

## TWELFTH DAY

**Monday, February 4, 2008**

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:09 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Pastor Kaala Souza from Hope Chapel Manaolana, after which the Roll was called showing all members present with the exception of Representatives Har, Karamatsu and Thielen, who were excused.

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

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 250 and 251) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 250, dated January 31, 2008, transmitting the Report to the Twenty-Fourth Legislature, State of Hawaii, 2008, Pursuant to HCR 187, H.D. 1 (2007), Requesting the Legislative Reference Bureau to Study Respite Care Policies and Programs in Other States and the Executive Office on Aging to Conduct an Inventory of Respite Care Services in Hawaii.

Gov. Msg. No. 251, dated February 1, 2008, transmitting the Department of Accounting and General Services' Report on Information Technology Expenditures.

## SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 4) was received and announced by the Clerk:

Sen. Com. No. 4, transmitting S.C.R. No. 49, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE OFFICE OF HAWAIIAN AFFAIRS AND THE ATTORNEY GENERAL, AS REPRESENTATIVE OF THE EXECUTIVE BRANCH, CONDUCT STATEWIDE INFORMATIONAL HEARINGS ON THE CEDED LANDS TRUST SETTLEMENT AGREEMENT," which was adopted by the Senate on February 1, 2007.

Representative Caldwell moved that S.C.R. No. 49 be adopted, seconded by Representative B. Oshiro.

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

"Yes, Mr. Speaker. I can understand the need for a public hearing for the ceded land issue in trying to find some finalization. Mr. Speaker, I wish to speak for the measure with some reservations. The reservation I have is that time is of the essence and I believe the responsibility for any hearing should be OHA's responsibility and not the State's responsibility. I know that we are asking OHA to do that so they will ultimately do that.

"I believe the *kuliana* should be with OHA. It makes me a little skeptical sometimes when we go out and hold hearings, there are some strong negative affects, pluses and minuses, and that should have been done already.

"This is a little late for the hearing. Now it's time for action. They will go out for the hearing. There could be a delay tactic, and all kinds of things can happen to jeopardize the measure which, for the last 30 years or so they've been trying to resolve. This is my concern

and my fear. I am not opposed to hearings. I am just concerned as to what may result from these hearings. Thank you, very much."

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

"Thank you, Mr. Speaker. I have some similar concerns and reservations."

The motion was put to vote by the Chair and carried, and S.C.R. No. 49, entitled "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE OFFICE OF HAWAIIAN AFFAIRS AND THE ATTORNEY GENERAL, AS REPRESENTATIVE OF THE EXECUTIVE BRANCH, CONDUCT STATEWIDE INFORMATIONAL HEARINGS ON THE CEDED LANDS TRUST SETTLEMENT AGREEMENT," was adopted, with Representatives Har, Karamatsu and Thielen being excused.

## INTRODUCTIONS

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

Representative Cabanilla introduced Mr. Thomas Skancke, of Las Vegas, Nevada, Commissioner with the National Surface Transportation Policy and Revenue Study Commission. He was accompanied by civil engineering professor Panos Prevedouros with the University of Hawaii at Manoa, and Representative Cabanilla's office manager, Mr. Thomas Berg.

Representative Ito introduced Department of Land and Natural Resources DOCARE conservation officers from the Neighbor Islands.

Representative Carroll introduced the conservation officers from the Maui Division: Branch Chief Mr. Randy Awo; East Maui Supervisor Mr. Dexter Tom along with Mr. Russell Kapahulehua, Mr. John Yamamoto and Mr. Chad Kahoopii; and from West Maui, Mr. Clarence Yamamoto, Mr. Randy De Cambra, Mr. Howard Rodriguez, and Mr. John De Jesus.

Representative Hanohano introduced DLNR DOCARE officers from the Big Island: Mr. John Kalua'u and Mr. Charles Nahale from West Hawaii; and Mr. James Weller and Mr. Eric Kawamoto from East Hawaii.

Speaker Say also acknowledged the officers from Kauai and asked them to rise to be recognized.

## ORDER OF THE DAY

## COMMITTEE ASSIGNMENTS

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

**H.C.R.**  
**Nos.**

**Referred to:**

- |    |   |
|----|---|
| 59 | Jointly to the Committee on Education and the Committee on Transportation, then to the Committee on Finance |
| 60 | Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance              |

## COMMITTEE REASSIGNMENTS

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

**H.B.  
Nos.****Re-referred to:**

2836	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
3340	Committee on Finance

**STANDING COMMITTEE REPORTS**

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 58-08) recommending that H.B. No. 3160, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Tourism & Culture and the Committee on Transportation.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3160, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRUISE SHIP," passed Second Reading and was referred jointly to the Committee on Tourism & Culture and the Committee on Transportation with Representatives Har and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 59-08) recommending that H.B. No. 2509, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and 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. 2509, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC DEVICE RECYCLING," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Har and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 60-08) recommending that H.B. No. 2524, 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. 2524, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Har and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 61-08) recommending that H.B. No. 2491, 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. 2491, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 62-08) recommending that H.B. No. 2437, 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. 2437, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 63-08) recommending that H.B. No. 2531, 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. 2531, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2531, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEST MAUI TRANSPORTATION ACCESS PLAN," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 64-08) recommending that H.B. No. 2421, 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. 2421, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Yes, in strong support for 64-08. It's basically making it legal for us to have an electric bike and that's a good step in the right direction I think. 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. 2421, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Har and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 65-08) recommending that H.B. No. 2618, 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. 2618, 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 Har and Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 66-08) recommending that H.B. No. 2556, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 2556, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Second Reading

and was referred to the Committee on Education with Representatives Har and Thielen being excused.

Representatives Shimabukuro and Takumi, for the Committee on Human Services & Housing and the Committee on Education presented a report (Stand. Com. Rep. No. 67-08) recommending that H.B. No. 3364, 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 Committees was adopted and H.B. No. 3364, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO FACILITATE THE SHARING OF INFORMATION OF FAMILY COURT RECORDS WITH SCHOOLS IN THE CASE OF CERTAIN MINOR OFFENDERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Har and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 68-08) recommending that H.B. No. 2255, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2255, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIFE INSURANCE," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Har and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 69-08) recommending that H.B. No. 2589, 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. 2589, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCRAP METAL," passed Second Reading and was referred to the Committee on Judiciary with Representatives Har and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 70-08) recommending that H.B. No. 2712, 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. 2712, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE CITY AND COUNTY OF HONOLULU," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 71-08) recommending that H.B. No. 2583, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2583, HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative B. Oshiro.

Representative Finnegan 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. I'm rising with strong reservations on this measure. This is very much like the bill that we passed last year and the Governor vetoed. This establishes that proposed compensation, or changes of compensation for employees in the administrative positions at the University of Hawaii must be disclosed in open meetings.

"I think most of you are familiar with this. We'll see if anything changes on this. But essentially, this bill is a requirement for the Board to disclose six days before a meeting a range of proposed compensation information for certain personnel that will be discussed at the meeting. This was opposed by the Office of Information Practices. This would set a precedent where this is not required of any other department. We'll just see what happens with it along the way. Thank you."

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. 2583, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Har and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 72-08) recommending that H.B. No. 2134, as amended in HD 1, pass Second Reading and be referred to the Committee on Health.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2134, HD 1, pass Second Reading and be referred to the Committee on Health, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on Stand. Com. Report No. 72-08, Relating to the Center for Nursing, with reservations. While I didn't sit in this Committee, just looking at the bill I'm seeing who testified for and against it. The fact that the Hawaii Nurses Association testified against it, their members don't want to keep paying these fees. This bill, the way it's been amended, extends the sunset date for five more years, and it seems to me that perhaps it should extend it for a year. They should try to get the parties together. Thank you."

Representative Evans rose and asked that the Clerk record a no vote 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 Cabanilla rose to speak in support of the measure, stating:

"Yes, Mr. Speaker I just want to insert a comment for the edification of the Members. I rise in strong support of this measure. What the Center for Nursing is asking for is a fee of \$40 for a renewal of license for every two years. I also want to say that nurses make \$42 an hour. So I think they're asking for a minimal fee which is asking for some studies to direct where the profession of nursing should be heading to as far filling the gaps where there are shortages. The fee they're asking for, in my opinion, Mr. Speaker is very minimal."

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

"Mr. Speaker, I would like to speak in favor of this measure. The fee that is referred to that bill is already being collected and it supports the Center for Nursing which is the arm at the University

that does research and data collection. If there is one thing we need in terms of making sure we have an adequate supply of nurses, it's data. The work that the Center for Nursing is doing is actually very, very research oriented. It's documented well, and that's available by the way for anyone to see.

"I think the fee itself, that's already been collected. The question is whether or not we should continue to collect the fee, and that nurses should submit a survey at the time of registration. The survey is actually what provides the information about how many nurses we have in the State, where they're working and other such information. So it's really valuable.

"We do have a severe shortage of nurses in the State. The Nursing Center was a long-term dream of the Hawaii Nurses Association ten years ago. This body worked very hard actually, making sure it became a reality and I'd like to see it be continued. Thank you."

Representative Meyer rose to respond, stating:

"Thank you, Mr. Speaker. Again I'm with reservations. Maybe with the nurses ten years ago, but it clearly states that the Hawaii Nurses Association was quite insistent that they did not want to continue paying these fees. So for the legislators who feel so strongly about this, they need to sit down with these nurses and see if they can get a little closer together. Thank you."

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

"Thank you, Mr. Speaker. I rise in support of this measure. I would like to echo the comments made by the Representative from Mililani. It was about ten years ago when we started looking at this. In fact it wasn't until the strike that occurred just right across the street just a few years ago that I think the healthcare facilities and the nurses realized that the Center for Nursing at the University is critical to ensure the future success of the nursing program. In fact, as she already mentioned, it was at their insistence that we had the Center, and it was on their insistence that we provided a stipulation for the \$40 every two years for nurses.

"At the hearing I asked the representative from the Hawaii Nurses Association whether, not having the Center for Nursing is what he's asking. In other words, whether doing away with the fee and subsequently the elimination of the Center for Nursing is what he was asking for. His answer to that was in the affirmative. In other words, he's saying that his Association, and he said it was a very lively debate at their convention. But he's saying that the majority of the nurses, ironically, are not supporting the fee and thereby not supporting the Center. So at the hearing we asked the Hawaii Nurses Association and the representative to meet with their Healthcare Association of Hawaii, as well as the Executive Director for the Center for Nursing to try to resolve this. And that is the reason for the extension of the sunset.

"It would be very unfortunate from my perspective and from ours I believe, as lawmakers to see the Center for Nursing disappear. But it's the perfect opportunity in this case to utilize part of the licensing fee for this profession to pay for a Center that advocates for their profession. So I would hope that the Members who have some concerns or have some objections to this particular measure take a look at the efforts that we've put in the past, and also the efforts we'll continue to work on in the future. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I'd like a ruling on a potential conflict. My husband is a nurse. Thank you," and the Chair ruled, "no conflict."

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

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of H.B. 2134 – Relating to the Center for Nursing, which extends the sunset date for the deposit and disbursement of certain nursing fees into the Compliance Resolution Fund for the credit of the Center for Nursing Special Fund by five years. This extension will ensure that the Center will have adequate time to secure an alternative funding source for its continuance.

"The Hawaii State Center for Nursing has been crucial to State policy in establishing workforce development programs and policies. The fees paid help provide valuable information to the State, which mainly benefits nurses and those in need of nursing data.

"The Hawaii State Center for Nursing provides a positive opportunity for various sectors of the community to come together with a common interest in staffing which supports quality of care, patient safety, and a positive working environment. The Center is uniquely able to focus on complex issues which underlie the nurse shortage include nursing workforce data, recruitment and retention of nurses and faculty, and research on best practices and quality outcomes.

"The Center for Nursing has demonstrated its value in gathering and analyzing data that is essential to creating sustainable solutions specific to Hawaii's nursing workforce shortage. While I understand the arguments made by HNA and acknowledge the apparent imposition upon nurses when renewing licenses, the current funding mechanism is a result of much work and study. I strongly support an extension of the sunset date, provided that the Center will take advantage of the additional time to seek and obtain a long-term funding source. Failure to extend the sunset date would likely result in the end of the Hawaii State Center for Nursing."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2134, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," passed Second Reading and was referred to the Committee on Health with Representative Evans voting no, and with Representatives Har and Thielen being excused.

Representatives Chang and Yamashita, for the Committee on Higher Education and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 73-08) recommending that H.B. No. 2020, 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. 2020, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I am in strong support of 73-08 and would like to submit written comments for the sake of entrepreneurship and small business in Hawaii."

Representative Ward's written remarks are as follows:

"Mr. Speaker, thank you for the opportunity to offer my support for House Bill 2020, which will appropriate funds to the Hawaii Small Business Development Center network at the University of Hawaii at Hilo.

"The mission of the Small Business Development Center is to create sustainable economic development through counseling, training, and research services to small businesses and entrepreneurs. It is critical for our State's economy that our local entrepreneurs are assisted with accessing capital, developing management capabilities, and building financial skills to make their businesses thrive. The services that the Small Business Center provides are of great value, and include in-class workshops, seminars, and online training, and confidential one-on-one counseling by qualified business professionals free of charge.

"Investing in long-term business counseling has many benefits, leading to increased activity in the local economy and greater tax revenues. As co-chair of the House Small Business Caucus, I believe that the Small Business Development Center is of great benefit to our state, and I give it my full support. Thank you for this opportunity to offer my support for this measure."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2020, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SMALL BUSINESS DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representatives Chang and Yamashita, for the Committee on Higher Education and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 74-08) recommending that H.B. No. 2431, 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. 2431, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'm rising in opposition to Stand. Com. Report 74-08. What this bill does is it exempts the Board of Regents at the University of Hawaii from the Hawaii Public Procurement Code requirements. I believe that statutory exemptions are contrary to the Hawaii Public Procurement Code. A government agency with the authority to expend funds should be in compliance with the Code. Exempting agencies will jeopardize uniform and consistent protections against waste, fraud and abuse. Thank you."

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

Representative Manahan 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 Committees was adopted and H.B. No. 2431, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representative Meyer voting no, and with Representatives Har and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 75-08) recommending that H.B. No. 2792, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2792, HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative B. Oshiro.

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

"I'd like to ask for a ruling on a potential conflict. For Stand. Com. Rep. No. 75-08, my firm is involved in the class action representing the substitute teachers. However, I am not working on that case. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2792, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Har and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 76-08) recommending that H.B. No. 2514, 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. 2514, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Har and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 77-08) recommending that H.B. No. 3137, 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. 3137, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF HUMAN SERVICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Har and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 78-08) recommending that H.B. No. 2011, 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. 2011, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BREAST CANCER," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Har and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 79-08) recommending that H.B. No. 2013, 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. 2013, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"On Stand. Com. Rep. No. 79-08 and all other measures before us relating to health insurance, I'd like a ruling on a potential conflict. I own an insurance brokerage company. Thank you, very much," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2013, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CANCER," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Har and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 80-08) recommending that H.B. No. 1996, 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. 1996, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 81-08) recommending that H.B. No. 2112, 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. 2112, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TASK FORCE ON AGING," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 82-08) recommending that H.B. No. 3162, as amended in HD 1, 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. 3162, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT COUNCIL," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Har and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 83-08) recommending that H.B. No. 1979, 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. 1979, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On 83-08, I'm rising with some reservations. This bill was amended; originally I think it was for three years, establishing a statute of limitation for three years in the State in order for it to recover overpayments of State salaries.

"Right now there's a two-year limitation statute for employees. If they feel they that haven't been paid appropriately they have two years to try make their case and get what they earned, what they should have earned. The way the laws are now, there's no limitation on the State. What happens is often times salary overpayments are found on the final audits when people are retiring, when they're leaving and then of course they don't have the money. It's a hardship.

"I don't know what the answer is. I think there should be a for the State, because people, if they get paid more than they think they

should have, they probably don't say anything. Then as time goes on, they forget all about, or maybe they didn't notice it. Maybe we should have a limitation, but I think three years is not enough time.

"I noticed in Committee that DAGS was against this, and the Department of Labor was against it. But I see both sides of it. I see both sides of it. It really can hit people and they're out the door and they don't have the money and now they've been told they owe this money. So perhaps the State should have a statute of limitations, but because of just the size and the numbers of government workers the statute of limitation should be something like ten years. Thank you."

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

"Mr. Speaker, on Stand. Com. Rep. 83-08, I support it because it's only fair. It's unusual to hear the Representative from Laie supporting the government position on something that involves something like this. I think that whatever statute of limitations we do adopt, they should be the same both for government and for the worker.

"The government has an opportunity to go back and get what they need, if there's been an oversight. Vice versa, if the employee feels like they've not got what they were entitled to, they have a right to go back too. The way it stands now is the worker has two years and the government has an indefinite period. I don't see a level of fundamental fairness. That's not fair. If it's two years for the government, it should be two years for the workers as well. Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1979, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE SALARIES," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 84-08) recommending that H.B. No. 2922, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2922, pass Second Reading and be referred to the Committee on Energy & Environmental Protection, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On Stand. Com. Rep.84-08, I'm in strong support and I just would like to thank the Committee on Transportation for passing out an excellent bill. 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. 2922, entitled: "A BILL FOR AN ACT RELATING TO FUEL TAX," passed Second Reading and was referred to the Committee on Energy & Environmental Protection with Representatives Har and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 85-08) recommending that H.B. No. 2954, 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. 2954, entitled: "A BILL FOR AN ACT RELATED TO TOWING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Har and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 86-08) recommending that

H.B. No. 2364, 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. 2364, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"On the last bill on the page sir, 86-08, House Bill 2653. The House Committee on Transportation is moving out a measure to require that helmets must be provided when selling, leasing or even loaning an ATV to a minor. If this becomes law, it will prevent many head and brain injuries to children.

"Last year across the country there were 136,000 injuries and deaths from ATV accidents. Over 40,000 of these injuries occurred in children under 16. Legislators must, at the minimum better protect our children. Enthusiastic testimony arrived from the Keiki Injury Prevention Coalition, Queen's Medical Center Trauma Service, The Brain Injury Association, The Hawaii Medical Association and the Department of Health.

"The Honolulu Police Department supported the intent of the measure, but HPD pointed out it has no jurisdiction over ATVs since they are only allowed on private property. However if the Legislature attached penalties when helmets are not provided to minors, then the law would have some teeth. This bill must traverse some rough terrain; it must go through the Committees on CPC and Judiciary. I might have preferred a more direct route. However ATVs will increase in numbers of popularity, so will deaths and injuries unless we take action. Thank you."

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

"Thank you, Mr. Speaker. I'm in strong support of this bill. I was riding one of these all terrain vehicles while on holiday and flipped it over and knocked myself out. I had a helmet on and I could tell you that's the first time in my life I've ever been knocked out. It happened just like in the flash of an eye. I was over and out. And maybe I did have some damage, some people would say, but I was very thankful I had a helmet on.

"I also had a very good friend that came within just inches of losing his life up in Kahaluu. I think it's very important, really this bill to educate people, because it's four wheels people think they're much more secure than they are. They're top heavy. They're very easy to flip over. So this could save a lot of lives. 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. 2364, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SAFETY OF MINORS ON ALL-TERRAIN VEHICLES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Har and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 87-08) recommending that H.B. No. 2267, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2267, HD 1, pass Second Reading and be referred to the Committee on Legislative Management, seconded by Representative B. Oshiro.

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."

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. 2267, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Har and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 88-08) recommending that H.B. No. 2860, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2860, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Transportation with Representatives Har and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 89-08) recommending that H.B. No. 2891, 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. 2891, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Har and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 90-08) recommending that H.B. No. 2939, 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. 2939, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I rise in strong support with comments for the International Space Center that is being established on the Big Island, 90-08. In strong support with comments in the Journal. Thank you."

Representative Ward's written remarks are as follows:

"Mr. Speaker, thank you for the opportunity to offer my support for House Bill 2939, which will appropriate funds to the Pacific International Space Center for Exploration Systems (PISCES) on the Island of Hawaii.

"PISCES has led to a new curriculum for aerospace studies at the University of Hawaii at Hilo. It has teamed UH researchers with their peers at NASA to enhance our State's aerospace research and development programs, and it will expand opportunities for aerospace studies in our local primary and secondary schools. It is critical for the students of our State that they receive greater opportunities in math and science education. Our aerospace studies students will face increased competition in the global marketplace,

and it is critical that we increase the opportunities for these students at our higher education institutions.

"Our State's diverse natural resources, unique geographic terrain, first-class technological infrastructure, and resident scientific and engineering expertise make it an ideal location to develop, grow, and sustain these programs. In turn, these programs will have a positive effect on our community, on the education of our students, and ultimately on our economy. Thus, I believe that PISCES is of great benefit to our State, and I give it my full support. Thank you for this opportunity to offer my support for this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2939, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 91-08) recommending that H.B. No. 2022, 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, and the report of the Committee was adopted and H.B. No. 2022, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN'S HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 92-08) recommending that H.B. No. 2464, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2464, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, seconded by Representative B. Oshiro.

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. 2464, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Har and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 93-08) recommending that H.B. No. 2608, pass Second Reading and be referred to the Committee on Health.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2608, pass Second Reading and be referred to the Committee on Health, seconded by Representative B. Oshiro.

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. 2608, entitled: "A BILL FOR AN ACT RELATING TO PRISONS," passed Second Reading and was referred to the Committee on Health with Representatives Har and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 94-08)

recommending that H.B. No. 3186, 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. 3186, entitled: "A BILL FOR AN ACT RELATING TO PRISON LITIGATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Har and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 95-08) recommending that H.B. No. 2212, 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. 2212, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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. 2212, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Har and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 96-08) recommending that H.B. No. 2168, 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. 2168, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 97-08) recommending that H.B. No. 2351, 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. 2351, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PACIFIC AVIATION MUSEUM PEARL HARBOR," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 98-08) recommending that H.B. No. 2373, 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. 2373, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOOKINI HEIAU," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 99-08) recommending that H.B. No. 2372, 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. 2372, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE PLANS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Har and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 100-08) recommending that H.B. No. 2587, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Education and the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2587, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH CREATIVITY ACADEMIES," passed Second Reading and was referred jointly to the Committee on Education and the Committee on Higher Education with Representatives Har and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 101-08) recommending that H.B. No. 3067, as amended in HD 1, 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. 3067, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A CREATIVE CENTER INCUBATOR," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Har and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 102-08) recommending that H.B. No. 3428, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3428, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Har and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 103-08) recommending that H.B. No. 3348, 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. 3348, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Har and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 104-08) recommending that S.B. No. 1035, SD 1, 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 S.B. No. 1035, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MAKAHIKI DAY

COMMEMORATION," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Har and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 105-08) recommending that H.B. No. 2169, as amended in HD 1, be recommitted to the Committee on Health.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2169, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was recommitted to the Committee on Health with Representatives Har and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 106-08) recommending that H.B. No. 2170, as amended in HD 1, be recommitted to the Committee on Health.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2170, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was recommitted to the Committee on Health with Representatives Har and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 107-08) recommending that H.B. No. 2171, as amended in HD 1, be recommitted to the Committee on Health.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2171, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was recommitted to the Committee on Health with Representatives Har and Thielen being excused.

#### INTRODUCTION OF RESOLUTIONS

The following concurrent resolution (H.C.R. No. 61) was announced by the Clerk and the following action taken:

H.C.R. No. 61, entitled: "HOUSE CONCURRENT RESOLUTION AWARDING THE HAWAII MEDAL OF HONOR TO UNITED STATES MILITARY SERVICE MEMBERS WITH HAWAII CONNECTIONS KILLED IN ACTION WHILE SERVING IN DANGEROUS, VOLATILE, AND UNSTABLE AREAS OF THE WORLD, INCLUDING IRAQ AND AFGHANISTAN," was offered by Representative Say.

Representative Evans moved that H.C.R. No. 61 be adopted, seconded by Representative Takai.

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

"Thank you. I just wanted to share a few words, and I wanted to thank the citizens of the State of Hawaii, the Legislature, all the people here at the State Capitol, and our staff that will support all efforts for the upcoming Medal of Honor ceremony that we're going to have here in our Chamber.

"I also want to thank you for welcoming all the families that will travel from around the United States that will come here that day to honor those fallen soldiers that have ties here to Hawaii. Thank you, very much."

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

"Thank you, Mr. Speaker. I'd like to insert written comments in support. Thank you, but just add that the Hawaii Medal of Honor is going to be awarded in this Chamber Mr. Speaker, before a Joint Session of the Legislature. And please take note Members, it will be Tuesday, March 25 at 2:00 p.m. We made some adjustments to the previous years' timing and decided that it was in the best interest of both Houses to move it to 2:00 p.m. March 25, 2008. Thank you, Mr. Speaker."

Representative Takai's written remarks are as follows:

"Mr. Speaker, I speak in strong support of this measure.

"It has almost been five years since the War on Terrorism began. While there continues to be much debate for and against this war, there is no debate about the tremendous sacrifices made by our service members and their families. Between March 29, 2003 and January 31, 2008, we in Hawaii have lost 219 servicemembers, who have sacrificed their lives while in the line of duty. We lost 31 servicemembers during the past year. To pay a special tribute to these heroes and to their families, we passed House Bill 8 in 2005, which became Act 21. House Bill 8 created the Hawaii Medal of Honor.

"This special medal is awarded on behalf of the people of the State of Hawaii to an individual who has been killed in action while serving our country as part of Operation Iraqi Freedom and Operation Enduring Freedom. Recipients of the Hawaii Medal of Honor include members of the United States Armed Forces, the United States military reserves, and the Hawaii National Guard, who were residents of the State of Hawaii, attended an educational institution in Hawaii, or were stationed in Hawaii by order of the United States Department of Defense.

"The Hawaii Medal of Honor will be awarded to family representatives of these men and women at a ceremony held during a Joint Session of this Legislature on Tuesday, March 25, 2008 at 2 p.m. in this Chamber. Families have been invited from towns like Middlefield, Massachusetts and Kingston Springs, Tennessee as far as the Philippines and Morocco to attend this ceremony.

"Three years ago while serving on active duty, I had the responsibility of serving as the Casualty Assistance Officer for the family of Sergeant Deyson Cariaga, the Hawaii Army National Guard's only casualty from Hawaii during the recent deployment of the 29th Brigade Combat Team. That duty, the duty as Casualty Assistance Officer, was my most difficult challenge in my entire National Guard career. The Cariaga Family and Mrs. Theresa Inouye, his mother in particular, continue to grieve for their loss. I don't wish what they have experienced and continue to experience on any family. This Resolution and the actions that we have and will take are to honor soldiers, like Sergeant Cariaga, and parents like Theresa Inouye.

"In the past five years, the War against Terrorism has changed our world and our lives in a profound way. Ultimately, it's not about politics, it's not about money, and it's not even about winning. It's all about the families and their loved ones and what these brave men and women sacrificed for our country. Thank you."

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

Representative Finnegan's written remarks are as follows:

"Thank you Mr. Speaker. I rise in strong support of H.C.R. 61, awarding the Hawaii Medal of Honor to service members with ties to Hawaii.

"In my eyes it is only a small token of our appreciation, but one that we must do. The sacrifices these soldiers and their families make in the name of freedom can never fully be awarded or honored.

These are ordinary people with extraordinary values voluntarily offering some of their most precious years in the service of our great country. These Soldiers, Sailors, Airmen, Marines and Coast Guardsmen sacrificed their ambitions so our country's men and women can dream and accomplish their own. They distinguish themselves through selfless service and demonstrate extreme courage, gallantry, and valor.

"These Hawaii honorees made the ultimate sacrifice and gave their life for us. We must never forget. Thank you Mr. Speaker."

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of H.C.R. No. 61 – which awards the Hawaii Medal of Honor to United States Military service members with Hawaii connections killed in action while serving in dangerous, volatile, and unstable areas of the world, including Iraq and Afghanistan. This Resolution, offered by Representative Say, honors and remembers the sacrifice of armed forces heroes with ties to Hawaii who fought and died bravely for the United States of America.

"As a central location of armed forces training and preparation, the State of Hawaii has sent many of its own National Guard and Military Reserves service members and United States Air Force, Army, Marine Corps, and Navy service members to protect Iraqi and Afghan citizens. Many airmen, airwomen, soldiers, marines, and sailors with ties to Hawaii were called to serve in some of the most dangerous areas of Iraq and Afghanistan and came into contact with opposing forces on a daily basis. It was with utmost bravery that many heroes with ties to Hawaii were killed in action, sacrificing their lives to protect the lives of American and foreign citizens.

"The people of the State of Hawaii are enormously grateful for the service provided by these brave men and women and are greatly saddened by the loss of each armed forces member and stand by the surviving family members in support."

The motion was put to vote by the Chair and carried, and H.C.R. No. 61, entitled: "HOUSE CONCURRENT RESOLUTION AWARDING THE HAWAII MEDAL OF HONOR TO UNITED STATES MILITARY SERVICE MEMBERS WITH HAWAII CONNECTIONS KILLED IN ACTION WHILE SERVING IN DANGEROUS, VOLATILE, AND UNSTABLE AREAS OF THE WORLD, INCLUDING IRAQ AND AFGHANISTAN," was adopted with Representatives Har and Thielen being excused.

By unanimous consent, the following concurrent resolution (H.C.R. No. 62) was referred to Printing and further action was deferred:

H.C.R. No. 62, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE FOR DIAGNOSIS AND TREATMENT OF AUTISM SPECTRUM DISORDERS," was offered by Representative Waters.

#### ANNOUNCEMENT

Speaker Say: "The Chair has an announcement for the respective Committee Chairs and Vice Chairs on behalf of the House Majority Staff Office and the Chief Clerk's Office. Please get your triple referral bills in as early as possible. The deadline is on Thursday."

#### ADJOURNMENT

At 12:44 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, Tuesday, February 5, 2008. (Representatives Har and Thielen were excused.)