

SEVENTEENTH DAY

Monday, February 12, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:07 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Ms. Kat Brady, after which the Roll was called showing all members present with the exception of Representatives Takamine and Thielen, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 261 through 264) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 261, dated February 7, 2007, transmitting the Department of Agriculture's report Relating to Diversified Agriculture Industry: Co-Existence of Organic, Conventional, and Biotechnology Farming Methods.

Gov. Msg. No. 262, dated January 31, 2007, transmitting the Department of Labor and Industrial Relations' (DLIR) Report of the State Fire Council.

Gov. Msg. No. 263, dated January 31, 2007, transmitting the Department of Labor and Industrial Relations' (DLIR) Report of the Work-Family Task Force.

Gov. Msg. No. 264, dated January 30, 2007, transmitting the Department of Labor and Industrial Relations' (DLIR) Report on the Hawaii Employers that have Developed and Implemented Policies for Reducing Workplace Bullying.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 12 through 14) were received and announced by the Clerk:

Sen. Com. No. 12, transmitting S.B. No. 149, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," which passed Third Reading in the Senate on February 9, 2007.

Sen. Com. No. 13, transmitting S.B. No. 1083, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE BROADCAST PROGRAM," which passed Third Reading in the Senate on February 9, 2007.

Sen. Com. No. 14, transmitting S.B. No. 1084, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE PROCEEDINGS ON THE INTERNET," which passed Third Reading in the Senate on February 9, 2007.

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

- S.B. No. 149, SD 1
- S.B. No. 1083, SD 1
- S.B. No. 1084, SD 1

INTRODUCTIONS

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

Representative Cabanilla introduced Mr. Fernando Brugman, United Nations Educational Scientific Organization (UNESCO); Mr. Cliff Goulet, US State Department; and Ms. Teresita Bernalles, Pacific Asian Affairs Council.

Representative Cabanilla also introduced Ms. Stephanie McCandless Reford, President/CEO McCandless Reford International; and Ms. Mimi Makward, Associate, Hawaii Global Youth Center.

Representative Hanohano introduced Hawaii County Councilwoman Emily Naeole and office manager Ms. Babara Hale from the Big Island.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

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

- | <u>H.R.</u>
<u>No.</u> | <u>Referred to:</u> |
|------------------------------|--|
| 23 | Committee on Higher Education, then jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance |
|
 | |
| <u>H.C.R.</u>
<u>Nos.</u> | <u>Referred to:</u> |
| 38 | Committee on International Affairs |
| 39 | Committee on Higher Education, then jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance |

The following bills were referred to committee by the Speaker:

- | <u>S.B.</u>
<u>Nos.</u> | <u>Referred to:</u> |
|----------------------------|--|
| 618 | Committee on Education, then to the Committee on Public Safety & Military Affairs |
| 840 | Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance |
| 950 | Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary |
| 958, SD1 | Committee on Energy & Environmental Protection, then to the Committee on Agriculture, then to the Committee on Consumer Protection & Commerce |
| 1531, SD1 | Committee on Water, Land, Ocean Resources & Hawaiian Affairs |

COMMITTEE REASSIGNMENTS

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

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
869	Committee on Energy & Environmental Protection, then to the Committee on Finance
900	Committee on Agriculture, then to the Committee on Finance
1105, HD1	Committee on Economic Development & Business Concerns, then to the Committee on Finance
1555, HD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Tourism & Culture, then to the Committee on Finance
1577, HD1	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
1609	Committee on Transportation, then to the Committee on Judiciary
1704	Committee on Health, then to the Committee on Finance
1718, HD1	Committee on Transportation, then to the Committee on Tourism & Culture, then to the Committee on Finance
1725	Committee on Health, then to the Committee on Judiciary
1866, HD1	Committee on Tourism & Culture, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1868, HD1	Committee on Higher Education, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 294) recommending that H.B. No. 1154, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1154, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 291, HAWAII REVISED STATUTES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 295) recommending that H.B. No. 1533, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1533, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 296) recommending that H.B. No. 993, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 993, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PERFORMANCE ARTS," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representatives Yamane and Tsuji, for the Committee on Tourism & Culture and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 297) recommending that H.B. No. 1735, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1735, HD 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO COMMEMORATE THE CONTRIBUTIONS OF HAWAII'S RANCHING COMMUNITY," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 298) recommending that H.B. No. 1374, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1374, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Second Reading and was referred to the Committee on Energy & Environmental Protection, with Representative Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 299) recommending that H.B. No. 724, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 724, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker. On Stand. Com. Rep. No. 299, I'm in support. When I worked for Representative Lee, I was pretty heavily involved with the drafting of the bills that made the surcharge possible. The intent was never to make money for the State, but it was to help build the rail system. And, if we're talking about \$5 million or \$6 million here, that will help build the rail system, especially over a 15 year period, so I hope that we move this bill forward. Mahalo."

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

"Mr. Speaker, I rise with mild support. This bill is better than the other one in that it cuts down from 10 percent down to five percent. But in the Finance Committee we heard that it's only \$2 million per year that it takes to actually collect this money and we're actually collecting more than we need by double. So, we've gone to better, but I think we can do even much better than we've done here. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 724, entitled: "A BILL FOR AN ACT RELATING TO COUNTY SURCHARGE ON STATE GENERAL EXCISE TAX," passed Second Reading and

was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 300) recommending that H.B. No. 1414, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1414, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR DEPARTMENT OF TAXATION COUNTY SURCHARGE IMPLEMENTATION COSTS," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 301) recommending that H.B. No. 1605, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1605, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising with some reservations on this measure. This is a bill to create a Maui traffic control center. My reservations are the Department of Transportation was in opposition and I'm not sure what this will cost. Thank you."

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

"Thank you very much. I rise in support, Mr. Speaker. For the clarifications of the previous speaker, the Department of Transportation did support the bill, however, they felt that we need to plan for an ITS, intelligence traffic system first. That would be the fiber-optic, the cameras and such. And by developing such a plan, they could then go to the federal government and get federal money for the project. Their concern was that by building the Traffic Control Center first, without the outlying infrastructure, that we wouldn't get federal funds and that we would be putting the cart before the horse. So, I hope we can get your support on this. Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1605, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC CONTROL," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representatives Chang and Sonson, for the Committee on Higher Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 302) recommending that H.B. No. 1012, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1012, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 303) recommending that H.B. No. 1291, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1291, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 304) recommending that H.B. No. 247, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 247, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising on 304. With reservations. The representative from the Employees' Retirement System testified that he felt that this would create a fairly large administrative problem. And also the unfunded liability, which has grown by \$1 billion, just from 2005 to 2006 could be negatively impacted, as well. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 247, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 305) recommending that H.B. No. 964, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 964, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Second Reading and was referred to the Committee on Judiciary, with Representative Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 306) recommending that H.B. No. 586, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 586, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representatives Chang and Sonson, for the Committee on Higher Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 307) recommending that H.B. No. 1013, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1013, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPERIENTIAL LEARNING," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 308) recommending that H.B. No. 1211, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1211, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

At 12:20 o'clock p.m., Representative Evans requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:21 o'clock p.m.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 309) recommending that H.B. No. 1258, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1258, entitled: "A BILL FOR AN ACT RELATING TO ACTIONS FOR FALSE CLAIMS TO THE STATE," passed Second Reading and was referred to the Committee on Judiciary, with Representative Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 310) recommending that H.B. No. 1746, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1746, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, we should go back to Stand. Com. Rep. No. 310. This is relating to Voluntary Employees' Beneficiary Association Trust, the VEBA Trust. This is going to extend the date that was set, I guess, in 2005. It's a pilot program. I don't have the bill with me today, but it seems to me it extends it out. I don't want to say it's about ten years. It's quite a long ways.

"There's still the problem of adverse selection. The bill in the Committee Report talks about cost savings. I think we will have the opposite effect, but it also doesn't ask for any reporting. The original pilot program asks for reporting, but because of problems with HSTA, it was slow to get started, so obviously there's been no reporting. It's barely started. But I do have reservations about extending the date out as far as we have. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1746, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 311) recommending that H.B. No. 859, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 859, HD 1, pass Second Reading and

be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. The biggest problem in Committee was that most employers felt that it took away the powers of the employers. We're talking the counties and State. I have strong reservations."

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

Representative Marumoto 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.B. No. 859, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 312) recommending that H.B. No. 34, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 34, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. Very brief comment in support. This bill has to do with divesting Hawaii's ERS dollars from Darfur where there is just a catastrophic amount of human loss and tragedy going on. We may not have a lot of money invested in that region. Whatever we can do as a message or a symbol for the rest of the country, I think we should do and divest from that country. I think that any contribution we make monetarily there, will only make matters worse, so, thank you for considering this Members."

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

"Mr. Speaker, I just want to add a little bit of up-to-date information on that effort. I'm standing in support. I just wanted to state that the Sudanese Government has purchased advanced Phantom Jet fighters and high attack helicopters from Russia. The same as seen in the movie, *Rambo III*, and they're going to use these fighter planes to bomb villages and kill men, women and children with complete disregard to human rights and international law. I ask my colleagues to support this measure. I have some drawings in my office drawn by children whose families were killed by these atrocities, and I invite my colleagues to come and see those pictures that were drawn by these children. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 34, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 313) recommending that H.B. No. 102, HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 102, HD 1, entitled: "A BILL FOR AN

ACT RELATING TO HUMAN SERVICES," was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 314) recommending that H.B. No. 863, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 863, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I register a no vote on Stand Com. Report 314. This would allow the prevailing wage law to control private projects, not public works. Thank you."

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

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

"Mr. Speaker, I also rise in opposition to this measure. There should be a separation between the private and the public sector. This is a big intrusion into private contracts. Thank you."

Representative Ching 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.B. No. 863, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS," was referred to the Committee on Finance with Representatives Ching, Marumoto, Meyer and Ward voting no, and with Representative Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 315) recommending that H.B. No. 1931, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1931, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROJECTS ON THE ISLAND OF HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representatives Yamashita and Yamane, for the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 316) recommending that H.B. No. 1018, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1018, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 317) recommending that H.B. No. 1105, as amended in HD 1, be adopted, passed, and recommitted to the Committee on Economic Development & Business Concerns for further consideration.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1105, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was adopted, passed, and recommitted to the Committee on Economic Development & Business Concerns for further consideration, with Representative Thielen being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representative Thielen was excused.)

THIRD READING

H.B. No. 319, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 319, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Meyer voting no, and with Representative Thielen being excused.

At 12:28 o'clock p.m., the Chair noted that H.B. No. 319, HD 1, passed Third Reading.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 25) and concurrent resolutions (H.C.R. Nos. 41 through 43) were referred to Printing and further action was deferred:

H.R. No. 25, entitled: "HOUSE RESOLUTION REQUESTING THE PRESIDENT OF THE UNIVERSITY OF HAWAII DO A STUDY TO DETERMINE THE FEASIBILITY OF DEMOLISHING ALOHA STADIUM AND CONSTRUCTING A NEW STADIUM ON OAHU," was jointly offered by Representatives Yamane, Chang, Herkes, Manahan and Yamashita.

H.C.R. No. 41, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNIVERSITY OF HAWAII DO A STUDY TO DETERMINE THE FEASIBILITY OF DEMOLISHING ALOHA STADIUM AND CONSTRUCTING A NEW STADIUM ON OAHU," was jointly offered by Representatives Yamane, Chang, Herkes, Manahan and Yamashita.

H.C.R. No. 42, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED NATIONS TO RECOGNIZE BY GENERAL ASSEMBLY RESOLUTION THE MILLIONS OF LEGALLY UNREGISTERED CHILDREN IN THE PEOPLE'S REPUBLIC OF CHINA KNOWN AS THE HEI HAZI," was offered by Representative Cabanilla.

H.C.R. No. 43, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FISCAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S SPECIAL EDUCATION PROGRAM," was offered by Representative Waters.

ANNOUNCEMENTS

Representative Herkes announced that the Committee on Consumer Protection and Commerce will be conducting a public

hearing at 2:00 p.m., with decision making to follow; and a joint hearing for decision making only with Public Safety and Military Affairs as soon as there is a quorum of these Committees.

Tuesday, February 13, 2007. (Representatives Saiki and Thielen were excused.)

Representative Yamane for the Committee on Tourism and Culture requested a waiver of the 48-hour advanced notice requirement to hear the following bills on Wednesday, February 14 and 8:30 a.m., and the Chair "so ordered."

HB 1555 Relating to Tax Credits,
 HB 1718 Relating to Cruiseline Industry,
 HB 712 Relating to Tourism,
 HB 1017 Relating to Hawaii Tourism Authority, and
 HB 1020 Relating to Tourism Workforce Development.

Representative Mizuno for the Committee on Health requested a waiver of the 48-hour advanced notice requirement to hear HB 206 Relating to Developmental Disabilities, and HB 877 Relating to Health on Tuesday, February 13 at 8:30 a.m. in Conference Room 329; and HB 1466 to be heard at 5:00 p.m., on Tuesday, February 13, in Conference Room 329, and the Chair "so ordered."

Representative Yamashita: "Thank you, Mr. Speaker. Your Committee on Economic Development and Business Concerns will conclude its morning agenda in Room 325, with decision making to follow. Thank you."

Representative Souki for the Committee on Transportation requested a waiver of the 48-hour advanced notice requirement to hear HB 1609 Relating to Highways, and decision making only on HB 349 Relating to Regulation of Bicycle Tours on Wednesday, February 14, in Conference Room 309.

Representative Chong: "Thank you, Mr. Speaker. Your Committee on Water, Land, Ocean Resources and Hawaiian Affairs will reconvene its morning agenda in Conference Room 312 at 1:00."

The Chair then announced public hearings for the following Committees:

The Committee on Education and the Committee on Labor and Public Employment for 2:00 p.m. this afternoon.

The Committee on Energy and Environmental Protection for Tuesday, 8:00 a.m. in Conference Room 312.

The Committee on Health and the Committee on Human Service and Housing, Tuesday, February 13, 8:30, Conference Room 329.

The Committee on Agriculture and the Committee on Economic Development and Business Concerns on Tuesday, February 13, 10:00 a.m., Conference Room 325.

The Committee on Agriculture and the Committee on Economic Development and Business Concerns for decision making.

The Committee on Labor and Public Employment on February 13, 8:30, Conference Room 309.

Representative Tokioka: "Thank you, Mr. Speaker. It gives me great pleasure to announce *Hau'oli la hanau* to one of our colleagues. This past weekend Representative Sagum celebrated his birthday. I want to congratulate Roland, wish him a happy birthday and extend best wishes from the entire body. Thank you, Mr. Speaker."

ADJOURNMENT

At 12:33 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow,