

TWENTIETH DAY

Thursday, February 15, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:02 o'clock p.m., with the Speaker presiding.

The invocation was delivered in song by Dr. Kalani Brady of the John A. Burns School of Medicine, University of Hawai'i, after which the Roll was called showing all members present with the exception of Representatives Souki and Takamine, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the Twelfth, Thirteenth and Fourteenth Days were approved. (Representatives Souki and Takamine were excused.)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 21 through 25) were received and announced by the Clerk:

Sen. Com. No. 21, transmitting S.B. No. 650, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on February 14, 2007.

Sen. Com. No. 22, transmitting S.B. No. 776, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," which passed Third Reading in the Senate on February 14, 2007.

Sen. Com. No. 23, transmitting S.B. No. 1486, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," which passed Third Reading in the Senate on February 14, 2007.

Sen. Com. No. 24, transmitting S.B. No. 1513, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," which passed Third Reading in the Senate on February 14, 2007.

Sen. Com. No. 25, transmitting S.B. No. 1956, entitled: "A BILL FOR AN ACT RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE," which passed Third Reading in the Senate on February 14, 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: (Representatives Souki and Takamine were excused.)

S.B. No. 650, SD 1	S.B. No. 1513
S.B. No. 776	S.B. No. 1956
S.B. No. 1486	

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 50 and 51) were received by the Clerk and were placed on file:

Dept. Com. No. 50, dated February 9, 2007, from David McClain, President, University of Hawai'i, transmitting the Annual Report on University of Hawai'i Special, Revolving, and Trust Funds For the Fiscal Year Ended June 30, 2006.

Dept. Com. No. 51, dated February 9, 2007, from David McClain, President, University of Hawai'i, transmitting the Annual Report on Career and Technical Education.

INTRODUCTIONS

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

Representative Magaoay introduced the 3rd grade students of Waiialua Elementary School and their teachers, Ms. Toni Augustine, Mr. Dale Yoshizu and Ms. Zami Perez. They were accompanied by chaperones, Ms. Rychleski, Ms. Archer, Ms. Robinson, Mr. Perez, and Representative's community liaison, Mr. Walter Tonai.

Representative Takai introduced the 3rd grade students of Holy Family Catholic Academy and their teachers, Mrs. Melinda Ballentine and Mrs. Carolyn Kuahulu.

Representative Carroll introduced patients from Kalaupapa, Molokai, Mr. Edwin Lelepali, Ms. Ku'ulei Bell, and Ms. Nancy Talino. They were accompanied by the Kalaupapa ohana, Ms. Piolani Mota and Ms. Pauline Hess; and Hale Mohala staff, Mr. Sheldon Loui and Ms. Gladys Fujioka.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

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

<u>H.R.</u> <u>Nos.</u>	<u>Referred to:</u>
26	Jointly to the Committee on Health and the Committee on Education, then to the Committee on Finance
27	Committee on International Affairs, then to the Committee on Finance

<u>H.C.R.</u> <u>No.</u>	<u>Referred to:</u>
44	Jointly to the Committee on Health and the Committee on Education, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

<u>H.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
687, HD1	Committee on Economic Development & Business Concerns, then to the Committee on Finance
811	Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance
1228	Committee on Human Services & Housing, then to the Committee on Finance
1456, HD1	Committee on Health, then to the Committee on Consumer Protection & Commerce
1719, HD1	Committee on Tourism & Culture, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 396) recommending that H.B. No. 1425, 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. 1425, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 397) recommending that H.B. No. 573, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 573, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER WARNINGS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 398) recommending that H.B. No. 292, 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. 292, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 399) recommending that H.B. No. 617, 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. 617, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 400) recommending that H.B. No. 1065, 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. 1065, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 401) recommending that H.B. No. 1345, 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. 1345, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR NATURAL DISASTERS," passed Second Reading and was referred

to the Committee on Finance with Representatives Souki and Takamine being excused.

Representatives Evans and Sonson, for the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 402) recommending that H.B. No. 1140, 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. 1140, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representatives Evans and Souki, for the Committee on Public Safety & Military Affairs and the Committee on Transportation presented a report (Stand. Com. Rep. No. 403) recommending that H.B. No. 621, 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. 621, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY RESERVE COMPONENTS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representatives Evans and Souki, for the Committee on Public Safety & Military Affairs and the Committee on Transportation presented a report (Stand. Com. Rep. No. 404) recommending that H.B. No. 1092, 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. 1092, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY PREPAREDNESS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 405) recommending that H.B. No. 1721, 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. 1721, entitled: "A BILL FOR AN ACT RELATING TO VIOLENCE AGAINST EMERGENCY MEDICAL SERVICES PERSONNEL," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 406) recommending that H.B. No. 1372, 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. 1372, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 407) recommending that H.B. No. 1358, as amended in HD 1, pass

Second Reading and be referred to the Committee on Public Safety & Military Affairs.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1358, HD 1, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs, seconded by Representative B. Oshiro.

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

"I'm standing in opposition to Stand. Com. Rep. No. 407 Relating to the Purpose of the Hawaii Youth Correctional Facility. I think we have a misunderstanding of what's going on here. The bill itself is addressing the Hawaii Youth Correctional Facility and trying to define its purpose. Basically they're removing incarceration and punishment, and substituting custody and rehabilitation. Those who testified for it, the Office of Youth Services, the ACLU and Community Alliance on Prisons were in support.

"My problem with this particular measure is that the purpose that they have placed in this bill is proper for the Office of Youth Services. It is their job to find alternative means, alternative programs for the youth who get into trouble. The purpose of the Hawaii Youth Correctional Facility however, is to ensure that those who are dangerous to the community, those children who have gone through the process and have failed, that they are locked up in this facility. Only the most dangerous, the most hardened of those children who get into trouble, are supposed to be the ones incarcerated. That is the mission of the Hawaii Youth Correctional Facility.

"We must not blend that two. HYCF is only attached to OYS. OYS has its purpose. HYCF also has its mandated purpose. By doing it this way, we blur the distinction between the two and I believe that we're going to be treating those hardened kids in HYCF as if they were cute and cuddly. Believe me, Mr. Speaker, after I walked through HYCF, you can see why there are correctional officers there. Because they are needed to be there. Thank you very much."

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

"I rise in support of the measure. Notwithstanding the truth in the degree of what the previous speaker had said, this bill basically represents a paradigm shift. The notion of incarceration hasn't worked. The notion of rehabilitation and custody, otherwise giving us a different mindset. We tend to treat things the way we call them. I think if we get to rehabilitation, we get to re-entry into the community. If we get the notion that we're going to do something about it, rather than punish and incarcerate, because we found that it doesn't work. Recidivism is very, very high here and I think these are the ones who are going to be in the prison system later. It's an attempt, albeit unproven, but it's a paradigm shift to think differently about our troubled youth. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I'm rising in strong support of this measure. I think most of us in this Chamber have read about some of the problems that they've had at the Hawaii Youth Correctional Facility, like overcrowding and inappropriate treatment some of these young people have received at the hands of the guards. In listening to testimony in the Finance Committee in the annual briefing, the Youth Correctional Facility directors see that in many instances community homes would work better. Some of these children are from the Neighbor Islands. They are away from family and they're thrown into a pretty much hostile environment.

"So as the Representative from Hawaii Kai stated, this is a paradigm shift. I have visited the Hawaii Youth Correctional Center

and, yes, there are troubled youths there, but there are also sweet-tempered youths who are just runaways, and they are not getting better in that environment. 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. 1358, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PURPOSE OF THE HAWAII YOUTH CORRECTIONAL FACILITY," passed Second Reading and was referred to the Committee on Public Safety & Military Affairs with Representative Sonson voting no, and with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 408) recommending that H.B. No. 1406, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1406, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I rise with reservations on Stand. Com. Rep. No. 408. As I mentioned before, my reservations with this bill is that it does not include the impact on the Department of Public Safety and our correctional facilities. I believe there should be appropriation, and I believe there should be impact studies involved in bills like this. 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. 1406, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERING THE WELFARE OF A MINOR," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 409) recommending that H.B. No. 524, 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. 524, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD WELFARE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 410) recommending that H.B. No. 1357, 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. 1357, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD WELFARE SERVICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 411) recommending that H.B. No. 453, 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. 453, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE COMMISSION ON THE STATUS OF WOMEN," passed Second

Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 412) recommending that H.B. No. 456, 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. 456, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 413) recommending that H.B. No. 828, 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. 828, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 414) recommending that H.B. No. 1455, 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. 1455, entitled: "A BILL FOR AN ACT RELATING TO QUEST ENROLLMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 415) recommending that H.B. No. 526, 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. 526, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 416) recommending that H.B. No. 1043, 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. 1043, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 417) recommending that H.B. No. 1640, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1640, entitled: "A BILL FOR AN ACT RELATING TO PERMITS," passed Second Reading and was

referred to the Committee on Economic Development & Business Concerns with Representatives Souki and Takamine being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 418) recommending that H.B. No. 400, 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. 400, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 419) recommending that H.B. No. 1924, 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. 1924, entitled: "A BILL FOR AN ACT RELATING TO THE ERADICATION AND CONTROL OF THE COQUI FROG," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 420) recommending that H.B. No. 1941, 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. 1941, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLING INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representatives Shimabukuro and Ito, for the Committee on Human Services & Housing and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 421) recommending that H.B. No. 851, 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. 851, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 422) recommending that H.B. No. 468, 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. 468, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 423) recommending that H.B. No. 1907, 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. 1907, entitled: "A BILL FOR AN ACT

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 424) recommending that H.B. No. 523, 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. 523, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 425) recommending that H.B. No. 1557, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1557, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Souki and Takamine being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 426) recommending that H.B. No. 399, 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. 399, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 427) recommending that H.B. No. 1525, 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. 1525, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT TO WEST MAUI SOIL AND WATER CONSERVATION DISTRICT," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 428) recommending that H.B. No. 1639, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 1639, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I rise with reservations on Stand. Com. Rep. No. 428. In light of the fact that the Sustainability Task Force which we have funded for the past three years, has not completed its work yet with regards to identifying important ag lands, the whole State plan towards self-sufficiency and the Tax Commission Report repeatedly reminds us that tax benefits may not be the way to base our economy, I will voting with reservations."

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

"Thank you, Mr. Speaker. I also rise with reservations on this measure. Mr. Speaker, the Tax Review Commission suggested we rein in all the tax credits and exemptions on the books. This measure is yet another move in the opposite direction by poking yet another hole in our State coffers. Instead of a tax credit, we are providing an exemption. I certainly am all for assisting agricultural uses and growing agricultural business, but I'm not a fond supporter of the manner in which this effort is achieving that. By providing State tax benefits for some, that just means that the burden is placed on the rest of our community to pick up the slack here. So, for those reasons, I would like to voice my reservations."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1639, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 429) recommending that H.B. No. 1121, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 1121, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1121, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER RATES FOR AGRICULTURAL USES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Souki and Takamine being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 430) recommending that H.B. No. 351, as amended in HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 351, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 351, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 431) recommending that H.B. No. 764, 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. 764, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"On 431, I would like to express my opposition to this particular measure. This would allow a permanent application for absentee voting. Once you request an absentee ballot, you can continue to receive them without reapplying every election cycle. I think this could create some mischief. In these days when we have very high turnovers, especially in our condominiums in Waikiki, Pearl City and Makiki, there are so many people moving in and out and applying for registration, and they also apply for a permanent ballot. At one place, you'll end up with several ballots arriving at the door and it would be very tempting to want to vote for all of them.

"I think that we don't have enough technology yet to compare signatures and it would be very expensive for the counties to implement this, but I think that this is a particularly bad idea, where I hope that this bill doesn't go much further. Thank you."

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

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

"Thank you, Mr. Speaker. I'm rising in support with some reservations. I realize the intent of this bill is good. We're trying to do things to encourage more people to turn out to vote, since we have such a low voter turnout. But at the same time, we have to be very cognizant of trying to make sure that they're qualified voters and that there's no hanky panky that goes on, and this sort of opens the door. I realize it's still early and, hopefully, we'll end up with something that will do what we want it to do and still maintain some strong security. Thank you very much."

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

"Mr. Speaker, I rise in support. Very briefly, I just want to point out that on page 4, we already have a laundry list of safeguards in the bill to make sure that the election fraud or voter fraud doesn't occur. And if people will remember, we already passed out a bill increasing the penalties for election fraud from \$100, to \$1,000, to \$5,000, and we left in the fact that they can still be punished for hard labor. So I think that's enough a deterrent to make sure that people are not going to be committing election fraud. Thank you."

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

"Thank you, Mr. Speaker. I'm also in support. On page 3, this permanent absentee voting status is not an automatic thing. It's not as if you request an absentee ballot and that it happens all the time. On page 3, you specifically have to request that you be put on a permanent status. It sure is a service that I would like to take advantage of because every election cycle we ask for an absentee ballot, and I'm always going to vote absentee, and I think it's something that people can opt for. It's not an automatic thing."

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

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

"Mr. Speaker, I rise with some serious reservations. We certainly need some incentives to get people to come out to vote, and I know we have safeguards in this, but if someone doesn't show up once, they are taken off the list, which I think is a good safeguard. But when it comes to the point of where you are a normal voter, you're not even a permanent normal voter if you don't vote twice, or let's say, consecutive elections. So, I'm not sure that the safeguards, the structure of incentives equal a better system. And if anyone who is for this can suggest strongly how it's improved voter turnout in California, it might be more persuasive. As we know California is the experimental body of this United States. Thank you very much."

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

"Thank you, Mr. Speaker. I rise in support. I just wanted to mention that let's not forget the fact that every time we have an election, prior to the election, the Office of Election sends out this card. The card is a very important card because should that card go to a home and you're no longer there, the Postmaster is required to mail it back as non-deliverable. That signifies or signals to the Office of Elections that that particular voter, whether absentee or walk-in, is no longer at that place.

"Now, that's not to say that that voter moves off the voter rolls. In fact, the voter, I think, stays on for two or three cycles, but that absentee ballot will not be mailed to a house where the voter no longer lives. So I think this measure provides another opportunity for us to increase the turnout that are in our elections, and I think it should be supported. Thank you."

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

"I rise with reservations. I appreciate the intent, but I also see potential for abuse."

Representative Ward rose to respond, stating:

"One thing I forgot to mention, Mr. Speaker, in particular regard to those who move or die. Right now when we send out our stuff during a campaign, how many pieces get returned when we send it first class? It's a huge amount. We can't even keep up with the dead or the mover or the mobiles, let alone keeping up these. I think it's going to be a real headache to keep track of it efficiently, if we want to do it efficiently. Thank you, Mr. Speaker."

The Chair then stated:

"This particular measure will be moving to the Committee on Finance. I hope the Finance Committee members, the Chair and Vice Chair will look at this measure closely."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 764, HD 1, entitled: "A

BILL FOR AN ACT RELATING TO VOTING," passed Second Reading and was referred to the Committee on Finance with Representatives Ching, Marumoto and Thielen voting no, and with Representatives Souki and Takamine being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 432) recommending that H.B. No. 969, 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. 969, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED STRATEGY," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 433) recommending that H.B. No. 1133, 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. 1133, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'm sorry. I was slow on the uptake here. Must be the remnants of the flu. I meant to cast a no vote, please, on Stand. Com. Rep. No. 433 Relating to Election Day Registration.

"Thank you very much. Mr. Speaker, I wanted to tell you something that really startled me at the hearing. Mr. Speaker, something really surprised me at the hearing. I asked the Executive Director of the Office of Elections if he had met with the Commission on Elections, with the Commission members, and had he discussed any of these bills that he was bringing forward, that he had prepared with his Commission, and he said, no. He hadn't even contacted them about that.

"We established an Elections Commission. It has members that have been appointed, but he has just left them out of the whole process, so they didn't even have an opportunity to weigh in. I thought that had the Commission been able to discuss the Election Day Registration, more information, and I guess more knowledge could have been gained. And had the Commission members come and testified on that at the hearing, it would have helped us with our decision making. As it is, he's just running the show all by himself, and I don't think that's the way the Legislature intended it to happen. Thank you."

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

"Thank you, Mr. Speaker. On the same measure, I will be voting no, and request that the testimony of the Clerk from the City and County of Honolulu be inserted in the Journal," and the Chair "so ordered."

Representative Marumoto submitted the following testimony:



DENISE C. DE COSTA
City Clerk

ELECTIONS
OFFICE OF THE CITY CLERK
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813 / TELEPHONE 523-4993

TESTIMONY FOR HB 1133
RELATING TO ELECTION DAY REGISTRATION.

Committee on Judiciary
Rm. 325
February 6, 2007

Chairman Waters and members of the Committee:

HB 1133 authorizes the establishment of election day voter registration.

The Office of the City Clerk continues to have reservations concerning election day registration, particularly with regard to the additional responsibilities it places upon pollworkers (to service this new category of voter/registrant) and the impact it could have in closely contested elections.

While removing impediments and increasing accessibility to the election process is a laudable consideration, we believe that the voter registration requirement is neither unreasonable nor onerous for any person wishing to participate in the election. Under present law, registrants have up to 700 of 730 days to register to vote during the election cycle.

We believe that the awareness and process of registering to vote by the deadline should continue to be a first and necessary component of recognizing one's personal civic responsibilities.

Thank you for the opportunity to testify.

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

"Mr. Speaker, I rise in support. Just very briefly to counter the statements made by the Representative from Kailua. If she looks at HRS 11-7.5 regarding the duties of the Election Commission, there's nothing that requires Mr. Yoshino to actually go before the Commission to get their approval on any and all proposed legislation. Actually, they're just an advisory body. If that's what she wants the Commission to do, I suggest she put in a bill to clarify that role."

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

"Thank you, Mr. Speaker. Just a respectful no vote. My reason is just that I thought it was a little bit impractical and complicated to do."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. And as the Majority Floor Leader said, they're an advisory group. Fine. And the Executive Director should have gone to them for their advice"

Representative Takai rose to a point of order, stating:

"Point of order, Mr. Speaker. Thank you.. Mr. Speaker, I believe that this discussion is not applicable to this particular measure."

The Chair responded, stating:

"The Chair will allow Representative Thielen to continue at this point because the discussion has gone on. Please proceed."

Representative Thielen continued, stating:

"Thank you. I was speaking about them being an advisory group, as the Majority Floor Leader said. Unfortunately, we weren't given the advantage of having their advice, and neither was the Executive Director, because he just did this on his own. Thank you."

The Chair then stated:

"Representative Thielen, I believe you may be out of order on that last statement."

Representative Marumoto rose to respond, stating:

"Yes, Mr. Speaker. In strong opposition. I appreciate your indulgence, Mr. Speaker. This elections group actually hires and fires the Chief Elections Officers, so I think they have a little more clout than as mentioned by the Majority Floor Leader. Thank you."

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

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

"Actually, Mr. Speaker, I'm rising in strong support for Stand. Com. Rep. No. 433 regarding same day registration. My people, the people that live in my district, usually have two or three jobs, Mr. Speaker. And sometimes they miss the deadline when they can go and register. I think it will serve them better and it would be a more participatory election if they are given more opportunity to register. Thank you."

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

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

"Thank you, Mr. Speaker. I rise in support with some very strong reservations. I thought that the City Clerk's testimony was quite compelling. This will put a lot of additional responsibilities on an already stretched-thin poll workers. I think this last election they were just scrambling to get poll workers and there were many precincts that had inadequate help, so this could be a real problem. Thank you."

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

"Mr. Speaker, I rise in opposition of this measure, not only for the chaos on election day as was previously mentioned, but the notion that those who are going to do this need exactly the day of the election. If people are working two or three jobs, let's give them a week or two weeks or ten days. Let's be practical. I think this is pushing it too close to the edge and, obviously, there are people working a lot and they need a break. But I think maybe where it is now is too far out. This one goes too much in the opposite direction, too far in. Thank you, Mr. Speaker."

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

"Mr. Speaker, I'm speaking in support. The voting turnout is dismal at best, and we have to start thinking outside of the box. If there's a will, there's a way. If we want people to vote, we have to make it convenient for them to vote. That's why we passed out permanent absentee ballots and same-day registration."

"I understand, and my staff attorney said in the past, in other states, the slogan was, 'Vote early and vote often.' And, of course, nobody wants that. That's why it's important to put in safeguards. Understandably, there may need to be some more work on this bill, but if we keep going down the road that we're currently going down, it's only going to get worse. Thank you."

Representative Ching rose to respond, stating:

"Thank you, Mr. Speaker. With all due respect to the Representative from the Windward side, I do feel that whenever

looking at solutions to problems, the first step should be identifying the problem, and identifying it as accurately as possible.

"As convenient as absentee voting has made it, as convenient as it is, I don't think it is the root of why we have one of the lowest turnouts. It has much more to do with some other factors, maybe making things relevant, education, etc. So, I think that thinking out of the box is great, but I don't think that taking into account that there are people who are dead or moved on the current list. You want truth and accuracy to be important, too."

The Chair then stated:

"For the members of the Finance Committee, you'll be given the opportunity for a very lively discussion on this matter."

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

"Mr. Speaker, I'm in strong support, and I look forward to the day that we're like Peru, where on any given day, they can go to a credit card and they can vote on-line because they do that in that country. We have got to move forward. We've got talented people that work at the voter polls. There's no reason why we can't do this and I believe it's in the right direction. 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. 1133, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION DAY REGISTRATION," passed Second Reading and was referred to the Committee on Finance with Representatives Ching, Finnegan, Green, Marumoto, Thielen and Ward voting no, and with Representatives Souki and Takamine being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 434) recommending that H.B. No. 1135, 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. 1135, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 435) recommending that H.B. No. 1334, 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. 1334, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING FEES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 436) recommending that H.B. No. 88, 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. 88, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"On Stand. Com. Rep. No. 436, HB No. 88, HD 1, in support. I just wanted to point something out. I think this is a great effort to try to find some balance in terms of dealing with all forms of insurance fraud, including workers' comp fraud. If you'll read the bill, you'll notice that in the workers' comp area, which is something new, the Insurance Division will be able to investigate that area. That's going to sunset in three years. And the reason for that, Mr. Speaker, I'm going to point out to the Members that we're concerned that when they investigate fraud, that the focus is placed on where the greatest fraud occurs.

"About 80 percent of the fraud is either an employer or healthcare provider, not employee. An employee may be easy to find or easy to point out, but we don't want to see the energy and the resources of that Division concentrated just on that side. We want the largest 'bang for the buck', and we hope that the Insurance Division will do that. Thank you very much, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 88, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 437) recommending that H.B. No. 1518, 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. 1518, entitled: "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONALS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representatives Morita and Yamashita, for the Committee on Energy & Environmental Protection and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 438) recommending that H.B. No. 871, 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. 871, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING DISTRICT COOLING SYSTEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 439) recommending that H.B. No. 870, 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. 870, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 440) recommending that H.B. No. 1111, 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. 1111, entitled: "A BILL FOR AN ACT RELATING TO ALCOHOL FUELS," passed Second Reading and

was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 441) recommending that H.B. No. 873, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 873, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Souki and Takamine being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 442) recommending that H.B. No. 1915, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1915, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Takai 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. 1915, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 443) recommending that H.B. No. 1670, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 1670, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

"Thank you, Mr. Speaker. With strong reservations."

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1670, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INGENUITY CHARTER," was referred to the Committee on Finance with Representative Marumoto voting no, and with Representatives Souki and Takamine being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 444) recommending that H.B. No. 1367, 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. 1367, pass Second Reading and be

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

Representative Evans 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. 1367, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 445) recommending that H.B. No. 1818, 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. 1818, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT EMPLOYEES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representatives Sonson and Evans, for the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 446) recommending that H.B. No. 915, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 915, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 915, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS OFFICERS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 447) recommending that H.B. No. 936, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 936, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 936, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GIFT CERTIFICATES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representative Takai voting no, and with Representatives Souki and Takamine being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 448) recommending that H.B. No. 853, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 853, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 853, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS," was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 449) recommending that H.B. No. 1280, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1280, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INNOVATION IN WORKFORCE DEVELOPMENT," was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representatives Yamashita and Morita, for the Committee on Economic Development & Business Concerns and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 450) recommending that H.B. No. 1902, 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. 1902, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 451) recommending that H.B. No. 248, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 248, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 248, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 452) recommending that H.B. No. 201, 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. 201, entitled: "A BILL FOR AN ACT RELATING TO STATE VETERANS' HOME," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 453) recommending that H.B. No. 1063, 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. 1063, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 454) recommending that H.B. No. 149, 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. 149, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 455) recommending that H.B. No. 568, 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. 568, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 456) recommending that H.B. No. 619, 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. 619, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF VETERANS' SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 457) recommending that H.B. No. 1526, 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. 1526, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INMATE REINTEGRATION PROGRAMS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 458) recommending that H.B. No. 1676, 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. 1676, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HURRICANE PREPAREDNESS MONTH," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 459) recommending that H.B. No. 1155, 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. 1155, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 460) recommending that H.B. No. 315, 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. 315, entitled: "A BILL FOR AN ACT RELATING TO FUNDING FOR AGRICULTURAL WATER DISTRIBUTION FOR KULA IN UPCOUNTRY MAUI," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 461) recommending that H.B. No. 780, 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. 780, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 780, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second

Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 462) recommending that H.B. No. 1059, 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. 1059, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PLAN, DESIGN, AND CONSTRUCT A TEST WELL IN UPCOUNTRY MAUI TO SERVE AS THE FIRST PHASE IN THE CONSTRUCTION OF A GROUND WATER WELL TO SUPPLEMENT THE UPCOUNTRY MAUI SURFACE WATER SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 463) recommending that H.B. No. 1222, 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. 1222, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOANS FOR AGRICULTURAL AND AQUACULTURE PURPOSES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 464) recommending that H.B. No. 332, 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. 332, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 465) recommending that H.B. No. 443, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 443, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 443, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE NOISE," passed Second Reading and was referred to the Committee on Judiciary with Representative Chang voting no, and with Representatives Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 466) recommending that H.B. No. 156, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 156, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 156, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF MOBILE PHONES WHILE DRIVING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 467) recommending that H.B. No. 1215, 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. 1215, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 468) recommending that H.B. No. 155, 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. 155, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 469) recommending that H.B. No. 481, 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. 481, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION TO INSTALL NAVIGATION LIGHTS ON THE BRIDGE OVER KALANIANA'OLE HIGHWAY AT THE ENTRANCE TO THE HAWAII KAI MARINA ON OAHU," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 470) recommending that H.B. No. 1559, 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. 1559, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 471) recommending that H.B. No. 779, 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. 779, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 472) recommending that H.B. No. 872, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 872, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 473) recommending that H.B. No. 1864, 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. 1864, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY FOR COQUI FROG ERADICATION EFFORTS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 474) recommending that H.B. No. 1595, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1595, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM PRICE GOUGING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 475) recommending that H.B. No. 1805, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1805, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL WASTES DISPOSAL AND RECYCLING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Souki and Takamine being excused.

Representatives Morita and Tsuji, for the Committee on Energy & Environmental Protection and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 476) recommending that H.B. No. 1646, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1646, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Souki and Takamine being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 477) recommending that H.B. No. 1660, 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. 1660, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 478) recommending that H.B. No. 507, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 507, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BOATING," was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 479) recommending that H.B. No. 594, 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. 594, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I would like to stand in support with slight reservations for Stand. Com. Rep. No. 479. This is a Charter School bill and it has a lot to do with the Charter School panel that we created last year in legislation. This bill is moving with a lot of positive things moving forward.

"Just to clarify my reservations, it's not with this bill, but just not having the agency-sponsored Charter Schools and adding that to the bill. It was in the bill previous, and I just wanted to see that continue on in the discussion. Hopefully, it will come over from the Senate side."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 594, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 480) recommending that H.B. No. 1684, 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. 1684, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL LIAISON FOR THE LEGISLATURE," was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 481) recommending that H.B. No. 1432, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1432, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Marumoto 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. 1432, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATEWIDE WIRELESS ACCESS," was referred to the Committee on Finance with Representative Marumoto voting no, and with Representatives Souki and Takamine being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 482) recommending that H.B. No. 389, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 389, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Souki and Takamine 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 certain bills on Third Reading on the basis of a modified consent calendar. (Representatives Souki and Takamine were excused.)

THIRD READING

S.B. No. 25, SD 1:

Representative Caldwell moved that S.B. No. 25, SD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

Representative Takai's written remarks are as follows:

"This bill provides \$11.6 million for the operations of the House through 2007 and until June 30, 2008.

"The proposed \$11.6 million budget is an 11.9 percent increase of \$1.2 million from last year's budget. Last year's budget was \$10.4 million.

"This 11.9 percent increase in this year's budget is on top of an 18.8 percent increase for last year's budget and a 16.3 percent increase in 2005.

"If this budget bill passes, the budgets for the operations of the House will have increased a mind-numbing 54.7 percent in three years (\$7.5 million in 2004 to \$11.6 million in 2007).

"But, it's not only the budget figures that I'm concerned about. I'm even more concerned about the carry over balances that we've been seeing over the past three years.

"Unlike other State departments, whatever is left over after December 31 of this year can be carried over to 2008 and spent until June 30, 2008. In a sense, our budgets are for 16-months. This is a very important fact in today's discussion because there is a significant overlap of almost a half of year for your budget cycle. We had more than \$4.4 million left over on December 31, 2006 in the 2006 budget.

"In fact, our budget reserves have increased significantly over the past three years. In 2004, we have \$2.4 million left in the account at the end of the year. In 2005, we had an extra \$3 million left over. In 2006, again we had \$4.4 million at the end of last year.

"Some will argue (and I agree) that a reasonable amount of money is needed to carry the House through the first two months of the calendar year. But, \$4.4 million is a bit excessive. In fact, what is needed is approximately \$2 million. So, even without the proposed increases in this bill before us, we have \$2.4 million too much!

"Here's another perspective: We had a carry-over balance of \$3 million on December 31, 2005. We spent \$5.9 million in 2006 for the 2006 budget. Taken together, the House spent \$8.9 million in total for 2006. But our budget was \$10.4 million. We had an extra \$1.4 million left to spend. Do we return this money to the State's general fund? No. This extra \$1.4 million goes into our budget reserves and will be the first money used in 2007.

"When we all do our family budgets, usually we use the previous year's expenditures as the guide. The handout from our House Leadership creates the 2007 budget from the 2006 budget, not from the actual expenditures. Again, we actually spent \$8.9 million for 2006. The proposed 2007 budget is \$2.7 million more than we actually spent for the entire 2006. The budget proposed today is more than 30 percent over the expenditures from 2006.

"So, while our budget has increased by 54.4 percent over the past three years, our budget reserves have increased as well from \$2.4 million extra in 2004 to \$4.4 million at the end of last year.

"Taken another way, our budget reserves went from 32 percent of our total budget in 2004 (\$2.4 million reserves of the \$7.5 million budget), to 34.3 percent of our total budget in 2005 (\$3.0 million reserves of the \$8.8 million budget), to 42.9 percent of our total budget in 2006 (\$4.4 million of the \$10.4 million budget).

"Some people are heavily critical of a particular local company for keeping what some call 'excessive reserves.' I believe that our 42.9 percent budget reserve of the House is overly excessive.

"I'm not saying that all of the proposed budget items in this year's budget is not justified. In fact, I do agree with almost all of the proposed uses for the \$1.2 million. However, I believe that we should first utilize the budget reserves before we increase our bottom line.

"With homelessness the top priority this year, I believe that the \$1.2 million additional funds could be better spent by providing housing for 200 families for one whole year.

"We are asked to be good stewards of our limited and precious resources. This budget request is irresponsible. It represents everything that we don't want to be.

"I urge my colleagues to study the numbers. I urge my colleagues to understand the details of this budget . . . and I reserve my final vote for Third and Final Reading."

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

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise today in strong support of SB No. 25, SD1. This bill reflects cautious budgeting and planning and deserves our full support.

"The budget before us today reflects fiscal prudence. It makes careful, incremental adjustments to help compensate for the many lean years that the Legislature experienced in earlier Sessions. There were many, many years when the legislative budget remained unchanged in spite of ever-rising costs. To put it simply, this budget is actually helping us to catch up to where we should have been years ago.

"Mr. Speaker, as everyone knows, the Legislature is a co-equal branch of government along with the Executive branch and the Judiciary. The most, yet much-needed increases in this budget enable us to partner more effectively with them.

"Unfortunately, erroneous media accounts may have misled Members and the public into believing that the amount and nature of the increases in this budget were inappropriate. These errors have since been corrected. However, Mr. Speaker, allow me to explain further.

"Over \$2 million was added to the budget of the Office of the Auditor so that it could conduct audits on 11 additional State departments, which have thus far been auditing themselves. This increase will help make government more open, transparent, and accountable to the public.

"This budget would provide the House with improved research capabilities, needed computer upgrades, and enhanced professional-development opportunities for both Members and staff. It would also allow us to continue to remain in close communication with our constituents.

In addition, this budget provides for:

- (1) Necessary repair and maintenance costs for House offices and conference rooms, which are showing wear and tear after years of use;
- (2) Improvements that enhance public access to the House and its work;
- (3) Higher annual dues for membership in the National Conference of State Legislatures and the Council of State Governments; and
- (4) The rising costs of goods and services purchased by the House.

"Let me reiterate. SB No. 25, SD1 is not paying for unnecessary, wasteful extravagance. It is providing adequate funding for the essential operations of the House – no more and no less.

"SB25, SD1, will help us do the people's work, and I urge all of my colleagues to vote in support of this bill. Thank you, Mr. Speaker."

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

"Mr. Speaker, in opposition for the reasons as when it originally passed out of the House."

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

"Just in opposition for the same reason."

The Chair then stated:

"Madame Clerk, do you have the comments for the Bill that went over that was vetoed? Please insert those comments for Representatives Finnegan and Pine for this Senate Bill." (By reference only. See SB No. 638, SD 1.)

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

"Thank you, Mr. Speaker. We had previously voted on this and I voted no, and I'm still going to vote no. Since the veto on this bill, and the new bill that came out of the Senate had a Section 14 added that was asked for by the Governor. It does show that we in our budget of 2006-2007, we had already exceeded the expenditure

ceiling by \$90 million. And when you add this new legislative budget which is an increase, at least for the House, by about 12% over last year's budget, but further increases the percentage that we exceeded the spending expenditure ceiling. So for that reason and the reasons I expressed the first time this bill passed Third Reading in this Chamber, I'm still going to vote no. Thank you, Mr. Speaker."

The Chair then stated:

"Representative Meyer, before calling for the question, I believe you still have to state for each of the bills the no votes for the Members of the Minority Caucus. Even if it is reflected in the Journal and Members have stood up to vote no, you still have to make that announcement."

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

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

Representative Magaoay's written remarks are as follows:

"Thank you very much Mr. Speaker. Mr. Speaker, I rise in strong support of Senate Bill 25, HD1.

"Mr. Speaker, the purpose of this measure is to appropriate funds for the Legislature and its service agencies such as the Office of the Auditor, Legislative Reference Bureau, Office of the Ombudsman, State Ethics Commission, Legislative Information System and the Legislative Broadcast System.

"Respectfully, the Legislature, and these agencies provide an invaluable service to the people of Hawaii year after year. Supporting and appropriating the budget request specified, will assist this Legislature and these government agencies in defraying the expenses encumbered through out the fiscal year.

"As Chair of Legislative Management, I would like to see the Legislature and its service agencies, the Office of the Auditor, Legislative Reference Bureau, the Office of the Ombudsman, the State Ethics Commission, the Legislative Information System and the Legislative Broadcast System funded with the appropriate funding so that we as a government can continue to provide service to the people of Hawaii effectively and efficiently.

"Thank you Mr. Speaker, and I ask my colleagues to support me on this bill."

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

Representative Belatti 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 S.B. No. 25, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," passed Third Reading by a vote of 44 ayes to 4 noes, with Representatives Belatti, Finnegan, Meyer and Pine voting no, and with Representatives Souki, Takamine and Tokioka being excused.

H.B. No. 776:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 776, entitled: "A BILL FOR AN ACT RELATING TO TICKET SALES," passed Third Reading by a vote of 48 ayes, with Representatives Souki, Takamine and Tokioka being excused.

H.B. No. 1626:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1626, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 48 ayes, with Representatives Souki, Takamine and Tokioka being excused.

Friday, February 16, 2007. (Representatives Souki, Takamine and Tokioka were excused.)

H.B. No. 1204:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1204, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE," passed Third Reading by a vote of 48 ayes, with Representatives Souki, Takamine and Tokioka being excused.

H.B. No. 1213:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1213, entitled: "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS," passed Third Reading by a vote of 48 ayes, with Representatives Souki, Takamine and Tokioka being excused.

H.B. No. 1393:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1393, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," passed Third Reading by a vote of 48 ayes, with Representatives Souki, Takamine and Tokioka being excused.

At 12:50 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 12:50 o'clock p.m.

At 12:51 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 25, SD 1	H.B. No. 1204
H.B. No. 776	H.B. No. 1213
H.B. No. 1626	H.B. No. 1393

ANNOUNCEMENTS

Speaker Say: "If you turn to your Order of the Day, pages A and B, those are the Committee hearings this afternoon, with decision making to follow. Committee Chairs and Vice Chairs, please get your Committee reports and bills down to the Clerk's Office by 6:00 p.m. this evening."

Representative Berg: "Thank you, Mr. Speaker. I'd just like to make a short announcement for anyone who is interested in our Early Childhood Learning system that is evolving. We certainly suggest you come and join us at an informal, informational meeting today at 2:00 p.m. in Conference Room 423 with the Executive Departments, as well as the early childhood providers. Thank you."

Representative Chong for the Committee on Water, Land, Ocean Resources and Hawaiian Affairs requested a waiver of the 48-hour advanced notice requirement for decision making purposes only for HB No. 416 Relating to Airports at 9:00 a.m. tomorrow in Room 312, and the Chair "so ordered."

ADJOURNMENT

At 12:53 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,