

## FORTY-FIFTH DAY

Friday, April 4, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:20 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Mr. Kainoa Horcajo of Representative Mele Carroll's office, after which the Roll was called showing all members present with the exception of Representatives Bertram, Green, Morita, Nakasone and Thielen, who were excused.

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

## GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 289) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 289, informing the House that on April 3, 2008, the following bill was signed into law:

S.B. No. 3027, SD 2, entitled: "A BILL FOR AN ACT RELATING TO OSTEOPATHY." (ACT 005)

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 434 through 441) were received and announced by the Clerk:

Sen. Com. No. 434, transmitting S.C.R. No. 134, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO "BUY LOCAL" AND TO IMPLEMENT AND DEVELOP FOOD WARE AND FOOD WASTE RECYCLING PROGRAMS TO ENCOURAGE SUSTAINABILITY," which was adopted by the Senate on April 3, 2008.

Sen. Com. No. 435, transmitting H.B. No. 2165, entitled: "A BILL FOR AN ACT RELATING TO NURSING," which passed Third Reading in the Senate on April 3, 2008.

Sen. Com. No. 436, transmitting H.B. No. 2523, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," which passed Third Reading in the Senate on April 3, 2008.

Sen. Com. No. 437, transmitting H.B. No. 3343, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FILIPINO-AMERICAN HISTORY MONTH," which passed Third Reading in the Senate on April 3, 2008.

Sen. Com. No. 438, transmitting H.B. No. 2301, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," which passed Third Reading in the Senate on April 3, 2008.

Sen. Com. No. 439, transmitting H.B. No. 3085, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," which passed Third Reading in the Senate on April 3, 2008.

Sen. Com. No. 440, transmitting H.B. No. 3174, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FISHERIES REGULATIONS," which passed Third Reading in the Senate on April 3, 2008.

Representative Caldwell moved to disagree to the amendments made by the Senate to the following House bills, seconded by Representative B. Oshiro and carried: (Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen were excused.)

H.B. No. 2301, H.D. 1, S.D. 1  
H.B. No. 3085, H.D. 2, S.D. 1  
H.B. No. 3174, H.D. 1, S.D. 1

Sen. Com. No. 441, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bills:

S.B. No. 1035, SD 1, HD 1  
S.B. No. 2441, HD 1  
S.B. No. 2434, HD 1  
S.B. No. 2464, HD 1  
S.B. No. 2584, SD 2, HD 1  
S.B. No. 3166, HD 1  
S.B. No. 2499, HD 1

## INTRODUCTION

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

Representative Cabanilla recognized the 2008 Hawaii State Division II Varsity Girls Basketball Champions from James Campbell High School, and introduced members of the team:

Ms. Ama Lui, Ms. Karen Tano, Ms. Saphyre Eltagonde, Ms. Jazmin Brown, Ms. Amber Sanchez, Ms. Layna Christian, Ms. Ariel Medlin, Ms. Vai Confer, Ms. Aloha Dias-Kekahuna, Ms. Amber Kaulia, Ms. Shawny Vera Cruz, Ms. Randi Wright, Ms. Kaitlynn Simmonds, and Ms. Oli Kila.

Head Coach, Mr. Nathan Macadangang and his wife, Patricia; Assistant Coaches, Mr. Ray Resurrection and Mr. Jody Bantolina; Athletic Director, Mr. Sam Delos Reyes; Trainers, Ms. Alison Kuramoto and Mr. Dayton Uyeda; Scorekeeper, Ms. Gabby Serrano; and Manager, Ms. Joy Ignacio.

## ORDER OF THE DAY

## COMMITTEE ASSIGNMENTS

The following concurrent resolution was referred to committee by the Speaker:

S.C.R.No.Referred to:

101 Committee on Public Safety & Military Affairs, then to the Committee on Finance

## COMMITTEE REASSIGNMENT

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

H.C.R.No.Re-referred to:

56 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

At this time, the Chair announced:

"Members, please note that S.B. No. 2454, SD 1, HD 1 has been re-referred solely to the Committee on Consumer Protection & Commerce per Committee Referral Sheet No.73 that was placed on your desk yesterday. The Committee on Judiciary waived its referral to this measure and therefore it is appropriate for the House to consider action for adoption."

#### SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended to reconsider action previously taken on S.B. No. 2454, SD 1, HD 1. (Representatives Bertram, Green, Morita, Nakasone and Thielen were excused.)

#### RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 1192-08, recommending referral to the Committee on Judiciary, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Green, Morita, Nakasone and Thielen were excused.)

#### SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar. (Representatives Bertram, Green, Morita, Nakasone and Thielen were excused.)

#### UNFINISHED BUSINESS

##### S.B. 2454, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2454, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," passed Third Reading by a vote of 46 ayes, with Representatives Bertram, Green, Morita, Nakasone and Thielen being excused.

At 12:31 o'clock p.m., the Chair noted that S.B. No. 2454, SD 1, HD 1, passed Third Reading.

At this time, the Chair announced:

"Members, again, please note that HR No. 118 and HCR No. 137 have been re-referred solely to the Committee on Public Safety and Military Affairs per Committee Referral Sheet No.74 that was placed on your desk today. The Committee on Finance waived its referral to this measure, and therefore it is appropriate for the House to consider action for adoption."

#### SUSPENSION OF RULES

Representative Caldwell moved to suspend the rules of the House to reconsider action previously taken on H.R. No. 118 and H.C.R. No. 137, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Green, Morita, Nakasone and Thielen were excused.)

#### RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved to reconsider action taken pursuant to the recommendations contained in Stand. Com. Rep. Nos. 1403-08 and 1404-08 in referring H.R. No. 118 and H.C.R. No. 137 to the Committee on Finance, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Green, Morita, Nakasone and Thielen were excused.)

#### ADOPTIONS

Representative Caldwell then moved that H.R. No. 118 and H.C.R. No. 137 be adopted, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I rise in support of this measure as a Vietnam veteran. And I can't speak for all, but I know that the veterans have tried for more than ten years and have done a reasonably good job at maintaining the shine and the cleanliness of that Memorial. But I do think it's time now that DAGS take over. It'll be another couple of hours a week at most. It's pretty much self-maintaining. It's a beautiful addition to our Capitol and I think it's a beautiful way of extending it into the future. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.R. No. 118, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND THE DEPARTMENT OF PUBLIC SAFETY TO MAINTAIN AND CLEAN THE KOREAN AND VIETNAM MEMORIAL ON THE GROUNDS OF THE HAWAII STATE CAPITOL," and

H.C.R. No. 137, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND THE DEPARTMENT OF PUBLIC SAFETY TO MAINTAIN AND CLEAN THE KOREAN AND VIETNAM MEMORIAL ON THE GROUNDS OF THE HAWAII STATE CAPITOL," were adopted, with Representatives Bertram, Green, Morita, Nakasone and Thielen being excused.

#### UNFINISHED BUSINESS

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1601-08) recommending that S.B. No. 2054, SD 2, HD 1, as amended in HD 2, pass 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. 2054, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Third Reading by a vote of 45 ayes, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1602-08) recommending that S.B. No. 2730, SD 2, HD 1, as amended in HD 2, pass 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. 2730, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," passed Third Reading by a vote of 45 ayes, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1603-08) recommending that S.B. No. 2886, SD 1, HD 1, as amended in HD 2, pass 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. 2886, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABANDONMENT," passed Third Reading by a vote of 45 ayes, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1604-08) recommending that S.B. No. 2867, SD 2, HD 1, as amended in HD 2, pass 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. 2867, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," passed Third Reading by a vote of 45 ayes, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1605-08) recommending that S.B. No. 2825, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2825, SD 1, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

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

"I'm standing in opposition to Stand. Com. Rep. No. 1605, Senate Bill 2825, Relating to Procurement. I will be voting no on this. This bill, in my estimation, is unnecessary as there are already provisions in the Procurement Code that calls for violators of the Code to be subject to administrative fines or removal from office. The punishment that this bill would impose just because the process takes longer than the bill's author would like, is unnecessary and would discourage the kind of dialogue that can improve the application of the Code.

"The bill in its current form, also inserts a provision requiring the Comptroller to become an ex-officio, non-voting member of the State Procurement Policy Board. I don't believe there's a basis in the bill's language or the Committee Report for taking away the Comptroller's vote. The State Procurement Code applies to State and county agencies. The State Procurement Policy Board adopts rules to implement the State Procurement Code. The Board has seven members, all with voting rights. Two members are government employees: one representing the counties; and one, the Comptroller, representing the State. The other five members are not State or county employees. If the Comptroller's vote is taken away, there will be only one vote representing the government agencies to whom the State Procurement Code applies. These are just some of the reasons I can't support the bill. Thank you, Mr. Speaker."

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

"Mr. Speaker, I rise in support. Very briefly, just to counter that last argument. If the Member would read the Standing Committee Report for the HD 1, 'as such, your Committee has amended this measure by deleting the section making the Comptroller an ex-officio, non-voting member.' So that is no longer in the bill and so that argument is now moot.

"The second point is that this about corrective action. By definition, correction means that something was wrong. And if something is wrong, I don't see why we should have to wait longer than 30 days in order for any Chief Procurement Officer to make the correction. And 30 days seems to be a reasonable amount of time. Thank you."

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

"Mr. Speaker, I'm also in opposition to this measure. I was aware, yes, that the Comptroller's vote was restored. But nevertheless, the rest of the bill is very trying for the Department of Accounting and General Services and for the Procurement Office because they said 30 days is sometimes not enough time to resolve an issue amicably. And given enough time, they don't need to resort to instant penalties and fines. Thank you, very much."

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 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Third Reading by a vote of 39 ayes to 6 noes, with Representatives Ching, Finnegan, Marumoto, Meyer, Pine and Ward voting no, and with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

At 12:37 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2054, SD 2, HD 2  
S.B. No. 2730, SD 2, HD 2  
S.B. No. 2886, SD 1, HD 2  
S.B. No. 2867, SD 2, HD 2  
S.B. No. 2825, SD 1, HD 2

#### STANDING COMMITTEE REPORTS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1631-08) recommending that S.B. No. 1526, SD 2, HD 2, as amended in HD 3, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1631-08 on S.B. No. 1526, SD 2, HD 3 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1526, SD 2, HD 3, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1632-08) recommending that S.B. No. 2146, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1632-08 on S.B. No. 2146, SD 2, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2146, SD 2, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1633-08) recommending that S.B. No. 2314, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1633-08 on S.B. No. 2314, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2314, SD 1, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1634-08) recommending that S.B. No. 2668, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1634-08 on S.B. No. 2668, SD 2, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2668, SD 2, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1635-08) recommending that S.B. No. 2831, SD 1, as amended in HD 1, pass Third Reading.





accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2273, SD 2, HD 3, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1665-08) recommending that S.B. No. 2433, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1665-08 on S.B. No. 2433, SD 2, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2433, SD 2, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1666-08) recommending that S.B. No. 2293, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1666-08 on S.B. No. 2293, SD 1, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2293, SD 1, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1667-08) recommending that S.B. No. 2982, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1667-08 on S.B. No. 2982, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2982, HD 2, were made available to the members of the House.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1668-08) recommending that S.B. No. 2896, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1668-08 on S.B. No. 2896, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2896, SD 2, HD 2, were made available to the members of the House.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1669-08) recommending that S.B. No. 3015, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1669-08 on S.B. No. 3015, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3015, SD 2, HD 2, were made available to the members of the House.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1670-08) recommending that S.B. No. 2449, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1670-08 on S.B. No. 2449, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2449, SD 2, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1671-08) recommending that S.B. No. 2782, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1671-08 on S.B. No. 2782, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2782, SD 2, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1672-08) recommending that S.B. No. 3092, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1672-08 on S.B. No. 3092, SD 1, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3092, SD 1, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1673-08) recommending that S.B. No. 2245, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1673-08 on S.B. No. 2245, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2245, SD 1, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1674-08) recommending that S.B. No. 3240, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1674-08 on S.B. No. 3240, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3240, SD 1, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1675-08) recommending that S.B. No. 6, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1675-08 on S.B. No. 6, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 6, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1676-08) recommending that S.B. No. 1487, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1676-08 on S.B. No. 1487, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1487, SD 2, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1677-08) recommending that S.B. No. 2094, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1677-08 on S.B. No. 2094, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2094, SD 2, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1678-08) recommending that S.B. No. 2170, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1678-08 on S.B. No. 2170, SD 1, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the



By unanimous consent, consideration of Stand. Com. Rep. No. 1693-08 on S.B. No. 2262, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2262, SD 1, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1694-08) recommending that S.B. No. 2150, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1694-08 on S.B. No. 2150, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2150, SD 2, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1695-08) recommending that S.B. No. 2083, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1695-08 on S.B. No. 2083, SD 2, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2083, SD 2, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1696-08) recommending that S.B. No. 2720, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1696-08 on S.B. No. 2720, SD 2, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2720, SD 2, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1697-08) recommending that S.B. No. 1891, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1697-08 on S.B. No. 1891, SD 1, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1891, SD 1, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1698-08) recommending that S.B. No. 2341, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1698-08 on S.B. No. 2341, SD 1, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2341, SD 1, HD 1, were made available to the members of the House.

Representatives Morita and Waters, for the Committee on Energy & Environmental Protection and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1699-08) recommending that S.B. No. 2808, SD 2, 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 Committees was adopted and S.B. No. 2808, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1700-08) recommending that S.B. No. 1961, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1961, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On Stand. Com. Report 1700, will you note my reservations and my comments will be reserved for Third Reading. Thank you."

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

"Thank you, Mr. Speaker. I have reservations on Stand. Com. Rep. 1700. I think it exonerates bail bond agents and sureties from bond liabilities and enforcement procedures. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1961, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1701-08) recommending that S.B. No. 2400, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2400, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

Representative 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. 2400, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DECRIMINALIZATION OF MINOR OFFENSES PURSUANT TO ACT 124, SESSION LAWS OF HAWAII 2005," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1702-08) recommending that S.B. No. 945, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 945, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

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



"Thank you, Mr. Speaker. I'd like a ruling on a possible conflict on Stand. Com. Rep. No. 1702. My spouse is employed in my office," and the Chair ruled, "no conflict."

Representative Mizuno continued in support of the measure, stating:

"And in that case, I support this. Thank you."

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

"On Stand. Com. 1702-08, Mr. Speaker, I would like to declare a possible conflict. My son works as a member of my Session staff for me. Thank you," and the Chair ruled, "no conflict."

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

"I'm sorry, Mr. Speaker. I did also want to register a possible conflict. My sister did work in my office. 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. 945, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1703-08) recommending that S.B. No. 2840, SD 2, 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. 2840, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SELF-SUFFICIENCY," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1704-08) recommending that S.B. No. 3068, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3068, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I need to request a ruling on a potential conflict on Stand. Com. Report No. 1704, SB 3068. My wife is on the Board of Directors of Mental Health Kokua which is one of the major service providers for the Mental Health Division. 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. 3068, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1705-08) recommending that S.B.

No. 2833, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2833, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Belatti 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. 2833, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1706-08) recommending that S.B. No. 2365, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2365, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

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

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

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. 2365, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1707-08) recommending that S.B. No. 2879, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2879, SD 2, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2879, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1708-08) recommending that S.B.

No. 2342, SD 2, 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. 2342, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1709-08) recommending that S.B. No. 2915, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2915, SD 2, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2915, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TARO," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1710-08) recommending that S.B. No. 1311, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1311, HD 1, pass Second Reading and be placed on the calendar for Third Reading, 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. 1311, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARY PAYMENTS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1711-08) recommending that S.B. No. 409, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 409, SD 2, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 409, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading, and was placed on the calendar for Third Reading with Representative Belatti voting no, and with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen 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. 1712-08) recommending that S.B. No. 2294, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 2294, SD 2, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

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

"Thank you, Mr. Speaker. On Stand. Com. Rep. 1712, Relating to Kaka'ako, I'd like to register some strong reservations. 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. 2294, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1713-08) recommending that S.B. No. 3048, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3048, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Belatti 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. 3048, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen 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. 1714-08) recommending that S.B. No. 546, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 546, SD 2, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

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

"Just a ruling on a potential conflict on Stand. Com. No. 1714-08. Mr. Speaker I live on an agricultural lot. Thank you," and the Chair ruled, "no conflict."

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

"On Stand. Com. Report No. 1714, just a few comments with reservations. I'll make my comments now instead of on Third Reading. I just have some concerns because we just looked at a bill that was relating to Kaka'ako where we want to do some reserved housing for affordable housing. And yet when we look at 1714, it's saying we're going to allow someone to meet affordable housing requirement in an urban area and they can actually now go into the rural district to meet their urban district affordable housing requirement.

"So I have some concerns that we're not promoting affordable housing in the urban, high density areas by doing this. It's affordable housing that people have issues with, as well as cars and public transportation. So this kind of counters what we're trying to accomplish in Stand. Com. No. 1712. So I just have some reservations. 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. 546, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1715-08) recommending that S.B. No. 1934, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1934, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Belatti 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. 1934, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1716-08) recommending that S.B. No. 2838, SD 2, 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. 2838, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1717-08) recommending that S.B.

No. 2153, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2153, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan 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 Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations on this bill. The purpose of the tax credit or refund as mandated by the Hawaii Constitution is to put money back into the pockets of the people of Hawaii. You have to ask yourselves why the Constitution was set up to provide a tax credit or refund if the balance of the general fund exceeds five percent of general fund revenues for two consecutive years. In laymen's terms it means that for two years the State's tax structure has generated more than what was needed to run the government. In light of a slowing economy, don't you think we should give back to the taxpayers of Hawaii? What better way to stimulate the economy than to put money back into their pockets?"

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2153, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1718-08) recommending that S.B. No. 2826, SD 2, HD 1, pass 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. 2826, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Third Reading by a vote of 45 ayes, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1719-08) recommending that S.B. No. 2004, SD 2, HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2004, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2004, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 45 ayes, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1720-08) recommending that S.B. No. 2546, SD 2, HD 1, pass 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. 2546, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENDER REENTRY," passed

Third Reading by a vote of 45 ayes, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1721-08) recommending that S.B. No. 3137, SD 2, HD 1, pass 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. 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 Third Reading by a vote of 45 ayes, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1722-08) recommending that S.B. No. 3069, SD 2, HD 1, pass 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. 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 Third Reading by a vote of 44 ayes to 1 no, with Representative Meyer voting no, and Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1723-08) recommending that S.B. No. 2407, SD 1, HD 1, pass 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. 2407, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE APPRAISALS," passed Third Reading by a vote of 45 ayes, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

At 12:47 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2826, SD 2, HD 1  
 S.B. No. 2004, SD 2, HD 2  
 S.B. No. 2546, SD 2, HD 1  
 S.B. No. 3137, SD 2, HD 1  
 S.B. No. 3069, SD 2, HD 1  
 S.B. No. 2407, SD 1, HD 1

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1724-08) recommending that H.R. No. 75, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 75, HD 1, entitled: "HOUSE RESOLUTION ENCOURAGING PARTICIPATION IN THE STATEWIDE BLACK RIBBON AND BLACK ARM BAND CAMPAIGN AGAINST DOMESTIC VIOLENCE," was adopted, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1725-08) recommending that H.C.R. No. 93, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 93, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING PARTICIPATION IN THE STATEWIDE BLACK RIBBON AND BLACK ARM BAND CAMPAIGN AGAINST DOMESTIC VIOLENCE," was adopted, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1726-08) recommending that H.C.R. No. 72, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 72, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DESIGNATE A STATE AGENCY TO DEVELOP A STATEWIDE LAND USE STRATEGY TO MITIGATE POTENTIAL HAZARDS CAUSED BY CATASTROPHIC DISASTERS," was adopted, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1727-08) recommending that H.R. No. 103, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 103, entitled: "HOUSE RESOLUTION ENCOURAGING REAL ESTATE DEVELOPERS, DESIGNERS, AND ARCHITECTS IN HAWAII TO INCORPORATE UNIVERSAL DESIGN PRINCIPLES INTO THE DESIGN OF THEIR REAL ESTATE PROJECTS," was adopted, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1728-08) recommending that H.C.R. No. 121, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 121, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING REAL ESTATE DEVELOPERS, DESIGNERS, AND ARCHITECTS IN HAWAII TO INCORPORATE UNIVERSAL DESIGN PRINCIPLES INTO THE DESIGN OF THEIR REAL ESTATE PROJECTS," was adopted, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representatives Herkes and Sonson, for the Committee on Consumer Protection & Commerce and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1729-08) recommending that H.R. No. 215, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 215, entitled: "HOUSE RESOLUTION REQUESTING A STUDY RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," was adopted, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representatives Herkes and Sonson, for the Committee on Consumer Protection & Commerce and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1730-08) recommending that H.C.R. No. 254, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 254, entitled: "HOUSE

CONCURRENT RESOLUTION REQUESTING A STUDY RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," was adopted, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1731-08) recommending that H.R. No. 269, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 269, HD 1, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S NATURAL DISASTER PREPAREDNESS TRAINING CENTER TO WORK WITH THE JOINT LEGISLATIVE COMMITTEE ON FAMILY CARE GIVING, KUPUNA CAUCUS, AND OTHER INTERESTED ORGANIZATIONS AND PERSONS TO DEVELOP PROGRAMS EMPHASIZING AT-RISK COMMUNITIES," was adopted, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1732-08) recommending that H.C.R. No. 325, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 325, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S NATURAL DISASTER PREPAREDNESS TRAINING CENTER TO WORK WITH THE JOINT LEGISLATIVE COMMITTEE ON FAMILY CARE GIVING, KUPUNA CAUCUS, AND OTHER INTERESTED ORGANIZATIONS AND PERSONS TO DEVELOP PROGRAMS EMPHASIZING AT-RISK COMMUNITIES," was adopted, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1733-08), recommending that S.C.R. No. 8, 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.C.R. No. 8, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RESCHEDULE THE YEAR OF THE FAMILY CELEBRATION FROM 2008 TO 2009," was referred to the Committee on Finance with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1734-08), recommending that S.C.R. No. 75, 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.C.R. No. 75, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY ON THE FEASIBILITY OF REMOVING ENROLLMENT CAPS AT CAMPUSES WITHIN THE UNIVERSITY OF HAWAII SYSTEM," was referred to the Committee on Finance with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

### THIRD READING

#### S.B. No. 45, SD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 45, SD 1, entitled:

"A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," passed Third Reading by a vote of 45 ayes, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

At 12:48 o'clock p.m., the Chair noted that S.B. No. 45, SD 1, passed Third Reading.

### RECESS

At this time, Representative B. Oshiro moved to keep the Journal open until 10:00 p.m. this legislative day for the purpose of receiving Standing Committee Reports and Senate bills transmitted thereby, seconded by Representative Meyer and carried. (Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen were excused.)

At 12:49 o'clock p.m., on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives stood in recess until 9:00 o'clock a.m., Tuesday, April 8, 2008. (Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen were excused.)

### STANDING COMMITTEE REPORTS

In accordance with the motion made, the following Standing Committee Reports (Stand. Com. Nos. 1735-08 through 1778-08) were received by the Clerk prior to 10:00 p.m. this legislative day, and the following action taken:

Stand. Com. Rep. No. 1735-08 (LMG) and S.B. No. 2129, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELDER AFFAIRS," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1736-08 (FIN) and S.B. No. 2480, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE AND DEVELOPMENT," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1737-08 (FIN) and S.B. No. 2202, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARTIAL PUBLIC FINANCING OF ELECTIONS," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1738-08 (FIN) and S.B. No. 651, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1739-08 (FIN) and S.B. No. 1720, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST JACOBY DEVELOPMENT, INC., A PROCESSING ENTERPRISE," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1740-08 (FIN) and S.B. No. 2151, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE OMBUDSMAN," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1741-08 (FIN) and S.B. No. 2157, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1742-08 (FIN) and S.B. No. 2396, SD 1, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1743-08 (FIN) and S.B. No. 2542, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1744-08 (FIN) and S.B. No. 2830, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1745-08 (FIN) and S.B. No. 2864, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1746-08 (FIN) and S.B. No. 3080, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION BACKGROUND CHECKS," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1747-08 (FIN) and S.B. No. 3228, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADJUSTING THE ANNUAL PENSIONS OF RETIRED PATIENT EMPLOYEES AT HANSEN'S DISEASE FACILITIES," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1748-08 (FIN) and S.B. No. 2785, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT JURISDICTION," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1749-08 (FIN) and S.B. No. 2829, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1750-08 (FIN) and S.B. No. 2803, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1751-08 (FIN) and S.B. No. 3165, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1752-08 (FIN) and S.B. No. 2218, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC MONITORING," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1753-08 (FIN) and S.B. No. 2828, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1754-08 (FIN) and S.B. No. 2569, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1755-08 (FIN) and S.B. No. 3138, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1756-08 (FIN) and S.B. No. 2198, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND CONSERVATION," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1757-08 (FIN) and S.B. No. 2421, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1758-08 (FIN) and S.B. No. 2956, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILK," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1759-08 (FIN) and S.B. No. 2646, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1760-08 (FIN) and S.B. No. 3001, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1761-08 (FIN) and S.B. No. 2660, SD 3, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COLLEGE SAVINGS PROGRAMS," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1762-08 (FIN) and S.B. No. 2055, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1763-08 (FIN) and S.B. No. 3023, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1764-08 (FIN) and S.B. No. 3171, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE TRUSTS AND NONPROFIT ORGANIZATIONS," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1765-08 (FIN) and S.B. No. 711, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1766-08 (JUD) and S.B. No. 1337, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTEMPT OF COURT," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1767-08 (JUD) and S.B. No. 2040, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CANCER SURVEILLANCE," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1768-08 (JUD) and S.B. No. 3103, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1769-08 (AGR) and S.B. No. 958, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED ORGANISMS," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1770-08 (FIN) and S.B. No. 2878, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1771-08 (FIN) and S.B. No. 3004, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1772-08 (FIN) and S.B. No. 3005, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL TAX QUALIFICATION OF THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1773-08 (FIN) and S.B. No. 1780, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1774-08 (FIN) and S.B. No. 2334, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1775-08 (FIN) and S.B. No. 2423, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1776-08 (FIN) and S.B. No. 3102, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1777-08 (FIN) 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," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1778-08 (FIN) and S.B. No. 966, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 1, OF THE HAWAII CONSTITUTION, TO CHANGE THE AGE QUALIFICATION FOR THE OFFICES OF GOVERNOR AND LIEUTENANT GOVERNOR FROM THE AGE OF THIRTY YEARS TO THE AGE OF TWENTY-FIVE YEARS," were placed on the calendar for Third Reading on April 8, 2008.

#### ADJOURNMENT

At 10:00 o'clock p.m., the House of Representatives adjourned until 9:00 o'clock a.m., Tuesday, April 8, 2008.

#### HOUSE COMMUNICATION

House Communication dated April 4, 2008, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has disagreed to the amendments made by the Senate to the following House bills:

H.B. No. 2301, H.D. 1, S.D. 1

H.B. No. 3085, H.D. 2, S.D. 1

H.B. No. 3174, H.D. 1, S.D. 1