

THIRTY-SIXTH DAY

Thursday, March 20, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:08 o'clock p.m., with Vice Speaker Chong presiding.

Representative Ryan I. Yamane introduced Chaplain Ronaldo Pascua of the Hawaii Army National Guard, who then delivered the invocation. The Roll was called showing all members present with the exception of Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the Twenty-Second, Twenty-Third and Twenty-Fourth Days were approved. (Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters were excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 277 and 278) were received and announced by the Clerk:

Gov. Msg. No. 277, dated March 17, 2008, transmitting the Report Pursuant to Chapter 333E-3(5)(A), Hawaii Revised Statutes, Hawaii State Council on Developmental Disabilities 2007 Annual Report.

Gov. Msg. No. 278, dated March 7, 2008, transmitting the Department of Human Services' Report as required by Section 346-59.9, Hawaii Revised Statutes.

The following message from the Governor (Gov. Msg. No. 279) was announced by the Clerk and was received for possible consideration at a later date:

Gov. Msg. No. 279, transmitting H.B. No. 987, HD 1, SD 2, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
March 19, 2008

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 987

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 987, entitled "A Bill for an Act Relating to Police Officers."

The purposes of this bill are (1) to clarify the meaning of "acts done in the performance of the officer's duty as a police officer" for the purposes of determining if a police officer who is prosecuted or sued must be represented by an attorney provided by the county and (2) to specify that the police commission's request for a recommendation by the county attorney or corporation counsel regarding the entitlement of the police officer to counsel at county expense shall be responded to within seven working days.

Section 52D-8, Hawaii Revised Statutes, provides that whenever a police officer is prosecuted criminally or sued civilly for acts done in the performance of the officer's duty, the officer shall be represented at county expense or by the county. The amendment made by this bill will define the acts done in the performance of the officer's duty as a police officer to include any action while in a duty status or while the police officer is on duty, any action performed by

an off-duty police officer while effecting an arrest or performing any other police duty, and any action performed by the police officer while on special duty status.

As written, this bill is overly broad and could place the counties in a position that they would have to defend a police officer when he committed a criminal act. The bill very clearly provides that whenever there is a criminal case or civil case against an officer, and the acts the officer is claimed to have committed occurred while the officer was on regular or special duty, the counties must provide an attorney to represent the officer. Thus, an officer who, while on patrol, engaged in a drug deal or robbed a bank, would have an absolute entitlement to a county-paid attorney if criminally charged with possession of an illegal substance or bank robbery. As this bill is written, there are no exceptions -- so long as the officer is on duty, the officer gets a county-paid lawyer, regardless of the acts the officer commits.

We recognize the need for officers to be provided with legal representation when in the performance of their duties. However, there may be acts committed by a small minority of officers while in the performance of their duties that are not in the scope of an officer's authority as a police officer, i.e., activities such as the sale of narcotics, sexual assault, domestic violence, burglary. Officers should not be provided with legal representation in these or similar instances. Automatically affording officers legal representation would violate the trust bestowed by the citizens they are sworn to protect. Further, legal representation paid for by the individual counties in instances when a law enforcement officer commits criminal acts would blemish the reputation and integrity of all law enforcement officers and endanger the public's support in their Police Departments.

Additionally, the seven day timeline for a county's corporation counsel or county attorney to submit a recommendation to the police commission is, in the judgment of the counties, unrealistic and could cause the county police commissions to make decisions without proper recommendations and without the relevant investigative information. A proper investigation often takes weeks to complete.

We acknowledge that police officers' work places them in confrontational situations, which may lead to allegations of civil and criminal wrongdoing. We are sympathetic to the concerns expressed by police officers and by the State of Hawaii Organization of Police Officers, who are not confident that all deserving officers receive legal representation, and are concerned about the potential consequences of lawsuits and criminal charges and the effect on officers' morale and the manner in which they may carry out their duties. I understand the State of Hawaii Organization of Police Officers has worked with the counties over the past week to craft language that addresses the concerns of the counties, while ensuring representation for police officers when it is truly warranted.

I would support a bill that made it more likely that deserving officers would receive legal representation. I cannot support this bill with the serious language flaws described above.

For the foregoing reason, I am returning House Bill No. 987 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 372 and 373) were received and announced by the Clerk:

Sen. Com. No. 372, transmitting H.B. No. 3037, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY, SEWER, REFUSE, AND INSURANCE PREMIUM PAYMENTS," which passed Third Reading in the Senate on March 19, 2008.

Sen. Com. No. 373, transmitting H.B. No. 3038, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE," which passed Third Reading in the Senate on March 19, 2008.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 69) was received by the Clerk and was placed on file:

Dept. Com. No. 69, dated March 18, 2008, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the Sunrise Report: Condominium Commission.

INTRODUCTION

The following introduction was made to the members of the House:

Representative Yamane introduced Mrs. Joy Pascua, wife of Chaplain Ronaldo Pascua who delivered today's invocation.

ORDER OF THE DAY

COMMITTEE REASSIGNMENT

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

H.R.

No.

Re-referred to:

257 Committee on Consumer Protection & Commerce, then to the Committee on Finance

H.C.R.

No.

Re-referred to:

309 Committee on Consumer Protection & Commerce, then to the Committee on Finance

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

S.B.

Nos.

Re-referred to:

788, Committee on Finance
SD2

2833, Committee on Finance
SD1

At this time, the Chair announced:

"Members, before we begin I just wanted to let you know we have over 90 bills before us today, and if possible, I would like to finish by 1:00 as there are some Committee meetings, as well as our Easter basket pick up."

STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1252-08) recommending that S.B. No. 2441, 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. 2441, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1253-08) recommending that S.B. No. 2245, 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. 2245, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNATTENDED CHILDREN IN MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1254-08) recommending that S.B. No. 2094, 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. 2094, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Souki and Evans, for the Committee on Transportation and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1255-08) recommending that S.B. No. 3240, 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 Committees was adopted and S.B. No. 3240, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER'S LICENSE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1256-08) recommending that S.B. No. 2991, SD 2, 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 S.B. No. 2991, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1257-08) recommending that S.B. No. 3030, SD 2, 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 S.B. No. 3030, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1258-08) recommending that S.B. No. 2530, SD 2, 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 S.B. No. 2530, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE SUPPORT FOR SMALL BUSINESS," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1259-08) recommending that S.B. No. 2191, 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. 2191, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1260-08) recommending that S.B. No. 2315, 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. 2315, 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 Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters 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. 1261-08) recommending that S.B. No. 2313, 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 Committees was adopted and S.B. No. 2313, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters 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. 1262-08) recommending that S.B. No. 3006, 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 Committees was adopted and S.B. No. 3006, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was referred to the Committee on

Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters 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. 1263-08) recommending that S.B. No. 3020, 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 Committees was adopted and S.B. No. 3020, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ACTIVITIES REGULATED BY THE INSURANCE COMMISSIONER," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters 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. 1264-08) recommending that S.B. No. 3171, 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. 3171, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE TRUSTS AND NONPROFIT ORGANIZATIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1265-08) recommending that S.B. No. 2159, 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. 2159, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1266-08) recommending that S.B. No. 2804, SD 1, 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. 2804, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRE-PACKAGED MEAT," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1267-08) recommending that S.B. No. 3015, SD 2, as amended in HD 1, 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 S.B. No. 3015, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS AND RESPONSIBILITIES ACT," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives

Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1268-08) recommending that S.B. No. 2524, 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. 2524, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRISONS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Tsuji and Morita, for the Committee on Agriculture and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1269-08) recommending that S.B. No. 2467, 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. 2467, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOANS TO ASSIST AGRICULTURAL AND AQUACULTURAL INDUSTRIES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Tsuji and Morita, for the Committee on Agriculture and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1270-08) recommending that S.B. No. 2850, 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. 2850, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BIOSECURITY," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1271-08) recommending that S.B. No. 520, 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. 520, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1272-08) recommending that S.B. No. 2886, 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. 2886, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABANDONMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1273-

08) recommending that S.B. No. 2837, 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. 2837, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1274-08) recommending that S.B. No. 2982, 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 S.B. No. 2982, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE RESALE OF RESERVED HOUSING UNITS BY THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters 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. 1275-08) recommending that S.B. No. 3165, SD 2, 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 S.B. No. 3165, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters 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. 1276-08) recommending that S.B. No. 3258, 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. 3258, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID HOSPITAL AND LONG TERM CARE REIMBURSEMENTS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters 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. 1277-08) recommending that S.B. No. 3168, 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. 3168, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1278-08) recommending that S.B. No. 3076, 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. 3076, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGISTS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1279-08) recommending that S.B. No. 3077, SD 2, 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. 3077, SD 2, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Chang and Shimabukuro, for the Committee on Higher Education and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1280-08) recommending that S.B. No. 2480, 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 Committees was adopted and S.B. No. 2480, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE AND DEVELOPMENT," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Evans and Sonson, for the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1281-08) recommending that S.B. No. 2334, SD 2, 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. 2334, SD 2, 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 wanted to speak in opposition to Senate Bill 2334, SD 2. Thank you, Mr. Speaker. This bill repeals the exemption from civil service of the First and Second Deputy Sheriff. It requires the Deputy Sheriff for Law Enforcement and the Sheriff to be graduates of a law enforcement academy.

"I'm concerned that this bill would limit the ability of the Governor and the Director of Public Safety to appoint candidates of their choice to the positions. It is critical for the successful operation of any department that the leaders and the administrators work together as a unit. Therefore it is critical that the Governor and the Director of Public Safety have the opportunity and the capacity to select those administrators that will work well within the current system. Thank you, Mr. Speaker."

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. 2334, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance with Representative Meyer voting no, and with

Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1282-08) recommending that S.B. No. 2828, 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. 2828, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising to speak against Standing Committee Report 1282 and Senate Bill 2828, which is relating to emergency powers under disaster relief.

"Mr. Speaker, this bill is either identical to or very similar to House Bill 2664, which restricts the Governor's powers. I would like to quote from the Attorney General on this matter and I quote, 'This bill would turn the clock on emergency management law in Hawaii back 57 years and significantly hamper the Governor's ability to respond to emergencies and disasters.' This was said by Attorney General Mark J. Bennett.

"Mr. Speaker, I would like to ask that my remarks on House Bill 2664 be inserted in the Journal in opposition to this bill, which shows the incorrect activity of this Legislature in doing this, in trying to rein in the Governor's powers. I would hope that Members would think seriously before letting this bill move forward.

"I believe that there's an editorial on this effect in the *Advertiser*. The *Honolulu Weekly* similarly has put in a piece on this matter. It makes me more than puzzled. It makes me be amazed that people can be so partisan in this body to try to rein in the well-used powers of Governor Linda Lingle. I think that our people out there who will bear the brunt of the action here in the Legislature, and the people will not be happy. Thank you"

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

"I rise in opposition. In continuation of the remarks from my colleague, I think if I was in the Majority, I would really think twice about voting for this bill. In fact if you want to take powers away from the Governor, go ahead, but don't do this one. This one goes against the people of Hawaii. This is the one where you have to be an Executive to execute decisions quickly and firmly. It's the difference between being on the Board of Directors, versus being the President of the company. You have to make decisions. You can't go to a committee. As they say, a committee is a horse designed as a camel, or a camel turns out to be a horse when it comes into a committee.

"And when the Governor, whose job is to execute, she can't refer to the Legislature as a reference point. Mr. Speaker, you have the prerogative as the Majority to do these kinds of things, but this one is probably the least wise of all. As I said it goes against the governed, not the Governor. It's against the people of Hawaii. And there's only one way to explain it, and that's what has been coined as IFL, the IFL-phobia. Not the fear of high towers, like the Eiffel Tower in Paris, but the irrational fear of Lingle is the only way to explain it Mr. Speaker."

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

"In support. Mr. Speaker, when we had this debate a few days ago, it struck me that the difference in opinion has to do with the definition of an emergency. One of the examples given by the Minority Party was homelessness on the Leeward Coast. Well there's

been homelessness on the Leeward Coast for many years. And yes, for those who are experiencing it, it is an emergency, just as for those who are involved in an automobile accident are part of an emergency that's bigger than just themselves. You have hundreds of automobile accidents every year, but it's been going on for 50 years. Is it still an emergency after 50 years?

"Like I say, it's an emergency to those that it's happening to, but in the broad scheme of things, it's not something we can resolve in five minutes or if somebody's rushed to the hospital everything's going to be okay. It's a policy decision about how to handle homelessness, and in that area the Legislature certainly has a role to play. Of course it's easier not to have a Legislature. Dictatorship is the most efficient form of government, but is it the best form? I would argue that it's not. Mahalo."

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

"Thank you Mr. Speaker. I'm rising in opposition to that measure. I would take exception to some of the things said by the previous speaker. In that the example of the homeless problem on the Leeward Coast, it was not just an emergency, it was a health and safety problem. It would not make any of us proud that it was allowed to get in the state that it was in because people simply looked the other way for so many years.

"And as far as health and sanitation, it was a problem for the residents of the Leeward Coast that they were now held out, they couldn't even use the public parks that were there for their pleasure and use. So I don't think there was any question this was an emergency. I think that's enough. Thank you."

The Chair then announced:

"Members, this measure will be going to the Finance Committee, so may we move on?"

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

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

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

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

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

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

Representative Awana 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. 2828, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Second Reading and was referred to the Committee on Finance with Representatives Belatti, Ching, Finnegan, Green, Marumoto, McKelvey, Meyer, Pine, Thielen and Ward voting no, and with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Chang and Takumi, for the Committee on Higher Education and the Committee on Education presented a report (Stand. Com. Rep. No. 1283-08) recommending that S.B. No. 2774, SD 2, 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. 2774, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1284-08) recommending that S.B. No. 2080, 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 Committees was adopted and S.B. No. 2080, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER LICENSURE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1285-08) recommending that S.B. No. 2163, 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 Committees was adopted and S.B. No. 2163, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1286-08) recommending that S.B. No. 2652, 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. 2652, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on Standing Committee Report 1286-08, I would like to request a ruling a potential conflict. At my law firm, we're representing the substitute teachers in the class action versus the State. 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 S.B. No. 2652, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1287-08) recommending that S.B. No. 2663, 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. 2663, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1288-08) recommending that S.B. No. 3252, 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. 3252, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1289-08) recommending that S.B. No. 2878, 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. 2878, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1290-08) recommending that S.B. No. 2571, SD 1, 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 S.B. No. 2571, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1291-08) recommending that S.B. No. 2900, 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. 2900, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1292-08) recommending that S.B. No. 2421, SD 2, 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. 2421, SD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. To be consistent, I'd like to cast a no vote on Standing Committee Report 1292, and this is relating to land acquisition of the Galbraith Estate. Mr. Speaker my concern again is that land is contaminated. The State will be picking up a huge liability and I don't know if we have the funding to really be able to deal with that. Thank you."

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

"Mr. Speaker, in support. The land is not contaminated. The EPA gave it a clean bill of health several years ago. Thank you."

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

"Mr. Speaker, on the same measure, I just wanted to declare a potential conflict. Some of my partners are shareholders in the Galbraith Trust and my wife's financial institution that she works at is the trustee for the trust. Thank you," and the Chair ruled, "no conflict."

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

"Mr. Speaker, I am standing in support with brief comments. If we're really considering land acquisition in Turtle Bay, this would definitely qualify as well. Thank you."

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

"Thank you, Mr. Speaker. I am rising in opposition to that measure. In addition to the liability of some of the agriculture lands, I'm concerned about Lake Wilson and the dam that created Lake Wilson. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2421, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Meyer and Thielen voting no, and with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1293-08) recommending that S.B. No. 3102, 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. 3102, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1294-08) recommending that S.B. No. 3137, 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. 3137, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES FOR

AKULE FISH MONITORING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1295-08) recommending that S.B. No. 2997, 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. 2997, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters 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. 1296-08) recommending that S.B. No. 3103, 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 Committees be adopted, and that S.B. No. 3103, SD 1, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 3103, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," passed Second Reading and was referred to the Committee on Judiciary with Representative Thielen voting no, and with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1297-08) recommending that S.B. No. 2896, SD 2, as amended in HD 1, 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 S.B. No. 2896, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1298-08) recommending that S.B. No. 3228, 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. 3228, entitled: "A BILL FOR AN ACT RELATING TO ADJUSTING THE ANNUAL PENSIONS OF RETIRED PATIENT EMPLOYEES AT HANSEN'S DISEASE FACILITIES," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1299-08)

recommending that S.B. No. 2273, 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. 2273, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DIGITAL MEDIA," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1300-08) recommending that S.B. No. 3061, 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 S.B. No. 3061, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FIRST-TO-WORK PROGRAM," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1301-08) recommending that S.B. No. 2493, 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. 2493, 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 Stand. Com. Rep. No. 1301, Senate Bill 2493, Making an Appropriation for Collective Bargaining Cost Items. This has to do with teachers, but as came out in Committee that the measure is unnecessary as this issue has already been addressed in House Bill 1568, CD 1, which was passed last year, so I have reservations on that."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2493, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Sonson and Evans, for the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1302-08) recommending that S.B. No. 2779, 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. 2779, 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:

"On Senate Bill 2779, the Labor Wages and Hours, I'm not clear what this bill is trying to do. It's unclear what the intent is, but by including one specific section of authority to suspend Chapter 104 HRS, it can be construed that the Governor is limited in the authority to suspend requirements under any other disaster statutes. For example the current Civil Defense and Emergency Act, Chapter 128 HRS, I'm just not sure what this bill is going to do. So I'm going to vote with reservations."

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2779, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Sonson and Yamashita, for the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1303-08) recommending that S.B. No. 2780, 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. 2780, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I am in opposition to Stand. Com. Rep. No. 1303, Senate Bill 2780, SD 2, HD 1, Relating to Public Works. This bill would cover projects used on State or county lands, but they would cover private projects. So you'd have to come under the Little Davis Bacon Act, even if the lessee is a private entity operating a private business, and the lessee's operations are not funded by government revenues, nor are the leases entered for purpose of the lessee's constructing improvements to be used or occupied by governmental agencies.

"Unlike construction contracts for true public work projects, DLNR would have to act as a passive landlord in the leases that it manages and would not be able to dictate, oversee, or participate in the lessee's operations or management, let alone get involved in personnel issues and decisions. So as such it would be inappropriate, in fact well near impossible for DLNR to monitor and enforce any proposed wage and hour provisions in this business.

"The bill also requires a government agency leasing the land to be the contracting agency for the construction on the site. This requirement would impose an unreasonable burden on government agencies who act as passive landlords by obligating them to be bound by the terms of the construction contract for purely private purpose in which they have no interest or control, but for the fact it is situated on public land. This would effect every department that leases land and I think it's a very difficult burden that we would put on our State government. Therefore, I will be voting no."

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2780, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Second Reading and was referred to the Committee on Finance with Representatives Marumoto, Meyer and Thielen voting no and with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Morita, Ito and Tsuji, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1304-08) recommending that S.B. No. 3215, 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. 3215, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BIODIESEL," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1305-08) recommending that S.B. No. 2034, 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. 2034, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST OCEANLINX HAWAII LLC," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Morita and Shimabukuro, for the Committee on Energy & Environmental Protection and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1306-08) recommending that S.B. No. 2933, 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. 2933, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSEHOLD ENERGY DEMAND," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1307-08) recommending that S.B. No. 2192, 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. 2192, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1308-08) recommending that S.B. No. 2630, 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. 2630, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM INDUSTRY REPORTING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with

Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1309-08) recommending that S.B. No. 2849, SD 1, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2849, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Second Reading and was referred jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1310-08) recommending that S.B. No. 2783, SD 2, 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 S.B. No. 2783, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOSS MITIGATION," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1311-08) recommending that S.B. No. 2864, SD 2, 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 S.B. No. 2864, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1312-08) recommending that S.B. No. 3001, SD 2, 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 S.B. No. 3001, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1313-08) recommending that S.B. No. 3016, SD 1, 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. 3016, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1314-08)

recommending that S.B. No. 3011, 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. 3011, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1315-08) recommending that S.B. No. 2407, 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. 2407, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE APPRAISALS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1316-08) recommending that S.B. No. 2627, 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. 2627, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COPPER PURCHASES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1317-08) recommending that S.B. No. 3166, 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 S.B. No. 3166, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1318-08) recommending that S.B. No. 1891, 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. 1891, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1319-08) recommending that S.B. No. 2170, 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. 2170, SD 1, entitled: "A BILL FOR AN

ACT RELATING TO PUBLIC LAND," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1320-08) recommending that S.B. No. 2487, SD 2, 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. 2487, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1321-08) recommending that S.B. No. 2528, 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. 2528, SD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS ON KAUAI," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1322-08) recommending that S.B. No. 2198, 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. 2198, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND CONSERVATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1323-08) recommending that S.B. No. 2646, 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. 2646, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1324-08) recommending that S.B. No. 3075, 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. 3075, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1325-08) recommending that S.B. No. 1487, 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. 1487, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Green and Chang, for the Committee on Health and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1326-08) recommending that S.B. No. 2040, 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 Committees was adopted and S.B. No. 2040, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CANCER SURVEILLANCE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters 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. 1327-08) recommending that S.B. No. 2831, SD 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 S.B. No. 2831, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII CENTER ON AGING EDUCATION AND RESEARCH," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1328-08) recommending that S.B. No. 644, SD 3, 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. 644, SD 3, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1329-08) recommending that S.B. No. 2843, 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. 2843, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC DEVICE RECYCLING," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1330-08) recommending that S.B. No. 2394, 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. 2394, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1331-08) recommending that S.B. No. 2829, 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. 2829, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1332-08) recommending that S.B. No. 2891, 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. 2891, SD 1, 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 Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1333-08) recommending that S.B. No. 1343, SD 1, 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. 1343, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1334-08) recommending that S.B. No. 2004, 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. 2004, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1335-08) recommending that S.B. No. 2150, SD 2, 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 S.B. No. 2150, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTION," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1336-08) recommending that S.B. No. 2196, SD 2, 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 S.B. No. 2196, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL ACTIVITIES ON OCEAN WATERS," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1337-08) recommending that S.B. No. 2396, SD 1, 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. 2396, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1338-08) recommending that S.B. No. 2977, SD 1, 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. 2977, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1339-08) recommending that S.B. No. 1491, SD 1, 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 S.B. No. 1491, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1340-08) recommending that S.B. No. 3051, SD 2, 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 S.B. No. 3051, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY BACKGROUND CHECKS FOR SOCIAL SERVICES PROGRAMS," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1341-08) recommending that S.B. No. 2202, 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. 2202, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARTIAL PUBLIC FINANCING OF

ELECTIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1342-08) recommending that S.B. No. 3019, 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. 3019, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1343-08) recommending that S.B. No. 711, 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. 711, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1344-08) recommending that S.B. No. 3202, 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. 3202, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO EXTEND THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES FROM SEVENTY TO EIGHTY YEARS OF AGE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1345-08) recommending that S.B. No. 3069, 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. 3069, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDS OF DEFENDANTS COMMITTED TO A HOSPITAL CONTROLLED BY THE DIRECTOR OF HEALTH OR TO CUSTODY OF DIRECTOR OF HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1346-08) recommending that S.B. No. 868, 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. 868, SD 2, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1347-08) recommending that S.B. No. 2824, SD 2, 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 S.B. No. 2824, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1348-08) recommending that S.B. No. 2830, SD 2, 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 S.B. No. 2830, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1349-08) recommending that S.B. No. 2845, SD 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. 2845, SD 2, entitled: "A BILL FOR AN ACT RELATING TO REORGANIZATION OF STATE AGENCIES," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1350-08) recommending that S.B. No. 2395, SD 2, 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. 2395, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

ANNOUNCEMENTS

Representative Lee: "Mr. Speaker, just to remind everyone that at 1:30 we will present the baskets to IHS, so everyone is welcome to come. Again, thank you to everybody for your participation. Thank you."

Representative Meyer: "It's not an announcement, but maybe it's a challenge. I don't know when the Penny War is over, but I've got a whole bunch of pennies. So if you want to make sure I don't win, stop by my office."

Representative B. Oshiro: "I have another announcement. It is related to the Penny Wars. I must apologize to Representative Nishimoto, because unfortunately there's been a theft that has occurred in his office. I'm not sure if it was prank or not.

"But I would just like to let the thief know that it is theft in the Third Degree if it is an amount over \$100. Otherwise it's theft in the Fourth Degree which is punishable as a petty misdemeanor. So I

would suggest that whoever took it, return it before we end up prosecuting. Thank you."

ADJOURNMENT

At 12:34 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, Monday, March 24, 2008. (Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters were excused.)