

## THIRTY-FIFTH DAY

Wednesday, March 19, 2008

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

The invocation was delivered by Aunty Nikki Hines, accompanied by Uncle Joe Hines, after which the Roll was called showing all members present with the exception of Representatives Ito and Nakasone, who were excused.

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

## INTRODUCTIONS

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

Representative Mizuno introduced participants of the State Council on Developmental Disabilities Day at the Capitol and Executive Director, Ms. Waynette Cabral.

Representative Yamane introduced the members of the Outrigger Hotels Political Action Committee.

Representative Green introduced Ms. Tina Shelton, Communications Director, and Dr. Jerris Hedges, Dean, University of Hawaii John A. Burns School of Medicine.

Representative Awana introduced members from the National Conference on State Legislatures, Native American Caucus, Ms. Linda Sikkema, Ms. Irene Kawanabe and Ms. Melissa Savage.

Representative Carroll introduced Maui Councilmember, Mr. Bill Medeiros; Ms. Amanda Martin, Executive Assistant for Councilmember Gladys Baisa; Mr. Akoni Akana, Executive Director for Friends of Moku'ula; from Molokai, Ms. Lynn DeCoite and Ms. Rosie Davis; and other constituents from Molokai.

Representative Ward introduced Hawaii County Councilmember, Mr. Curtis Tyler.

Representative Hanohano introduced Hawaii County Councilmember, Ms. Emily Naeole.

Representative Brower introduced iconic newspaper columnist, Mr. John Burger.

Representative Bertram introduced Mr. Anand Ramoda.

Representative McKelvey introduced Mr. Randy Iwao; and his staff, Ms. Lauren Valle, Ms. Terii Perez, and Ms. Tish Acido-Mercado.

Representative Cabanilla introduced Mr. Domingo Los Banos from the Filipino Battalion.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENT

The following bill was re-referred to committee by the Speaker:

S.B.No.Re-referred to:

2841 Committee on Energy & Environmental Protection, then to the Committee on Finance

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 318) was announced by the Clerk and the following action taken:

H.R. No. 318, entitled: "HOUSE RESOLUTION RECOGNIZING CLIFFORD HASHIMOTO'S PROMOTION TO ALI'I NUI AND GRAND MASTER OF THE ROYAL ORDER OF KAMEHAMEHA I," was jointly offered by Representatives Carroll, Awana, Berg, Evans, Hanohano, Manahan, McKelvey, Morita, Sagum, Shimabukuro, Tokioka, Chong and Waters.

Representative Carroll moved that H.R. No. 318 be adopted, seconded by Representative Sagum.

The Royal Order of Kamehameha I entourage entered the House Chamber with an *oli*.

Representative Carroll recognized the history of the Royal Order of Kamehameha I and introduced and congratulated Mr. Clifford Hashimoto on becoming the Ali'i Nui and Grand Master of the Royal Order of Kamehameha I, who was seated on the floor of the House.

Representative Sagum introduced the following members of the Royal Order of Kamehameha I seated on the floor of the House:

Kaka'olelo Nui Kawika Kamai from Maui;  
Kahuna Nui Molitau Kaponoai from Maui;  
Ali'i aimoku William Souza of Moku O Hawai'i from Hawaii;  
Ali'i aimoku William Roback of Moku O Kahakili from Maui;  
Ali'i aimoku Jessie Makainai of Moku O Kuhio from Oahu;  
Noe'au Loa Roland Ahuna of Moku O Kapuaiwa from Oahu;  
Ali'i aimoku Wendell Kekumu of Moku O Mamalahoa from Hawaii; and  
Ku'auhau Nui William Garcia from Maui.

The Speaker then introduced the additional members of the Royal Order of Kamehameha I also seated on the floor of the House:

Mr. Joe Thomas from Waianae; and  
Mr. Harry Pao from Kakaako.

Representative Carroll then introduced from the Royal Order of Kamehameha I and Maui Councilmember, Mr. Bill Medeiros, and recognized friends and family of the members of the Royal Order of Kamehameha I, who were seated in the gallery.

The motion was put to vote by the Chair and carried, and H.R. No. 318 was adopted with Representative Nakasone being excused.

The following resolution (H.R. No. 319) was announced by the Clerk and the following action taken:

H.R. No. 319, entitled: "HOUSE RESOLUTION COMMENDING AND CONGRATULATING THE ARTISTS AND PRODUCERS OF TREASURES OF HAWAIIAN SLACK KEY GUITAR-LIVE IN CONCERT FROM MAUI, ON WINNING THE 50TH ANNUAL GRAMMY AWARD FOR BEST HAWAIIAN ALBUM," was jointly offered by Representatives McKelvey, Carroll, Hanohano, Souki and Yamashita.

Representative McKelvey moved that H.R. No. 319 be adopted, seconded by Representative Carroll.

Representative McKelvey congratulated the artists and producers of *Treasures of Hawaiian Slack Key Guitar – Live in concert from Maui* and recognized the following honorees seated on the floor of the House:

Mr. George Kahumoku Jr.;  
Mr. Paul Konwiser;  
Uncle Richard Ho'opi'i;  
Mr. Bobby Ingano;  
Ms. Owana Salazar; and  
Mr. Sterling Seaton.

Representative McKelvey then introduced Mrs. Robin Kamakahi, wife of Mr. Dennis Kamakahi, artist who was a part of *Treasures of Hawaiian Slack Key Guitar – Live in concert from Maui*, who was seated on the floor of the House.

Representative Carroll then recognized the following artists and producers who were a part of *Treasures of Hawaiian Slack Key Guitar – Live in concert from Maui*, but were not in attendance:

Mr. Cyril Pahinui;  
Mr. Martin Pahinui;  
Mr. Ledward Kaapana;  
Mr. Keoki Kahumoku;  
Mr. Daniel Ho;  
Mr. Wayne Wong;  
Mr. Peter DeAquino; and  
Mr. Garret Probst.

The motion was put to vote by the Chair and carried, and H.R. No. 319 was adopted with Representative Nakasone being excused.

At 12:48 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:58 o'clock p.m., with Vice Speaker Chong presiding.

#### STANDING COMMITTEE REPORTS

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1187-08) recommending that S.B. No. 2433, SD 2, 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 S.B. No. 2433, SD 2, entitled: "A BILL FOR AN ACT RELATING TO IOLANI PALACE," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1188-08) recommending that S.B. No. 2569, 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 S.B. No. 2569, entitled: "A BILL FOR AN ACT RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1189-08) recommending that S.B. No. 2498, SD 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. 2498, SD 1, entitled: "A BILL FOR AN ACT RELATING TO A MAKAHIKI DAY COMMEMORATION," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, with Representative Nakasone being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1190-08) recommending that S.B. No. 2730, SD 2, 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 S.B. No. 2730, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," passed Second Reading and was referred to the Committee on Judiciary, with Representative Nakasone being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1191-08) recommending that S.B. No. 3092, SD 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 S.B. No. 3092, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SECURITY NUMBER," passed Second Reading and was referred to the Committee on Judiciary, with Representative Nakasone being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1192-08) recommending that S.B. No. 2454, SD 1, 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 S.B. No. 2454, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Nakasone being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1193-08) recommending that S.B. No. 2803, SD 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 S.B. No. 2803, SD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you. I'd like to rise in favor of Stand. Com. Rep. 1193, Senate Bill 2803, SD 1, Relating to Personal Information. I will be voting with reservations because mainly, I think the bill calls for it to be attached to the DCCA. The original bill had it attached to the Office of the Attorney General which might have been a more appropriate place to be. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2803, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1194-08) recommending that S.B. No. 3008, SD 2, 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 S.B. No. 3008, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1195-08) recommending that S.B. No. 3009, SD 2, 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 S.B. No. 3009, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'd like to record a no vote on Stand. Com. Rep. No. 1195-08 on page 4, SB 3009, SD 2, HD 1, Relating to Money Transmitters. I'd like to say a few words regarding this particular bill.

"Mr. Speaker, this is an anti-competitive bill. Look at the numbers. If we want to raise taxes this is the way to do it. This is attacking a small community of transmitters that are in competition with the large banks and large money transmitters such as Western Union, etc. They're focusing on the Filipino transmitters that transmit hundreds of dollars to their families in the Philippines.

"When this legislation first came out and was being pushed by the large money-men, large banks and for example the Philippine Bank, Land Bank of the Philippines, Western Union and those large corporations that do business in this area. They were saying that monies were being transmitted to fund terrorism. There's no evidence that has ever been presented that there is money being transmitted to any terrorists by these families that live in Hawaii trying to help their families in the Philippines.

"Money transmitting business today, without this law, is very difficult to enter into because of the regulations, the over-regulations promoted from the existing in law. This measure does the following: first, it now will increase the fee from up to \$15,000 to open a transmitting business, just to get a license, up to \$15,000 to get a license. In addition to that, if you obtain your license by November you have to renew the license by December of that year. That's an additional \$15,000.

"Also, the reporting requirements are draconian. Who does this? What does this? They have to report and if they fail in any way to report, to report their financials to the Commissioner, the Commissioner can examine them. The licensed person, the delegates, the shareholders, etc., will be examined. The bill requires that the licensee pay for the cost of the examination, plus pay for the per diem in mileage and other expenses of the Commissioner going to examine the site. What businesses do we regulate in this manner and at this cost?

"There are also criminal penalties, as well as civil penalties. There's reporting requirements by the Commissioner to report to the Attorney General, to the Prosecutor, and to federal and State agencies. It's ridiculous. There are also other fees that are being requested.

"Let me go to the penalties. Civil penalties for any violation in the existing law and as being amended by the measure will now cost \$500 per day, plus State's costs in expenses for investigation and prosecution of the matter, plus attorney's fees. Now, what are they trying to do here? Obviously it's to avoid the competition because these small-time businesses that are opening up around the State literally to help. I'm using the example of Filipinos, but Mr. Speaker, I'm saying this is for all money transmitters that go through other countries. They also send to Samoa, Micronesia and other nations.

"These small transmitters are obviously doing a great job because it's costing a lot less to transfer \$100 from point A to point B. They can't stand the competition and they come to us under the guise of protecting the public. What consumer are we protecting here? We're protecting big business. Consumer protection? No. There is no such evidence that this is harming any consumer out there. If there is a huge problem out there, we've had this law for a while. Is there a complaint? Look at the testimony that's being offered. Testimony is only coming from the financial institutions. It's ridiculous. I'm sorry Mr. Speaker, but I urge my colleagues out there to read this bill. Look at it. Look at the provisions, it's draconian. We don't do this to any other businesses. I would dare to say that this is anti-business, and I dare to say it's anti-Filipino in this case. Thank you very much."

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

"Mr. Speaker, I'm speaking against this measure. I'm speaking for the small businesses in our State. There are a lot of small money transmitters in Kalihi and Waipahu. And for some grandmother that wants to send a small amount of money to the Philippines or to Micronesia or to Samoa, they can pay a small fee for the small amount.

"Now the big institutions, banks and financial institutions in our State charge a much larger fee. And of course they are exempt in this measure; they are not subject to this bill. I spoke against this measure when it came up about a year ago, but in the final vote, I voted yes with reservations. I spoke with the lobbyist on this matter and he assured me that these fees mentioned on page 12 will never go up. They will not go up. I asked him, 'Are you not coming back next year and ask for these fees to go up?' and he said, no.

"So I'm taking this on a personal basis, Mr. Speaker, because somebody lied to me. Besides I don't see the point why a non-refundable application fee needs to go up from \$1,000 to \$2,000 in a year's time, plus \$100 to \$300 for each location that they have. And now the aggregate amount they have to pay in the previous bill that I supported with reservations was \$4,000. Now it's \$15,000. They're obviously creating a barrier for the small businesses.

"Furthermore Mr. Speaker, money transmissions go to foreign countries involving foreign currencies used by immigrants. I feel that the right thing to do for this bill is to recommit it to the International Affairs Committee. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 3009, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS," passed Second Reading and was referred to the Committee on Finance with Representatives Cabanilla and Sonson voting no, and with Representative Nakasone being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1196-08) recommending that S.B. No. 3023, SD 2, 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 S.B. No. 3023, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second

Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1197-08) recommending that S.B. No. 2768, SD 2, 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 S.B. No. 2768, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUE BONDS TO ASSIST THE MAUI REGION OF THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1198-08) recommending that S.B. No. 2104, SD 1, 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 S.B. No. 2104, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ORGAN DONOR REGISTRY," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1199-08) recommending that S.B. No. 2157, SD 1, 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 S.B. No. 2157, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Judiciary, with Representative Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1200-08) recommending that S.B. No. 2039, SD 1, 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 S.B. No. 2039, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Finnegan 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 S.B. No. 2039, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1201-08) recommending that S.B. No. 2262, SD 1, 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 S.B. No. 2262, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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 S.B. No. 2262, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1202-08) recommending that S.B. No. 2594, SD 1, 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 S.B. No. 2594, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

"Thank you Mr. Speaker. On the same measure, Standing Committee Report 1202, Relating to Labor Unions, a no vote. Mr. Speaker, this bill does away with the right to a secret ballot and I can't support that."

Representative Meyer 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 a no vote for her, and the Chair "so ordered."

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

"Mr. Speaker also a no vote on 1202 for the sake of the democratic process. Thank you."

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2594, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Finance with Representatives Ching, Finnegan, Marumoto, Meyer, Thielen and Ward voting no, and with Representative Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1203-08) recommending that S.B. No. 3004, SD 2, 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 S.B. No. 3004, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1204-08) recommending that S.B. No. 3087, SD 1, 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 S.B. No. 3087, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR SUSPENSION ON PUBLIC WORKS PROJECTS," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1205-08) recommending that S.B. No. 3088, 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 S.B. No. 3088, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1206-08) recommending that S.B. No. 2169, SD 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 S.B. No. 2169, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Nakasone being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1207-08) recommending that S.B. No. 2826, SD 2, 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 S.B. No. 2826, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Nakasone being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1208-08) recommending that S.B. No. 2825, SD 1, 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 S.B. No. 2825, SD 1, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Thank, you, Mr. Speaker. That's a bill I think that has a lot of problems. I am standing in support with reservations. I think there's still time to improve it and get rid of some of the more troublesome parts of it. Thank you."

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

"Thank you, Mr. Speaker. I will be voting no on Stand. Com. Rep. No. 1208 and the attached measure. I think this would assess a fine on the procurement officer in the State and I'm not sure whether it's just the Chief Procurement Officer or one of its designees. There's a procurement officer in every department, and I believe even in the House and the Senate. This would assess fines on them for certain violations and I don't think it's right to fine our public servants especially when they might be following the directives of their bosses. So I think this bill is in need of drastic surgery. Thank you, very much."

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

"Mr. Speaker I, also rise with reservations on this measure. We are big on this side of the aisle on individual responsibility, be accountable for your actions, but when this is an institutional, particularly a public body, to say the individual who wrote the bid gets hit with the fine, I think that's a little bit draconian. Thank you, Mr. Speaker."

Representative Finnegan 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 S.B. No. 2825, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Judiciary with Representative Marumoto voting no, and with Representative Nakasone being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1209-08) recommending that S.B. No. 2867, SD 2, 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 S.B. No. 2867, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Judiciary, with Representative Nakasone being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1210-08) recommending that S.B. No. 591, SD 3, 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 S.B. No. 591, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1211-08) recommending that S.B. No. 1793, SD 1, 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 S.B. No. 1793, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On Stand. Com. Rep. 1211, I will vote with reservations and this has to do with the Natural Energy Laboratory of Hawaii. This is a request for a little more autonomy and I think it is desired, and NELHA desires and perhaps is deserving of this greater autonomy. However NELHA is not a private entity, but a public one and so it does require a degree of oversight and in this case by the Department of Business and Economic Development. They may have certain issues with the Department, but I don't think they should be sprung free as much as this bill would allow it. If NELHA, this one agency, receives this type of treatment, I think other agencies will also follow suit. Thank you, very much."

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

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

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

"In strong support. If DBEDT paid any attention to NELHA this bill wouldn't be necessary. They haven't been to a Board meeting at NELHA for a year and a half."

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 S.B. No. 1793, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1212-08) recommending that S.B. No. 2088, SD 1, 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 S.B. No. 2088, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED FLIGHT SIMULATOR TRAINING," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1213-08) recommending that S.B. No. 2156, SD 1, 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 S.B. No. 2156, SD 1, 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:

"I just stand in strong support of the measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2156, SD 1, 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 Representative Nakasone being excused.

Representatives Souki and Ito, for the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1214-08) recommending that S.B. No. 2816, SD 1, 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 S.B. No. 2816, SD 1, 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:

"I just stand in strong support of the measure."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2816, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTRA-COUNTY FERRY SERVICE," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representatives Souki and Ito, for the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1215-08) recommending that S.B. No. 3227, SD 2, 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 S.B. No. 3227, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1216-08) recommending that S.B. No. 2345, SD 1, 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 S.B. No. 2345, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Judiciary, with Representative Nakasone being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1217-08) recommending that S.B. No. 2082, SD 2, 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 S.B. No. 2082, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1218-08) recommending that S.B. No. 2447, 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 S.B. No. 2447, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1219-08) recommending that S.B. No. 2579, SD 2, 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 S.B. No. 2579, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Belatti's written remarks are as follows:

"I support Senate Bill 2579, Senate Draft 1 with reservations. My primary concern with this measure is that it erodes the ability of the Campaign Spending Commission to operate independently and free from political pressures.

"As drafted, this measure: (1) increases penalties for failing to file required campaign spending reports or for filing substantially defective or deficient reports; (2) increases the amount that may be designated on an income tax return to be placed into the Hawaii election campaign fund from \$2 to \$3; and (3) provides that campaign spending penalties and fines be deposited into the general fund rather than the Hawaii election campaign fund.

"The first two provisions strengthen Hawaii's campaign spending laws. Timely filing of complete and accurate campaign spending reports is essential to help the Campaign Spending Commission monitor candidates and committees' compliance with campaign spending laws. Increasing the voluntary income tax check-off is also positive inasmuch as this is the primary source of funding for the Commission that allows the Commission to operate effectively.

"The third provision, however, that moves penalties from the campaign election fund into the general fund, potentially erodes the ability of the Commission to operate effectively if no regular source of revenue is identified to replace these penalties. Previously, the Commission was required to request funds on an annual basis from the very people the Commission regulates. It would be detrimental to the Commission's ability to act independently if the Commission had to return to this practice."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2579, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1220-08) recommending that S.B. No. 2961, SD 2, 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 S.B. No. 2961, SD 2, HD 1, pass Second

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

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

"Thank you, Mr. Speaker. On Stand. Com. Report 1220-08, SB 2961, Claims Against the State, I wanted to disclose a potential conflict. I believe one of the claims has been represented by the law firm that I work for, but I did not work on the case," 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 S.B. No. 2961, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone 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. 1221-08) recommending that S.B. No. 2041, 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 S.B. No. 2041, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone 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. 1222-08) recommending that S.B. No. 2857, SD 2, 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 S.B. No. 2857, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone 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. 1223-08) recommending that S.B. No. 3257, SD 3, 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 S.B. No. 3257, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID PRESUMPTIVE ELIGIBILITY," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1224-08) recommending that S.B. No. 2583, SD 1, 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 S.B. No. 2583, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CAPITAL CULTURAL DISTRICT," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1225-08) recommending that S.B. No. 2423, SD 2, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2423, SD 2, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. This is regarding Stand. Com. Report 1225. Unfortunately I was not able to be at the hearing and so I'm standing with reservations until I can see the comments of our Committee as they are addressed in Finance."

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

"Also on 1225, I'd like to ask for a ruling on a potential conflict of interest. At my law firm I'm representing the community and their lawsuit against Kuilima Resort," and the Chair ruled "no conflict."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2423, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION," was referred to the Committee on Finance, with Representative Nakasone being excused.

Representatives Yamane and Yamashita, for the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1226-08) recommending that S.B. No. 2501, SD 2, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 2501, SD 2, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, a no vote for me please on Standing Committee Report 1226, and this is Relating to the Rental Motor Vehicle Surcharge Tax. This bill will extend the one dollar a day surcharge on motor vehicles for one more year, and I don't think that's in the best interest of taking care of our local people or our visitors."

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 Committees was adopted and S.B. No. 2501, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RENTAL MOTOR VEHICLE SURCHARGE TAX," was referred to the Committee on Finance with Representative Thielen voting no, and with Representative Nakasone being excused.

Representatives Yamane and Ito, for the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1227-08) recommending that S.B. No. 2499, 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 Committees

was adopted and S.B. No. 2499, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TARO," passed Second Reading and was referred to the Committee on Judiciary, with Representative Nakasone being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1228-08) recommending that S.B. No. 2164, SD 3, 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 S.B. No. 2164, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1229-08) recommending that S.B. No. 2449, SD 2, 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 S.B. No. 2449, SD 2, 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 Representative Nakasone being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1230-08) recommending that S.B. No. 6, 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 S.B. No. 6, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OPIHI," passed Second Reading and was referred to the Committee on Judiciary, with Representative Nakasone being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1231-08) recommending that S.B. No. 3, SD 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 S.B. No. 3, SD 1, entitled: "A BILL FOR AN ACT RELATING TO KAHANA VALLEY STATE PARK," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representatives Ito and Morita, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1232-08) recommending that S.B. No. 3138, SD 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 S.B. No. 3138, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representatives Ito and Shimabukuro, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1233-08) recommending that S.B. No. 2293, SD 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 S.B. No. 2293, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1234-08) recommending that S.B. No. 1526, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1526, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO JUDICIARY," was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1235-08) recommending that S.B. No. 2876, 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 S.B. No. 2876, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1236-08) recommending that S.B. No. 3005, SD 2, 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 S.B. No. 3005, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL TAX QUALIFICATION OF THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1237-08) recommending that S.B. No. 2842, SD 2, 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 S.B. No. 2842, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHTING," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1238-08) recommending that S.B. No. 2748, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2748, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," passed Second Reading, and was placed on the calendar for Third Reading, with Representative Nakasone being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1239-08) recommending that S.B. No. 2827, SD 1, as

amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2827, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Second Reading, and was placed on the calendar for Third Reading, with Representative Nakasone 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. 1240-08), recommending that H.R. No. 21, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 21, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO WORK TOGETHER TO DEVELOP A STANDARDIZED, WORKABLE POLICY TO PROTECT THE ELDERLY WITHOUT COMPROMISING RESIDENT CARE, AND THAT ENCOURAGES MORE PEOPLE TO BECOME ADULT RESIDENTIAL CARE HOME OR COMMUNITY CARE FOSTER FAMILY HOME OPERATORS," was referred to the Committee on Finance, with Representative Nakasone 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. 1241-08), recommending that H.C.R. No. 21, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 21, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO WORK TOGETHER TO DEVELOP A STANDARDIZED, WORKABLE POLICY TO PROTECT THE ELDERLY WITHOUT COMPROMISING RESIDENT CARE, AND THAT ENCOURAGES MORE PEOPLE TO BECOME ADULT RESIDENTIAL CARE HOME OR COMMUNITY CARE FOSTER FAMILY HOME OPERATORS," was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Green, for the Committee on Health presented two reports:

(Stand. Com. Rep. No. 1242-08), recommending that H.R. No. 49, as amended in HD 1, be referred to the Committee on Judiciary.

(Stand. Com. Rep. No. 1243-08), recommending that H.C.R. No. 49, as amended in HD 1, be referred to the Committee on Judiciary.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 49, HD 1, and H.C.R. No. 49, HD 1, be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

Representative Ward rose to speak in support of both measures with reservations, stating:

"On those same measures, I am voting with reservations being that it's a homerule issue."

Representative Tokioka rose and asked that the Clerk record a no vote for him on both measures, and the Chair "so ordered."

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

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

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

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

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 49, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE MAUI COUNTY MAYOR AND COUNTY COUNCIL TO IMPLEMENT VARIOUS MEASURES REGARDING MEDICAL MARIJUANA IN THE COUNTY OF MAUI," was referred to the Committee on Judiciary, with Representatives Meyer and Tokioka voting no, and with Representative Nakasone being excused; and

H.C.R. No. 49, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE MAUI COUNTY MAYOR AND COUNTY COUNCIL TO IMPLEMENT VARIOUS MEASURES REGARDING MEDICAL MARIJUANA IN THE COUNTY OF MAUI," was referred to the Committee on Judiciary, with Representatives Meyer and Tokioka voting no, and with Representative Nakasone being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1244-08), recommending that H.R. No. 125, as amended in HD 1, 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.R. No. 125, HD 1, entitled: "HOUSE RESOLUTION URGING THE INSURANCE COMMISSIONER TO INITIATE AN INVESTIGATION AND CORPORATE AUDIT OF THE HAWAII MEDICAL SERVICES ASSOCIATION'S PRACTICE OF MAINTAINING AN EXCESSIVE SURPLUS, PROVIDING LARGE BONUSES TO STAFF, AND REIMBURSEMENT PATTERNS OVER THE PAST TEN YEARS TO DETERMINE IF THE CHARITABLE RETURN TO THE COMMUNITY JUSTIFIES ITS NONPROFIT STATUS," was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Nakasone being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1245-08), recommending that H.C.R. No. 146, as amended in HD 1, 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.C.R. No. 146, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE INSURANCE COMMISSIONER TO INITIATE AN INVESTIGATION AND CORPORATE AUDIT OF THE HAWAII MEDICAL SERVICES ASSOCIATION'S PRACTICE OF MAINTAINING AN EXCESSIVE SURPLUS, PROVIDING LARGE BONUSES TO STAFF, AND REIMBURSEMENT PATTERNS OVER THE PAST TEN YEARS TO DETERMINE IF THE CHARITABLE RETURN TO THE COMMUNITY JUSTIFIES ITS NONPROFIT STATUS," was referred jointly to the Committee on Consumer Protection &

Commerce and the Committee on Judiciary, with Representative Nakasone 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. 1246-08), recommending that H.R. No. 113, 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.R. No. 113, entitled: "HOUSE RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO CONVENE AND FACILITATE A BLUE RIBBON PANEL TO PERFORM A COMPREHENSIVE INVENTORY OF ALL OF HAWAII'S ACUTE CARE AND LONG-TERM CARE FACILITIES AND TO MAKE RECOMMENDATIONS FOR NECESSARY EXPANSION OF SUCH FACILITIES FOR THE STATE BETWEEN NOW AND THE YEAR 2020," was referred to the Committee on Finance, with Representative Nakasone 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. 1247-08), recommending that H.C.R. No. 131, 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.C.R. No. 131, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO CONVENE AND FACILITATE A BLUE RIBBON PANEL TO PERFORM A COMPREHENSIVE INVENTORY OF ALL OF HAWAII'S ACUTE CARE AND LONG-TERM CARE FACILITIES AND TO MAKE RECOMMENDATIONS FOR NECESSARY EXPANSION OF SUCH FACILITIES FOR THE STATE BETWEEN NOW AND THE YEAR 2020," was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1248-08), recommending that H.R. No. 70, be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 70, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPLACE ALL INCANDESCENT BULBS WITH COMPACT FLUORESCENT LIGHTING," was referred to the Committee on Energy & Environmental Protection, with Representative Nakasone being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1249-08), recommending that H.C.R. No. 86, be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 86, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPLACE ALL INCANDESCENT BULBS WITH COMPACT FLUORESCENT LIGHTING," was referred to the Committee on Energy & Environmental Protection, with Representative Nakasone being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1250-08), recommending that H.C.R. No. 141, as amended in HD 1, be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee

was adopted and H.C.R. No. 141, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF SOCIAL SCIENCES PUBLIC POLICY CENTER TO FORM A TASK FORCE TO EVALUATE ESTABLISHING COMPREHENSIVE RECYCLING PROGRAMS IN SCHOOLS," was referred to the Committee on Energy & Environmental Protection, with Representative Nakasone being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1251-08), recommending that H.C.R. No. 123, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 123, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE APPROPRIATE ACCOUNTABILITY STRUCTURE FOR THE HAWAII TEACHER STANDARDS BOARD," was referred to the Committee on Finance, with Representative Nakasone being excused.

### ANNOUNCEMENTS

Representative Carroll: "Thank you, Mr. Speaker. On behalf of the Hawaiian Caucus, we want to invite all of you to lunch in Room 329. On your desk you will see there's a program and your ticket to enter for your lunch. And also just an announcement for the Hawaiian Caucus Members, if we can take some pictures after session right outside the Caucus room. Thank you."

Representative Ito: "Mr. Speaker, the Committee on Water, Land, Ocean Resources and Hawaiian Affairs, and the Committee on Agriculture will have decision making in the Auditorium at 1:45 p.m. Thank you."

Representative Brower: "Mr. Speaker, just a reminder. Committee Members of the Agriculture and Committee Members of Agriculture Committee at heart, we are reconvening our hearing from 9:00 a.m. and it will take place at the Capitol Auditorium today at 2:00 and at issue is Senate Bill 958."

Representative Lee: "Mr. Speaker, on behalf of the Women's Caucus, I'd just like to announce that there's one more day to participate in this year's Easter basket project. And you can't help but smile when you look at the beautiful baskets that are in the offices. Many offices have completed multiple baskets and for that we're very grateful. And I know it will bring smiles to the faces of those that receive them.

"Thank you all for your generosity and please bring your completed baskets tomorrow, March 20 at 1:30 p.m. to the Chamber level turn around area entry. IHS will be there to receive them and I encourage you to join us if we are finished with session. Thank you very much."

Representative Takai: "Thank you, Mr. Speaker. Today marks the fifth year since the start of the War on Terror. We're all familiar with what has happened over the past five years and regardless of how we feel about the war, we need to know that over 30,000 U.S. troops have been injured, and nearly 4,000 have lost their lives.

"And as we've done the last three years, or the last two years, this marks the third year; the Hawaii State Legislature will be coming together in joint session. I wanted to remind our colleagues of this because people keep on asking me today: When is the ceremony? What time? And all the other things.

"It's going to be next week Tuesday, March 25th. Instead of being in the morning it's going to be in the afternoon at 2:00 p.m. I think we need to be aware of this because of this event, we'll be blocking

off parking for the entire day and coordination of this event through the Clerk's Office and the Sergeant-at-Arms Office, as well as the Speaker's Office and Representative Cindy Evans' office, has made it possible for us to do this, but it is going to take some effort on the part of all of us.

"So as we reflect on the past five years I just wanted to mention once again that we need to prepare ourselves and encourage friends and family who have been touched by this war to join us at our session next week Tuesday. Thank you, Mr. Speaker."

### ADJOURNMENT

At 1:24 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, Thursday, March 20, 2008. (Representative Nakasone was excused.)