

FIFTY-SIXTH DAY

Friday, April 23, 2010

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2010, convened at 6:34 o'clock p.m., with the Speaker presiding.

Representative Evans introduced Ms. Kaleo Paik, who delivered the invocation, after which the Roll was called showing all Members present with the exception of Representatives Bertram and M. Oshiro, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 259 through 262) were announced by the Clerk and received for possible future consideration:

Gov. Msg. No. 259, transmitting her statement of objections to H.B. No. 1642, HD 1, SD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
April 22, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1642

Honorable Members
Twenty-Fifth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1642, entitled "A Bill for an Act Relating to the Purchases of Health and Human Services."

The purpose of this bill is to require proposals for purchases of health and human services under chapter 103F, Hawaii Revised Statutes, to be submitted only by licensed providers. This bill also requires that these proposals include all costs, fees, and taxes, and that any award or contract shall be for the amount of the proposal. Finally, this bill prohibits any award or contract under chapter 103F from including any other payment, rebate, or direct or indirect consideration that is not included in the proposal.

This bill is objectionable because it adversely impacts health and human services contracts by limiting the pool of qualified providers, decreasing competition, and increasing costs.

Both the Department of Health and the Department of Human Services issue requests for proposals that do not require licensure at the time the proposal is submitted. The licensure process for providers of health and human services contracts can be expensive and time consuming, particularly for non-profit organizations. Applicants currently submit proposals with the expectation that licensure must be obtained to perform the contracted services if they win the bid. The inability of these providers to bid before they have the requisite license will reduce the number of qualified providers that will submit proposals, thereby limiting the number of bidders available to provide valuable services to the disabled, sick, and low income families. Reducing the number of applicants that may bid on a request for proposals also reduces competition which can lead to higher bids and thus higher costs to the State. It is in the best interest of the public to allow the purchasing agent to decide at what point, upon proposal deadline or prior to award or contract commencement date, that licenses should be in place.

This bill is also objectionable because it requires any award or contract to be for the amount of the proposal. Under the current procurement

process, the bidder proposes a dollar amount to provide the proposed services and the purchasing agency determines the amount of the award based on the availability of funds, the scope of services, and the quality of the proposal. Under this bill, the bidder dictates the award amount and the purchasing agency would no longer have the authority to adjust the award during contract negotiations, even in instances when there are legitimate budget constraints.

Furthermore, for some health and human services contracts, the total amount of the final contract cannot be determined in advance and, therefore, cannot be included in a bidder's proposal. As an example, payment under a contract for residential services may be based on the number of bed-days used times a set per-day rate. The number of days actually utilized is not known in advance. Therefore, the requests for proposals are structured to require bids that reflect the cost of units of service with the caveat that the exact number of units to be used may vary from estimates provided in the solicitation.

Consequently, the requirement in this bill that proposals include all costs, fees, and taxes, and that the resulting contract be for the amount of the proposal, would remove the ability of state agencies to implement rate schedules that are used for many health and human services.

If purchasing agencies must estimate the total quantity of services needed under a particular solicitation in order to comply with this measure, it is likely costs to the State would increase. In order to solicit a bid that includes all costs of the resulting contract, the State will have to generously estimate the total amount of services required, rather than structuring the solicitation and contract to allow the State to pay only for the services that are actually rendered. Alternatively, the State may specify in the solicitation a possible range of services that will be required under the contract and the bidders will be required to bid at the upper range of possible bid prices for the total quantity to ensure that they have not underbid.

Finally, it appears that the provisions of this bill relating to insurance premium or general tax rebates or waivers are unnecessary. The Legislature included them based on a misperception that the State should not be paying its contractors for these taxes or, in the case of Medicaid contracts, that the State would be unable to secure federal matching funds to pay those costs. In fact, these taxes are an accepted cost of doing business in the State, which purchasers, including State agencies, typically include in their contracts for goods and services. Moreover, the State may obtain federal reimbursement for such taxes to the same extent that it receives federal funds for other federally-reimbursed expenses.

For the foregoing reasons, I am returning House Bill No. 1642 without my approval.

Respectfully,
/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 260, transmitting her statement of objections to H.B. No. 2546, SD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
April 22, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2546

Honorable Members
Twenty-Fifth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No.

2546, entitled "A Bill for an Act Relating to Restoration of Certain Forfeited Professional and Vocational Licenses."

The purpose of this bill is to establish time limits to restore forfeited licenses of chiropractors and of real estate salespersons and brokers.

A companion measure, Senate Bill No. 2699, was also passed during the Regular Session of 2010. Because I approved Senate Bill No. 2699 as Act 11 of the Session Laws of Hawaii 2010, which accomplished the purpose of this bill, there is no need to also approve this bill.

For the foregoing reason, I am returning House Bill No. 2546 without my approval.

Respectfully,
/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 261, transmitting her statement of objections to S.B. No. 2394, HD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
April 22, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2394

Honorable Members
Twenty-Fifth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2394, entitled "A Bill for an Act Relating to the Board of Trustees of the Deferred Compensation Plan."

The purpose of this bill is to delete the requirement that the Director of Human Resources Development be the Chairperson of the Deferred Compensation Plan Board of Trustees ("Board"), and to provide that the Director is an ex officio member. This bill also eliminates two appointed at-large members of the Board of Trustees, and replaces them with two state employee appointees. This bill is objectionable because it negatively impacts the State's supplemental retirement plan for over 28,000 government employees by changing the composition of the Plan's Board of Trustees.

First, this measure adversely impacts the Board of Trustee's ability to make sound investment decisions by removing two at-large member positions. The two at-large member positions are currently filled by non-government employees, including one with private sector finance and investment experience. First-hand experience and working knowledge of banking and investment is helpful for a plan with \$1,400,000,000 in assets. Moreover, non-state members have the ability to provide a perspective on the management and performance of the plan that may not be available to state members. Given that five of the seven members currently on the Board are state employees, employee concerns are already adequately represented on the Board.

Secondly, this measure unnecessarily disrupts the administration of the Plan by removing the Director as the Chair of the Board. Currently, the Plan is administratively attached to the Department of Human Resources Development ("Department"), which provides staff support and ensures the Plan is consistently administered along with all other employee benefits in the State's total compensation package. As part of those duties, the Department responds to inquiries by Plan participants, prepares information and fliers regarding the Plan for beneficiaries and oversees the Plan contractors. Removing the Department Director as the Chair of the Board will remove the administrative support and coordination provided by her office.

The Board has had the same statutory structure since 1981, and has carried out its fiduciary responsibilities in an appropriate manner.

I would note that since 2007, the Plan has received several nationally recognized awards. The Plan's most recent awards include the National Association of Government Defined Contribution Administrators' 2008 and 2009 "Leadership Recognition Awards". Given the positive steps that the Board of Trustees has taken to improve the Plan, this bill is unnecessary.

For the foregoing reasons, I am returning Senate Bill No. 2394 without my approval.

Respectfully,
/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 262, transmitting her statement of objections to S.B. No. 2501, SD 1, HD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
April 22, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2501

Honorable Members
Twenty-Fifth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2501, entitled "A Bill for an Act Relating to Public Accountancy."

The purpose of this bill is to require accounting firms that engage in attestation work to undergo peer review as a condition of obtaining a permit to practice in Hawaii. Specifically, the bill mandates that every accounting firm, including the Hawaii offices and Hawaii engagements of foreign or multi-state firms, undergo a peer review every three years on the firm's Hawaii audit, compilation of financial statements, government, and public company work and submit evidence of such a peer review at the time of the renewal of the firm's permit to practice.

Appropriately conducted peer reviews ensure the quality of work prepared by certified public accounts and help protect the interests of the public who rely of the financial statements, audits and similar work prepared by these firms.

However, this bill is objectionable because it would mandate office-specific peer reviews that may not be consistent with current peer review standards set forth by the American Institute of Certified Public Accountants. Many multi-state and multinational firms practicing in Hawaii already participate in nationally recognized systems of peer review that include the engagements and work these firms do in our State.

No other state mandates office-specific reviews. Further, the proposed requirements in this bill would place a significant burden on the Hawaii Board of Public Accountancy that would be required to establish and administer a stand-alone peer review program not required elsewhere.

The additional requirement of office-specific peer reviews may discourage some firms from engaging in assignments in Hawaii, thereby limiting the choice of public accounting firms Hawaii companies can select when seeking accounting services. Additionally, small, local firms that have elected to not undergo voluntary peer review would now be mandated to assume the costs of going through this process in order to conduct attestation-type accounting activities.

For the foregoing reason, I am returning Senate Bill No. 2501 without my approval.

Respectfully,
/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

The following messages from the Governor (Gov. Msg. Nos. 263 through 266) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 263, informing the House that on April 23, 2010, the following bill was signed into law:

S.B. No. 2701, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION." (ACT 047)

Gov. Msg. No. 264, informing the House that on April 23, 2010, the following bill was signed into law:

H.B. No. 2568, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DIRECTORS OF THE HAWAII PUBLIC HOUSING AUTHORITY." (ACT 048)

Gov. Msg. No. 265, informing the House that on April 23, 2010, the following bill was signed into law:

S.B. No. 2921, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES." (ACT 049)

Gov. Msg. No. 266, informing the House that on April 23, 2010, the following bill was signed into law:

S.B. No. 2390, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PHARMACIST LICENSURE." (ACT 050)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 628 through 630) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 628, dated April 22, 2010, informing the House that the Senate has on April 21, 2010, agreed to the amendments proposed by the House to the following Senate Concurrent Resolutions, and that said resolutions were this day adopted by the Senate:

S.C.R. No. 18, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A JOINT LEGISLATIVE INVESTIGATING COMMITTEE TO OVERSEE THE INVESTIGATION OF THE DEPARTMENT OF BUDGET AND FINANCE'S HANDLING OF THE STATE'S INVESTMENT IN STUDENT LOAN AUCTION RATE SECURITIES."

S.C.R. No. 110, SD 2, HD 1, entitled: "SENATE 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."

Sen. Com. No. 629, dated April 22, 2010, informing the House that the Senate has on April 21, 2010, reconsidered its action taken on April 7, 2010, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 2523, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS."

Sen. Com. No. 630, dated April 22, 2010, informing the House that the following bills have this day passed Final Reading:

H.B. No. 2077, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION."

H.B. No. 2631, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY INDUSTRY REPORTING."

H.B. No. 2533, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT OF EMPLOYEES' RETIREMENT SYSTEM RETIRANTS."

S.B. No. 2566, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL AND REHABILITATION BENEFITS."

INTRODUCTIONS

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

Representative M. Lee introduced her staff member, Ms. Bree Davis, and congratulated her on being the United States Air Force Reservist of the Year. She was accompanied by her legislative office manager, Ms. Ann Thornock.

Representative Berg introduced her constituent, Mr. TJ Lane.

ORDER OF THE DAY

UNFINISHED BUSINESS

At this time, the Chair stated:

"Members of the House, the Unfinished Business will be deferred one legislative day, which will be next week Monday. We will take up all the Conference Committee Reports next week Monday."

Conf. Com. Rep. No. 12-10 and H.B. No. 1190, HD 1, SD 2, CD 1:

By unanimous consent, action was deferred to Monday, April 26, 2010.

Conf. Com. Rep. No. 13-10 and H.B. No. 2020, HD 2, SD 2, CD 1:

By unanimous consent, action was deferred to Monday, April 26, 2010.

Conf. Com. Rep. No. 14-10 and H.B. No. 1854, SD 2, CD 1:

By unanimous consent, action was deferred to Monday, April 26, 2010.

Conf. Com. Rep. No. 15-10 and H.B. No. 2676, HD 1, SD 1, CD 1:

By unanimous consent, action was deferred to Monday, April 26, 2010.

Conf. Com. Rep. No. 16-10 and H.B. No. 2239, SD 2, CD 1:

By unanimous consent, action was deferred to Monday, April 26, 2010.

Conf. Com. Rep. No. 59-10 and S.B. No. 950, SD 2, HD 3, CD 1:

By unanimous consent, action was deferred to Monday, April 26, 2010.

Conf. Com. Rep. No. 60-10 and S.B. No. 2449, HD 1, CD 1:

By unanimous consent, action was deferred to Monday, April 26, 2010.

Conf. Com. Rep. No. 61-10 and S.B. No. 2019, SD 1, HD 2, CD 1:

By unanimous consent, action was deferred to Monday, April 26, 2010.

Conf. Com. Rep. No. 62-10 and S.B. No. 2817, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to Monday, April 26, 2010.

At 6:44 o'clock p.m. Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 6:46 o'clock p.m.

STANDING COMMITTEE REPORTS

At this time, the Chair stated:

"Members, at this time, for the Reports of Standing Committees, the Committee on Energy and Environmental Protection, Stand. Com. Rep. No. 1382-10, House Resolution No. 47, HD 1, will be deferred one legislative day also."

Stand. Com. Rep. No. 1382-10 and H.R. No. 47, HD 1:

By unanimous consent, action was deferred to Monday, April 26, 2010.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1383-10) recommending that S.C.R. No. 150, 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. 150, entitled: "SENATE CONCURRENT RESOLUTION PROCLAIMING SEPTEMBER 26, 2010, AS MESOTHELIOMA AWARENESS DAY," was adopted, with Representatives Bertram and M. Oshiro being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1384-10), recommending that S.C.R. No. 91, SD 1, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 91, SD 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING AN INVESTIGATING COMMITTEE TO INVESTIGATE CONTESTED CHILD CUSTODY PROCEEDINGS INVOLVING THE COMMISSION OF FAMILY VIOLENCE BY A PARENT, AND TO ASSESS THE USE AND APPLICATION OF SECTION 571-46, HAWAII REVISED STATUTES," was referred to the Committee on Judiciary, with Representatives Bertram and M. Oshiro being excused.

CONFERENCE COMMITTEE REPORTS

Representatives Morita and Coffman, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2644, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 41-10) recommending that H.B. No. 2644, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 41-10 and H.B. No. 2644, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," was deferred for a period of 48 hours.

Representatives Carroll, Ito and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1665, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 42-10) recommending that H.B. No. 1665, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 42-10 and H.B. No. 1665, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN FISHPONDS," was deferred for a period of 48 hours.

Representatives Ito and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2610, HD 1, presented a report (Conf. Com. Rep. No. 95-10) recommending that S.B. No. 2610, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 95-10 and S.B. No. 2610, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," was deferred for a period of 48 hours.

Representative M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2806, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 96-10) recommending that S.B. No. 2806, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 96-10 and S.B. No. 2806, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," was deferred for a period of 48 hours.

Representatives Yamane, Karamatsu and Nishimoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 930, HD 2, presented a report (Conf. Com. Rep. No. 97-10) recommending that S.B. No. 930, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 97-10 and S.B. No. 930, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES," was deferred for a period of 48 hours.

Representatives Yamane and Nishimoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2729, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 98-10) recommending that S.B. No. 2729, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 98-10 and S.B. No. 2729, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO IMMUNIZATION," was deferred for a period of 48 hours.

FINAL READING

At this time, the Chair stated:

"Members of the House, Final Reading. This will be deferred one legislative day also."

H.B. No. 840, HD 1, SD 1:

By unanimous consent, action was deferred to Monday, April 26, 2010.

H.B. No. 2003, HD 3, SD 2:

By unanimous consent, action was deferred to Monday, April 26, 2010.

H.B. No. 2083, HD 1, SD 2:

By unanimous consent, action was deferred to Monday, April 26, 2010.

H.B. No. 2721, HD 1, SD 1:

By unanimous consent, action was deferred to Monday, April 26, 2010.

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 and M. Oshiro 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. 2129, HD 1, (SD 1)
H.B. No. 2708, HD 1, (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 and M. Oshiro were excused.)

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative B. Oshiro moved to disagree to the amendments made by the Senate to the following House Concurrent Resolutions, seconded by Representative Evans:

H.C.R. No. 50, HD 1, (SD 1)
H.C.R. No. 284, (SD 1)
H.C.R. No. 292, HD 1, (SD 1)

At 6:51 o'clock p.m. Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 6:51 o'clock p.m.

At this time, Representative B. Oshiro corrected the draft for the following House Concurrent Resolution:

H.C.R. No. 50, HD 2, (SD 1)

The motion was put to vote by the Chair and carried, and the House disagreed to the amendments made by the Senate to the noted House Concurrent Resolutions. (Representatives Bertram and M. Oshiro were excused.)

At this time, the Chair stated:

"At this time the Chair appoints, Members of the House, the following Members as conferees:

"For HCR No. 50, Representatives Ito and Tokioka will serve as Co-Chairs, with Representatives Har and Ching as members.

"HCR No. 284, Representatives Manahan and Tokioka will serve as Co-Chairs, with Representative Finnegan as a member.

"And finally HCR No. 292, Representative Ito and Har will serve as Co-Chairs, with Representative Thielen as a member.

"So for the Co-Chairs of the respective House Concurrent Resolutions, be prepared to post your Conference notice, and Members be prepared to attend these Conferences."

ANNOUNCEMENTS

Representative Awana: "Thank you Mr. Speaker, I'd just like to wish a Happy Birthday to a Member of our House, my esteemed Chair for Transportation, 'Speaker Joe.' He'll be turning 21 on Sunday. Thank you."

At this time, Representative Evans moved to keep the Journal open until 12:00 midnight this legislative day, seconded by Representative Pine and carried. (Representatives Bertram and M. Oshiro were excused.)

RECESS

At 6:54 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives stood in recess until 9:30 o'clock a.m. Monday, April 26, 2010. (Representatives Bertram and M. Oshiro were excused.)

SUPPLEMENTAL CALENDAR #1**CONFERENCE COMMITTEE REPORTS**

In accordance with the motion made, the following Conference Committee Reports (Conf. Com. Rep. Nos. 43-10 through 50-10; and 99-10 through 153-10) were received by the Clerk prior to 12:00 o'clock midnight this legislative day:

Representatives Souki and Awana, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2604, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 43-10) recommending that H.B. No. 2604, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 43-10 and H.B. No. 2604, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," was deferred for a period of 48 hours.

Representatives Souki, Ito and Awana, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 865, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 44-10) recommending that H.B. No. 865, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 44-10 and H.B. No. 865, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred for a period of 48 hours.

Representatives Hanohano and Aquino, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 415, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 45-10) recommending that H.B. No. 415, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 45-10 and H.B. No. 415, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was deferred for a period of 48 hours.

Representatives Hanohano and Aquino, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2692, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 46-10) recommending that H.B. No. 2692, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 46-10 and H.B. No. 2692, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO

DISASTER PREPAREDNESS PLANNING," was deferred for a period of 48 hours.

Representative M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2505, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 47-10) recommending that H.B. No. 2505, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 47-10 and H.B. No. 2505, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ACCESS HAWAII COMMITTEE," was deferred for a period of 48 hours.

Representatives Mizuno, Yamane and Brower, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2157, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 48-10) recommending that H.B. No. 2157, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 48-10 and H.B. No. 2157, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EXPANDED ADULT RESIDENTIAL CARE HOMES," was deferred for a period of 48 hours.

Representatives Ito, Morita and Har, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 979, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 49-10) recommending that H.B. No. 979, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 49-10 and H.B. No. 979, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred for a period of 48 hours.

Representatives Yamane and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2084, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 50-10) recommending that H.B. No. 2084, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 50-10 and H.B. No. 2084, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL DISPROPORTIONATE SHARE HOSPITAL FUNDS," was deferred for a period of 48 hours.

Representatives Cabanilla and Sagum, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2473, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 99-10) recommending that S.B. No. 2473, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 99-10 and S.B. No. 2473, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred for a period of 48 hours.

Representatives Herkes and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2220, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 100-10) recommending that S.B. No. 2220, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 100-10 and S.B. No. 2220, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSTRUCTION SITES," was deferred for a period of 48 hours.

Representatives Herkes and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2399, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 101-10) recommending that S.B. No. 2399, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 101-10 and S.B. No. 2399, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," was deferred for a period of 48 hours.

Representatives Manahan, Wakai and Tokioka, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2601, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 102-10) recommending that S.B. No. 2601, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 102-10 and S.B. No. 2601, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS," was deferred for a period of 48 hours.

Representatives Herkes and Choy, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2842, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 103-10) recommending that S.B. No. 2842, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 103-10 and S.B. No. 2842, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PERMITTED TRANSFERS IN TRUST ACT," was deferred for a period of 48 hours.

Representatives Karamatsu, Takumi and Tokioka, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2116, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 104-10) recommending that S.B. No. 2116, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 104-10 and S.B. No. 2116, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF COUNTY AGENCIES," was deferred for a period of 48 hours.

Representatives Rhoads, McKelvey, Herkes and Yamashita, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1062, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 105-10) recommending that S.B. No. 1062, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 105-10 and S.B. No. 1062, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," was deferred for a period of 48 hours.

Representatives Rhoads, Karamatsu and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2883, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 106-10) recommending that S.B. No. 2883, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 106-10 and S.B. No. 2883, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," was deferred for a period of 48 hours.

Representatives Cabanilla, Karamatsu and Sagum, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 910, SD 1, HD 2, presented a report

(Conf. Com. Rep. No. 107-10) recommending that S.B. No. 910, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 107-10 and S.B. No. 910, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF HOMELESS PROGRAMS WITHIN THE DEPARTMENT OF HUMAN SERVICES," was deferred for a period of 48 hours.

Representatives Herkes and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2165, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 108-10) recommending that S.B. No. 2165, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 108-10 and S.B. No. 2165, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE GUARDS," was deferred for a period of 48 hours.

Representatives Morita and Coffman, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2563, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 109-10) recommending that S.B. No. 2563, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 109-10 and S.B. No. 2563, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," was deferred for a period of 48 hours.

Representatives Yamane, Herkes and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2599, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 110-10) recommending that S.B. No. 2599, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 110-10 and S.B. No. 2599, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred for a period of 48 hours.

Representatives Hanohano and Aquino, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2702, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 111-10) recommending that S.B. No. 2702, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 111-10 and S.B. No. 2702, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A MAJOR DISASTER TRUST ACCOUNT," was deferred for a period of 48 hours.

Representatives Mizuno, Karamatsu and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2716, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 112-10) recommending that S.B. No. 2716, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 112-10 and S.B. No. 2716, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE ACT," was deferred for a period of 48 hours.

Representative M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2825, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 113-10) recommending that S.B. No. 2825, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 113-10 and S.B. No. 2825, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," was deferred for a period of 48 hours.

Representatives Takumi, Ito and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2828, SD 1, HD 3, presented a report (Conf. Com. Rep. No. 114-10) recommending that S.B. No. 2828, SD 1, HD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 114-10 and S.B. No. 2828, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Rhoads and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2324, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 115-10) recommending that S.B. No. 2324, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 115-10 and S.B. No. 2324, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE BENEFITS," was deferred for a period of 48 hours.

Representatives Rhoads and M. Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2691, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 116-10) recommending that S.B. No. 2691, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 116-10 and S.B. No. 2691, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PAYMENT OF EMPLOYEES' RETIREMENT SYSTEM BENEFITS," was deferred for a period of 48 hours.

Representatives Hanohano and Aquino, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2054, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 117-10) recommending that S.B. No. 2054, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 117-10 and S.B. No. 2054, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," was deferred for a period of 48 hours.

Representatives Chang and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2386, HD 1, presented a report (Conf. Com. Rep. No. 118-10) recommending that S.B. No. 2386, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 118-10 and S.B. No. 2386, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII CAPITAL IMPROVEMENTS PROGRAM PROJECT ASSESSMENT SPECIAL FUND," was deferred for a period of 48 hours.

Representatives Karamatsu and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2400, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 119-10) recommending that S.B. No. 2400, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 119-10 and S.B. No.

2400, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," was deferred for a period of 48 hours.

Representatives Herkes, Karamatsu and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2603, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 120-10) recommending that S.B. No. 2603, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 120-10 and S.B. No. 2603, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT," was deferred for a period of 48 hours.

Representatives Karamatsu and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2661, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 121-10) recommending that S.B. No. 2661, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 121-10 and S.B. No. 2661, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," was deferred for a period of 48 hours.

Representatives Herkes and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2809, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 122-10) recommending that S.B. No. 2809, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 122-10 and S.B. No. 2809, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UTILITIES REGULATION," was deferred for a period of 48 hours.

Representatives Rhoads and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2395, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 123-10) recommending that S.B. No. 2395, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 123-10 and S.B. No. 2395, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," was deferred for a period of 48 hours.

Representatives Souki and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2461, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 124-10) recommending that S.B. No. 2461, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 124-10 and S.B. No. 2461, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred for a period of 48 hours.

Representatives McKelvey and Choy, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2548, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 125-10) recommending that S.B. No. 2548, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 125-10 and S.B. No. 2548, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," was deferred for a period of 48 hours.

Representatives Karamatsu and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2534, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 126-10) recommending that S.B. No. 2534, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 126-10 and S.B. No. 2534, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL," was deferred for a period of 48 hours.

Representatives Chang and M. Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2385, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 127-10) recommending that S.B. No. 2385, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 127-10 and S.B. No. 2385, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred for a period of 48 hours.

Representatives Takumi and M. Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2068, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 128-10) recommending that S.B. No. 2068, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 128-10 and S.B. No. 2068, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY EDUCATION," was deferred for a period of 48 hours.

Representatives Takumi, Chang and M. Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2115, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 129-10) recommending that S.B. No. 2115, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 129-10 and S.B. No. 2115, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PREAUDITS FOR PROPOSED PAYMENTS," was deferred for a period of 48 hours.

Representatives Takumi, Rhoads and M. Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2434, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 130-10) recommending that S.B. No. 2434, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 130-10 and S.B. No. 2434, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," was deferred for a period of 48 hours.

Representatives Yamane, Rhoads and Nishimoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2885, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 131-10) recommending that S.B. No. 2885, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 131-10 and S.B. No. 2885, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH SAVINGS ACCOUNTS," was deferred for a period of 48 hours.

Representatives Yamane, Wakai and Karamatsu, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2491, SD 2, HD 1, presented a report

(Conf. Com. Rep. No. 132-10) recommending that S.B. No. 2491, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 132-10 and S.B. No. 2491, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TELEMEDICINE," was deferred for a period of 48 hours.

Representatives Ito, Tsuji and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2951, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 133-10) recommending that S.B. No. 2951, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 133-10 and S.B. No. 2951, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Representatives Yamane, Herkes and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2600, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 134-10) recommending that S.B. No. 2600, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 134-10 and S.B. No. 2600, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTHCARE," was deferred for a period of 48 hours.

Representative M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2173, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 135-10) recommending that S.B. No. 2173, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 135-10 and S.B. No. 2173, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was deferred for a period of 48 hours.

Representatives Tsuji and Wooley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2775, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 136-10) recommending that H.B. No. 2775, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 136-10 and H.B. No. 2775, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Representatives Tsuji and Wooley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2503, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 137-10) recommending that H.B. No. 2503, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 137-10 and H.B. No. 2503, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred for a period of 48 hours.

Representatives Tsuji, Ito, Carroll and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2832, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 138-10) recommending that H.B. No. 2832, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 138-10 and H.B. No. 2832, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TARO SECURITY," was deferred for a period of 48 hours.

Representative M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1948, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 139-10) recommending that H.B. No. 1948, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 139-10 and H.B. No. 1948, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Representative M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2594, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 140-10) recommending that H.B. No. 2594, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 140-10 and H.B. No. 2594, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," was deferred for a period of 48 hours.

Representatives Ito, Karamatsu and Har, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2583, SD 2, presented a report (Conf. Com. Rep. No. 141-10) recommending that H.B. No. 2583, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 141-10 and H.B. No. 2583, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPOUNDED VESSELS," was deferred for a period of 48 hours.

Representatives Ito, Cabanilla and Har, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2845, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 142-10) recommending that H.B. No. 2845, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 142-10 and H.B. No. 2845, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," was deferred for a period of 48 hours.

Representatives McKelvey and Choy, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2441, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 143-10) recommending that H.B. No. 2441, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 143-10 and H.B. No. 2441, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred for a period of 48 hours.

Representatives McKelvey and Choy, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2133, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 144-10) recommending that H.B. No. 2133, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 144-10 and H.B. No. 2133, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred for a period of 48 hours.

Representatives Morita, Ito, Karamatsu and Har, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1808, HD 3, SD 1, presented a report

(Conf. Com. Rep. No. 145-10) recommending that H.B. No. 1808, HD 3, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 145-10 and H.B. No. 1808, HD 3, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL AREAS," was deferred for a period of 48 hours.

Representatives Chang and Yamashita, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 347, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 146-10) recommending that H.B. No. 347, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 146-10 and H.B. No. 347, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred for a period of 48 hours.

Representatives Takumi, Rhoads and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2486, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 147-10) recommending that H.B. No. 2486, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 147-10 and H.B. No. 2486, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representative M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2542, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 148-10) recommending that H.B. No. 2542, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 148-10 and H.B. No. 2542, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," was deferred for a period of 48 hours.

Representatives Cabanilla, Ito, Yamane, Mizuno and Sagum, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2318, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 149-10) recommending that H.B. No. 2318, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 149-10 and H.B. No. 2318, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," was deferred for a period of 48 hours.

Representatives Karamatsu and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2000, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 150-10) recommending that H.B. No. 2000, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 150-10 and H.B. No. 2000, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred for a period of 48 hours.

Representative M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2200, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 151-10) recommending that H.B. No. 2200, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 151-10 and H.B. No. 2200, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," was deferred for a period of 48 hours.

Representatives McKelvey, Wakai and Yamashita, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2698, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 152-10) recommending that H.B. No. 2698, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 152-10 and H.B. No. 2698, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was deferred for a period of 48 hours.

Representatives M. Oshiro and Rhoads, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2849, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 153-10) recommending that S.B. No. 2849, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 153-10 and S.B. No. 2849, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," was deferred for a period of 48 hours.

Please note that a waiver was granted by the House Speaker and Senate President for the following Conference Committee Reports that were filed after the 12:00 midnight Final Decking deadline and that said measures will be positioned for passage on Final Reading on Wednesday, April 28, 2010:

Conf. Com. Rep. No. 154-10 and H.B. No. 1015, HD 1, SD 2, CD 1

Conf. Com. Rep. No. 155-10 and H.B. No. 2377, HD 3, SD 2, CD 1

Conf. Com. Rep. No. 156-10 and S.B. No. 2589, SD 2, HD 1, CD 1

Conf. Com. Rep. No. 157-10 and S.B. No. 2124, SD 2, HD 1, CD 1

Conf. Com. Rep. No. 158-10 and S.B. No. 2469, SD 2, HD 2, CD 1

Conf. Com. Rep. No. 159-10 and H.B. No. 2774, HD 2, SD 2, CD 1

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 9:30 o'clock a.m. Monday, April 26, 2010.

HOUSE COMMUNICATIONS

House Communication dated April 22, 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 disagreed to the amendments made by the Senate to the following measures:

H.C.R. No. 296, SD 1

H.C.R. No. 297, SD 1

House Communication dated April 23, 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 disagreed to the amendments made by the Senate to the following measures:

H.C.R. No. 50, HD 2, SD 1

H.C.R. No. 284, SD 1

H.C.R. No. 292, HD 1, SD 1

House Communication dated April 23, 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 Concurrent Resolutions:

H.C.R. No. 50, Ito/Tokioka, Co-Chrs.;
HD 2, SD 1 Har, Ching

H.C.R. No. 284, Manahan/Tokioka, Co-Chrs.;
SD 1 Finnegan

H.C.R. No. 292, Ito/Har, Co-Chrs.;
HD 1, SD 1 Thielen

House Communication dated April 23, 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. 2708, HD 1, SD 1

House Communication dated April 23, 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 Bill:

H.B. No. 2129, HD 1, SD 1

OTHER COMMUNICATIONS

The following statement was read by Senate President Colleen Hanabusa at 12:08 a.m., Saturday, April 24, 2010, in Conference Room 309:

"Prior to the convening of the 2010 session, the House Speaker and I prepared an internal legislative timetable, setting April 23, 2010 as the last day to file fiscal bills to deck for Final Reading. A few weeks ago the Speaker and I signed the Conference Committee Guidelines that provides, in paragraph 11(c) that all Conference Committee reports shall be filed by 11:30 p.m. on Friday, April 23rd.

As you know, several measures were being negotiated throughout the evening. Several Conference Committees, even though they had reached agreement on the substance of these measures, did not have the time to prepare and adequately review the reports and the final form of the Conference Drafts prior to the filing deadline.

Therefore, the Speaker and I are exercising our powers under Rule 13 of the Conference Committee Guidelines, to make an exception to this deadline for the bills that were agreed to and voted upon this evening.

The Speaker and I are granting this exception to provide the Conference members with an opportunity to ensure that the Conference Committee reports and the Conference drafts reflect the agreements reached on the evening of May 1st.

The Speaker and I felt that since the Conferees had reached timely agreement on these bills, allowing these bills to die based on an internal procedural deadline for filing paperwork with the Clerks' Offices, is not in the best interest of the people of Hawaii.

For the bills agreed to and voted on this evening, the Clerks of the respective Chambers shall accept Conference drafts between 12:00 noon and 1:00 p.m. tomorrow Saturday, April 24th.

We wish to emphasize that previous Legislatures, when facing similar problems in past years, have followed the same procedure we will follow with these measures."