2	Espero, Chair; Taniguchi, Co-Chair; Slom
S.B. No. 2105, SD 2, HD 1		
S.B. No. 2115, SD 1, HD 2		
S.B. No. 2124, SD 2, HD 1	S.B. No. 506, SD 1, HD 3	Taniguchi, Chair; Takamine, Slom
S.B. No. 2144, SD 2, HD 2		
S.B. No. 2150, HD 1		
S.B. No. 2154, SD 1, HD 1	S.B. No. 910, SD 1, HD 2	Chun Oakland, Chair; Sakamoto/Tsutsui, Co-Chairs; Hemmings
S.B. No. 2172, SD 2, HD 1		
S.B. No. 2174, HD 1		
S.B. No. 2175, SD 1, HD 2	S.B. No. 930, HD 2	Ige, Chair; Taniguchi, Co-Chair; Green, Slom
S.B. No. 2187, SD 1, HD 2		
S.B. No. 2323, HD 2		
S.B. No. 2324, SD 2, HD 2	S.B. No. 950, SD 2, HD 3	Espero, Chair; Hee/Taniguchi, Co-Chairs; Hemmings
S.B. No. 2371, SD 2, HD 1		
S.B. No. 2395, SD 2, HD 1		
S.B. No. 2399, SD 1, HD 1	S.B. No. 1105, SD 2, HD 1	Taniguchi, Chair; Kim, Co-Chair; Slom
S.B. No. 2454, SD 2, HD 1		
S.B. No. 2461, SD 2, HD 2		
S.B. No. 2469, SD 2, HD 2	S.B. No. 2019, SD 1, HD 2	Fukunaga, Chair; Hee, Co-Chair; Slom
S.B. No. 2472, SD 2, HD 1		
S.B. No. 2473, SD 1, HD 2		
S.B. No. 2491, SD 2, HD 1	S.B. No. 2020, HD 2	Baker, Chair; Taniguchi, Co-Chair; Slom
S.B. No. 2493, SD 2, HD 1		
S.B. No. 2494, SD 2, HD 2		
S.B. No. 2502, SD 1, HD 1	S.B. No. 2045, SD 1, HD 1	Taniguchi, Chair; Takamine, Hemmings
S.B. No. 2532, HD 1		
S.B. No. 2533, SD 1, HD 1		
S.B. No. 2534, SD 2, HD 1	S.B. No. 2054, SD 2, HD 1	Espero, Chair; Kim, Co-Chair; Hemmings
S.B. No. 2548, SD 2, HD 1		
S.B. No. 2565, SD 1, HD 1		
S.B. No. 2566, HD 2	S.B. No. 2105, SD 2, HD 1	Ige, Chair; English/Tsutsui, Co-Chairs; Espero, Slom
S.B. No. 2570, SD 1, HD 2		
S.B. No. 2571, SD 2, HD 2		
S.B. No. 2599, SD 2, HD 2	S.B. No. 2115, SD 1, HD 2	Sakamoto, Chair; Tokuda/Kim, Co-Chairs; Galuteria, Slom
S.B. No. 2600, SD 2, HD 2		
S.B. No. 2601, SD 1, HD 2		
S.B. No. 2603, SD 2, HD 2	S.B. No. 2124, SD 2, HD 1	Sakamoto, Chair; Baker/Kim, Co-Chairs; Kokubun, Tsutsui
S.B. No. 2610, HD 1		
S.B. No. 2643, SD 1, HD 1	S.B. No. 2144, SD 2, HD 2	Fukunaga, Chair; Kim, Co-Chair; Ige, Tsutsui, Hemmings
S.B. No. 2646, SD 1, HD 2		
S.B. No. 2650, SD 2, HD 2		
S.B. No. 2661, SD 2, HD 2	S.B. No. 2150, HD 1	Taniguchi, Chair; Takamine, Slom
S.B. No. 2685, SD 1, HD 1		
S.B. No. 2691, SD 1, HD 1		
S.B. No. 2702, SD 2, HD 1		
S.B. No. 2716, SD 2, HD 2	S.B. No. 2154, SD 1, HD 1	Taniguchi, Chair; Nishihara, Slom
S.B. No. 2726, SD 2, HD 2		
S.B. No. 2729, SD 2, HD 1		
S.B. No. 2775, SD 1, HD 2	S.B. No. 2174, HD 1	English, Chair; Takamine, Co-Chair; Hemmings
S.B. No. 2806, SD 2, HD 1		
S.B. No. 2807, SD 2, HD 2		
S.B. No. 2809, SD 2, HD 1	S.B. No. 2175, SD 1, HD 2	English, Chair; Takamine, Co-Chair; Nishihara
S.B. No. 2811, SD 2, HD 2		
S.B. No. 2831, SD 1, HD 1		
S.B. No. 2842, SD 2, HD 1	S.B. No. 2187, SD 1, HD 2	Nishihara, Chair; Taniguchi, Co-Chair; Galuteria, Tsutsui, Hemmings
S.B. No. 2849, SD 2, HD 1		
S.B. No. 2883, SD 1, HD 2		
S.B. No. 2885, SD 2, HD 1	S.B. No. 2323, HD 2	Takamine, Chair; Taniguchi, Slom
S.B. No. 2884, SD 2, HD 2		
S.B. No. 2897, SD 2, HD 3		
S.B. No. 2919, SD 1, HD 1	S.B. No. 2324, SD 2, HD 2	Takamine, Chair; Kim, Co-Chair; Taniguchi
S.B. No. 2937, SD 1, HD 1		
S.B. No. 2942, SD 2, HD 2		

Sen. Com. No. 534, dated April 8, 2010, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bills:

S.B. No. 107, Taniguchi, Chair; Takamine, Slom
HD 2

S.B. No. 2399, Baker, Chair; Ige, Hemmings
SD 1, HD 1

S.B. No. 2371, Ige, Chair; Baker, Co-Chair; Espero, Hemmings
SD 2, HD 1

S.B. No. 2395, Kim, Chair; Taniguchi/Sakamoto, Co-Chairs; Takamine, Hemmings
SD 2, HD 1

S.B. No. 2454, SD 2, HD 1	Taniguchi, Chair; Tsutsui, Co-Chair	S.B. No. 2650, SD 2, HD 2	Chun Oakland, Chair; Baker/Tsutsui, Co-Chairs; Hemmings
S.B. No. 2461, SD 2, HD 2	English, Chair; Tsutsui, Co-Chair; Nishihara	S.B. No. 2661, SD 2, HD 2	Taniguchi, Chair; Tsutsui, Co-Chair; Slom
S.B. No. 2469, SD 2, HD 2	Chun Oakland, Chair; Ige/Taniguchi/Kim, Co-Chairs; Ihara	S.B. No. 2685, SD 1, HD 1	Taniguchi, Chair; Tsutsui, Co-Chair; Slom
S.B. No. 2472, SD 2, HD 1	Baker, Chair; Taniguchi, Co-Chair; Slom	S.B. No. 2691, SD 1, HD 1	Takamine, Chair; Kim, Co-Chair; Taniguchi, Slom
S.B. No. 2473, SD 1, HD 2	Chun Oakland, Chair; Sakamoto, Co-Chair; Galuteria, Hemmings	S.B. No. 2702, SD 2, HD 1	Espero, Chair; Kim, Co-Chair; Hemmings
S.B. No. 2491, SD 2, HD 1	Ige, Chair; Baker, Co-Chair; Espero, Hemmings	S.B. No. 2716, SD 2, HD 2	Chun Oakland, Chair; Taniguchi, Co-Chair; Slom
S.B. No. 2493, SD 2, HD 1	Ige, Chair; Tokuda/Kim, Co-Chairs; Baker, Hemmings	S.B. No. 2726, SD 2, HD 2	Ige, Chair; Taniguchi, Co-Chair; Slom
S.B. No. 2494, SD 2, HD 2	Ige, Chair; Baker, Co-Chair; Espero, Takamine, Hemmings	S.B. No. 2729, SD 2, HD 1	Ige, Chair; Tsutsui, Co-Chair; Baker, Hemmings
S.B. No. 2502, SD 1, HD 1	Espero, Chair; Tsutsui, Co-Chair; Slom	S.B. No. 2775, SD 1, HD 2	Fukunaga, Chair; Taniguchi, Co-Chair; Slom
S.B. No. 2532, HD 1	Hee, Chair; Bunda, Kokubun, Hemmings	S.B. No. 2806, SD 2, HD 1	Chun Oakland, Chair; Ige/Tsutsui, Co-Chairs
S.B. No. 2533, SD 1, HD 1	Espero, Chair; Tsutsui, Co-Chair; Bunda	S.B. No. 2807, SD 2, HD 2	Kim, Chair; Taniguchi, Co-Chair; Takamine, Tsutsui, Hemmings
S.B. No. 2534, SD 2, HD 1	Espero, Chair; Taniguchi, Co-Chair; Slom	S.B. No. 2809, SD 2, HD 1	Baker, Chair; Kim, Co-Chair; Hemmings
S.B. No. 2548, SD 2, HD 1	Fukunaga, Chair; Kim, Co-Chair; Ige	S.B. No. 2811, SD 2, HD 2	Ige, Chair; Baker, Co-Chair; Espero, Hemmings
S.B. No. 2565, SD 1, HD 1	Taniguchi, Chair; Takamine, Slom	S.B. No. 2831, SD 1, HD 1	Taniguchi, Chair; Takamine, Slom
S.B. No. 2566, HD 2	Takamine, Chair; Ige, Co-Chair; Slom	S.B. No. 2842, SD 2, HD 1	Baker, Chair; Tsutsui, Co-Chair; Espero, Ige, Hemmings
S.B. No. 2570, SD 1, HD 2	Sakamoto, Chair; Taniguchi, Co-Chair; Galuteria, Nishihara, Slom	S.B. No. 2849, SD 2, HD 1	Takamine, Chair; Taniguchi/Kim, Co-Chairs
S.B. No. 2571, SD 2, HD 2	Sakamoto, Chair; Taniguchi, Co-Chair; Galuteria, Nishihara, Slom	S.B. No. 2883, SD 1, HD 2	Takamine, Chair; Taniguchi, Co-Chair; Nishihara
S.B. No. 2599, SD 2, HD 2	Baker, Chair; Ige/Tsutsui, Co-Chairs; Green, Hemmings	S.B. No. 2884, SD 2, HD 2	Takamine, Chair; Kim, Co-Chair; Taniguchi
S.B. No. 2600, SD 2, HD 2	Ige, Chair; Baker/Kim, Co-Chairs	S.B. No. 2885, SD 2, HD 1	Ige, Chair; Takamine/Tsutsui, Co-Chairs; Green, Slom
S.B. No. 2601, SD 1, HD 2	Baker, Chair; Ige, Hemmings	S.B. No. 2897, SD 2, HD 3	English, Chair; Taniguchi, Co-Chair; Slom
S.B. No. 2603, SD 2, HD 2	Baker, Chair; Tsutsui, Co-Chair; Hemmings	S.B. No. 2919, SD 1, HD 1	Ige, Chair; Espero/Tsutsui, Co-Chairs; Tokuda, Hemmings
S.B. No. 2610, HD 1	Hee, Chair; English/Kim, Co-Chairs	S.B. No. 2937, SD 1, HD 1	Taniguchi, Chair; Nishihara, Hemmings
S.B. No. 2643, SD 1, HD 1	Baker, Chair; Nishihara/Kim, Co-Chairs; Hemmings	S.B. No. 2942, SD 2, HD 2	Hee, Chair; Kim/English, Co-Chairs
S.B. No. 2646, SD 1, HD 2	Fukunaga, Chair; Hee, Co-Chair; Hemmings		

Sen. Com. No. 535, dated April 8, 2010, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 134, HD 2, SD 2	English, Chair; Taniguchi, Co-Chair; Slom	H.B. No. 2056, HD 1, SD 1	Ige, Chair; Tokuda/Baker, Co-Chairs; Slom
H.B. No. 415, HD 2, SD 2	Espero, Chair; Kim, Co-Chair; Kidani	H.B. No. 2058, HD 1, SD 1	Fukunaga, Chair; Baker, Slom
H.B. No. 674, HD 1, SD 1	Hee, Chair; Kim, Co-Chair; Hemmings	H.B. No. 2061, HD 1, SD 2	Espero, Chair; Chun Oakland/Taniguchi, Co-Chairs
H.B. No. 865, HD 1, SD 1	Kim, Chair; English, Co-Chair; Tsutsui, Hemmings	H.B. No. 2083, HD 1, SD 2	Hee, Chair; Baker, Co-Chair; Bunda
H.B. No. 921, HD 1, SD 2	Hee, Chair; Taniguchi/Kim, Co-Chairs; Hemmings	H.B. No. 2085, HD 1, SD 2	Chun Oakland, Chair; Ige/Taniguchi, Co-Chairs
H.B. No. 979, HD 1, SD 1	Hee, Chair; Gabbard/Tsutsui, Co-Chairs	H.B. No. 2087, HD 1, SD 2	Chun Oakland, Chair; Baker/Kim, Co-Chairs; Tsutsui
H.B. No. 1190, HD 1, SD 2	English, Chair; Taniguchi, Co-Chair; Slom	H.B. No. 2129, HD 1, SD 1	Taniguchi, Chair; Takamine, Slom
H.B. No. 1439, HD 1, SD 1	Baker, Chair; Ige, Hemmings	H.B. No. 2132, HD 1, SD 2	Baker, Chair; Taniguchi, Co-Chair; Slom
H.B. No. 1554, SD 1	Hee, Chair; English/Sakamoto, Co-Chairs; Fukunaga, Slom	H.B. No. 2133, HD 1, SD 1	Fukunaga, Chair; Taniguchi, Co-Chair; Ige, Takamine
H.B. No. 1684, HD 2, SD 2	Hee, Chair; Taniguchi, Co-Chair; Bunda, Slom	H.B. No. 2157, HD 1, SD 1	Ige, Chair; Chun Oakland, Co-Chair; Espero, Hemmings
H.B. No. 1808, HD 3, SD 1	Hee, Chair; English/Taniguchi, Co-Chairs; Slom	H.B. No. 2239, SD 2	Gabbard, Chair; Kim, Co-Chair; Hemmings
H.B. No. 1818, HD 2, SD 2	Espero, Chair; Hee/Tsutsui, Co-Chairs; Hemmings	H.B. No. 2266, HD 1, SD 1	Espero, Chair; Tsutsui, Co-Chair; Galuteria
H.B. No. 1854, SD 2	Sakamoto, Chair; Tsutsui, Co-Chair; Galuteria, Kidani, Hemmings	H.B. No. 2267, HD 1, SD 1	Kim, Chair; Sakamoto, Co-Chair; Kidani, Hemmings
H.B. No. 1901, HD 2, SD 2	Taniguchi, Chair; Kim, Co-Chair; Hemmings	H.B. No. 2283, HD 2, SD 1	Taniguchi, Chair; Nishihara, Takamine
H.B. No. 1948, HD 1, SD 1	Kim, Chair; Kokubun, Tsutsui	H.B. No. 2288, HD 1, SD 2	Baker, Chair; Taniguchi, Co-Chair; Slom
H.B. No. 1978, HD 2, SD 2	English, Chair; Baker, Co-Chair; Slom	H.B. No. 2290, HD 2, SD 1	Hee, Chair; Kim/Baker, Co-Chairs; Kokubun, Hemmings
H.B. No. 1985, SD 1	Kim, Chair; Kokubun	H.B. No. 2294, HD 2, SD 2	Hee, Chair; Tsutsui, Co-Chair; Hemmings
H.B. No. 1987, HD 2, SD 2	Espero, Chair; Taniguchi, Co-Chair; Slom	H.B. No. 2297, HD 2, SD 2	English, Chair; Baker, Co-Chair; Slom
H.B. No. 1992, HD 1, SD 1	Taniguchi, Chair; Takamine, Slom	H.B. No. 2318, HD 2, SD 1	Sakamoto, Chair; Chun Oakland/Fukunaga/Tsutsui, Co-Chairs; Hemmings
H.B. No. 2000, HD 2, SD 2	Taniguchi, Chair; Kim, Co-Chair; Slom	H.B. No. 2376, HD 3, SD 2	Sakamoto, Chair; Taniguchi, Co-Chair; Galuteria, Nishihara, Hemmings
H.B. No. 2016, SD 1	English, Chair; Espero, Slom	H.B. No. 2377, HD 3, SD 2	Sakamoto, Chair; Kim, Co-Chair; Galuteria
H.B. No. 2020, HD 2, SD 2	English, Chair; Taniguchi, Co-Chair; Slom	H.B. No. 2381, HD 2, SD 2	Sakamoto, Chair; Kim, Co-Chair; Chun Oakland, Galuteria, Hemmings
		H.B. No. 2383, HD 1, SD 2	Espero, Chair; Taniguchi, Co-Chair; Slom
		H.B. No. 2409, HD 2, SD 1	Hee, Chair; Tsutsui, Co-Chair; Hemmings

H.B. No. 2441, HD 2, SD 2	English, Chair; Hee/Taniguchi, Co-Chairs	H.B. No. 2741, HD 1, SD 2	Hee, Chair; Tsutsui, Co-Chair; Hemmings
H.B. No. 2486, HD 2, SD 2	Sakamoto, Chair; Takamine/Tsutsui, Co-Chairs; Chun Oakland, Slom	H.B. No. 2775, HD 2, SD 2	Hee, Chair; Tsutsui, Co-Chair; Hemmings
H.B. No. 2497, SD 1	Gabbard, Chair; Tsutsui, Co-Chair; Green	H.B. No. 2783, HD 2, SD 2	Baker, Chair; Nishihara/Kim, Co-Chairs; Slom
H.B. No. 2503, HD 1, SD 2	Hee, Chair; Tsutsui, Co-Chair; Hemmings	H.B. No. 2831, HD 2, SD 2	Fukunaga, Chair; Tsutsui, Co-Chair; Slom
H.B. No. 2505, HD 1, SD 1	Fukunaga, Chair; Tsutsui, Co-Chair; Hemmings	H.B. No. 2832, HD 1, SD 2	Hee, Chair; Tsutsui, Co-Chair; Hemmings
H.B. No. 2533, HD 1, SD 2	Takamine, Chair; Kim, Co-Chair; Slom	H.B. No. 2866, HD 1, SD 1	Kim, Chair; Kokubun, Hemmings
H.B. No. 2561, SD 1	Hee, Chair; Taniguchi/Kim, Co-Chairs; Slom	H.B. No. 2897, HD 1, SD 1	Takamine, Chair; Baker/Taniguchi, Co-Chairs; Hemmings
H.B. No. 2568, SD 1	Sakamoto, Chair; Chun Oakland/Taniguchi, Co- Chairs; Galuteria, Hemmings	H.B. No. 2919, HD 1, SD 2	Takamine, Chair; Tsutsui, Co-Chair; Slom
H.B. No. 2582, SD 2	Hee, Chair; Tsutsui, Co-Chair; Hemmings	H.B. No. 2923, HD 2, SD 2	Hee, Chair; Tsutsui, Co-Chair; Hemmings
H.B. No. 2583, SD 2	Hee, Chair; Tsutsui, Co-Chair; Hemmings	INTRODUCTIONS	
H.B. No. 2594, HD 2, SD 1	Kim, Chair; Kokubun, Hemmings	The following introductions were made to the Members of the House:	
H.B. No. 2598, HD 1, SD 2	Nishihara, Chair; Gabbard/Kim, Co-Chairs; Hemmings	Representative Awana introduced Mr. Dayton Nakanelua and members of the United Public Workers Union.	
H.B. No. 2604, HD 2, SD 2	English, Chair; Tsutsui, Co-Chair; Slom	Representative Karamatsu introduced members of the groups FOCUSED and Good Beginnings Alliance, and former Representative Alex Santiago.	
H.B. No. 2631, HD 2, SD 2	Baker, Chair; Gabbard/Taniguchi/Tsutsui, Co- Chairs; Hemmings	Representative Ching introduced 5th grade students from Lanakila Elementary School. They were accompanied by teachers, Mrs. Leina'ala Hall and Ms. Rachel Nieto; educational assistants, Ms. Desiree Kalaukoa, Ms. Shawnelle Kema and Ms. Rose Decherong; and her legislative aide, Ms. Elise Anderson.	
H.B. No. 2643, HD 2, SD 2	Gabbard, Chair; Tsutsui, Co-Chair; English, Hooser, Hemmings	Representative Mizuno introduced members of the American Massage Therapy Association of Hawaii: Ms. Pualani Gillespie, Chapter President; Ms. Mahana Byington, Board member and Past President; Mr. Raymond Herradura, Board member; and Mr. Dustin Ebesu, President of the Massage Therapy Association of Hawaii.	
H.B. No. 2644, HD 2, SD 2	Gabbard, Chair; English/Tsutsui, Co-Chairs	ORDER OF THE DAY	
H.B. No. 2670, HD 1, SD 1	Tokuda, Chair; Tsutsui, Co-Chair; Slom	COMMITTEE ASSIGNMENTS	
H.B. No. 2676, HD 1, SD 1	Taniguchi, Chair; Takamine, Nishihara	The following measures were referred to committee by the Speaker:	
H.B. No. 2692, HD 1, SD 1	Espero, Chair; Tsutsui, Co-Chair; Gabbard	S.C.R.	
H.B. No. 2698, HD 2, SD 2	Fukunaga, Chair; Kim, Co-Chair; Ige, Slom	Nos.	
H.B. No. 2708, HD 1, SD 1	English, Chair; Gabbard, Slom	Referred to:	
H.B. No. 2721, HD 1, SD 1	Taniguchi, Chair; Takamine, Slom	37, SD1	Committee on Judiciary
H.B. No. 2724, HD 1, SD 1	Taniguchi, Chair; Takamine, Slom	75, SD1	Committee on Tourism, Culture, & International Affairs
H.B. No. 2725, HD 1, SD 1	Taniguchi, Chair; Takamine, Slom	124, SD1	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

202, Committee on Economic Revitalization, Business, & Military
SD1 Affairs, then to the Committee on Finance

228, Committee on Water, Land, & Ocean Resources, then to the
SD1 Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B.
No.

Re-referred to:

2461, Jointly to the Committee on Health and the Committee on
HD2, Human Services and the Committee on Labor & Public
SD2 Employment and the Committee on Consumer Protection &
Commerce and the Committee on Finance

STANDING COMMITTEE REPORTS

At this time, the Chair stated:

"Members, at this time the Chair will be taking two resolutions out of order. So if you would turn to page 13, Stand. Com. Rep. Nos. 1293-10 and 1294-10. This will be part of the Reports of Standing Committees."

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

(Stand. Com. Rep. No. 1293-10) recommending that H.R. No. 53, be adopted; and

(Stand. Com. Rep. No. 1294-10) recommending that H.C.R. No. 101, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 53; and H.C.R. No. 101, be adopted, seconded by Representative Evans.

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

"I'm standing in strong support of both these resolutions. It's a wonderful thing that we start to recognize the island that was the first island to have a train, and we re-establish our rail service again. I really appreciate this opportunity to have that happen."

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

"Thank you very much, Mr. Speaker. In strong support. I'd like to adopt the words of the previous speaker as if they were my own. I'd just like to say that if there's one resolution we adopt this year, this is it."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted, and H.R. No. 53, entitled: "HOUSE RESOLUTION REQUESTING THE COUNTY OF MAUI, IN CONJUNCTION WITH THE DEPARTMENT OF TRANSPORTATION, TO CONDUCT A FEASIBILITY STUDY TO DETERMINE THE COST AND OTHER FACTORS RELATING TO THE CONSTRUCTION OF A FIXED-RAIL TRANSPORTATION SYSTEM CONNECTING THE KAHULUI-WAILUKU AREA, KIHAI, AND LAHAINA ON THE ISLAND OF MAUI," was adopted, with Representatives Belatti, Hanohano and Sagum being excused.

H.C.R. No. 101, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTY OF MAUI, IN CONJUNCTION WITH THE DEPARTMENT OF TRANSPORTATION, TO CONDUCT A FEASIBILITY STUDY TO DETERMINE THE COST AND OTHER FACTORS RELATING TO THE CONSTRUCTION OF A FIXED-RAIL TRANSPORTATION SYSTEM CONNECTING THE KAHULUI-

WAILUKU AREA, KIHAI, AND LAHAINA ON THE ISLAND OF MAUI," was adopted, with Representatives Belatti, Hanohano and Sagum being excused.

SUSPENSION OF RULES

At this time, the Chair stated:

"Members, on page 1, Unfinished Business. Members, please note that House Resolution No. 233, HD 1, and its companion House Concurrent Resolution No. 318, HD 1, have been re-referred solely to the Committee on Human Services per Committee Referral Sheet No. 62. The Committee on Judiciary waived its referral to these measures, and therefore it is appropriate for the House to consider action for adoption."

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended to reconsider action previously taken on H.R. No. 233, HD 1; and H.C.R. No. 318, HD 1. (Representatives Belatti, Hanohano and Sagum were excused)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report Nos. 1004-10 and 1005-10, recommending referral to the Committee on Judiciary, seconded by Representative Evans.

At this time, the Chair addressed Representative Wooley, stating:

"Representative Wooley, what is the motion before this Body at this point in time? Please, educate the Members of the House."

Representative Wooley rose and stated:

"Thank you, Mr. Speaker. We are looking at HR No. 233 and HCR No. 318, for adoption."

Speaker Say: "For reconsideration, first. The motion to reconsider action taken."

Representative Wooley: "Re-referred solely to the Committee on Human Services. Thank you."

The motion was put to vote by the Chair and carried, and the House reconsidered its action previously taken pursuant to the recommendation contained in Standing Committee Report Nos. 1004-10 and 1005-10, recommending referral to the Committee on Judiciary. (Representatives Belatti, Hanohano and Sagum were excused.)

UNFINISHED BUSINESS

Representative B. Oshiro moved that H.R. No. 233, HD 1; and H.C.R. No. 318, HD 1, be adopted, seconded by Representative Evans.

At this time, the Chair addressed Representative Choy, stating:

"Representative Choy, what is the motion before this Body?"

Representative Choy rose and stated:

"To adopt these resolutions."

Speaker Say: "Correct."

The motion was put to vote by the Chair and carried, and H.R. No. 233, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES AND ALL AGENCIES WITH DEPARTMENT OF HUMAN SERVICES' CONTRACTS TO UPHOLD THEIR NONDISCRIMINATORY POLICY FOR GAY, LESBIAN, BISEXUAL,

AND TRANSGENDERED PERSONS," was adopted, with Representatives Belatti, Hanohano and Sagum being excused; and

H.C.R. No. 318, HD 1, entitled "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES AND ALL AGENCIES WITH DEPARTMENT OF HUMAN SERVICES' CONTRACTS TO UPHOLD THEIR NONDISCRIMINATION POLICY FOR GAY, LESBIAN, BISEXUAL, AND TRANSGENDERED PERSONS," was adopted, with Representatives Belatti, Hanohano and Sagum being excused.

At this time, the Chair stated:

"At this time, Members, the Chair will be taking Standing Committee Report No. 1270-10 on page 7, out of order."

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1270-10) recommending that H.C.R. No. 316, HD 1, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 316, HD 1, be adopted, seconded by Representative Evans.

At this time, Representative B. Oshiro offered Floor Amendment No. 13, amending H.C.R. No. 316, HD 1, as follows:

"SECTION 1. House Concurrent Resolution No. 316, H.D. 1, APPROVING THE FEE SIMPLE SALE OF NON-CEDED LANDS HELD BY THE UNIVERSITY OF HAWAII IN KAPOLEI, HAWAII, is amended by amending the BE IT RESOLVED clause on page 2 to read as follows:

"BE IT RESOLVED by the House of Representatives of the Twenty-fifth Legislature of the State of Hawaii, Regular Session of 2010, the Senate concurring, that UH is hereby authorized to sell the fee simple interest in non-ceded lands situated around the Kapolei campus, identified as Tax Map Key No. (1) 9-1-16-181, pursuant to the requirements of Act 176, SLH 2009; provided that this authorization shall not be effective until this House Concurrent Resolution is amended to reflect the information required by Act 176, SLH 2009, including:

- (1) The appraisal value of the land to be sold;
- (2) The names of all appraisers performing the appraisals of the land to be sold;
- (3) The date of the appraisal valuation; and
- (4) A detailed summary of any development plans for the land to be sold; and"

Representative B. Oshiro moved that Floor Amendment No. 13 be adopted, seconded by Representative Evans.

Representative B. Oshiro rose to speak in support of the proposed floor amendment, stating:

"Mr. Speaker, I rise in support of the floor amendment. Very briefly, the purpose of this floor amendment is to ensure that there is a purposeful defect placed in the resolution, and to ensure that there is not an inadvertent adoption by the Senate of this resolution because we need to make sure that there is conformity with Act 176.

"At that time, hopefully before we adjourn Sine Die, the UH West Oahu will be able to provide the information that will be in compliance with Act 176. Thank you."

The motion that Floor Amendment No. 13, amending H.C.R. No. 316, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF NON-CEDED LANDS HELD BY THE UNIVERSITY OF HAWAII IN KAPOLEI, HAWAII," be adopted, was

put to vote by the Chair and carried. (Representatives Belatti, Hanohano and Sagum were excused.)

At 12:23 o'clock p.m. the Chair noted that Floor Amendment No. 13, was adopted.

At 12:23 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:23 o'clock p.m.

Representative B. Oshiro moved that H.C.R. No. 316, HD 2, be adopted, seconded by Representative Evans.

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

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

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

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

The motion was put to vote by the Chair and carried, and H.C.R. No. 316, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF NON-CEDED LANDS HELD BY THE UNIVERSITY OF HAWAII IN KAPOLEI, HAWAII," was adopted, with Representatives Belatti, Hanohano and Sagum being excused.

Representative Tokioka, for the Committee on Legislative Management presented two reports:

(Stand. Com. Rep. No. 1246-10) recommending that H.R. No. 226, HD 1, be adopted; and

(Stand. Com. Rep. No. 1247-10) recommending that H.C.R. No. 311, HD 1, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 226, HD 1; and H.C.R. No. 311, HD 1, be adopted, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I rise in support of both these resolutions. Thank you. I just wanted to note, in the hearing that we had prior to the last hearing, the Higher Ed Committee jointly with the Hawaiian Affairs Committee I believe, we had a discussion regarding a transaction that was made by Yale University. Supposedly one of the original founders fell out of the contract, and they had to find somebody else or some other organization to take up that slack. That slack actually represented about a \$12 million transaction.

"What's interesting during the discussion is we learned that that transaction for some reason is outside of the requirements of our GET, so we as the State of Hawaii got nothing, no general excise tax taxes from this particular transaction.

"Now that was just one issue that came up. And the reason why it came up is because in lieu of paying for the rent on the summit, these telescopes provide viewing time for the University of Hawaii, and with the \$12 million calculation it is estimated that each night of viewing time is worth about \$80,000.

"I guess the purpose of these resos is to give the University an opportunity to get back to us so that we can better understand all of these different transactions going on in regards to these observatories and

whether or not we as a State of Hawaii are benefitting as much as possible with these deals. I hope that the University, when it takes a look at these two resos, really gets back to us in regards to these sub-transactions or additional transactions worth millions of dollars and helps us better understand why these transactions are outside of the scope of our general excise tax. Thank you, Mr. Speaker."

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

"Mr. Speaker, I'd like to ask for a ruling on a potential conflict. At my law firm I represent some plaintiffs that have sued the University of Hawaii and the Board of Land and Natural Resources over the use of Mauna Kea. Thank you," and the Chair ruled, "no conflict."

Representative Keith-Agaran rose to speak in support of the measure with reservations, stating:

"I have slight reservations on both of these measures, and I'd like to submit some written remarks."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support these resolutions which request the University of Hawaii to provide information regarding the value of viewing time from the telescopes on Mauna Kea to UH. My comments express some concerns about certain over-simplified statements in the body of the resolution regarding the nature of UH's ceded lands obligations.

"I do not agree, as apparently assumed on page 1, lines 10-13, that all uses of ceded lands must generate the equivalent of fair market lease rent. Very little of the ceded lands trust under management by the Board of Land and Natural Resources, for example, is suitable for commercial uses and for revenue purposes. Large tracts of Hawaii's heritage lands under management by the State are forest reserves and watershed lands. The highest and best use of those lands by the State for watershed protection – while incalculable in value – surely doesn't require fair market lease rent.

"These resolutions also seem to suggest that there is something insidious about UH receiving a lease from the State at nominal rent for the Mauna Kea lands. Rather, nominal leases from DLNR has been the traditional vehicle for designating public lands for UH use rather than Executive Orders (EO) setting aside lands for University use. The practice arose due to constitutional provisions that effectively make public lands set aside to the university the fee simple property of UH (see 1978 Constitution, Article 10, Section 5 provides: "[the University] shall have title to all the real and personal property now or hereafter set aside or conveyed to it, which shall be held in public trust for its purposes, to be administered and disposed of as provided by law.").

"The notion that all public lands should always generate fair market revenue is a narrow and ultimately counterproductive view of the most effective use of the scare resource which is the Public Lands Trust. Proponents of putting a commercial value on all public lands should be careful lest we end up with corporate control of some of Hawaii's significant resources. Support of the University's mission is necessary for our residents to have future opportunities and that includes the use of public lands for campuses and for related educational purposes.

"Nevertheless, given the public interest in whether continued or even expanded scientific use of Mauna Kea's summit provides enough tangible benefits in light of the cultural and religious concerns of Native Hawaiians, the information requested in these measures will help future legislatures in any policy making adjustments. I urge my colleagues to vote in favor of this measure."

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

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 226, HD 1, entitled: "HOUSE

RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO SUBMIT TO THE LEGISLATURE A REPORT OF OBSERVATION VIEWING TIME ON THE TELESCOPES ON MAUNA KEA," was adopted, with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused; and

H.C.R. No. 311, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO SUBMIT TO THE LEGISLATURE A REPORT OF OBSERVATION VIEWING TIME ON THE TELESCOPES ON MAUNA KEA," was adopted, with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1248-10) recommending that H.C.R. No. 165, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 165, be adopted, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 165, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE EFFICIENCY AND EFFECTIVENESS OF THE CHILD WELFARE SERVICES PROGRAM IN PROCESSING AND INVESTIGATING COMPLAINTS OF CHILD ABUSE AND NEGLECT AND MISUSE OF CHILD SUPPORT," was adopted, with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1249-10) recommending that H.C.R. No. 319, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 319, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF ALL COMMUNITY-BASED PROGRAMS AND SERVICES RECEIVING MEDICAID FUNDING OR SUBSIDIZING INDIVIDUALS ELIGIBLE FOR MEDICAID," was adopted, with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1250-10) recommending that H.C.R. No. 21, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 21, be adopted, seconded by Representative Evans.

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

"Mr. Speaker, I'm in opposition and have just brief comments. My concern about all these houses, and I know that each one has a story and there's a sympathetic person that has a real compelling reason why they should have this affordable housing. But my concern is that there's only a 10-year buyback provision. From what I understand from realtors I've talked to, there are no shared appreciation equity requirements after the 10 years. So what that means is after 10 years this house will be lost to the open market forever.

"If you can just take a moment to imagine if we did the same thing in the DHHL. Native Hawaiians would see their entire land trust evaporate in 10 years. I think we all can say that that would be unfair to all of the thousands on the waiting list.

"Taking the example of DHHL, I'd want the people in this Body to think of your children and your grandchildren as being on the wait list for

affordable housing, and they'll be out of luck if we continue selling these parcels as we are contemplating in these resolutions.

"I've heard examples of these types of homes selling for \$100,000 under HHFDC's affordable housing, and then after the 10 years, the price is \$500,000. This is what can happen realistically. These homes can become mansions, they can become speculated on, and who knows what else. I just feel that it's very short sighted of us to sell this type of housing, so that's why I'm going to be going 'no' on many of these resolutions."

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

"Thank you Mr. Speaker, I request the words of the Representative from Waianae to be entered as my own. I'm in opposition. Thank you. I'm not sure how to do this exactly, but I'm standing in opposition for all the HCRs from 21 through number 46."

The Chair addressed Representative Berg, stating:

"Representative Berg, we'll have to take it up individually because this is a two-thirds vote for the Members of this Body."

Representative Berg continued in opposition, stating:

"The message is the same. I will speak on this one on behalf of all the other resolutions. For the reasons that have been discussed previously during our session about the sale of land from other Representatives' comments. The inconsistencies in the resolutions as they appear before us, even the correction we just had to make in the previous resolution.

"I think we need to be extremely deliberate, and diligent and judicious at this time. Perhaps the sale of this land, of these particular parcels, will expedite, adding more money into the budget, or will allow more freedom for certain departments, but in light of all of the departments suffering the way they are, I think we just need to be very cautious and I would urge my colleagues to also vote no on these measures. Thank you."

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

"Mr. Speaker, in support. I appreciate the prior two speakers concerns and can understand the issue of selling fee-simple after the 10 year affordable. However, with all due respect, I'm not sure this is the mechanism or the place. That is a policy call that belongs in statute in terms of what is going to be our policy in setting up affordable housing.

"These are resolutions based on a law we passed last year to allow a transaction to occur. You will see in the subsequent resolutions, this has been going on for awhile. This is not new. This is not selling large pieces of land, or something that they decided like yesterday. This has been ongoing and I ask the Members to support it."

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

"Thank you, Mr. Speaker. In support. Brief rebuttal to the speaker from Waianae-Makaha, as well as the speaker from Aina Haina. Just to be clear, the entire Villages of Kapolei fall under the jurisdiction of the HHFDC and to say that there is a 10 year buyback ..."

The Chair addressed Representative Har, stating:

"Representative Har, we're not addressing the resolution for Kapolei."

Representative Har continued in support, stating:

"I know. Please excuse me, Mr. Speaker. I'd like to just clarify, going back to the whole point about HHFDC. All these resos, including HCR 21, which is the current reso that we are on. The whole mission of HHFDC is to provide affordable housing. So to say that there is a 10 year buyback provision, that is absolutely correct. But what runs concurrently with that 10 year buyback provision is something called the 'shared appreciation program.'

"So in the case that was brought up by the Representative from Waianae-Makaha, she talked about a house being bought for \$100,000 and it appreciates in value. So let's say that the 10 year buyback period is over and done with. The fact of the matter is that house has now appreciated in value, and as a result because of the SAE program, that particular buyer is not able to just go and sell that land haphazardly and take all of the equity that essentially the State subsidized. They actually have to now buy out the equity from the HHFDC before they can just go sell it.

"So to state that there's only this 10 year buyback provision, it needs to be made clear that what runs concurrently with the 10 year buyback is the SAE program. For most of these, actually in fact I double checked with HHFDC, all of these resolutions notwithstanding the 10 year buy back, if there was an appreciation in these properties, that is why HHFDC has now come in and foreclosed and now they're attempting to resell these lands to other families, local families who qualify for affordable housing. Accordingly, I stand in support. Thank you Mr. Speaker."

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

"Thank you, Mr. Speaker. I rise in support. I just want to make a couple comments. It sounds like we're going to talk about a lot of the resolutions as a policy issue. So I just want to rise right now to let the Members know that I do support the statements by the Representatives from Waianae-Makaha and Aina Haina, and I think that they raised very important policy issues. That was one of the things that came out during the Finance Committee Hearing. So I think it was very important that we went through this process.

"However, at the same time I have heard from the Representative from Kapolei, and it sounds like a lot of these parcels have already been in the works for some time. I think because Act 176 is just starting this year, it would be very difficult for us to actually halt some of these sales that have been in the works for quite some time for the families. But I do think that we'll be looking at the policy for HHFDC, and I think we have started a very good discussion on this policy issue. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 21, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1593 PAPAUA STREET, KAPA'A, HAWAII," was adopted, with Representatives Berg and Shimabukuro voting no, and with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1251-10) recommending that H.C.R. No. 22, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 22, be adopted, seconded by Representative Evans.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 22, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1951 PAHOEHOE STREET, KOLOA, HAWAII," was adopted, with Representatives Berg and Shimabukuro voting no, and with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1252-10) recommending that H.C.R. No. 23, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 23, be adopted, seconded by Representative Evans.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 23, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1098 ONAHA STREET, WAILUKU, HAWAII," was adopted, with Representatives Berg and Shimabukuro voting no, and with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1253-10) recommending that H.C.R. No. 24, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 24, be adopted, seconded by Representative Evans.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 24, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1051 ONAHA STREET, WAILUKU, HAWAII," was adopted, with Representatives Berg and Shimabukuro voting no, and with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1254-10) recommending that H.C.R. No. 25, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 25, be adopted, seconded by Representative Evans.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 25, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 91-1139 KAMAAHA LOOP, KAPOLEI, HAWAII," was adopted, with Representatives Berg and Shimabukuro voting no, and with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1255-10) recommending that H.C.R. No. 26, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 26, be adopted, seconded by Representative Evans.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 26, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 91-1072 WELOWELO STREET, KAPOLEI, HAWAII," was adopted, with Representatives Berg and Shimabukuro voting no, and with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1256-10) recommending that H.C.R. No. 27, be adopted.

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

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

"Mr. Speaker, a no vote on Stand. Com. Rep. No. 1256 and if I could just say a few words. All my objections today on these land sales have nothing to do with the land sales. It has to do with, in my opinion, that these resolutions do not comply with the disclosure requirements of Act 176 of 2009. So all my no votes will reflect that reason and I will not say that again. Thank you."

Speaker Say: "So the previous measures were okay?"

Representative Choy: "Yes."

Speaker Say: "This is just for, is it for 1256, 1257 and 1258?"

Representative Choy: "No. Just for Stand. Com. Rep. Nos. 1256 and 1258."

Representative C. Lee rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with reservations. I do not believe this particular measure meets the requirements set forth in Act 176. I do not believe it will survive a legal challenge, so with reservations please. This is just for Stand. Com. Rep. Nos. 1256 and 1258."

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

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

"Thank you, Mr. Speaker. With reservations for Stand. Com. Rep. Nos. 1256 and 1258. I would just like to say that I'm hopeful that the Senate side will correct the inadequacies of these resolutions. Thank you."

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

Representative Awana rose in opposition to the measure and asked that the remarks of Representative Choy be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

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, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-033 KUAHELANI AVENUE, MILILANI, HAWAII," was adopted, with Representatives Awana, Berg, Choy and Shimabukuro voting no, and with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1257-10) recommending that H.C.R. No. 28, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 28, be adopted, seconded by Representative Evans.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 94-940 MEHEULA PARKWAY, MILILANI, HAWAII," was adopted, with Representatives Berg and Shimabukuro voting no, and with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1258-10) recommending that H.C.R. No. 29, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 29, be adopted, seconded by Representative Evans.

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 29, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-029 KUAHELANI AVENUE, MILILANI, HAWAII," was adopted, with Representatives Awana, Berg, Choy and Shimabukuro voting no, and with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1259-10) recommending that H.C.R. No. 30, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 30, be adopted, seconded by Representative Evans.

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

"Mr. Speaker, no votes for Stand. Com. Rep. Nos. 1259, 1260, 1261 and 1262 for the reasons stated before."

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

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

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

"Mr. Speaker, in support. I just wanted to say that I have reviewed these, and I do believe that they do meet the requirements of Act 176. Thank you."

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

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

Representative Awana rose in opposition to the measure and asked that the remarks of Representative Morita on Stand. Com. Rep. No. 1261-10 and H.C.R. No. 32 be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 30, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-021 KUAHELANI AVENUE, MILILANI, HAWAII," was adopted, with Representatives Awana, Berg, Choy and Shimabukuro voting no, and with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1260-10) recommending that H.C.R. No. 31, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 31, be adopted, seconded by Representative Evans.

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

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

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

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

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

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

Representative Awana rose in opposition to the measure and asked that the remarks of Representative Morita on Stand. Com. Rep. No. 1261-10 and H.C.R. No. 32 be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 31, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 2949 ALA ILIMA STREET #201, HONOLULU, HAWAII," was adopted, with Representatives Awana, Berg, Choy and Shimabukuro voting no, and with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1261-10) recommending that H.C.R. No. 32, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 32, be adopted, seconded by Representative Evans.

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

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

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

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

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

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

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

"Thank you Mr. Speaker, please register a no vote for me on Stand. Com. Rep. Nos. 1261, 1262 and 1263. My comments for all three are the same. These are larger parcels that are going to be developed for affordable homes. I think we really need to look at the policy regarding the buyback provisions and ensure that these homes remain in the affordable home inventory for the long term and not just 10 years. Thank you."

Representative Awana rose in opposition to the measure and asked that the remarks of Representative Morita be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 32, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF THE NORTHWEST CORNER PARCEL, KAPOLEI, HAWAII," was adopted, with Representatives Awana, Berg, Choy, Morita and Shimabukuro voting no, and with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1262-10) recommending that H.C.R. No. 33, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 33, be adopted, seconded by Representative Evans.

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

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

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

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

"Mr. Speaker, please record a no vote for me. I think there has been some confusion in the community over whether or not this is land

designated for a park so I'd just like to pause and let us analyze that issue. Thank you."

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

"Mr. Speaker, in support. And just in rebuttal to the speaker from Kahaluu for Stand. Com. Report 1262-10, HCR Number 33. I do understand the concerns that some people may have thought this was a park. However, if you read the second paragraph, this is already zoned residential 3.5. This is part of the master plan for residential.

"It is my understanding that DHHL may have told its homesteaders that this parcel was going to be a park. It's not DHHL land. It's HHFDC land. Whether or not DHHL told that to the homesteaders, that's DHHL's problem. If you look at the master plan, again, it was supposed to be residential, and if you look at the zoning on line eight, it's already zoned residential. So there should be no confusion that this was supposed to be parkland. Thank you."

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

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

Representative Awana rose in opposition to the measure and asked that the remarks of Representative Morita on Stand. Com. Rep. No. 1261-10 and H.C.R. No. 32 be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

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

"Thank you, Mr. Speaker. In support of all these resolutions. With respect to Stand. Com. Rep. No. 1262-10, I want this to be made very clear. First of all I'd like to adopt the comments, the words of the Majority Whip as if they were my own with respect to this particular Stand. Com. Report.

"As the Representative of this district, I actually became aware of this several months ago when some of my homesteaders contacted me about this particular lot and so I contacted HHFDC, as well as the Villages of Kapolei Association. It is my understanding that there was an incorrect misrepresentation that was made to the homesteaders.

"Mr. Speaker, I'd like to go actually with reservations on this particular Stand. Com. and I want to explain why. There seems to be a disconnect between some of our State agencies. I did in fact talk to the President of Kauepa this morning. From what I understand. HHFDC, pursuant to Act 176, did inform DHHL of what was happening with respect to this particular property.

"Unfortunately, DHHL failed to inform the homesteaders. So when we had the hearing in the Water, Land Committee with respect to this resolution, we didn't receive any testimony from DHHL. And when I didn't receive any testimony I just thought that they were okay with it because they understood that pursuant to the master plan, this would go into the lot for affordable housing.

"So it was very surprising to me then when I got these phone calls. I double checked again with HHFDC. And again, the reason I'm going with reservations is because there needs to be better communication.

"Even though this information was communicated to the Chair and Deputy Chair of DHHL, they failed to tell the residents; and they don't live in Kauepa, the Homestead Association Project that would be affected by this particular lot. So my reservations really just deal with communication. We really have to figure out a way to be better coordinated between our State agencies, particularly between HHFDC and DHHL in Kapolei. Thank you, Mr. Speaker."

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

"Just want to note my reservations on the same measure for the same reasons."

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

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

"Thank you, I'm in opposition. I think because of the confusion noted earlier and because I don't think this needs to be done this year and maybe we can vet it just a little bit more, I'm going to urge my colleagues to join me in voting this down and just giving another year or maybe just a few more months to figure this out.

"I think that if someone was told that a parcel was going to be a park, and it was told by a State agency, I think we as legislators have almost an obligation to just vet this out and just check it out to make sure that we're doing the right thing. At this point because of the confusion, I don't know. So I'm going to vote no."

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

"On HCR No. 33, I'd just like to change my vote to a no vote please."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 33, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF A 9.105 ACRE VACANT PARCEL IN VILLAGE 8, THE VILLAGES OF KAPOLEI, KAPOLEI, HAWAII," was adopted, with Representatives Awana, Berg, Choy, C. Lee, Morita, Pine, Shimabukuro, Takai and Wooley voting no, and with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1263-10) recommending that H.C.R. No. 34, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 34, be adopted, seconded by Representative Evans.

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

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

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

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

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

Representative Awana rose in opposition to the measure and asked that the remarks of Representative Morita on Stand. Com. Rep. No. 1261-10 and H.C.R. No. 32 be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 34, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF KEKUILANI VILLAGE 4, THE VILLAGES OF KAPOLEI, KAPOLEI, HAWAII," was adopted, with Representatives Awana, Berg, Morita and Shimabukuro voting no, and with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1264-10) recommending that H.C.R. No. 36, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 36, be adopted, seconded by Representative Evans.

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

"In strong support, Mr. Speaker."

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 36, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF TWO VACANT PARCELS IN HOKULELE, KANEHOE, HAWAII," was adopted, with Representatives Berg, C. Lee and Shimabukuro voting no, and with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1265-10) recommending that H.C.R. No. 44, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 44, be adopted, seconded by Representative Evans.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 44, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE SALE OF STATE RECLAIMED LAND AT KAALAEA, KOOLAUPOKO, OAHU, FOR PRIVATE PROPERTY PURPOSES," was adopted, with Representatives Berg and Shimabukuro voting no, and with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1266-10) recommending that H.C.R. No. 45, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 45, be adopted, seconded by Representative Evans.

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 45, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE SALE OF STATE RECLAIMED LANDS AT KANEOHE, KOOLAUPOKO, OAHU, FOR BEACH ACCESS RIGHT-OF-WAY PURPOSES," was adopted, with Representatives Awana, Berg and Choy voting no, and with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1267-10) recommending that H.C.R. No. 46, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 46, be adopted, seconded by Representative Evans.

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

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

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

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

"Thank you, Mr. Speaker. In strong support. I just wanted to share some thoughts that were not mentioned earlier. As a Native Hawaiian, I know the Representative from Waianae has spoken about the mission of the Hawaiian Homes and what it does for our community. But when you think about the mission of Hawaiian Homes, I believe you have to have a 50% blood quantum to qualify.

"Some of these homes are owned by Hawaiian people, and if not for this they could own the home. So Mr. Speaker, I just wanted to share those few comments with all due respect to the previous speakers in opposition, and register my strong support for this resolution."

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

"Thank you Mr. Speaker, for different reasons than from the Representative from Manoa, a no vote."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 46, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE SALE OF STATE LANDS AT HANAPEPE, WAIMEA, KAUAI, FOR RESIDENTIAL PURPOSES," was adopted, with Representatives Berg and Choy voting no, and with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1268-10) recommending that H.C.R. No. 47, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 47, be adopted, seconded by Representative Evans.

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

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

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

"Strong support, Mr. Speaker. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 47, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AUTHORIZATION TO ENTER INTO A DEVELOPMENT AGREEMENT FOR THE DEVELOPMENT OF KEEHI INDUSTRIAL LOTS, ISLAND OF OAHU," was adopted, with Representatives Berg and Shimabukuro voting no, and with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1269-10) recommending that H.C.R. No. 292, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 292, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ENTER INTO AN AGREEMENT TO TRANSFER THE MAUNA KEA STATE RECREATION AREA AND THE HAPUNA BEACH STATE RECREATION AREA TO THE COUNTY OF HAWAII," was adopted, with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1271-10) recommending that H.C.R. No. 320, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 320, be adopted, seconded by Representative Evans.

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

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

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

"Thank you, Mr. Speaker. I rise in support. And if I could submit written comments, and thank all the Members for the interesting policy discussion."

Representative Wooley's written remarks are as follows:

"I support this resolution wholeheartedly, though I have concerns about many of the other resolutions that will move forward today.

"Act 176, from last Session, has proven to be a very useful policy tool and important legislative process. Now, before the State Executive Branch can sell public land, it must successfully introduce and pass a legislative resolution. This process will help to ensure there is broad support for land sales before final deals are made, and it will prevent potential "sweetheart deals" that would benefit the few at the public's expense.

"The implementation of Act 176 and the passage of this year's resolutions has given me pause to reflect upon – and the opportunity to discuss – State land use policy. It may be that the selling of public land, especially during a recession, is tempting, but it is not necessarily prudent. During Finance hearings on these resolutions, it became clear that State agencies responsible for proposing the resolutions and selling State land do not have policies in place to ensure the sale of State land serves a public purpose, particularly in the long run.

"However, I do believe there are some situations where the sale of public land is in the best interest of the public. This resolution is one of those times. This resolution will allow for the sale of State land to the Boy Scouts of America. This proposed sale is unlike all the other resolutions we've seen today simply because it was a contract that was actually entered into many years ago, and the land was exchanged. However, there was an inadvertent omission of the tax map key from the 2004 recorded conveyance. This resolution will allow the omission to be corrected, once and for all."

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

"Thank you, Mr. Speaker. In opposition to HCR No. 320, Standing Committee Report 1271-10. Mr. Speaker, this resolution attempts to basically approve a former land exchange between the Board of Land and Natural Resources and the Boy Scouts of America.

"The problem is, this is ceded lands. As this Body well knows, we've had many discussions throughout the past couple of weeks regarding Act 176 which we passed last year, which prohibited the State from selling ceded or non-ceded lands without legislative approval.

"In all my conversations with the colleagues of this Body, I think the message was made very clear. That when it came to ceded lands, we had a policy. So I have very serious reservations. If people were going no on these other resolutions for whatever reason, the fact of the matter is this. This is ceded lands. For these reasons I stand in opposition, Mr. Speaker. Thank you."

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

At 12:55 o'clock p.m. Representative Keith-Agaran requested a recess and the Chair declared a recess subject to the call of the Chair.

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

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like a ruling on a possible conflict. From December 2000 to December of 2002 I was a member of a Board that was involved in approving the land exchange that's in the underlying resolution," and the Chair ruled, "no conflict."

Representative Awana rose in opposition to the measure and asked that the remarks of Representative Har be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

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

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

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

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

"Thank you, Mr. Speaker. I rise in support of this measure. Thank you. I just wanted to state for the record the reason why I'm in support this. I do believe that Act 176 is the law of the land right now, and as such, this particular resolution as I read it, follows the requirements of Act 176, number one.

"Number two, which is very different from everything else, this land was actually sold years ago, and they're just trying to fix up some problems that occurred over the past. So it's very different from all the other parcels because I think the other parcels right now, we're trying to sell them. In this particular example, it was already sold. I guess mistakes were made.

The Boy Scouts, I'm assuming it's the Boy's Scouts, currently sit on this particular parcel. And for those reasons Mr. Speaker, and for consistencies sake, I am supporting this. Thank you."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 320, entitled: "HOUSE CONCURRENT RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON A LAND EXCHANGE," was adopted, with Representatives Awana, Berg, Carroll, Har, C. Lee, Morita, Pine and Shimabukuro voting no, and with Representatives Belatti, Bertram, Hanohano, McKelvey and Sagum being excused.

At 1:01 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:02 o'clock p.m., with Vice Speaker Magaoay presiding.

STANDING COMMITTEE REPORTS

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1272-10) recommending that H.C.R. No. 155, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 155, be adopted, seconded by Representative Evans.

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

"Mr. Speaker, I stand in support. Thank you. In 2006, this Body passed a bill establishing the Joint Legislative Committee on Family Care Giving. In subsequent years the Committee decided to change the name to the Joint Legislative Committee on Aging in Place.

"They have met monthly since 2006, bringing together people from the *kupuna* caucus, the grandparents who care for grandchildren, and many community members. They have also prepared annual reports that have been submitted to the Legislature, in addition to documented research. They've also prepared an annual legislative package. And they've been a forum for aging issues in the State of Hawaii. So I'd like to ask for the Members' support and hopefully this Committee can continue its work over the next several years. 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. 155, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO AUTHORIZE THE JOINT LEGISLATIVE COMMITTEE ON AGING IN PLACE TO CONTINUE TO MEET AND CARRY OUT THE WORK OF THE COMMITTEE," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

At this time, Representative Souki called for the question for all resolutions from page 7 to page 28, and subsequently withdrew his motion.

The Chair responded, stating:

"No, we can't do that."

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1273-10) recommending that H.C.R. No. 50, HD 1, as amended in HD 2, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 50, HD 2, be adopted, seconded by Representative Evans.

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

"Mr. Speaker, I just need to ask for a ruling on a potential conflict. The Division Chief at the State Historic Preservation Division's daughter works for me as Session staff," and the Chair ruled, "no conflict."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 50, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUMMIT FOR THE HEALING AND CREATION OF POSITIVE CHANGE FOR THE STATE HISTORIC PRESERVATION DIVISION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented two reports:

(Stand. Com. Rep. No. 1274-10) recommending that H.R. No. 140, be adopted; and

(Stand. Com. Rep. No. 1275-10) recommending that H.C.R. No. 209, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 140, and H.C.R. No. 209, be adopted, seconded by Representative Evans.

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

"Mr. Speaker, I rise in support. I thank the gentlemen from Maui for his lack of presence. It appears he has left the place. But I appreciate everybody not doing a second on that motion, because even though this is a resolution, this is about the fourth estate, Mr. Speaker. This is about the press. This is a resolution to say, '*Star-Bulletin*, keep the window open a little bit further just so there's the possibility that somebody can buy the newspaper.' There's a possibility that somebody might step up to the plate, even though it's been a losing proposition.

"Mr. Speaker, we should recall that Thomas Jefferson said, 'If I had to choose between government and the press, I'd choose the press.' That's how important it has been for the free society that we are in, and that we have to remain. Even though, Mr. Speaker, for those of us here in the '90s, you'll recall that never was there a Floor session where there wasn't probably two or three cameras, two or three newspapers. We usually get the AP, but now we're lucky if we get the AP, plus the *Star-Bulletin* or the *Advertiser*.

"It's a dying profession. If this is a way to keep it alive by having somebody purchase it, modify it, reconstruct it. It is an encouragement that passing this resolution will do. I think 120 days would be ideal the way that they've closed it. With just a couple of weeks it's not appropriate. So the signal that this would send, I think, is not only for continuing the freedom of the press, but for being at least a two-newspaper town for as long as they can stand. Thank you."

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of H.R. 140 and H.C.R. 209, which urges the owner of the *Honolulu Star-Bulletin* to provide sufficient time to find a new owner for the newspaper to preserve two independent daily newspapers in the community. Most importantly, if we are to allow today's challenging economy to silence the *Star-Bulletin*, our local community will come to observe only a single perspective on salient newsbreks at a time when we can least afford such blind partiality. It is now more crucial than ever that we continue to press Hawaii's most influential voices to compete with one another, in order to ensure maximal accuracy, comprehensibility, and insight. Were a single voice to monopolize local news media, reporters and editors may feel that they can afford to lull, and citizens may complacently accept increasingly biased reporting.

"For 126 years, the *Star-Bulletin* has enlivened and enlightened Hawaii's local community with "incisive reporting, thought-provoking commentary, and delightful satire." One of the *Star-Bulletin's* most valuable attributes lies in the fact that it has retained an independent legacy, and has thus minimized situations in which reporters may have otherwise felt the need to placate and extol certain parties over others. The award-winning quality of the *Star-Bulletin* has, moreover, become so deeply absorbed into the fabric of island living that thousands of our constituents would lament its loss, not to mention the approximate 200 jobs which the *Star-Bulletin's* closure would sacrifice.

"Therefore, in light of the assertion which Oahu Publications, Inc made on February 25, 2010, that it would close or merge the *Star-Bulletin* if a qualified buyer is not found by April 2010, we must encourage this owner to persevere, allowing a generous yet reasonable time frame for its search to find a promising buyer. Along with the rest of our community, the publisher will also reap benefits in the future to more than compensate the costs of such a search, as the presence of two print voices will greatly enrich daily life in Hawaii. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 140, entitled: "HOUSE RESOLUTION URGING THE OWNER OF THE HONOLULU STAR-BULLETIN TO PROVIDE SUFFICIENT TIME TO FIND A NEW OWNER FOR THE NEWSPAPER TO PRESERVE TWO INDEPENDENT DAILY NEWSPAPERS IN THE COMMUNITY," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused; and

H.C.R. No. 209, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE OWNER OF THE HONOLULU STAR-BULLETIN TO PROVIDE SUFFICIENT TIME TO FIND A NEW OWNER FOR THE NEWSPAPER TO PRESERVE TWO INDEPENDENT DAILY NEWSPAPERS IN THE COMMUNITY," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1276-10) recommending that H.R. No. 165, HD 1, as amended in HD 2, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 165, HD 2, entitled: "HOUSE RESOLUTION SUPPORTING THE PHASE OUT OF PRODUCTION AND IMPORTATION OF DECBROMODIPHENYL ETHER IN THE UNITED STATES," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1277-10) recommending that H.C.R. No. 235, HD 1, as amended in HD 2, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 235, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PHASE OUT OF PRODUCTION AND IMPORTATION OF DECBROMODIPHENYL ETHER IN THE

UNITED STATES," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

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

(Stand. Com. Rep. No. 1278-10) recommending that H.R. No. 142, be adopted; and

(Stand. Com. Rep. No. 1279-10) recommending that H.C.R. No. 212, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 142; and H.C.R. No. 212, be adopted, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I stand in support of these two resolutions. Thank you, very much. I stand in support. This is acknowledging our Korean community of which many of you may not know, but Liliha has quite a strong Korean heritage in that the first Korean church and the Korean Consulate is near and around Liliha.

"I do want to recognize, and I did talk to some of the authors of this, but that there are coalitions as I said on a previous bill. There is a Hawaii Capitol Coalition which for decades has been taking care of what is the Capitol and the surrounding Capitol area. There's so much work and organization, and I'm just looking forward to the group here also working with them and Washington Place. But I think it's really like the *lo'i* bill, a wonderful idea. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 142, entitled: "HOUSE RESOLUTION REQUESTING GOVERNOR LINDA LINGLE TO RECOGNIZE LOCAL KOREANS BY ALLOWING A COMMEMORATIVE PLAQUE TO BE PLACED ON MILLER STREET ADJACENT TO WASHINGTON PLACE, FORMER SITE OF THE KOREAN NATIONAL ASSOCIATION," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused; and

H.C.R. No. 212, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING GOVERNOR LINDA LINGLE TO RECOGNIZE LOCAL KOREANS BY ALLOWING A COMMEMORATIVE PLAQUE TO BE PLACED ON MILLER STREET ADJACENT TO WASHINGTON PLACE, FORMER SITE OF THE KOREAN NATIONAL ASSOCIATION," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1280-10) recommending that H.C.R. No. 86, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 86, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTY OF KAUAI TO RESTORE PRINCE KUHIO PARK TO ITS FORMER CONFIGURATION," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1281-10) recommending that H.C.R. No. 182, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 182, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF LAND AND NATURAL RESOURCES TO OFFER LEASES OF PUBLIC LAND LOCATED IN KOKE'E STATE PARK THROUGH A PUBLIC LOTTERY SYSTEM," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1282-10) recommending that H.C.R. No. 216, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR HAWAII TO PURSUE THE BID TO HOST THE 2016 INTERNATIONAL UNION FOR CONSERVATION OF NATURE WORLD CONSERVATION CONGRESS," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1283-10) recommending that H.C.R. No. 237, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 237, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ECONOMIC STIMULUS OVERSIGHT COMMISSION TO EXPAND ITS MONITORING OF FEDERAL STIMULUS FUNDS AVAILABLE TO HAWAII," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1284-10) recommending that H.C.R. No. 15, HD 1, as amended in HD 2, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 15, HD 2, be adopted, seconded by Representative Evans.

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

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I stand in support of this resolution because falls are a continuing problem amongst older adults and often lead to fractures, subdural hematomas, and inability to walk. After a serious fall, many develop pneumonia and bedsores because of confinement to bed. All of this leads to increased costs and pain and suffering.

"Reducing falls is a major preventive goal for our aging population. I urge the Members' support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 15, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII CENTER ON AGING TO CONVENE A HAWAII STATE FALL PREVENTION TASK FORCE TO DEVELOP A STATEWIDE APPROACH TO REDUCING FALLS AMONG OLDER ADULTS," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1285-10) recommending that H.C.R. No. 129, HD 1, as amended in HD 2, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 129, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO DEVELOP A COMPREHENSIVE PLAN TO IMPROVE AWARENESS OF AND STRENGTHEN SUPPORT FOR PERSONS WITH DYSLEXIA," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1286-10) recommending that H.C.R. No. 199, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 199, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONSIDER CERTAIN FACTORS BEFORE ENTERING INTO CONTRACTS WITH MANAGED CARE ORGANIZATIONS THAT PROVIDE MEDICAID BENEFITS UNDER QUEST MANAGED CARE PLANS," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1287-10) recommending that H.R. No. 7, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 7, entitled: "HOUSE RESOLUTION EXTENDING THE DEADLINE FOR THE HOME FOR LIFE TASK FORCE TO REPORT ON ITS FINDINGS AND RECOMMENDATIONS FOR REDUCING BARRIERS TO AGING IN PLACE AND FACILITATING MULTIGENERATIONAL LIVING," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1288-10) recommending that H.C.R. No. 13, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 13, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING THE DEADLINE FOR THE HOME FOR LIFE TASK FORCE TO REPORT ON ITS FINDINGS AND RECOMMENDATIONS FOR REDUCING BARRIERS TO AGING IN PLACE AND FACILITATING MULTIGENERATIONAL LIVING," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1289-10) recommending that H.R. No. 10, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 10, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CREATE A DATABASE RESOURCE WEBSITE TO HOUSE REAL-TIME AVAILABILITY OF ALL JUVENILE SERVICES FROM THE LOWEST LEVEL OF CARE TO THE HIGHEST LEVEL OF CARE FOR THE APPROPRIATE PLACEMENT OF JUVENILES IN HAWAII," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1290-10) recommending that H.C.R. No. 19, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 19, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CREATE A DATABASE RESOURCE WEBSITE TO HOUSE REAL-TIME AVAILABILITY OF ALL JUVENILE SERVICES FROM THE LOWEST LEVEL OF CARE TO THE HIGHEST LEVEL OF CARE FOR THE APPROPRIATE PLACEMENT OF JUVENILES IN HAWAII," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1291-10) recommending that H.R. No. 21, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 21, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO PERFORM A FINANCIAL AND MANAGEMENT AUDIT OF THE

CHILD SUPPORT ENFORCEMENT AGENCY," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1292-10) recommending that H.C.R. No. 61, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 61, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A FINANCIAL AND MANAGEMENT AUDIT OF THE CHILD SUPPORT ENFORCEMENT AGENCY," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1295-10) recommending that H.C.R. No. 17, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 17, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE UNIVERSITY OF HAWAII AT HILO'S COLLEGE OF PHARMACY IN ITS EFFORTS TO OBTAIN FEDERAL FUNDING TO ESTABLISH A BEACON COMMUNITY ON THE ISLAND OF HAWAII," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1296-10) recommending that H.C.R. No. 56, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 56, be adopted, seconded by Representative Evans.

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of H.C.R. 56. A financial and management audit of the DOE is long overdue. The large bureaucracy of the Department of Education needs to be held accountable for how its funds are spent, especially when in comparison to other states we spend more, but have yet to reap the true benefits of our investments.

"Even the Department of Education has stated in their own testimony that they have "always welcomed independent audits by the State Auditor." If we do not hold this bureaucracy accountable for its actions, we, as a State, are failing our *keiki*. Thank you."

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

Representative Takai's written remarks are as follows:

"Mr. Speaker, I speak in support of this bill. The purpose of this concurrent resolution is to request a financial and management audit of the Department of Education.

"It is unlikely that improvements can be made within the Department without objective analysis of operations. The public requires assurance that operations are efficient and that public funds are well spent. Regular evaluations, both from peers and from outside agencies, can lead to demonstrative improvements when accepted at face value and acted upon appropriately.

"Further, we are under great pressure to increase funding for our public schools. It is presumed, that increased funding will have a positive impact on and better results in instruction. Before funding is restored a complete objective review of the Department of Education's funding, structure and an operation is in order.

"I want to thank Representative Chris Lee for spearheading this fiscal and managerial audit of the Department of Education. It would not have come this far without all his hard work to make this happen.

"For these reasons, I support this concurrent resolution and urge my colleagues to do the same. Thank you."

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

Representative Belatti's written remarks are as follows:

"I rise in strong support of House Concurrent Resolution 56 which requests the Auditor to perform a financial and management audit of the Department of Education (DOE). Even before the current Furlough Friday crisis, the State's public education system has been plagued with significant problems that have been brought vividly to forefront of the public's attention. As the State agency receiving substantial amounts of general funds, a comprehensive financial and management audit of the DOE is a smart first step in imposing greater transparency and accountability on this agency.

"In its testimony before the House Education Committee, the DOE noted that various financial, single, local school fund audits, and single program reviews by federal and State agencies are conducted annually. However, this resolution provides for a much-needed, more comprehensive review of the DOE from the departmental level and calls for a holistic examination of the effectiveness and efficiency of departmental operations including organization and management of the DOE, especially with regard to personnel, and efficacy of fiscal operations, especially with respect to spending and accountability.

"The tax-paying public is entitled to better transparency and accountability from the system that, not only consumes much of the State's resources, but is ultimately responsible for the future well-being and education of our children. For these reasons, I am in strong support of HCR 56."

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

Representative C. Lee's written remarks are as follows:

"I want to thank Representative Mark Takai, Representative Denny Coffman, Representative Glenn Wakai, Representative Keith-Agaran, Representative Scott Nishimoto, Representative Tom Brower, Representative Mark Nakashima, Representative Joe Bertram, Representative Karl Rhoads, Representative Roy Takumi, and Representative Scott Saiki, for all their hard work in pushing this audit forward.

"Mr. Speaker, in particular I would like to thank one individual. I want to thank him for spearheading this long-overdue fiscal and managerial audit of the Department of Education. It would not have been possible without all his hard work to make this happen.

"I want to thank Representative Della Au Belatti, Representative Lyla Berg, Representative Mele Carroll, Representative Faye Hanohano, Representative Sylvia Luke, Representative Mina Morita, Representative Maile Shimabukuro, and Representative Jessica Wooley for all their hard work pushing this audit forward.

"Mr. Speaker, in particular I would like to thank one individual. I want to thank her for spearheading this long-overdue fiscal and managerial audit of the Department of Education. It would not have been possible without all her hard work to make this happen."

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

Representative Wooley's written remarks are as follows:

"I support this resolution and hope that it provides information to the public that is long overdue. It may not be simple, it may not be easy, but it is an important step in the right direction to ensure the Department of Education spends public money wisely and transparently."

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

Representative Finnegan's written remarks are as follows:

"I rise in strong support of HCR 56 which requests a financial and management audit of the Department of Education. I am very pleased to see that the Majority in the House of Representatives is finally recognizing what the Minority has advocated for years now. DOE, one of the largest and most expensive segments of the Hawaii State government has not been audited since the 1970s.

"It is inconceivable that a \$2 billion plus entity was allowed to operate for almost forty years without a comprehensive audit. It is unfortunate that it took embarrassing catalysts such as Furlough Fridays, the shortest school year in the country, and years of poor standardized test results to finally engender this action. A full financial and management audit is the beginning of achieving some meaningful education reform."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 56, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

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

(Stand. Com. Rep. No. 1297-10) recommending that H.R. No. 62, HD 1, be adopted; and

(Stand. Com. Rep. No. 1298-10) recommending that H.C.R. No. 114, HD 1, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 62, HD 1; and H.C.R. No. 114, HD 1, be adopted, seconded by Representative Evans.

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

"Yes, I just want a ruling on a potential conflict. For all of these measures on this page, I occasionally work for a homeless shelter," and the Chair ruled, "no conflict."

Representative Rhoads rose to speak in opposition to both measures, stating:

"Mr. Speaker, with apologies to my neighbor from Kakaako, I'd like to vote no on both of these resolutions. Mahalo."

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 1, entitled: "HOUSE RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO ESTABLISH HOMELESS SAFE ZONES," was adopted, with Representative Rhoads voting no, and with Representatives Bertram, Hanohano, McKelvey and Sagum being excused; and

H.C.R. No. 114, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO ESTABLISH HOMELESS SAFE ZONES," was adopted, with Representative Rhoads voting no, and with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

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

(Stand. Com. Rep. No. 1299-10) recommending that H.R. No. 63, HD 1, be adopted; and

(Stand. Com. Rep. No. 1300-10) recommending that H.C.R. No. 115, HD 1, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 63, HD 1; and H.C.R. No. 115, HD 1, be adopted, seconded by Representative Evans.

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

"Yes, I just want a ruling on a potential conflict. For all of these measures on this page, I occasionally work for a homeless shelter," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 63, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES, IN COLLABORATION WITH THE DEPARTMENT OF TRANSPORTATION, DEPARTMENT OF TRANSPORTATION SERVICES OF THE CITY AND COUNTY OF HONOLULU, AND ANY OTHER AGENCIES OR ENTITIES NECESSARY, TO DEVELOP A PLAN TO RESOLVE ISSUES RELATED TO HOMELESS INDIVIDUALS LIVING IN ABANDONED VEHICLES," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused; and

H.C.R. No. 115, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES, IN COLLABORATION WITH THE DEPARTMENT OF TRANSPORTATION, DEPARTMENT OF TRANSPORTATION SERVICES OF THE CITY AND COUNTY OF HONOLULU, AND ANY OTHER AGENCIES OR ENTITIES NECESSARY, TO DEVELOP A PLAN TO RESOLVE ISSUES RELATED TO HOMELESS INDIVIDUALS LIVING IN ABANDONED VEHICLES," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1301-10) recommending that H.R. No. 65, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 65, entitled: "HOUSE RESOLUTION SUPPORTING CONGRESSIONAL AND STATE FUNDING FOR BROADBAND INFRASTRUCTURE," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1302-10) recommending that H.C.R. No. 117, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 117, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING CONGRESSIONAL AND STATE FUNDING FOR BROADBAND INFRASTRUCTURE," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

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

(Stand. Com. Rep. No. 1303-10) recommending that H.R. No. 100, be adopted; and

(Stand. Com. Rep. No. 1304-10) recommending that H.C.R. No. 162, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 100; and H.C.R. No. 162, be adopted, seconded by Representative Evans.

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

"Mr. Speaker, on both of those resolutions, in strong support and written comments."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support. These resolutions are important because incarcerated persons must be educated about their responsibilities to family before they leave prison. This just makes sense and will help both the prisoner and his family in the long run. The responsibilities are just part of good parenting, which some have never been exposed to in the past.

"The Public Safety Director indicated in hearing that volunteers might be used to implement such a program. I urge the Members' support of these resolutions which support families."

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

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 100, entitled: "HOUSE RESOLUTION URGING THE PROVISION OF EDUCATION TO INCARCERATED PARENTS TO ENSURE CHILD SUPPORT ISSUES ARE ADDRESSED WITHOUT DELAY AND UPON RELEASE, TO PREPARE THEM FOR REINTEGRATION WITH THEIR CHILDREN AND FAMILIES, INCLUDING GRANDPARENTS WHO HAVE RAISED THEIR CHILDREN," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused; and

H.C.R. No. 162, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PROVISION OF EDUCATION TO INCARCERATED PARENTS TO ENSURE CHILD SUPPORT ISSUES ARE ADDRESSED WITHOUT DELAY AND UPON RELEASE, TO PREPARE THEM FOR REINTEGRATION WITH THEIR CHILDREN AND FAMILIES, INCLUDING GRANDPARENTS WHO HAVE RAISED THEIR CHILDREN," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1305-10) recommending that H.C.R. No. 123, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 123, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AEROSPACE AS A STRATEGIC AND TIMELY GROWTH INDUSTRY FOR HAWAII AND REQUESTING THE STATE ADMINISTRATION TO TAKE PROACTIVE, COORDINATED, AND SUSTAINED ACTION TO FULLY REALIZE THE SIGNIFICANT SCIENTIFIC, EDUCATIONAL, AND COMMERCIAL BENEFITS THE AEROSPACE INDUSTRY CAN BRING TO THE STATE," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1306-10) recommending that H.C.R. No. 166, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 166, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY, IN COLLABORATION WITH THE HAWAII BOXING COMMISSION AND OTHER RELATED PARTIES, TO CONTINUE TO PURSUE BRINGING WORLD-CLASS BOXING EVENTS TO HAWAII," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1307-10) recommending that H.R. No. 102, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 102, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY, IN COLLABORATION WITH THE HAWAII BOXING COMMISSION AND OTHER RELATED PARTIES, TO CONTINUE TO PURSUE BRINGING WORLD-CLASS BOXING EVENTS TO HAWAII," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1308-10) recommending that H.R. No. 84, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 84, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO MEET OR EXCEED OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION POSITION BENCHMARKS FOR WORKPLACE SAFETY AND HEALTH," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1309-10) recommending that H.C.R. No. 145, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 145, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO MEET OR EXCEED OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION POSITION BENCHMARKS FOR WORKPLACE SAFETY AND HEALTH," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1310-10) recommending that H.R. No. 96, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 96, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES, IN CONSULTATION WITH THE DEPARTMENT OF HEALTH, TO DEVELOP A PROGRAM TO ENCOURAGE BREASTFEEDING AMONG MOTHERS WHO RECEIVE MEDICAL ASSISTANCE FROM MEDICAID," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1311-10) recommending that H.C.R. No. 158, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES, IN CONSULTATION WITH THE DEPARTMENT OF HEALTH, TO DEVELOP A PROGRAM TO ENCOURAGE BREASTFEEDING AMONG MOTHERS WHO RECEIVE MEDICAL ASSISTANCE FROM MEDICAID," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1312-10) recommending that H.R. No. 98, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 98, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE CENTER FOR NURSING TO EVALUATE THE NEED AND RESOURCES REQUIRED TO ESTABLISH A CONTINUING EDUCATION PROGRAM FOR NURSES," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1313-10) recommending that H.C.R. No. 160, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 160, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CENTER FOR NURSING TO EVALUATE THE NEED AND RESOURCES REQUIRED TO ESTABLISH A CONTINUING EDUCATION PROGRAM FOR NURSES," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

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

(Stand. Com. Rep. No. 1314-10) recommending that H.R. No. 103, HD 1, be adopted; and

(Stand. Com. Rep. No. 1315-10) recommending that H.C.R. No. 167, HD 1, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 103, HD 1; and H.C.R. No. 167, HD 1, be adopted, seconded by Representative Evans.

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

"Mr. Speaker, just please note my reservations on Stand. Com. Rep. Nos. 1314-10 and 1315-10. I'm just not sure, if the Board of Education cannot even deal with the issue of being able to sell ice cream in schools, that they would be able to carry something like this out. Thank you."

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

"Thank you, Mr. Speaker. I rise in support and I fully can appreciate the concerns of the Representative from Kalihi. I would like to reassure colleagues that in looking at the underpinnings of this, not only our Constitution, but also Board policy that requires an integration of culture and language in all our public schools, not just emerging schools or language Charter Schools that the University of Hawaii, both in Hilo as well as at Manoa, are willing to provide free of charge, consultation, guidance, and training for teachers and guidance to integrate what this actually means.

"The Charter School, Kanu o ka 'Aina in Waimea is the initiator of these resolutions; and is accredited now by WASC, as well as the HAIS. I think they will be willing to give some guidance to the Board of Education as well. Thank you, very much."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 103, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ADOPT A POLICY FOR THE INTEGRATION OF A PEDAGOGY OF ALOHA IN PUBLIC SCHOOLS FOR IMPROVED LEARNING IN THE 21ST CENTURY," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused; and

H.C.R. No. 167, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ADOPT A POLICY FOR THE INTEGRATION OF A PEDAGOGY OF ALOHA IN PUBLIC SCHOOLS FOR IMPROVED LEARNING IN THE 21ST CENTURY," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1316-10) recommending that H.C.R. No. 139, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 139, be adopted, seconded by Representative Evans.

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

Representative B. Oshiro's written remarks are as follows:

"I want to commend and thank the members of the Hawaii Law Enforcement Memorial Foundation (HLEMF) who spearheaded this effort to memorialize State and local law enforcement officers who gave their lives in the line of duty. In addition, I want to thank the Department of Accounting and General Services for offering initial support for the intent of this measure; I hope they will continue to be actively involved in this project.

"During the March 18 Public Safety Committee hearing on this measure, some of the most compelling testimony came from family members and friends of fallen law enforcement officers. These individuals recounted acts of bravery and selfless acts undertaken by the law enforcement officers that this memorial seeks to honor. These are the stories and acts that take place every day that keep our families and neighborhoods safe, but which are too rarely acknowledged.

"Perhaps this memorial's placement on the Capitol grounds will cause all of us to pause and reflect upon the reliable and laudable work undertaken daily by law enforcement personnel.

"This memorial will be a welcomed addition and compliment to the historic Capitol District, and I urge the Legislature to adopt this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 139, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO WORK WITH THE HAWAII LAW ENFORCEMENT MEMORIAL FOUNDATION, THE COUNTY POLICE DEPARTMENTS, THE DEPARTMENT OF PUBLIC SAFETY, THE UNITED STATES MARSHAL FOR THE DISTRICT OF HAWAII, THE STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS, AND THE CONCERNS OF POLICE SURVIVORS INCORPORATED, TO PLAN AND CONSTRUCT A HAWAII STATE LAW ENFORCEMENT MEMORIAL," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1317-10) recommending that H.C.R. No. 161, as amended in HD 1, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 161, HD 1, be adopted, seconded by Representative Evans.

At 1:16 o'clock p.m. Representative Har requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:17 o'clock p.m.

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

"Thank you, so much. I'm rising with some strong reservations on this particular resolution because while I'm in very much support of the arts, I just have some questions on requesting a business to do something. It's a fine line that we tread on when we do things like this. Additional written comments, please."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition [*sic*] to H.C.R. 161, which requests Castle & Cooke Hawaii, Inc. to work with the Oahu Arts Center (OAC) and the community to secure an appropriate site for an arts center.

"This resolution intends to promote the successful development of young children as the celebration of arts helps brings families and communities together. The benefits of such a Center would include economic development of local communities and businesses by generating community participation in the Center, job creation, among other benefits.

"According to the testimony submitted by Castle & Cooke, Inc., "Castle & Cooke conditionally offered to donate land to OAC in Mililani Mauka for development of an arts center facility, if OAC could meet planning and development milestones which ensured that a facility was feasible and would actually be constructed.... Castle & Cooke's conditional offer to donate land to ... OAC expired over a year ago ... this is a contractual matter between private parties."

"I think arts education is important, however, we tread on thin ice when we begin to legislate to businesses what they must do with their land. 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. 161, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CASTLE & COOKE HAWAII, INC. TO WORK WITH THE OAHU ARTS CENTER AND THE COMMUNITY TO SECURE AN APPROPRIATE SITE FOR AN ARTS CENTER," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1318-10) recommending that H.C.R. No. 181, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 181, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, LAND DIVISION, TO DEVELOP A PLAN TO REDIRECT STORM WATER RUNOFF FROM STATE LANDS ADJACENT TO THE HANAPEPE SALT PONDS AWAY FROM THE SALT PANS," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1319-10) recommending that H.C.R. No. 173, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 173, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE NATIONAL DISASTER PREPAREDNESS TRAINING CENTER AT THE UNIVERSITY OF HAWAII AT MANOA TO PREPARE A REPORT ON THE CIVIL DEFENSE PREPAREDNESS RESPONSE TO THE FEBRUARY, 2010 TSUNAMI THREAT," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1320-10) recommending that H.C.R. No. 187, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 187, be adopted, seconded by Representative Evans.

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

"Just in support with reservations. My reservation is the Hawaii Paroling Authority said that they would like to establish a HOPE Parole Pilot Program, but due to budget cuts they would not be able to fulfill the request of this resolution."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 187, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII PAROLING AUTHORITY TO ESTABLISH A HOPE PAROLE PILOT PROGRAM," was adopted, with Representative Tokioka voting no, and with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

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

(Stand. Com. Rep. No. 1321-10) recommending that H.R. No. 105, HD 1, be adopted; and

(Stand. Com. Rep. No. 1322-10) recommending that H.C.R. No. 169, HD 1, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 105, HD 1; and H.C.R. No. 169, HD 1, be adopted, seconded by Representative Evans.

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of H.R. 105 and H.C.R. 169, which requests the Office of Veterans' Services, assisted by the Department of Accounting and General Services and the Department of Defense, to develop a plan to create memorials to the veterans of the Persian Gulf War and Women Veterans of World War II on the grounds of the State Capitol near the Korean and Vietnam War Memorial.

"Our State Capitol stands to recognize and represent all citizens of Hawaii, especially those heroes who paid the ultimate sacrifice. Furthermore, by boldly acknowledging the place which every member of the armed services holds in our community, we will encourage veterans – who may have otherwise come to feel disillusioned and isolated from the purpose for which they fought – to assume more active roles in our community, and to take more interest in our government.

"Meanwhile, of course, we must also remain mindful to preserve the Capitol's harmonious design, into which our forebears invested such great care. In particular, it is essential that we consult the Hawaii Capitol Cultural Coalition, who have been involved for years in planning the design of the Honolulu Capitol District, and who can offer valuable insight into how we might best incorporate the new memorial while preserving the current layout's meaning. We must also ensure, as the State Department of Defense has voiced concern, that the construction project does not compromise priorities already in place, by competing for "scarce funds needed for essential time sensitive construction projects." Let us realize this valuable note of homage, and do so with wisdom, care, and efficiency in mind. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.R. No. 105, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF VETERANS' SERVICES, ASSISTED BY THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND THE DEPARTMENT OF DEFENSE, TO DEVELOP A PLAN TO CREATE MEMORIALS TO THE VETERANS OF THE PERSIAN GULF WAR AND WOMEN VETERANS OF WORLD WAR II ON THE GROUNDS OF THE STATE CAPITOL NEAR THE KOREAN AND VIETNAM WAR MEMORIAL," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused; and

H.C.R. No. 169, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF VETERANS' SERVICES, ASSISTED BY THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND THE DEPARTMENT OF DEFENSE, TO DEVELOP A PLAN TO CREATE MEMORIALS TO THE VETERANS OF THE PERSIAN GULF WAR AND WOMEN VETERANS OF WORLD WAR II ON THE GROUNDS OF THE STATE CAPITOL NEAR THE KOREAN AND VIETNAM WAR MEMORIAL," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

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

(Stand. Com. Rep. No. 1323-10) recommending that H.R. No. 109, be adopted; and

(Stand. Com. Rep. No. 1324-10) recommending that H.C.R. No. 174, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 109, and H.C.R. No. 174, be adopted, seconded by Representative Evans.

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

Representative Takai's written remarks are as follows:

"Mr. Speaker, I speak in support of these resolutions. The purpose of these resolutions is to help provide access for the people of Hawaii to documents, records, and artifacts of the first United States President from Hawaii by urging President Barack Obama to select a location in Hawaii as the site for his presidential library.

"President Obama's election in 2008 sent a powerful message to the World: A *hapa* kid who was born and raised in Hawaii can become the leader of the Free World.

"This Hawaii-based library will provide the people of Hawaii and the people throughout the World with access to documents and artifacts of the Obama administration. Hawaii would be the most appropriate site for President Obama's library because he was born here and because Hawaii shares a unique perspective through the lens of the world. We are the "Melting Pot of the World," where the East meets the West.

"There are numerous possibilities for the site of the presidential library, including Punahou Schools, where he completed high school. You also may want to consider building the library at or near the campus of the University of Hawaii at West Oahu, which is in Kapolei.

"We in Hawaii would deeply appreciate the opportunity to advance the study and understanding of President Barack Obama's life and career.

"For these reasons, I support these measures and urge my colleagues to do the same. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 109, entitled: "HOUSE RESOLUTION URGING PRESIDENT BARACK OBAMA TO SELECT A LOCATION IN HAWAII AS THE SITE FOR HIS PRESIDENTIAL LIBRARY," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused; and

H.C.R. No. 174, entitled: "HOUSE CONCURRENT RESOLUTION URGING PRESIDENT BARACK OBAMA TO SELECT A LOCATION IN HAWAII AS THE SITE FOR HIS PRESIDENTIAL LIBRARY," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1325-10) recommending that H.R. No. 119, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 119, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE LEGISLATURE CONVENE AN INVESTIGATORY PUBLIC HEARING TO EVALUATE THE BIOSECURITY PROGRAM BY EXAMINING STATE AND COUNTY POLICIES AND PRACTICES THAT AFFECT THE AVAILABILITY OF WATER FOR AGRICULTURE AND MAINTENANCE OF AGRICULTURAL IRRIGATION SYSTEMS," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1326-10) recommending that H.C.R. No. 184, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 184, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE LEGISLATURE CONVENE AN INVESTIGATORY PUBLIC HEARING TO EVALUATE THE BIOSECURITY PROGRAM BY EXAMINING STATE AND COUNTY POLICIES AND PRACTICES THAT AFFECT THE AVAILABILITY OF WATER FOR AGRICULTURE AND MAINTENANCE OF AGRICULTURAL IRRIGATION SYSTEMS," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1327-10) recommending that H.R. No. 120, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.R. No. 120, be adopted, seconded by Representative Evans.

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

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

"Thank you, Mr. Speaker. I stand in strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.R. No. 120, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII PAROLING AUTHORITY TO ESTABLISH A HOPE PAROLE PILOT PROGRAM," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

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

(Stand. Com. Rep. No. 1328-10) recommending that H.R. No. 123, be adopted; and

(Stand. Com. Rep. No. 1329-10) recommending that H.C.R. No. 190, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 123, and H.C.R. No. 190, be adopted, seconded by Representative Evans.

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

"I just want to note my reservations on urging the National Guard Hawaii Youth Challenge to consider another alternative site for their program activities."

Representative Ward rose and asked that the Clerk record a no vote for him on both measures, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record a no vote for her on both measures, and the Chair "so ordered."

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

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

"In strong support. This is a Hawaii Island issue."

Representative Ward rose to respond, stating:

"Mr. Speaker, a brief retort. We are State Representatives, not island Representatives. And the issues is a preemption of somebody. 'The early bird gets the worm.' The Youth Challenge people had put their application in to use this premises. That was then with these resolutions, attempted to be cut off at the pass by somebody who came late. The other program is worthy, but chronology does make a difference. And I think those that were there, this is a preventive measure. Those that would come in through these resolutions would be a curative, which is sometimes more difficult.

"This is preventive. If we get the Youth Challenge people, they're keeping a lot of kids off the streets, a lot of kids out of prison. It's very worthwhile. And I don't speak as the Representative from Hawaii Kai when I say this. Thank you."

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

"Yes Mr. Speaker. On Stand. Com. Rep. Nos. 1328 and 1329, with all due respect to my colleague from Kau, please note my reservations."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 123, entitled: "HOUSE RESOLUTION URGING THE NATIONAL GUARD HAWAII YOUTH CHALLENGE PROGRAM TO CONSIDER ALTERNATIVE SITES FOR ITS PROGRAM ACTIVITIES ON THE ISLAND OF HAWAII," was adopted, with Representatives Finnegan and Ward voting no, and with Representatives Bertram, Hanohano, McKelvey and Sagum being excused; and

H.C.R. No. 190, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE NATIONAL GUARD HAWAII YOUTH CHALLENGE PROGRAM TO CONSIDER ALTERNATIVE SITES FOR ITS PROGRAM ACTIVITIES ON THE ISLAND OF HAWAII," was adopted, with Representatives Finnegan and Ward voting no, and with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1330-10) recommending that H.R. No. 153, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 153, entitled: "HOUSE RESOLUTION REAFFIRMING THE SUPPORT OF THE HAWAII STATE LEGISLATURE FOR THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY AS AN INCUBATOR FOR RESEARCH AND COMMERCIALIZATION OF ENERGY, HIGH TECHNOLOGY, AND ECONOMIC DEVELOPMENT IN THE STATE OF HAWAII," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1331-10) recommending that H.C.R. No. 224, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 224, entitled: "HOUSE CONCURRENT RESOLUTION

REAFFIRMING THE SUPPORT OF THE HAWAII STATE LEGISLATURE FOR THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY AS AN INCUBATOR FOR RESEARCH AND COMMERCIALIZATION OF ENERGY, HIGH TECHNOLOGY, AND ECONOMIC DEVELOPMENT IN THE STATE OF HAWAII," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1332-10) recommending that H.R. No. 209, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 209, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII PROCUREMENT INSTITUTE TO REVIEW THE POLICIES AND REQUIREMENTS IN THE AWARDED OF STATE ENERGY SERVICE CONTRACTS," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1333-10) recommending that H.C.R. No. 288, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 288, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII PROCUREMENT INSTITUTE TO REVIEW THE POLICIES AND REQUIREMENTS IN THE AWARDED OF STATE ENERGY SERVICE CONTRACTS," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1334-10) recommending that H.R. No. 184, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 184, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO EXAMINE AND EVALUATE THE VERACITY, EXTENT, AND EFFECT OF CERTAIN ALLEGATIONS OF SHORTCOMINGS OF PROGRAMS FOR ADULTS WITH SPECIAL NEEDS," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1335-10) recommending that H.C.R. No. 256, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 256, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO EXAMINE AND EVALUATE THE VERACITY, EXTENT, AND EFFECT OF CERTAIN ALLEGATIONS OF SHORTCOMINGS OF PROGRAMS FOR ADULTS WITH SPECIAL NEEDS," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1336-10) recommending that H.C.R. No. 200, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 200, be adopted, seconded by Representative Evans.

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

"Mr. Speaker, I rise in strong opposition. Mr. Speaker, this is a resolution that proposes that we, the State of Hawaii, get into the banking

business. We the government, start to have a hand in the till, if you will. And we know from the last housing crisis collapse, that we have these GSEs; these Government Sponsored Entities, Fannie Mae, Freddie Mac, and many others including them that are insolvent.

"Government doesn't know how to run the economy, Mr. Speaker that's what the whole lesson of communism and socialism was about. And why we're flirting with this is because there's one state called North Dakota that did this. And instead of putting their money into the private banks and let the normal system of banking progress, they decided to create their own bank where they cut their own money, and they don't have to pay the fees. They said they've made a few million dollars by doing this.

"But I had my office research this. How did they actually oversee this "North Dakota State Bank." It's by the appointment of the Governor. Mr. Speaker, would you want your loan to be approved by Governor Lingle? What if there's a Governor Abercrombie? Would we be able to get loans? Or if there's a Governor Aiona? Or what about a Governor Hannemann?"

"Do you want to put politics in the heart and center of our economy? I don't think we want to do that. You say, 'Well look, this is just a study. It's no big deal. You're taking it too seriously.' I submit we're taking it as seriously as when we recommended the 'Get Pearl Iboishi' resolution. When we recommended the cockfighting resolution. Mr. Speaker, I feel so strongly about this, I move to table this measure and get rid of it."

At this time, Representative Ward moved to table the measure, seconded by Representative Marumoto.

Representative Thielen rose and stated:

"Thank you, Mr. Speaker, I strongly support that motion. I think that this is a ridiculous message to send out again about Hawaii. Don't come here. Don't try to do business here. Because the state will take it over."

Representative Say rose to a point of order, stating:

"Mr. Speaker, I believe she's out of order. There is no debate on the motion to table."

At 1:26 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:28 o'clock p.m.

At this time, the Chair stated:

"Members, prior to recess there was a motion on the Floor regarding Stand. Com. Rep. No. 1336 to be tabled. It was seconded by Representative Marumoto, and now the motion is on the Floor before us."

The motion to table the measure was put to vote by the Chair and upon a voice vote, failed to carry. (Representatives Bertram, Hanohano, McKelvey, Mizuno, Nishimoto, Sagum and Takumi were excused.)

(Main Motion)

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

"I'm in support. Some of the arguments that have been made in the last few minutes are incredible to me considering the role that the private banking sector has played in what we're in now, the Great Recession. The activities of private banks have been unethical at best, and criminal at worst.

"This seems like a perfectly rational response, particularly when you look at this economic situation. North Dakota, which I think was alluded to as the only place that has a bank like this, has the lowest unemployment rate in the country, and the only, from my understanding, it is the only state that does not have a budget deficit at the moment. So I think it's perfectly legitimate to at least study the issue. Mahalo."

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

"Yes, Mr. Speaker. I'm voting no on this measure here. And I hope that the intent of this measure was not that the President gets a big golden parachute like the other banks have had throughout the nation. And I hope that I have not set the trend with the tabling of the motion for my friend. Thank you."

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

"Thank you, Mr. Speaker. I am strongly against this measure, Mr. Speaker. Here we go again with the headlines in the *Wall Street Journal* and the other media across the nation that Hawaii now is going to nationalize, or make a State bank, the Bank of Hawaii. I mean who would want to put the investment money into it, because then the Legislature would probably take it and use it to fund different programs.

"The thing I find appalling from the speaker from the Chinatown area, is that he totally ignores the fact that our Bank of Hawaii has received the highest awards in the nation. And it received those for being fiscally responsible for taking care of its depositors, and for not being one of the banks that went under or had to be rescued by the federal government.

"So right here in Hawaii, we have an example of one of the best banks, or I think it may even be the best bank in the nation. And now someone, I don't even know who it is, has put in this ridiculous resolution to say we're going to create a state bank. Would you put money in it? I wouldn't."

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

"Mr. Speaker, I rise in support. Again, if people would read the resolution, it talks about a study. That's all it is. It's not about establishment. If and when we get to that, that's the time to argue about the policy. At this point it's just a study. So if people would calm down, I think they'd realize they are a bit premature. Thank you."

Representative Thielen rose, stating:

"Just a point of personal privilege. When this Body does a study, then people run for the hills because what follows after that is a law and more taxes, or something as stupid as this."

At this time the Chair stated:

"Thank you, Representative Thielen. You're out of order."

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

"Thank you, Mr. Speaker. In strong opposition. Number one, studies do take time out from our employees' time, and therefore time is money. There are a lot important things that we're trying to solve, so to me, it's to look at legitimate solutions, and studies are not free.

"Number two, my feeling is that, myopia is defined as shortsightedness, the inability to see far. The fact is that you never want to clump all things in one category, because it shows that you don't have the finest to look that things are different.

"A couple differences, the Dakota model. If you look at Dakota, Dakota has one of the strongest educational achievement rates of almost any state, including the north, like in Minnesota, those colder places. They have a very high educational performance rate. And the situation with the North Dakota model is you're looking at small banks.

"I personally, with all due respect to my neighbor and colleague in Chinatown, I think banks here have had a very illustrious position and role in helping the community. Do I have a conflict of interest? I know some bankers, and I like bankers. I do like a lot of the bankers that have helped Hawaii.

"To say that all banks are bad is no different than when some people said that all elected officials are bad. Right? So to me, the fact is, is that this is another encroachment into the private sector. I have gone out to my community and when I have told people what do you think of this? Oh my god, I cannot tell you the amount of rolled eyes that I have seen.

"It may be a study, but we're taking time away. Time away discussing it. Time away for the Clerk and everyone else to process this. Time away from the hearings. I think that we should be looking at real world solutions, and this is just one more taking away from the private sector to do its job and to employ our local people."

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

"In opposition, Mr. Speaker. This might just be a study, but like most of our studies I think they are put up on the shelf and gather dust. I would hope that this would be the case with this particular subject of a state bank. But then if it does just gather dust, it's an exercise in futility, and as the previous speaker said a waste of time and energy and money.

"I'm glad that the Representative from Kailua brought up the fact that the Bank of Hawaii was recognized as being a very well-operated bank, especially since the President of it is the son of one of my close friends. But it is true. It is very well run, and I don't think all the banks here in town are rolling in money, excuse the expression. They're not that financially healthy. They're not that well capitalized. They're holding their own, but we have some good banks here. American Savings Bank, Central Pacific Bank and Hawaii National Bank, and we want them to prosper and do well. But a state bank would simply undercut them and take a lot of the State deposits away from them. They use that money to invest. I would hate to see us undercut them.

"Banks are the basis of our free enterprise system. I think we should make sure that they are well run and regulated, but we should stay out of their way and not impede their prosperity. So I would caution against implementing a state run bank. I only see this as a socialist idea. Thank you."

Representative Manahan rose, stating:

"Mr. Speaker, just a point of personal privilege. I think the former speaker from Kahala-Diamond Head should ask for a ruling on a potential conflict since her friend's son is the President of the Bank of Hawaii. Thank you."

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

"Mr. Speaker, I ask for a ruling on a possible conflict of interest because my girlfriend's son is the President of the Bank of Hawaii. Thank you," and the Chair ruled, "no conflict."

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

"Yes, Mr. Speaker. I want to say that I will change my vote from no, to with reservations. Inasmuch as the State of Hawaii could be the first bank to start two consecutive years with \$1.2 billion deficit, and end up in the plus. I think that's a great beginning for the State of Hawaii."

The Chair then stated:

"Thank you. Members, let's be sensible. This is a study for LRB and all of you who come back next year will be able to talk about this proposal when it becomes alive."

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

"Thank you, Mr. Speaker. In support. Mr. Speaker, I'm not going to stand here and talk about the successes of major world banks in financing world wars, but I will agree with the Department of Commerce and Consumer Affairs' testimony on this measure where they said, 'The

concept appears to have merit. A feasibility study by the Legislative Reference Bureau is clearly in order to determine if this model will be compatible with Hawaii.' Thank you."

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

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

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

"Mr. Speaker, a no vote to state-owned bank study. 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. 200, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF ESTABLISHING A STATE-OWNED BANK," was adopted, with Representatives Berg, Ching, Finnegan, Marumoto, Pine, Thielen and Ward voting no, and with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

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

(Stand. Com. Rep. No. 1337-10) recommending that H.R. No. 134, be adopted; and

(Stand. Com. Rep. No. 1338-10) recommending that H.C.R. No. 206, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 134, and H.C.R. No. 206, be adopted, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. In strong support."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 134, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO DETERMINE THE FEASIBILITY OF ESTABLISHING AND USING A SOLAR POWERED HIGHWAY LIGHTING SYSTEM ALONG HAWAII'S HIGHWAYS," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused; and

H.C.R. No. 206, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO DETERMINE THE FEASIBILITY OF ESTABLISHING AND USING A SOLAR POWERED HIGHWAY LIGHTING SYSTEM ALONG HAWAII'S HIGHWAYS," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1339-10) recommending that H.R. No. 214, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 214, entitled: "HOUSE RESOLUTION URGING GOOGLE INC. TO SELECT HAWAII AS A TEST SITE TO CONDUCT THE GOOGLE GIGABIT BROADBAND INITIATIVE," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1340-10) recommending that H.C.R. No. 297, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 297, entitled: "HOUSE CONCURRENT RESOLUTION URGING GOOGLE INC. TO SELECT HAWAII AS A TEST SITE TO CONDUCT THE GOOGLE GIGABIT BROADBAND INITIATIVE," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1341-10) recommending that H.C.R. No. 223, HD 1, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 223, HD 1, be adopted, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. In strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 223, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU, WITH ASSISTANCE FROM THE DEPARTMENT OF DEFENSE, TO CONDUCT A STUDY ON THE FEASIBILITY OF USING LUALUALEI NAVAL ROAD AS AN EVACUATION ROUTE IN THE EVENT OF AN EMERGENCY OR NATURAL DISASTER ON THE LEEWARD COAST," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1342-10) recommending that H.C.R. No. 262, HD 1, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 262, HD 1, be adopted, seconded by Representative Evans.

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

"I just want a ruling on a potential conflict. For the same reasons earlier, I occasionally work for a homeless shelter," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 262, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF THE WAIANAE COAST HOMELESSNESS TASK FORCE TO DEVELOP A COMPREHENSIVE PLAN TO ADDRESS THE IMMEDIATE, SHORT-, AND LONG-TERM NEEDS OF THE HOMELESS AND THOSE AT-RISK OF BECOMING HOMELESS," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1343-10) recommending that H.C.R. No. 284, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 284, be adopted, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 284, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO UNDERTAKE PLANNING ACTIVITIES WITH RESPECT TO A NEW STADIUM ON

OAHU AND RELATED MATTERS," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1344-10) recommending that H.C.R. No. 289, HD 1, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 289, HD 1, be adopted, seconded by Representative Evans.

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

"Thank you. Just in strong support with written comments."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of H.C.R. 289, which requests State public entities to commit to healthier and more nutritious meals in their programs by spending more of their food dollars for locally-produced produce or other Hawaii agricultural products. This legislation offers enormous gains for all local parties, as we currently import approximately 85% of food consumed in the Island, and thus allow over \$3 billion to annually leave our State, when those funds could easily be funneled to support local agribusinesses. After the multiplier effect takes place, moreover, the economy-wide impact of sales, earnings, tax revenues, and created jobs could enormously fuel our lagging economy, and prevent many independent businesses and farms from closing their doors.

"The Hawaii Farm Bureau Federation cites recent incidents to affirm its assertion that there is indeed student demand for healthier meal choices in Hawaii's public schools. "Healthy and nutritious meal choices that are affordable and accessible," they claim, "will go a long ways to improving the health of our citizens." Because only 1 of 650 farmers now sell via the State procurement program, it is not surprising that the price and delivery negotiation processes between local farms and State-run initiatives must still become significantly more efficient. HFBB is now developing a training program to ease farmers' access to the program. However, time allotments proved insufficient, and many individual farmers did not know how to fill out necessary documents, or lacked needed resources. Nonetheless, HFBB announces itself "intent on making this process work."

"The Department of Education states some concern that it must comply with the "best buy" requirement upon which their receipt of federal monies relies, and thus cannot unconditionally commit to using ten percent of federally funded food dollars to purchase local produce exclusively. However, the issue here is that local farms are not yet given the opportunity to produce their crops at magnitudes necessary to serve such large enterprises. If we change that, and allow local agriculture to grow according to the demand already evident, price competition will cease to impose H.C.R. 289's one obstacle. 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. 289, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING STATE PUBLIC ENTITIES TO COMMIT TO HEALTHIER AND MORE NUTRITIOUS MEALS IN THEIR PROGRAMS BY SPENDING MORE OF THEIR FOOD DOLLARS FOR LOCALLY-PRODUCED PRODUCE OR OTHER HAWAII AGRICULTURAL PRODUCTS," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1345-10) recommending that H.C.R. No. 296, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 296, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO PROPERLY FUND THE SMALL BUSINESS REGULATORY REVIEW BOARD UNDER THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO

SUPPORT HAWAII'S SMALL BUSINESSES," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1346-10) recommending that H.C.R. No. 298, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 298, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION TO COORDINATE INITIATIVES WITHIN THE COMMUNITY WHICH ADDRESS ENERGY INNOVATION WITH THE ORGANIZERS OF ENERGY AWARDS AND PROGRAMS, AND ASSIST IN THEIR OUTREACH TO THE HAWAII COMMUNITY," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1347-10) recommending that H.R. No. 215, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 215, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION TO COORDINATE INITIATIVES WITHIN THE COMMUNITY WHICH ADDRESS ENERGY INNOVATION WITH THE ORGANIZERS OF ENERGY AWARDS AND PROGRAMS, AND ASSIST IN THEIR OUTREACH TO THE HAWAII COMMUNITY," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1348-10) recommending that S.C.R. No. 178, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 178, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII HEALTH SYSTEMS CORPORATION HOSPITALS AND CLINICS TO ACCEPT MEDICAL STUDENT ROTATIONS FROM A.T. STILL UNIVERSITY SCHOOL OF OSTEOPATHIC MEDICINE BASED OUT OF THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER, THE UNIVERSITY OF HAWAII JOHN A. BURNS SCHOOL OF MEDICINE, AND OTHER HAWAII-BASED MEDICAL SCHOOLS," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

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

(Stand. Com. Rep. No. 1349-10) recommending that H.R. No. 200, as amended in HD 1, be adopted; and

(Stand. Com. Rep. No. 1350-10) recommending that H.C.R. No. 278, as amended in HD 1, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 200, HD 1; and H.C.R. No. 278, HD 1, be adopted, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I rise in support of both these measures. Thank you. I just wanted to thank both the Chairman of the Economic Development, Business, & Military Affairs Committee, and the Chairman of the Judiciary Committee for moving these two measures along.

"What originally started with a bill and because bills sometimes cost money, this 'morphed' into resos. But the truth of the matter is, there are a number of veterans returning from war who are having some difficulty, and unfortunately for those some of them end up in our Judiciary system.

"We have found out that there is a way to leverage our support for these veterans and to draw down federal funding by as much as 100%. So we're working with the Chief Justice and the Judiciary system along with all of the veteran's organizations and a few others, especially the Mental Health Association of Hawaii. We're working together to see if we can better address the needs of these veterans. I urge my colleagues to support this, and I wanted once again thank the two Chairmen. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.R. No. 200, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE CHIEF JUSTICE OF THE HAWAII SUPREME COURT TO CONVENE A COMMITTEE TO IDENTIFY AT WHICH POINT VETERANS AND ACTIVE DUTY MILITARY PERSONNEL AND RETURNING RESERVISTS AND NATIONAL GUARD MEMBERS ENTER THE JUSTICE SYSTEM, AND HOW BEST TO ADDRESS THEIR NEEDS, INCLUDING DEVELOPING A VETERANS COURT," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused; and

H.C.R. No. 278, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CHIEF JUSTICE OF THE HAWAII SUPREME COURT TO CONVENE A COMMITTEE TO IDENTIFY AT WHICH POINT VETERANS AND ACTIVE DUTY MILITARY PERSONNEL AND RETURNING RESERVISTS AND NATIONAL GUARD MEMBERS ENTER THE JUSTICE SYSTEM, AND HOW BEST TO ADDRESS THEIR NEEDS, INCLUDING DEVELOPING A VETERANS COURT," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1351-10) recommending that H.C.R. No. 282, as amended in HD 1, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 282, HD 1, be adopted, seconded by Representative Evans.

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

"Thank you. In strong support and may I submit written comments."

Representative Belatti's written remarks are as follows:

"I rise in strong support of House Concurrent Resolution 282 which requests Congress to pass and send to the States for ratification a constitutional amendment to clarify the distinctions between the rights of natural persons and the rights of corporations. This constitutional amendment would preserve the power of Congress and the States to place limits on the ability of corporations to disproportionately influence the outcome of elections through limitless political expenditures.

"In January 2010, the United States Supreme Court in *Citizens United v. Federal Elections Commission* controversially ruled in a 5 to 4 decision that the government cannot ban corporations from supporting candidates through independent political expenditures. Based on the legal fiction that classifies corporations as "citizens" for certain purposes and treating corporations like natural persons, the Court held that corporations are entitled to First Amendment free speech protections. As a result of this decision, corporations and unions will now be allowed to spend unlimited amounts on independent expenditures from their treasuries.

"Treating corporations as natural persons is problematic and unhealthy for our system of democracy. As Justice John Paul Stevens noted in his dissenting opinion in *Citizens United*, the Constitution permits "restrictions on the speech of some in order to prevent a few from drowning out the many." *Citizens United* will unquestionably unleash an overwhelming flood of corporate spending on federal elections that will threaten the ability of ordinary voices to be heard in the marketplace of ideas.

"By urging and supporting Congress to pass a constitutional amendment to clarify the distinction between the rights of natural persons and the rights of corporations for the purpose of political contributions, our voice, as the Hawaii State Legislature, will join those voices of citizens across the

nation who are working to ensure the integrity of our democratic system of government."

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

"I rise in support with very, very slight reservations and basically a footnote. Thank you, Mr. Speaker. To be fair, this reso should read, 'To regulate the expenditure of funds by corporations and unions engaging in political speech.'

"The point being that in 1907, corporations were prohibited by Congress, and until I think recently when they were allowed to do PACs, corporations kind of stayed in the background. Then in 1948 unions were prohibited by Congress from contributing with their treasury funds in campaigns. But then when PACs came in, it was donations and the two have been actively added if you will; the two big money powers are the corporations and the unions. So this one says, let's exclude the unions and only put the corporations.

"So this is half of the pie. Because if this goes through and they only prohibit corporations, it's not going to work either. If we want to get balance, we should make this reso balanced. That's just a historical footnote to say that this will not work if this is the only thing that they do. 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. 282, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO PERMIT CONGRESS AND THE STATES TO REGULATE THE EXPENDITURE OF FUNDS BY CORPORATIONS ENGAGING IN POLITICAL SPEECH," was adopted, with Representatives Bertram, Hanohano, McKelvey and Sagum being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering a certain House Bill for Final Reading by consent calendar. (Representatives Bertram, Hanohano, McKelvey, Nishimoto and Sagum were excused.)

FINAL READING

Representative B. Oshiro moved to agree to the amendments made by the Senate to the following House Bill, seconded by Representative Evans:

H.B. No. 1853, (SD 1)

Representative Thielen rose, stating:

"Mr. Speaker, before I can cast a vote on this I wanted to find out whether or not this would prohibit school groups and functions from raising money like at athletic events and etc. And my question is directed to the Chair of Education, to ask if he would respond to the scope of this bill."

Representative B. Oshiro rose to a point of order, stating:

"Point of order, Mr. Speaker. We're not actually on the adoption or the Final Reading yet. We're just on the 'move to agree' motion."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments made by the Senate to the noted House Bill. (Representatives Bertram, Hanohano, McKelvey, Nishimoto, M. Oshiro and Sagum were excused.)

H.B. No. 1853, SD 1:

Representative B. Oshiro moved that H.B. No. 1853, SD 1, pass Final Reading, seconded by Representative Evans.

Representative Thielen rose, stating:

"Thank you, Mr. Speaker. I believe that there are exceptions within the bill. And since it won't go to Conference Committee, I am concerned about whether or not they're broad enough. I was wondering if the Chair of Education could just indicate that?"

Vice Speaker Magaoay: "Will the Chair of Education yield to a question?"

Representative Thielen: "That was my question. I just wanted the exceptions, if he could just indicate that. Thank you."

Representative Takumi rose to respond, stating:

"If you read the bill it says that they can apply for written permission to get an exemption as to whether or not they can sell ice cream or candy."

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

"Mr. Speaker, then that means the school would have to go ask, 'Mother May I' from the Board of Education or the Department, which makes it a lot more difficult for the groups to be able to support their activities.

"I believe in the nutritional goal of this, but I do not believe in the 'Mother May I' approach that it takes for the exemptions, so I'm going to vote no."

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

"Mr. Speaker, I have reservations on this particular bill to prohibit the sale of candy and ice cream and other merchandise on school campuses without the written permission of the DOE, although it allows exemptions. Perhaps I would go along with prohibiting candy, but on the other hand, ice cream I kind of see as a treat that contains calcium. It is also a product that is manufactured or processed locally so I would not like to see a prohibition on ice cream. So because of this concern I have, I just want to express some reservations. Thank you."

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

"Mr. Speaker, I'm rising in opposition to this measure simply because I don't think we should be creating policy on this. I think it's a personal choice. If the kids don't want ice cream they can say, no. I ask for additional written comments. Thank you."

Representative Manahan requested that the remarks of Representatives Yamane and Takai be entered in the Journal as his own, in lieu of submitting written remarks.

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

"Yes, thank you very much, Mr. Speaker. Before I cast my vote I have a potential conflict of interest. I'm a member of the Board of Directors of Maui Soda, who produces Roselani Ice Cream and other ice cream items," and the Chair ruled, "no conflict."

Representative Souki continued to speak in opposition to the measure, stating:

"Thank you, very much. I wish to vote no on this measure. The schools don't usually sell Roselani because it's relatively expensive, but to deprive the students from selling ice cream and candy I think is kind of 'Scrooge-like.' Right now when I go to department stores and other super markets, I

usually see young people, students, selling candy and other items to the public so they make a little money for the classroom or to help them in the classroom activities.

"So if they need to, they can go and get the Board of Education approval prior to doing that. But they will not know whether they are going to get approved or not. I think it's just going to impede the students from doing this fundraising activity. So with this, I wish to vote against this measure."

Representative M. Lee rose to speak in support of the measure with reservations, stating:

"I have reservations on the measure, just because I'm concerned that this is a money-making venture. But I'm also concerned about what the First Lady is concerned about, and that is childhood obesity. Perhaps we could think about selling fruit at school. Thank you."

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

"Thank you, Mr. Speaker. I'm standing in opposition with very brief comments. I just wanted to highlight the fact that the Hawaii Farm Bureau, as well as private business, Maui Soda and Ice Works Limited, both submitted testimony in opposition.

"I did want to note that in brief discussions with some of the schools in the past, and those that participate in Parent Teacher Organizations, that when they have football games or certain games in which they sell ice cream, candy, soda and these types of items, some of them are not the most healthy. However, part of their participation is to raise money for these nonprofit organizations or parent groups to help the students.

"For example, moneys that can be raised can be used to help purchase safety equipment for football players. They also can be used to help fund events for the students outside the regular educational format.

"So if you look at the language of the bill it, again as stated by the Chair of Education, that they would actually have to write for an exemption, which then makes it difficult for different groups, parent groups, or nonprofit groups to seek the approval prior to such events. So I think the discretion should be left up to the principal and the school districts, so I'm in opposition. Thank you."

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

"Mr. Speaker, I rise with reservations. I'm for half of this bill and against the other half, Mr. Speaker. Candy, okay we can get rid of candy. There's too much of that. The white sugar, and what it does to your body is bad.

"But the other one. My family is two-thirds Asian, and like many Asian families, have lactose intolerance. My family is lactose intolerant. So my wife makes my daughter eat ice cream so she can get the lactose, the nutrition, from otherwise not being able to drink milk. Now are we making a statement that all the Asian families out there, we don't want your kids to get any nutrition out of any of that while they're in school?"

"I don't think that's logical, Mr. Speaker, and I don't think that it's a statement by which, okay candy is there, but I think we crossed the border when we get into ice cream. We're going to look like we're, as my colleague said, the 'nanny state.' Pretty soon we're going to say what kind of string beans, or what kind of *manapua* you can eat. This is never ending, this intrusion of government. Particularly when it gets to this lactose intolerance issue. We're going above and beyond what is an expectation for a state legislature, down at the school level.

"Of course they need better nutrition. Of course they should be mindful of their diets, but I think cutting out ice cream is wrong. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I rise in opposition to this. Thank you. I voted against this on Third Reading as well. And before the Representative from the 34th District talks about my love for candies and ice cream and things like that, and disparages me about my weight, I want to just say that I don't eat ice cream and I don't like candy. So I don't have a conflict, Mr. Speaker.

"There were two things that the Senate did on this particular draft. The first one, on page two, line ten, was they added the words, 'or permit the sale of merchandise.' I think the concern that I had the last time this came up was whether this bill reaches in and affects the sales for organizations like PTOs, PTAs, sports, affiliated organizations, and I think this change makes it even more clear that yes, it does, because schools permit the sales.

"In the past the wording was, 'operates stores or sell.' Schools didn't operate stores, nor did they sell merchandise. However, on many occasions and in this particular case, they do permit other organizations to sell these types of food-like products on their campuses. So I think this raises significant concerns.

"Number two, on lines 14 to 16, there was a deletion on the Department's requirement to adopt rules. I'm not too sure why that was, but I do have some concerns regarding that because I do think that there needs to be some clearly defined procedures of how organizations or schools, students, or others, need to seek written permission from the Department.

"So those are the two changes that the Senate made and I think that those of us who had concerns the last time, I think have even more concerns this time because of those changes.

"But the other thing I wanted to mention, Mr. Speaker, is that this bill is as a result of Federal Public Law 108-26.5 as it stated in the finding sections. But on line six, that law pertains to food available on school campuses during the school day. That is what the Public Law is focused on. Our change to our State law basically says, on school campuses, before, during, and after school. As you know, there are a lot of sports activities and sports venues, especially on high school campus. It's those types of activities that I believe this particular change affects the most.

"We didn't go to Conference, I'm not too sure why. Maybe we did open and decided that the Senate Draft is okay. I would strongly urge our colleagues to reconsider that decision. Take this to Conference and make sure that we're not doing anything detrimental to our schools. Thank you, Mr. Speaker."

Representative Aquino rose in opposition to the measure and asked that the remarks of Representative Takai be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Takumi rose, stating:

"Thank you very much, Mr. Speaker. I can see this is going to be the highlight of the Education Package this year, engendering more debate than the Board of Education bill.

"Let me clarify, because there seems to be some misunderstanding about what this bill does. Just as an aside, keep in mind children are in schools for 15% of the school year. So as parents and as guardians of our children, if you have concerns, you can feed them whatever you want the other 85% of the year. We're talking about 15% of the time when kids are actually on campus.

"To address the concerns expressed by the Representative from Aiea regarding school events. If you recall in 2008, the Board of Education banned soft drinks. It was a money maker and all the rest of it. But in their wisdom, they said that schools could no longer sell soft drinks in vending machines in order to make money. But if you go to any sporting event, guess what? They sell soft drinks. How does that happen? It's because they were granted permission. If you go to any sporting event at a campus, they sell soda, they sell candy, gum, and all the rest.

"All this bill does, and the reason why we're here today, and I wish I wasn't in a sense, it's because it's in statute. To address the concern expressed by the Representative from Kalihi as to why we're talking about candy and ice cream, it's because in Chapter 302A, Section 11-46, it says schools can only sell lunch, milk, candy, ice cream, and things grown on the campus like produce and what not.

"So all the Department wanted, Mr. Speaker, was to just take out candy and ice cream, and say schools can sell milk, lunch, and products grown at that school. Because if we don't do this, frankly it's a housekeeping measure in my book, then we ought to introduce bills next year that say schools can sell spam *musubi* and sodas and gum, chips, donuts, popcorn, cappuccinos, run a sushi bar on the side. We ought to put all the items that a school can then sell. Because it seems odd to me that we have this little anachronism in the law that says candy and ice cream can be sold on school campuses, but they cannot sell potato chips or gum and all the rest.

"Again I will repeat myself for the last time. If you go to any sporting event, all those items that I just mentioned, with the sushi bars, are actually sold at these events. Thank you."

Representative Souki rose to respond, stating:

"Yes, thank you very much. In rebuttal. Mr. Speaker and Members, first of all, some years ago we gave the Board of Education policy-making power. So there is no reason for us to have legislation and to put it in State law, when the Board of Education themselves can make that particular policy. Again, it's the intrusion of the Legislature over and over again, making laws that the Board of Education themselves can do. So for this matter, I strongly urge the Members to vote this measure down."

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

"Thank you, Mr. Speaker. In opposition. I do agree with the previous speaker, I think from Kahului, and I'd just like to say that if we want to do this right, and we keep the policy in the right area, then what we would do is actually remove or eliminate 302A when it comes to what you can and cannot sell, and leave it to the Board of Education to do. Unfortunately, I don't think the Board of Education wants to take up these kinds of measures to govern the Department of Education and its schools, and that's unfortunate. But it's a sad thing when you have to bring those measures to the State Legislature to get passed. Thank you."

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

"Mr. Speaker, after all the debate I decided to change my vote to no. After listening to the esteemed Speaker Emeritus, I think he has merit. I just want to leave with an Ogden Nash quote. 'Candy is dandy; but liquor is quicker.'"

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

"Thank you, Mr. Speaker. In opposition. I've been supporting this measure up until now because I did want to see how it came out. I've been a strong person telling people that I don't think we need to have ice cream and candy and all that on campus *per se*. But after school. I'm in agreement with the Representative and I ask that his words again be entered as my own, the one from Pearl City, as well as the Chair of Health.

"That after school, what people do to fundraise, etc., should be what they want to do and it's not that bad. We all know, as in chocolate, as in a lot of things, it's in the proportion. It's in the proportion. It's just, don't overdo it. There's spam *musubi*, there's all these other things that are probably pretty unhealthy. It's all in proportion. So the thing is to take away an opportunity for the children and the activities and all the other things. I agree with the former speakers and I have to regretfully change my yes vote, to a no vote."

Representative Luke rose, stating:

"I'm starving because all this talk of candy and ice cream is making me even more hungry, so I call for the question."

At this time, Representative Luke called for the previous question, seconded by Representative B. Oshiro.

Representative Takai rose, stating:

"Mr. Speaker, point of parliamentary inquiry. I believe the correct process is if there's a motion to end debate and a second, there needs to be a vote to end debate before we go to the roll call or any vote. We need to do that. Thank you."

At 2:04 o'clock p.m. Representative Ward requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:06 o'clock p.m.

At this time, the Chair stated:

"Prior to recess, there was a statement made on the Floor regarding the process. After conferring, we'll proceed right now. The motion before this Body now is to take the vote."

The motion was put to vote by the Chair and failed to carry, and H.B. No. 1853, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," did not pass Final Reading by a vote of 20 ayes to 21 noes, with Representatives Aquino, Awana, Belatti, Berg, Cabanilla, Chang, Ching, Choy, Finnegan, Karamatsu, Keith-Agaran, Manahan, Marumoto, Nakashima, Pine, Souki, Takai, Thielen, Ward, Yamane and Yamashita voting no, and with Representatives Bertram, Carroll, Hanohano, Herkes, McKelvey, Mizuno, Nishimoto, M. Oshiro, Sagum, Tokioka being excused.

At 2:10 o'clock p.m. Representative Belatti requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:13 o'clock p.m.

At this time, the Chair stated:

"Members, the Chair would like to clarify, regarding House Bill No. 1853, SD 1. I made the statement that the House Bill passed Final Reading, but due to the number of votes, the bill did not pass. So in other words, the bill is defeated."

Representative Say rose and asked that the Clerk repeat the votes.

The Clerk announced the votes on H.B. No. 1853, SD 1 as follows:

20 Ayes
21 Noes
10 Excused

At this time, the Chair reiterated that H.B. No. 1853, SD 1, did not pass Final Reading.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House Bills. (Representatives Bertram, Carroll, Hanohano, Herkes, McKelvey, Mizuno, Nishimoto, M. Oshiro, Sagum and Tokioka were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House Bills, seconded by Representative Evans:

H.B. No. 134, HD 2, (SD 2)
H.B. No. 1927, HD 2, (SD 1)
H.B. No. 2197, HD 1, (SD 1)
H.B. No. 2546, (SD 1)
H.B. No. 2561, (SD 1)
H.B. No. 2568, (SD 1)

The motion was put to vote by the Chair and carried, and the House reconsidered its action previously taken in disagreeing to the amendments made by the Senate, and gave notice of intent to agree to such amendments for the noted House Bills. (Representatives Bertram, Carroll, Hanohano, Herkes, McKelvey, Mizuno, Nishimoto, M. Oshiro, Sagum and Tokioka were excused.)

ANNOUNCEMENTS

Representative Shimabukuro: "Thank you very much, Mr. Speaker. I just wanted to remind this Body that our office is sponsoring the Naked Cow Dairy fundraiser for Foodbank of Hawaii. We have gourmet cream cheese and butter. It's the only dairy on Oahu. So you have until Monday 2:00 p.m. to place your orders. Please give my office a call. Thank you."

LATE INTRODUCTIONS

The following late introduction was made to the Members of the House:

Representative Wooley introduced her husband, Mr. David Henken.

ADJOURNMENT

At 2:16 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, April 12, 2010. (Representatives Bertram, Carroll, Hanohano, Herkes, Ito, Karamatsu, McKelvey, Mizuno, Nishimoto, M. Oshiro, Sagum and Tokioka were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 9, 2010, 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 Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 2058, McKelvey/Choy, Co-Chrs.;
HD 1, SD 1 Evans, Ward

H.B. No. 2133, McKelvey/Choy, Co-Chrs.;
HD 1, SD 1 Ward

H.B. No. 2831, McKelvey/Choy, Co-Chrs.;
HD 2, SD 2 Evans, Ward

House Communication dated April 9, 2010, 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 Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 2169, McKelvey/Ito/Karamatsu, Co-Chrs.;
SD 2, HD 2 Ward

House Communication dated April 9, 2010, 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 Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 2200, M. Oshiro, Chr.;
HD 1, SD 2 Aquino, Awana, Brower, Choy, Coffman, Har,
Keith-Agaran, C. Lee, M. Lee, Nishimoto, Sagum,
Tokioka, Wooley, Yamashita, Finnegan, Ward

House Communication dated April 9, 2010, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on March 16, 2010, and gives notice of intent to agree to the following House Bill:

H.B. No. 2546, SD 1

House Communication dated April 9, 2010, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on March 30, 2010, and gives notice of intent to agree to the following House Bill:

H.B. No. 1927, HD 2, SD 1

House Communication dated April 9, 2010, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 6, 2010, and gives notice of intent to agree to the following House Bills:

H.B. No. 2197, HD 1, SD 1
H.B. No. 2568, SD 1

House Communication dated April 9, 2010, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 7, 2010, and gives notice of intent to agree to the following House Bills:

H.B. No. 134, HD 2, SD 2
H.B. No. 2561, SD 1