

TWENTY-NINTH DAY

Monday, March 12, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:10 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Steve Mackey of the San Francisco Rainbow Seventh Day Adventist Church, after which the Roll was called showing all members present with the exception of Representatives Carroll, Manahan and Thielen, who were excused.

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

INTRODUCTIONS

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

Representative Lee introduced high school seniors from Mountain View Academy in Mountain View, California, and their sponsors, Douglas and Vicky Knecht, and Steve and Lindy Mackey. They were accompanied by Representative's legislative staff, Mr. Mark Ferguson.

Representative Lee introduced, on behalf of Representative Yamane and herself, third grade students from Mililani Ike Elementary School, accompanied by teachers, Ms. Kristi Kai, Ms. Celeste Sekigawa and Ms. Sheri Sakamoto-Horn; and chaperones, Ms. Shiela Toriki, Ms. Ann Nakasato, Ms. Kathy King, Ms. Cindy Leong, Ms. Kathy Cook and Mr. Troy Johnson.

Representative Karamatsu introduced 19 students participating in the Youth for Christ Center for Tomorrow's Leaders Class of 2006-2007, accompanied by Mr. Keli'i Akina, President; Mrs. Patty Akina, Co-Founder; Mr. Robert Duren of Leeward Community Church; his legislative staff, Ms. Jennifer Nakanishi; and Representative Finnegan's staff, Ms. Malia Gray.

Representative Cabanilla introduced from Figg Engineering, Ms. Linda Figg, President and CEO, and Mr. Denny Pate, Senior Vice President; from the Hawaii Highway Users Alliance, Ms. Dale Evans; and from the University of Hawaii, Dr. Panos Prevedouros, Professor of Civil Engineering.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

**S.B.**

**Nos.      Referred to:**

- 1805,      Committee on Health, then to the Committee on  
SD1      Consumer Protection & Commerce, then to the  
            Committee on Finance
- 1816,      Committee on Tourism & Culture, then to the Committee  
SD1      on Water, Land, Ocean Resources & Hawaiian Affairs
- 1818,      Committee on Water, Land, Ocean Resources &  
SD1      Hawaiian Affairs, then to the Committee on Finance
- 1820,      Committee on Education, then to the Committee on  
SD1      Finance

- 1823,      Committee on Tourism & Culture, then to the Committee  
SD1      on Finance
- 1833,      Committee on Labor & Public Employment, then to the  
SD1      Committee on Finance
- 1837,      Jointly to the Committee on Consumer Protection &  
SD1      Commerce and the Committee on Judiciary, then to the  
            Committee on Finance
- 1838,      Committee on Water, Land, Ocean Resources &  
SD2      Hawaiian Affairs, then to the Committee on Education,  
            then to the Committee on Finance
- 1839,      Committee on Finance  
SD2
- 1840,      Committee on Economic Development & Business  
SD1      Concerns, then jointly to the Committee on Consumer  
            Protection & Commerce and the Committee on Judiciary,  
            then to the Committee on Finance
- 1848,      Committee on Consumer Protection & Commerce, then to  
SD2      the Committee on Finance
- 1853,      Committee on Water, Land, Ocean Resources &  
SD2      Hawaiian Affairs, then to the Committee on Finance
- 1877,      Jointly to the Committee on Water, Land, Ocean  
SD2      Resources & Hawaiian Affairs and the Committee on  
            Agriculture, then to the Committee on Finance
- 1882,      Committee on Finance  
SD2
- 1891,      Committee on Water, Land, Ocean Resources &  
SD1      Hawaiian Affairs, then to the Committee on Judiciary
- 1916,      Jointly to the Committee on Health and the Committee on  
SD2      Human Services & Housing, then to the Committee on  
            Legislative Management, then to the Committee on  
            Finance
- 1917,      Jointly to the Committee on Human Services & Housing  
SD3      and the Committee on Water, Land, Ocean Resources &  
            Hawaiian Affairs, then to the Committee on Finance
- 1918,      Jointly to the Committee on Health and the Committee on  
SD2      Human Services & Housing, then to the Committee on  
            Finance
- 1919,      Committee on Human Services & Housing, then to the  
SD2      Committee on Finance
- 1920,      Committee on Tourism & Culture, then to the Committee  
SD2      on Economic Development & Business Concerns, then to  
            the Committee on Finance
- 1922,      Committee on Higher Education, then jointly to the  
SD2      Committee on Economic Development & Business  
            Concerns and the Committee on Tourism & Culture, then  
            to the Committee on Finance
- 1923,      Committee on Water, Land, Ocean Resources &  
SD2      Hawaiian Affairs, then to the Committee on Legislative  
            Management, then to the Committee on Finance
- 1924,      Committee on Water, Land, Ocean Resources &  
SD2      Hawaiian Affairs, then to the Committee on Legislative  
            Management, then to the Committee on Finance

1925, SD2 Committee on Human Services & Housing, then jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Finance

1926, SD1 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

1928, SD2 Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance

1929, SD2 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance

1931, SD2 Jointly to the Committee on Education and the Committee on Higher Education, then jointly to the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1932, SD2 Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Human Services & Housing, then to the Committee on Finance

1933, SD2 Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1934, SD1 Committee on Consumer Protection & Commerce, then to the Committee on Finance

1935, SD1 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance

1937, SD2 Committee on Human Services & Housing, then to the Committee on Finance

1943, SD2 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Agriculture

1946, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1947, SD1 Committee on Energy & Environmental Protection, then to the Committee on Finance

1948, SD1 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1950, SD2 Committee on Labor & Public Employment, then to the Committee on Finance

1961, SD1 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1962, SD2 Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1969, SD2 Committee on Public Safety & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance

1988, SD1 Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

1991, SD1 Committee on Human Services & Housing, then to the Committee on Finance

### COMMITTEE REASSIGNMENTS

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

#### S.B. Nos.

#### Re-referred to:

50, SD1 Committee on Health, then to the Committee on Finance

98, SD1 Jointly to the Committee on Education and the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Finance

1115, SD2 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

### INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 66) was announced by the Clerk and the following action taken:

H.R. No. 66, entitled: "HOUSE RESOLUTION CONGRATULATING DR. JEFFREY AKAKA UPON HIS ASSUMPTION OF THE OFFICE OF SPEAKER OF THE ASSEMBLY OF THE AMERICAN PSYCHIATRIC ASSOCIATION," was jointly offered by Representatives Finnegan and Chang.

Representative Finnegan moved that H.R. No. 66 be adopted, seconded by Representative Chang.

Representative Finnegan introduced and recognized Dr. Jeffrey Akaka, accompanied by his wife, Mrs. Gayln Akaka.

Representative Chang introduced the following who were seated in the gallery:

Department of Health  
Dr. Chiyome Fukino, Director.

Adult Mental Health Division  
Dr. Tom Hester, Clinical Director;  
Mr. Wayne Law, Administrator; and  
Dr. Bill Sheehan, Medical Director.

Diamond Head Community Mental Health Center  
Ms. Cindy Means; and  
Ms. Lena Lum.

Representative Chang also introduced Dr. Akaka's mother, Ms. Mary Louise Jeffrey Akaka, and sister, Ms. Fenner Shupe, who were seated in the gallery.

Representative Ward further recognized Dr. Akaka.

The motion was put to vote by the Chair and carried, and H.R. No. 66 was adopted with Representatives Carroll, Manahan, Nakasone and Thielen being excused.

The following resolution (H.R. No. 67) was announced by the Clerk and the following action taken:

H.R. No. 67, entitled: "HOUSE RESOLUTION CONGRATULATING AND COMMENDING KANOE KAMANA`O FOR HER NUMEROUS ACCOLADES AND NOTEWORTHY CONTRIBUTIONS TO THE UNIVERSITY OF HAWAII AT MANOA RAINBOW WAHINE VOLLEYBALL TEAM," was jointly offered by Representatives Nishimoto and Tsuji.

Representative Nishimoto moved that H.R. No. 67 be adopted, seconded by Representative Tsuji.

Representative Nishimoto introduced and recognized the honoree, Ms. Kanoe Kamana'o, accompanied by team manager, Mr. Ryan Tsuji.

Representative Tsuji further recognized Ms. Kamana'o.

The motion was put to vote by the Chair and carried, and H.R. No. 67 was adopted with Representatives Carroll, Manahan, Nakasone and Thielen being excused.

At 12:30 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:10 o'clock p.m.

#### 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 Berg, Carroll, Luke, Manahan, Souki, Takai and Thielen were excused.)

#### UNFINISHED BUSINESS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1213) recommending that H.B. No. 1200, as amended in HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative Lee and carried, the report of the Committee was adopted and H.B. No. 1200, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," passed Third Reading by a vote of 44 ayes, with Representatives Berg, Carroll, Luke, Manahan, Souki, Takai and Thielen being excused.

At 1:10 o'clock p.m., the Chair noted that H.B. No. 1200, HD 1, passed Third Reading.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1214) recommending that H.B. No. 1212, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative Lee and carried, the report of the Committee was adopted and H.B. No. 1212, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Third Reading by a vote of 44 ayes, with Representatives Berg, Carroll, Luke, Manahan, Souki, Takai and Thielen being excused.

At 1:11 o'clock p.m., the Chair noted that H.B. No. 1212, HD 2, passed Third Reading.

#### STANDING COMMITTEE REPORTS

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No.

1218) recommending that S.B. No. 958, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Agriculture.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 958, SD 1, HD 1, pass Second Reading and be referred to the Committee on Agriculture, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I rise with reservations on Stand. Com. Rep. No. 1218. Mr. Speaker, this is a good bill which I agree with the contents and its intentions, and we do need a moratorium on *kalo*. We need to maintain that relationship, spiritual, nutritional between the Hawaiian people and that plant. However, more recently, some of the taro that has come in from China and others, we should for the sake of survival of the fittest or diversification, if anything hits the island, we will not have all of our 'eggs in one basket'.

"So, Mr. Speaker, while it is well-intended, I think some of the more recent arrivals, should not be denied genetic modification, but be there for strength and other purposes for the future. Thank you."

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. A very similar bill was heard in the House, and it was amended to make the moratorium five years, which in my mind gives a little bit of leeway. I can't help but think about how we would not have the very fine business we have of selling papaya today without this genetic modification technique being used to save the crop of papaya. We did hear testimony that in Samoa their taro has been almost decimated because of, I don't know what the insect or what chemical thing is going on, but my fear is that we could have something like that happen here and then we wouldn't have any *kalo*.

"In the Committee, the President of the Research of Agriculture, Human Resources from the University of Hawaii, the Hawaii Agriculture Research Center, the Hawaii Crop Improvement Association, the Hawaii Science and Technology Council, and many others had very strong considerations about this bill, and so that's why I have reservations."

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

"Mr. Speaker, I'm in opposition to this measure. I feel that it is too broad to have a 10-year moratorium on the developing, testing, propagating, cultivating, raising and growing of genetically modified taro in Hawaii. I agree with the speaker from Hawaii Kai who said it should be restricted to the types of taro that were traditionally grown by the Hawaiians, but there are 70 or 80 varieties, and whether we should have such a strict moratorium and long moratorium on all varieties is questionable. Especially, I feel that we should allow some testing and research on certain varieties just for the preservation of the plant. Thank you very much."

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

"Thank you, Mr. Speaker. Just note my reservations for similar reasons."

Representative Chang rose and asked that the Clerk record an aye vote with reservations 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 958, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED ORGANISMS," passed Second Reading and was referred to the Committee on Agriculture with Representative Marumoto voting no, and with Representatives Carroll, Manahan and Thielen being excused.

### THIRD READING

#### H.B. No. 500, HD 1:

Representative M. Oshiro moved that H.B. No. 500, HD 1, pass Third Reading, seconded by Representative Lee.

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

"Thank you, Mr. Speaker. I rise in support. Mr. Speaker, fiscal year 2006 left state coffers brimming with a surplus not seen in over a decade. On June 30, 2006, the State had over \$700 million in the general fund. Because there is so much demand on the resources available, it was even more critical that the budget benefit from the input of many.

"Mr. Speaker, I'd first like to thank the Leadership and all the Committee Chairs for providing the framework for this budget. The many hours spent putting together proposals to help all our communities is appreciated and welcomed.

"I'd also like to thank the members and efforts of the Finance Committee. We started this journey in January, Mr. Speaker, right after the new year, and then we spent weeks leading up to Opening Day in lengthy budget briefings, asking the tough questions that helped prioritize where taxpayers' dollars would be spent.

"Mr. Speaker, I thank the Finance Committee staff for all their hard work and time dedicated to analyzing the details of the budget and all the other bills that affect the budget. At this time, Mr. Speaker, I ask for permission to insert their names and assignments of the Finance Committee staff into the Journal," and the Chair "so ordered."

Representative M. Oshiro continued, stated:

"And then finally, Mr. Speaker, I'd like to acknowledge and thank the tremendous contribution of Vice Chair Marilyn Lee. Not only does she make sure that the Committee was well fed and hydrated, but she also helped manage and run all of our committee hearings; and provided valuable insight into the legislation we passed.

"Mr. Speaker, we are at a crossroads today. Although fiscal year 2006 ended with a surplus of over \$700 million, the projected balance at the end of the current fiscal year, fiscal year 2007, is slightly above \$400 million. While Hawaii's economy continues to grow, signs point to a slower growth rate in the near future. As stewards, our challenge is to craft a balanced budget that responds to the needs of the community, and demands of the community with a focus on increasing the quality of life of Hawaii's people, while yet remaining fiscally prudent. By providing meaningful investment in our education system and our health and human services programs, your Committee on Finance has crafted a budget that invests in our State's greatest resource – its people.

"The budget before us, Mr. Speaker, invests in the Department of Education and the University of Hawaii to fix our public schools and University facilities and to better prepare our children.

"The budget before us, Mr. Speaker, continues to provide resources to assist the homeless population and ensure the availability of affordable housing now and in the future.

"The budget before us increases healthcare coverage, shores up our emergency medical services systems, and provides critical funding to rural health clinics and hospitals.

"The budget before us, Mr. Speaker, makes sure that resources and systems are in place to take care of people in times of crisis or natural disaster.

"And the budget before us assures that proper medical and rehabilitative care, mental health services, and job training and employment services will be available to our soldiers when they return from serving our country.

"Mr. Speaker, on Opening Day you declared that,

We must continue to invest in the intellectual capital we have built in ocean sciences, natural energy research, astronomy, life sciences, technology and agricultural development. And we must continue to invest in the resources that help build the intellectual capital of our children.

"Our children are our most precious resource. Our first, and perhaps our greatest single priority is to ensure them a safe and prosperous future. That future, Mr. Speaker, begins with a safe, clean, and productive learning environment."

Representative Sonson rose to yield his time, and the Chair, "so ordered."

Representative M. Oshiro continued, stating:

"Thank you, Mr. Speaker. Thank you, Representative Sonson. Mr. Speaker, we can't expect our children to learn if they can't get to school, or are hungry when they get there. We can't expect our children to learn math, science, and robotics if the power is going to be turned off on them. This budget provides critical funding for basic needs such as electricity, food services and student transportation that was significantly underfunded in the Governor's proposal. Our proposal, this budget, restores the funding cut by the Governor.

"When we examined the Governor's budget, Mr. Speaker, we found that she provided the DOE with no money for fixing our schools. Last year the Legislature provided the DOE with enough money to cut their repair and maintenance backlog by one-third. But our work is not done. This budget contains and continues the excellent work began last year by providing another \$75 million to repair and maintain our schools. This budget also provides \$25 million for electrical upgrades Statewide, a necessity if a science, technology, engineering and math type curriculum is going to work.

"Mr. Speaker, much has been made recently of supposedly new initiatives to better prepare our children to attain jobs in high technology fields. But all too often we pay attention to what's wrong with our education system, and fail to acknowledge the innovative curricula already in place. The Governor made much ado about emphasizing the teaching of science, technology, engineering and math skills or STEM in her State of the State Address in January. The Governor went on to detail a "plan" to help students master STEM skills. However, the Governor neglected to mention that such programs already exist, but haven't been given the chance or support to expand. For example, Mr. Speaker, initiatives such as Project EAST have been around for 7 years on Maui and have emphasized the same things that STEM purports to exemplify. Rather than trying to re-invent the wheel, let's support the hard working teachers and communities that have created innovative programs and curricula at the DOE and the community colleges. Mr. Speaker, that is exactly what this budget does.

"Mr. Speaker, we could have the best primary educational system available, but it would be wasted if it wasn't also a door to higher

learning opportunities. Our parents and grandparents fought long and hard to ensure that Hawaii provides equal opportunity for all. Once again, we stand at a crossroad. We must not leave anyone behind.

"Last year, the Legislature invested in programs at the community college and university levels that would ensure a skilled workforce in shortage industries. The budget provides \$4.8 million to continue and expand that effort.

"The hopes and dreams of students can be stalled if essential classes are not made available. This budget provides \$3.4 million to the Community College System to allow them to add additional classes when the need arises. This money would allow the Community College System to hire additional lecturers when needed instead of canceling classes."

Representative Green rose to yield his time, and the Chair, "so ordered."

Representative M. Oshiro continued, stating:

"Thank you, Mr. Speaker. Thank you, Representative Green. Mr. Speaker, initiatives to expand and increase our inventory of affordable housing and services to the homeless was one of the centerpieces in the budget last year. What we started last year is already imbedded in this budget. Additionally, we are proposing to drop-in \$15 million into the Rental Housing Trust Fund to enhance its ability to develop affordable housing. This amount, Mr. Speaker, is in addition to over \$30 million proposed in other bills.

"Preventive and emergency medical services provided in our rural communities are of great concern, especially with healthcare facilities threatening to close their doors as a result of losses from providing indigent and charitable care. To ensure ready access to these healthcare services, this budget provides over \$4 million to clinics and hospitals in your communities across the State.

"Mr. Speaker, cuts in federal funding have already caused this budget to increase by more than \$25 million. Other cuts threaten the capacity of the Hawaii National Guard to respond to State missions. The Air National Guard has indicated that their operations and maintenance funds were cut by the federal government by 4 percent in FY 2005 and 18 percent in FY 2006. The Army Guard had their operations and maintenance budget reduced by \$7.5 million from FY 2006 to FY 2007. Unfortunately, Mr. Speaker, with the Bush Administration's decision to maintain or increase troop levels in Iraq, both the Air and Army Guard are anticipating additional cutbacks in federal funding. This budget requires the State Department of Defense to conduct an assessment on the readiness of our Air and Army Guard to respond to local disasters as a result of the federal cutbacks.

"Mr. Speaker, a major threat to our unique natural resources is the far-reaching negative effects of invasive species on our native habitats. A rapid, effective, and proven response to invasive species is necessary. This budget, Mr. Speaker, provides \$500,000, not included in the Governor's budget, for the Invicta manifest system to better aid in the control of, and rapid response to, invasive species. This manifest system, Mr. Speaker, will catalogue shipments moving into and through the State and will help prioritize inspections to intercept the highest-risk cargo.

"Finally, Mr. Speaker, we are deeply concerned by recent revelations of veterans returning and inadequacy of services. And despite how people may feel about the Bush Administration's rationale for engaging in a war in Iraq or entering into military actions in Afghanistan, the men and women of our armed forces and the Hawaii National Guard deserve our gratitude and wholehearted support. To that end, we must work to ensure appropriate and adequate services for our veterans. This budget provides funds to the Office of Veteran Services to undertake a comprehensive assessment of the adequacy of mental health, medical, job training, and

employment services for veterans. We are committed to seeing that the moral mistake of failing to provide appropriate services to veterans who return home is not repeated. The resulting pain, indignity, and loss of human potential must not be inflicted upon another generation of veterans.

"Mr. Speaker, while Hawaii has enjoyed a very robust economy in recent years, there are troubling signs for Hawaii's economic future. Government must ride the economic waves and alter its spending as the economy rises and falls.

"As much as your Committee would like to commit resources to the many of the initiatives endorsed by the Governor, your Committee must look to the future, and at the same time, commit to finishing up the valuable, critical work initiated by prior Legislatures. Economic momentum cannot be sustained without investment in the basics. That is why we must finish what we started in fixing our schools and get back to the basics – investing in our people.

"I urge my colleagues support. Thank you, Mr. Speaker."

Representative M. Oshiro submitted the names and assignments of the Committee staff as follows:

Committee Clerk: Nandana Kalupahana  
 Budget Chief: Michael Ng  
 Budget Supervisor: Eric Nouchi  
 CIP Specialist: Brian Hallett  
 Budget Analysts:  
 Leslie Goo  
 Robin Kindred  
 Jacob Nakasone  
 Alana Taniguchi  
 Blake Yoshiura

Research Chief: Randall Hiyoto  
 Research Supervisor: Stacey Tagala  
 Bill Researchers:  
 Roza Briskovic  
 Jordann Ares  
 Danny Vasconcellos

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

"Thank you, Mr. Speaker. I rise with reservations. Thank you, Mr. Speaker. As we know, and as it's noted in the Committee Report that the budget process and the budget bill is an extensive one, and we did do our analysis of the budget, Mr. Speaker. There are several things that I would like to bring up and maybe I won't go into the detail of them. I had some questions with the charter school budget, where this tax relief belongs and all of this, the Education CIP Project Process. And, as you know, this is a work in progress.

"The one thing that keeps haunting me in regards to this process is something that the Minority has brought up for years, at least since I've been here. We talk about having a six-year financial plan, and I do know that there is a six-year financial plan that is also in the Governor's Budget-in-Brief when she send it down. That would be so helpful to giving us direction as to where the House is planning to go and how it's going to affect us in the future. I've been told that it's intellectual property. I'm not sure if that's intellectual property of the Majority or intellectual property of the Finance Committee, but I do believe that it's essential to the Minority's work in reviewing the analysis of where this budget is going to go. I think a six-year financial plan will not only bring transparency and guidance, but it's just going to help us.

"I refer to my Opening Day speech when we were talking about making calculated risks and having my daughter jumping off the bridge. But knowing several other factors and information so that we would know, so she would know, whether or not she was taking more of a risk than she should. And that can happen. We can be

better prepared if we have a six-year financial plan that is shared with the Minority, as well. Mr. Speaker, I do respect the process and that's why I'm voting with reservations.

"I would like to also talk about, a little bit about what was said above the Governor and some of the initiatives that she had. As I was sitting here and listening to the reasoning, that's what a governor does. A governor comes out with a vision for the state. Sometimes, if you have a governor like our Governor, in which she's been very successful at communicating that to the people of Hawaii, you can actually help the existing programs even if you don't necessarily talk about them. For instance, STEM and robotics have now become something that many people are aware of instead of the little clusters of people that are working within STEM and robotics right now. Just because she may not have spoken about Project EAST or some of these other things, I think by raising the level of science and mathematics and raising that level and saying you cannot promote robotics or at least right now. When she promoted robotics, she pointed out to our current DOE and our current schools that are doing robotics.

"Mr. Speaker, what I'm saying is this is a partnership, a partnership that can be, we can be using the Governor's initiatives and the things that I believe I said in my Opening Day speech, about Democrat and Republican ideas that are best for the people. I think that in this budget, there are many areas that reflect that.

"Also in reading this Committee Report, I really tried to get past some of the 'potshots' that were taken, that were being said, and I just want to go back to several areas in which I'll be looking forward to seeing how we're going to spend the State's money or the people's money, the increased CIP amounts that are passing through the Legislature. The GIAs are a big factor, as well. And then, of course, the other part about the six-year financial plan and when we talk about whether or not we can afford it with the increased debt service that we're proposing. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I rise equally with reservations. And, Mr. Speaker, I rise with a unique opportunity to speak with such a surplus that I've never had the privilege to speak of before, but given the Chair of Finance, you would never think there was an association between the Governor and why there is such a surplus given the contexts of some of the comments, but that's another issue.

"First, to thank the Chair of Finance for a yeoman's job, a difficult job, a longstanding, a long hard fought late nights, and a lot of staff help that really made it where we are today. The specific issues I have regarding the budget are a macro and a micro. First, the micro, Mr. Speaker. Some of us believe very strongly in this Chamber that our environment is our economy and our economy is our environment. The Governor recognizes this very, very strongly, and to do the maintenance and the supervision of our environment, we need DOCARE officers. She put in 20 DOCARE officers. We, not the Committee, but the staff, cut it down to four. I have a problem not only because it's cut, because of the process that we had no consultation to whatsoever. And that is an endangerment to the environment, which is a very, very important problem which leads me to the second issue.

"What is missing is the people's refund that we promised them which constitutionally we are mandated. I don't see it anywhere in the budget. That's a big *puka* to speak to, hopefully, in the near future.

"Now, regarding the macro issues that I spoke of. There's got to be a better way, Mr. Speaker, and I know you were Finance Chair, than just zeroing out everybody's budget request and putting it in a defective date. There's got to be a better way. I was reminded yesterday with the *Advertiser*, two pages on openness, two pages on the notion of transparency. You can imagine what the people out

there must feel if we on the Committee ourselves are not privy to some of those very, very important decision making. So, while this is a work in progress, I hope it doesn't forget the environment, number one; doesn't forget the people, number two, the refund; and lastly, the transparency that everyone needs. Thank you, Mr. Speaker."

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

"I wish to declare a potential conflict. The Finance Chair kind of reminded me that I may have a couple of conflicts in this bill. I currently work with homeless families, and lately, I've been working with a lot of veterans coming back from Iraq who will become homeless," and the Chair ruled "no conflict."

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

"Thank you, Mr. Speaker. In support. I wasn't going to say anything and I don't speak too often on these things, but in reference to the Representative from Hawaii Kai, I have to stand up and say that we were all at that meeting and we were all given the opportunity to vote our conscience. And I will say that the staff makes recommendations. The Committee members vote on the items. So, when we're talking about the 20 positions from DLNR, we're still a long way from the final goals of the budget. They were concerns that were brought up in the Committee, but we're still a long way away.

"I will take responsibility as a member who voted for that budget at that time. I would also say that in the budget presentations that the Governor presented, there are a lot of concerns, especially when it comes to the electricity and the schools as was said in the comments that the Finance Chair made. So, for that, Mr. Speaker, I will stand up and say we all had a part in the process and we all voted. I will not blame the staff for what happened. Thank you."

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. First, I would like to express my heartfelt thanks to the Chairman of Finance. He has been far more open than what I've experienced in the past. There has been a good collegiality on the Committee, but, of course, there are so many pieces to the budget. It's hard to put your arms around it.

"We had a good session on a Saturday where we were taken through the worksheets, not every department, but quite a few of them, and I think there was a lot more understanding. There were open questions and that was a very good process. I have nothing but the utmost respect for the Vice Chair who remains pleasant and is there in the room for hours on end, while many of us are up and down and out of there, but she maintains the decorum and is doing a great job.

"When I did go through some of the worksheets, one of the things I was a little disappointed in was that the Governor and the Department of Defense had asked for \$117,000 to be used as raises for the National Guard. That wasn't in there, but there was a raise for the Adjutant General, a substantial one, and I would have liked to have seen it the other way.

"Another entry in the Department of Education which I question, was a \$2 million appropriation over the biennium, \$1 million each year for the superintendent to apparently do whatever she wants. It's just those two things and I realize I used to object to the Chairman talking about its work in progress, but now those are the very things that come up in my mind. That it absolutely is a work in progress and it's a moving target and things will become clearer as we go along. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I stand in support. I just wanted to make a correction to something that was said by the Representative from Hawaii Kai regarding DOCARE. In the budget request, there were four supervisor and clerical positions requested, as well as seven officers in the budget. There are also 11 vacancies that can be filled. This actually totals up to 22 positions, so, actually, the statements made before were actually incorrect. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 500, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Manahan and Thielen being excused.

At 1:43 o'clock p.m., the Chair noted that H.B. No. 500, HD 1, passed Third Reading.

### INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 55 through 65) and concurrent resolution (H.C.R. No. 79 through 88) were referred to Printing and further action was deferred:

H.R. No. 55, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY AND AUDIT OF THE WORKERS' COMPENSATION SYSTEM IN HAWAII," was jointly offered by Representatives Sonson, Berg, Hanohano, McKelvey, Wakai, Awana, Belatti, Bertram, Brower, Cabanilla, Caldwell, Chang, Evans, Luke, Manahan, Mizuno, Morita, Nishimoto, Pine, Rhoads, Tokioka and Tsuji.

H.R. No. 56, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ON VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATIONS TO DETERMINE THEIR FEASIBILITY AS VIABLE HEALTH INSURANCE PLANS FOR PUBLIC EMPLOYEES, RETIREES, AND THEIR DEPENDENTS," was jointly offered by Representatives Sonson, Hanohano, Awana, Belatti, Bertram, Brower, Caldwell, Chang, Evans, Luke, Manahan, Mizuno, Morita, Nishimoto, Pine, Tokioka, Tsuji, Wakai and Ward.

H.R. No. 57, entitled: "HOUSE RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF CAGAYAN OF THE REPUBLIC OF THE PHILIPPINES," was jointly offered by Representatives Magaoay, Belatti, Berg, Cabanilla, Ching, Herkes, Karamatsu, Manahan, Mizuno, Pine, Sagum, Sonson, Tokioka, Tsuji, Chang, Finnegan and Wakai.

H.R. No. 58, entitled: "HOUSE RESOLUTION PROCLAIMING APRIL 30 OF EVERY YEAR AS HAWAIIAN RESTORATION DAY," was offered by Representative Berg.

H.R. No. 59, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ASSESS THE EXTENT TO WHICH SUPPLEMENTAL ACADEMIC ACTIVITIES ARE INCLUDED IN THE A PLUS AFTER-SCHOOL PROGRAM," was offered by Representative Berg.

H.R. No. 60, entitled: "HOUSE RESOLUTION URGING ENDORSEMENT OF THE EARTH CHARTER AND ADOPTION OF ITS CENTRAL PRINCIPLES AS PART OF THE FRAMEWORK FOR SUSTAINABLE PLANNING AND DEVELOPMENT," was offered by Representative Berg.

H.R. No. 61, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO PASS THE PROPOSED EMPLOYEE FREE CHOICE ACT," was jointly offered by Representatives Takumi, Belatti, Berg, Caldwell, Green, Lee, Luke, Mizuno, Morita, Nishimoto, Sonson, Takai, Wakai, Magaoay, Sagum, Yamane and Yamashita.

H.R. No. 62, entitled: "HOUSE RESOLUTION URGING THE EXECUTIVE AND LEGISLATIVE LEADERSHIP IN THE STATE OF HAWAII TO SUPPORT THE IRAQ STUDY GROUP FINDINGS AND TO IMPLEMENT THE IRAQ STUDY GROUP RECOMMENDATIONS," was jointly offered by Representatives Takumi, Belatti, Berg, Caldwell, Green, Lee, Luke, Mizuno, Morita, Nishimoto, M. Oshiro, Takai, Wakai, Magaoay, Sagum, Sonson, Yamane and Yamashita.

H.R. No. 63, entitled: "HOUSE RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES CONGRESS TO CREATE A REPLACEMENT FOR THE OUTDATED FAST TRACK TRADE AUTHORITY SYSTEM SO THAT UNITED STATES TRADE AGREEMENTS ARE DEVELOPED AND IMPLEMENTED USING A MORE DEMOCRATIC, INCLUSIVE MECHANISM THAT ENSHRINES THE PRINCIPLES OF FEDERALISM AND STATE SOVEREIGNTY," was jointly offered by Representatives Takumi, Belatti, Berg, Caldwell, Green, Lee, Luke, Magaoay, Mizuno, Morita, Nishimoto, M. Oshiro, Sagum, Sonson, Takai, Wakai, Yamane and Yamashita.

H.R. No. 64, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EVALUATE THE PRACTICALITY OF HAVING A RESTRUCTURED ACCREDITATION PROCESS FOR PUBLIC SCHOOLS IN THE STATE OF HAWAII," was offered by Representative Takai, by request.

H.R. No. 65, entitled: "HOUSE RESOLUTION RESPECTFULLY CALLING UPON THE UNITED NATIONS GENERAL ASSEMBLY TO REQUEST BY RESOLUTION THAT THE UNITED NATIONS OFFICE FOR OUTER SPACE AFFAIRS PROACTIVELY ADVANCE THE CAUSE OF WORLD PEACE AND COOPERATION BETWEEN NATIONS," was jointly offered by Representatives Mizuno, by request, Cabanilla, Brower, Magaoay, Nishimoto, Souki and Yamashita.

H.C.R. No. 79, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY AND AUDIT OF THE WORKERS' COMPENSATION SYSTEM IN HAWAII," was jointly offered by Representatives Sonson, Berg, Hanohano, McKelvey, Tokioka, Wakai, Awana, Belatti, Bertram, Brower, Cabanilla, Caldwell, Chang, Evans, Luke, Manahan, Mizuno, Morita, Nishimoto, Pine, Rhoads and Tsuji.

H.C.R. No. 80, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ON VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATIONS TO DETERMINE THEIR FEASIBILITY AS VIABLE HEALTH INSURANCE PLANS FOR PUBLIC EMPLOYEES, RETIREES, AND THEIR DEPENDENTS," was jointly offered by Representatives Sonson, Hanohano, Awana, Belatti, Bertram, Brower, Caldwell, Chang, Evans, Luke, Manahan, Mizuno, Morita, Nishimoto, Pine, Tokioka, Tsuji, Wakai and Ward.

H.C.R. No. 81, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF CAGAYAN OF THE REPUBLIC OF THE PHILIPPINES," was jointly offered by Representatives Magaoay, Belatti, Berg, Cabanilla, Ching, Herkes, Karamatsu, Manahan, Mizuno, Pine, Sagum, Sonson, Tokioka, Tsuji, Wakai, Chang and Finnegan.

H.C.R. No. 82, entitled: "HOUSE CONCURRENT RESOLUTION PROCLAIMING APRIL 30 OF EVERY YEAR AS HAWAIIAN RESTORATION DAY," was offered by Representative Berg.

H.C.R. No. 83, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ASSESS THE EXTENT TO WHICH SUPPLEMENTAL ACADEMIC ACTIVITIES ARE INCLUDED IN THE A PLUS AFTER-SCHOOL PROGRAM," was offered by Representative Berg.

H.C.R. No. 84, entitled: "HOUSE CONCURRENT RESOLUTION URGING ENDORSEMENT OF THE EARTH CHARTER AND ADOPTION OF ITS CENTRAL PRINCIPLES AS PART OF THE FRAMEWORK FOR SUSTAINABLE PLANNING AND DEVELOPMENT," was offered by Representative Berg.

H.C.R. No. 85, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO PASS THE PROPOSED EMPLOYEE FREE CHOICE ACT," was jointly offered by Representatives Takumi, Belatti, Berg, Caldwell, Green, Lee, Luke, Mizuno, Morita, Nishimoto, Sonson, Takai, Wakai, Magaoay, Sagum, Yamane and Yamashita.

H.C.R. No. 86, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE EXECUTIVE AND LEGISLATIVE LEADERSHIP IN THE STATE OF HAWAII TO SUPPORT THE IRAQ STUDY GROUP FINDINGS AND TO IMPLEMENT THE IRAQ STUDY GROUP RECOMMENDATIONS," was jointly offered by Representatives Takumi, Belatti, Berg, Caldwell, Green, Lee, Luke, Mizuno, Morita, Nishimoto, M. Oshiro, Takai, Wakai, Magaoay, Sagum, Sonson, Yamane and Yamashita.

H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES CONGRESS TO CREATE A REPLACEMENT FOR THE OUTDATED FAST TRACK TRADE AUTHORITY SYSTEM SO THAT UNITED STATES TRADE AGREEMENTS ARE DEVELOPED AND IMPLEMENTED USING A MORE DEMOCRATIC, INCLUSIVE MECHANISM THAT ENSHRINES THE PRINCIPLES OF FEDERALISM AND STATE SOVEREIGNTY," was jointly offered by Representatives Takumi, Belatti, Berg, Caldwell, Green, Lee, Luke, Magaoay, Mizuno, Morita, Nishimoto, M. Oshiro, Sonson, Takai, Wakai, Yamane, Sagum and Yamashita.

H.C.R. No. 88, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EVALUATE THE PRACTICALITY OF HAVING A RESTRUCTURED ACCREDITATION PROCESS FOR PUBLIC SCHOOLS IN THE STATE OF HAWAII," was offered by Representative Takai, by request.

#### ANNOUNCEMENTS

Speaker Say: "Members, please look on pages A through L where you will note your public hearing notices."

Representative Ching: "I was reminded today by the fact that we have some illustrious sons of legislators. I did want to announce that over the weekend I was privileged to see the St. Louis Players perform *Beauty and the Beast*. And while some of you have served on our Tourism and Arts Committee, we think that you have to go to New York to see something of this caliber. Well, you don't. You just have to go up to Waialae Avenue.

"This is a very impressive production, not only technically, but artistically. But especially talented, talentwise. I've always grown up knowing the superbness of the football team of St. Louis, but now I understand that they are talented in many other areas as well, extremely talented. And I might add that there's a Michael J. Magaoay who plays Cogsworth, and I'm going to read a little bit.

"He makes a historical debut. He's a junior at St. Louis School, where he's on the President's List, a member of the National Honor Society and enjoys playing volleyball, participating in the Filipino Heritage Club and Chinese Club. And this is the son of our North Shore Representative.

"So, I just want to urge everyone to go to this. It's the last weekend, Thursday, Friday, Saturday, all at 7:30, and Sunday, the matinee, is at 4:00 at Mamiya Theater, and congratulations to the St. Louis Players."

Representative Chong for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs requested a waiver of the 48-hour advanced notice requirement to hear S.B. No. 933, SD 1, Relating to Land Acquisitions, and the Chair "so ordered."

Representative Mizuno for the Committee on Health requested a waiver of the 48-hour advanced notice requirement to hear S.B. No. 1804, SD 2.

Representative Mizuno: "The reason for that is we need to meet the filing deadline this Thursday. Also, the House companion bill is dead. It didn't crossover, so this is our vehicle," and the Chair "so ordered."

Representative Brower: "Thank you, Mr. Speaker. Just a reminder that we have two meetings for the Committee on Agriculture tomorrow starting at 10:00 a.m. in Room 325, with decision making to follow. Thank you."

Representative McKelvey: "Mr. Speaker, thank you. Just a correction. Your Committee on Consumer Protection and Commerce will begin our hearing today at 3:00 p.m., and not 2:00 p.m. as indicated in the Order of the Day."

Representative Cabanilla: "Mr. Speaker, I would like to invite my colleagues to attend this information briefing on learning how to build bridges in Room 224. That starts at 2:00. Thank you."

#### ADJOURNMENT

At 1:47 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, March 13, 2007. (Representatives Carroll, Manahan and Thielen were excused.)