

EIGHTEENTH DAY

Wednesday, February 18, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:06 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Sharon E. Har, after which the Roll was called showing all Members present with the exception of Representatives Bertram, Souki, Takai and Takumi, who were excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 19 and 20) were received and announced by the Clerk:

Sen. Com. No. 19, transmitting S.B. No. 120, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM MEDIATION ACT," which passed Third Reading in the Senate on February 17, 2009.

Sen. Com. No. 20, transmitting S.B. No. 264, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," which passed Third Reading in the Senate on February 17, 2009.

On motion by Representative Evans seconded by Representative Pine and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representatives Bertram, Souki, Takai and Takumi were excused.)

S.B. No. 120, SD 1
S.B. No. 264

At this time, the Chair announced:

"Members of the House, we will take a 10 minute recess and we will reconvene at 12:20 p.m. so that the Minority Caucus can go over the Second Reading Bills."

At 12:09 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:22 o'clock p.m., with Vice Speaker Magaoay presiding.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
348	Committee on Finance
424	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
670	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
901	Committee on Hawaiian Affairs, then to the Committee on Finance
1075	Committee on Consumer Protection & Commerce

1504	Committee on Finance
1642	Committee on Finance
1778	Committee on Hawaiian Affairs, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 279) recommending that H.B. No. 1062, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1062, entitled: "A BILL FOR AN ACT RELATING TO GAS PIPELINE SYSTEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 280) recommending that H.B. No. 371, HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 371, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 281) recommending that H.B. No. 869, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 869, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 282) recommending that H.B. No. 65, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 65, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SIDEWALKS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 283) recommending that H.B. No. 57, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 57, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 284) recommending that H.B. No. 60, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 60, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 285) recommending that H.B. No. 1754, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1754, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 286) recommending that H.B. No. 134, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 134, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 287) recommending that H.B. No. 142, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 142, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 142, entitled: "A BILL FOR AN ACT RELATING TO INTRA-STATE AVIATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 288) recommending that H.B. No. 139, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 139, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

"Mr. Speaker, please note my strong reservations. Thank you."

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 139, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 289) recommending that H.B. No. 378, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 378, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 290) recommending that H.B. No. 1388, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1388, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representatives Chang and Tokioka, for the Committee on Higher Education and the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 291) recommending that H.B. No. 982, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 982, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

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 Committees was adopted and H.B. No. 982, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 292) recommending that H.B. No. 690, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 690, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 293) recommending that H.B. No. 1060, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1060, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF HEARING NOTICES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 294) recommending that H.B. No. 1068, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1068, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 295) recommending that H.B. No. 355, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 355, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 296) recommending that H.B. No. 1359, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1359, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 297) recommending that H.B. No. 1694, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1694, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 298) recommending that H.B. No. 197, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 197, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 197, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading

and was referred to the Committee on Consumer Protection & Commerce with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 299) recommending that H.B. No. 1270, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1270, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 300) recommending that H.B. No. 1467, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1467, HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative Evans.

Representative Chang rose and asked that the Clerk record a no vote 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 Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1467, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERLY INFLATED TIRES," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representative Chang voting no, and with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 301) recommending that H.B. No. 1417, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1417, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Mr. Speaker, I stand in strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1417, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOBILE BILLBOARDS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 302) recommending that H.B. No. 64, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 64, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. Mr. Speaker, I rise with reservations, and I would like to explain what those are. Thank you. Mr. Speaker, this bill will prohibit use of leaf blowers, chainsaws, lawnmowers, and weed whackers during certain hours, and I can understand the need to restrict the hours of operation for the noisy apparatus. However, it restricts it so that they cannot start until 8 a.m. on weekdays. The problem is that's going to hurt a lot of small businesses and small operators who do their yard work starting at 7 a.m. So, I would hope that as this bill goes on further, they will change the time for the weekday operation to 7 a.m. Thank you."

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

"Thank you, Mr. Speaker. A 'no' vote for me. How do you deal with a hundred-acre ranch, where there are no homes within a half a mile? It really destroys agriculture in the rural areas. Thank you."

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

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

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

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

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

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

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

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support with reservations. H.B. 64 prohibits disorderly conduct by person(s) knowingly producing noise by operation of yard equipment between the hours of 8:00 pm and 8:00 am any day of the week.

"As printed in the *U.S. News and World Report* cover story on December 18, 2008 entitled "50 Ways to Improve Your Life in 2009" the author calls for silencing noise pollution. "Hearing loss, in fact, is the most obvious medical consequence of noise pollution, but it is hardly the only one," explains environmental psychologist Arline Bronzaft. In her research, Bronzaft found that constant noise exposure can impede children's learning ability and cognitive development. And beyond all that, periodically, "you've got to take a break from sound," says Bronzaft. "We need some serenity in our lives."

"While I support the need to regulate the operation of noise producing yard equipment I also recognize the possible financial impact that H.B. 64 may have on landscape companies.

"My reservations are based on the complaints of landscape companies that in this economy they would have to sacrifice income, losing additional hours of work."

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 H.B. No. 64, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Second Reading and was referred to the Committee on Judiciary with Representative Herkes voting no, and with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 303) recommending that H.B. No. 1124, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1124, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 304) recommending that H.B. No. 574, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 574, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 305) recommending that H.B. No. 763, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 763, entitled: "A BILL FOR AN ACT RELATING TO GRAY WATER RECYCLING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 306) recommending that H.B. No. 1336, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1336, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST DIAMOND HEAD RENEWABLE RESOURCES, LLC," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 307) recommending that H.B. No. 1483, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1483, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, I'd like to ask for a ruling on a potential conflict of interest on Stand. Com. Report 307. At my law firm, we represent Better Place Hawaii, Inc. but I'm not working on that case. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1483, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR BETTER PLACE HAWAII, INC.," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 308) recommending that H.B. No. 1628, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1628, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIOENERGY HAWAII, LLC," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 309) recommending that H.B. No. 1678, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1678, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, another potential conflict for Stand. Com. Report 309. I do represent some of the principals related to LifeGrid, but I'm not working on this LifeGrid LLC or SPRB," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1678, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 310) recommending that H.B. No. 814, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 814, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 311) recommending that H.B. No. 1464, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1464, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 312) recommending that H.B. No. 956, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No.

956, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 313) recommending that H.B. No. 1603, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1603, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII'S ECONOMY," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 314) recommending that H.B. No. 853, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 853, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC DISCLOSURE OF FINANCIAL INTERESTS STATEMENTS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 315) recommending that H.B. No. 876, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 876, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 316) recommending that H.B. No. 812, 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 B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 812, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 317) recommending that H.B. No. 229, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 229, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 318) recommending that H.B. No. 296, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No.

296, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 319) recommending that H.B. No. 441, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 441, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 320) recommending that H.B. No. 571, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 571, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 321) recommending that H.B. No. 831, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 831, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE OF COURT ORDERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 322) recommending that H.B. No. 734, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 734, 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, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 323) recommending that H.B. No. 744, HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 744, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

Representative Pine's written remarks are as follows:

"Mr. Speaker, having originally co-introduced this measure's concept through HB501, I can say to you and to all my colleagues that I believe that the protection of our elderly is of critical importance to our State. Ronald Reagan said that government's first duty is to protect the people. The ability to issue a Silver Alert for our *kupuna* who have gone missing will be instrumental in saving lives, a task which captures the essence of what our Constitution was founded upon, and that is to insure domestic tranquility, to provide for the common defense, and to promote the general

welfare. Thank you, Mr. Speaker for this opportunity to offer comments on this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 744, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 324) recommending that H.B. No. 661, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 661, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RANDOM DRUG TESTING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 325) recommending that H.B. No. 884, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 884, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD DEVELOPMENT ACCOUNT," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 326) recommending that H.B. No. 1103, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1103, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FINANCIAL ASSISTANCE FOR INDEPENDENT LIVING SERVICES AND CENTERS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 327) recommending that H.B. No. 1498, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1498, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY DOMESTIC VIOLENCE SHELTERS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 328) recommending that H.B. No. 1496, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1496, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY ASSISTANCE FOR NEEDY FAMILIES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 329) recommending that H.B.

No. 1096, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1096, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 330) recommending that H.B. No. 1097, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1097, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ASSISTANCE FOR AGED, BLIND, AND PERMANENTLY AND TOTALLY DISABLED PERSONS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 331) recommending that H.B. No. 892, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 892, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTIVE ORDERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 332) recommending that H.B. No. 1041, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1041, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS COMMITTED TO THE HAWAII YOUTH CORRECTIONAL FACILITIES OR TO THE CUSTODY OR CARE OF THE EXECUTIVE DIRECTOR OF THE OFFICE OF YOUTH SERVICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 333) recommending that H.B. No. 1095, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1095, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTICE OF GUARDIANSHIP PROCEEDINGS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 334) recommending that H.B. No. 1101, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1101, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF HUMAN SERVICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 335) recommending that H.B. No. 1524, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1524, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL CONTEMPT OF COURT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 336) recommending that H.B. No. 381, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 381, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII ENDOWMENT FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 337) recommending that H.B. No. 681, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 681, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, I will vote in favor of Standing Committee Report No. 337, but would like to express a reservation. This would devote 40 percent of the Transient Accommodations Tax toward product development. And while I support the product development aspect of the tourism industry, I think at this critical juncture, when our hotel occupancy rates are hovering at 60 percent, it's imperative that we concentrate our resources more on marketing. Thank you, very much."

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in strong support of H.B. 681 – Relating to the Transient Accommodations Tax. This bill requires that not less than 40 percent of the Tourism Special Fund be used for tourism product development and cultural programs. H.B. 681 insures that sufficient monies will be spent on product development (i.e. preserving / promoting culture) for tourism.

"As stated by Mona Abadir, Board President of Hawaii Capital Cultural Coalition: ... (product development) "...can work as a catalyst in many intertwined areas of endeavor: stimulating creative economies and workforce, educational outreach of organizations, generating greater access to the area, reinforcing our values of preservation of our stories and treasures, and enhancing cultural tourism. Our mutual partnership and collaboration with time, resources and energy towards these ends and will achieve a return on investment that will exceed all expectations."

"The State of Hawaii has been greatly impacted by the economic changes in tourism. It is important now more than ever that we build on Hawaii's greatest resource - our culture. It would behoove us as legislators to give our support to product development that will work on preserving culture while promoting tourism.

"In addition, I would like to enter into the Journal the attached testimony of Ms. Lorraine Lunow-Luke, Coordinator, Hawaii Capital Cultural District of February 5, 2009 to the Chairman of the House Committee on Tourism, Culture and International Affairs.

February 5, 2009

Honorable Joey Manahan
Chair, House Committee on Tourism,
Culture and International Affairs
Hawaii State Legislature

Via Email: TCTestimony@capitol.hawaii.gov

Dear Representative Manahan:

I am writing to express my strong support for continuing to adequately fund the New Product Development division of the Hawaii Tourism Authority. Our unique heritage is what distinguishes Hawaii from other tropical destinations. The division's investment in programs that help visitors access and experience Hawaii's special cultural heritage are essential for the long-term health of Hawaii's visitor industry.

For example, a grant from the New Product Development division led directly to the recent introduction of legislation in Congress to designate the Hawaii Capital Cultural Heritage Area in Honolulu. This designation will bring together the many cultural treasures of Kaka'ako, Downtown, Nu'uanu and Kapaemahu into a cohesive district where kama'aina and visitors alike can experience our heritage. The grant, made under the New Product Development division's Heritage Corridors Program, supported the Hawaii Capital Cultural Coalition's National Heritage Area Feasibility Study which served as the application for designation.

National Heritage Areas generate culture and heritage tourism by creating national and international visibility for an area's cultural assets, providing National Park Service branding and marketing, and opening the doors to funding for planning, design, interpretive centers, and other amenities that will improve the visitor experience.

The Hawaii Capital Cultural Coalition (HCCC) is a nonprofit partnership of 25 Honolulu arts and cultural organizations and more than 40 businesses, public agencies, and service organizations who are working together to leverage the rich concentration of historic, cultural, and economic assets located in Honolulu's historic core to create one of the great cultural destinations of the world, attracting both visitors and residents, contributing to the area's economic vitality, and enhancing our quality of life.

Respectfully submitted,



Lorraine Lunow-Luke
HCCC Coordinator



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Representative Marumoto rose in support of the measure with reservations and asked that the remarks of Representative Pine be entered into the Journal as her own, and the Chair "so ordered."

Representative Finnegan rose in support of the measure with reservations and asked that the remarks of Representative Pine be entered into the Journal as her own, and the Chair "so ordered."

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representative Pine be entered into the Journal as her own, and the Chair "so ordered."

Representative Ward 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 H.B. No. 682, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 339) recommending that H.B. No. 754, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 754, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker. On 339, I will be voting 'no' on this measure. I think it's very unwise to remove the chiefs of the Department of Business, Economic Development, and Tourism, the head of the Department of Transportation, and the Chair of the Board of Land and Natural Resources from the Hawaii Tourism Authority.

"They were only ex-officio, but it's very helpful to the leaders of industry, to have someone there that you can talk to directly about State parks, or about harbor issues, or about airport issues. They will be moved to a separate advisory committee, but I think they are more helpful when they sit on the actual Authority, albeit without a vote. Thank you, very much."

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."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 754, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Finance with Representative Marumoto voting no, and with Representatives Bertram, Takai and Takumi being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 340) recommending that H.B. No. 1204, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No.

Representative Finnegan rose in support of the measure with reservations and asked that the remarks of Representative Marumoto be entered into the Journal as her own, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 681, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 338) recommending that H.B. No. 682, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 682, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"I just want to note my support, but with some reservations on Stand. Com. Report 338. The purpose of this is to reduce the term of the Hawaii Tourism Authority contracts from five years to two years, except for some contracts related to the Hawaii Convention Center. My only concern is that this could possibly handcuff the Tourism Authority for perhaps maybe dealing with the Pro-Bowl trying to come back to Hawaii. So, I just wanted to note those concerns before it went on to the next Committee."

1204, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 341) recommending that H.B. No. 946, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 946, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FOUNDATION ON CULTURE AND THE ARTS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 342) recommending that H.B. No. 601, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 601, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WORKS OF ART SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 343) recommending that H.B. No. 1224, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1224, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, I will be voting 'no' on this measure. I think this would really cripple the budgetary efforts of the State Foundation on Culture and the Arts. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1224, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKS OF ART SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance with Representative Marumoto voting no, and with Representatives Bertram, Takai and Takumi being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 344) recommending that H.B. No. 767, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 767, HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

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

"Mr. Speaker, I am voting 'no' on this measure. We have seen this measure before. I think it does not allow the Governor to appoint the next half-dozen appointees to the Stadium Authority. I think it makes the Legislature both the appointees and managers of the Convention Center, and I don't think the checks and balances are in play if we do this. Thank you."

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

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

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

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

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 Committee was adopted and H.B. No. 767, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Finnegan, Marumoto and Thielen voting no, and with Representatives Bertram, Takai and Takumi being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 345) recommending that H.B. No. 244, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 244, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Bertram, Takai and Takumi being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 346) recommending that H.B. No. 1351, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1351, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE AGRICULTURAL PARKS," passed Second Reading and was referred jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources with Representatives Bertram, Takai and Takumi being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 347) recommending that H.B. No. 243, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 243, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION SYSTEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representatives Tsuji and Souki, for the Committee on Agriculture and the Committee on Transportation presented a report (Stand. Com. Rep. No. 348) recommending that H.B. No. 1433, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1433, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representatives Tsuji and Chang, for the Committee on Agriculture and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 349) recommending that H.B. No. 318, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 318, entitled: "A BILL FOR AN ACT RELATING TO VOG," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 350) recommending that H.B. No. 955, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 955, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR COUNTY EMPLOYEES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 351) recommending that H.B. No. 1480, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1480, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRACTICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 352) recommending that H.B. No. 314, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 314, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, in strong support. I just want to note that while we had the hearing on all the vog bills on that Saturday morning, and a young lady came from Pahala who had been disabled because of vog, and the Department argued against workers' comp. I am just pleased to tell you that they have given her nine weeks of workers' comp, without a hearing. So, on that, I appreciate the support we had for this bill. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 314, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 353) recommending that H.B. No. 315, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 315, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VOLCANIC EMISSIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 354)

recommending that H.B. No. 1288, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1288, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1288, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 355) recommending that H.B. No. 826, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 826, 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 Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 356) recommending that H.B. No. 987, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 987, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 357) recommending that H.B. No. 1104, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1104, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII DEFERRED COMPENSATION PLAN," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 358) recommending that H.B. No. 1125, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1125, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CERTAIN FUNDS UNDER THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 359)

recommending that H.B. No. 1550, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1550, 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, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 360) recommending that H.B. No. 1676, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1676, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, may I ask for a ruling on a potential conflict. At my law firm I advise a bunch of SPRB clients on compliance with prevailing wages and labor standards. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1676, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 361) recommending that H.B. No. 1738, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1738, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 362) recommending that H.B. No. 1479, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1479, 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, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 363) recommending that H.B. No. 1287, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1287, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 364) recommending that H.B. No. 1536, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1536, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 365) recommending that H.B. No. 1272, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1272, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC WASTE RECYCLING," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Bertram, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 366) recommending that H.B. No. 1627, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1627, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 367) recommending that H.B. No. 131, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 131, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 368) recommending that H.B. No. 136, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 136, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support with reservations. H.B. 136 establishes the Graffiti Eradication Sentencing Program within the Judiciary to allow a person who has committed an act of graffiti, to discharge a community service sentence through graffiti eradication activities.

"I strongly support the efforts of the Graffiti Eradication Sentencing Program and the aspect of the bill which requires community service sentencing. However, I do have concerns over the cost implications during this economy and hope efforts to do this through the non-profit and private sector could be examined.

"Another concern is the lack of proper implementation. This bill as written does not address proper identification and coordination. It needs to include identification of perpetrators and cooperation between agencies. In

order for H.B. 136 to be effective and cost efficient, cooperation and communication is essential."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 136, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GRAFFITI," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 369) recommending that H.B. No. 298, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 298, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. Mr. Speaker, I would like to cast a 'no' vote, and I'd like to explain why. Thank you. Mr. Speaker, this bill is to make an emergency appropriation in the amount of almost \$2 million for the Judiciary to cover their electricity payments.

"Mr. Speaker, if you take a look at the record of the votes on the Committee Report, you'll see that nine members voted with reservations. One, myself, voted 'no.' And only five voted up to do this. And the Committee Report really explains why. That there's a lack of a serious effort by the Judiciary to reduce electricity consumption. That there appears to be no interest of the Judiciary in using available technology to conserve or generate sources of electrical power. And that the bill itself, with its Committee Report and vote record is to send a message to the Judiciary that continued mismanagement of energy is not acceptable.

"And Mr. Speaker, I note again, this is for an emergency appropriation. An emergency appropriation. Not one that goes through the regular process of the legislature. I would hope that this bill will be tabled and would not move further, and that the Judiciary would learn that it should do, as many others in our State are doing, and look at ways that they can conserve energy, rather than thinking they can just bring the bill to the legislature and that the legislature would just throw the money, the \$2 million, to them. Thank you."

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

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representative Thielen be entered into the Journal as her own, and the Chair "so ordered."

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

"Thank you very much, Mr. Speaker. In support with reservations and some brief comments. Just for the edification of the Members of the body. What the Judiciary Committee did, and I applaud the Chair of the Judiciary Committee, is they struck the original appropriation that was referred to by the earlier speaker of \$1,854,425, and made it \$1. So, I think that that would hopefully send a message. Thank you, very much."

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

"Mr. Speaker, I am voting with reservation as well, and I would like to make a short comment. I think that the appropriation being requested should be taken from their own budget. Thank you."

Representative Mizuno 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 298, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS FOR JUDICIARY FACILITIES STATEWIDE," passed Second Reading and was referred to the Committee on Finance with Representative Thielen voting no, and with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 370) recommending that H.B. No. 299, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 299, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 371) recommending that H.B. No. 620, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 620, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 372) recommending that H.B. No. 623, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 623, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE IDENTIFICATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 373) recommending that H.B. No. 1713, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1713, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAZARDS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 374) recommending that H.B. No. 28, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 28, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEAD HUMAN BODIES," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 375) recommending that H.B. No. 29, as amended in HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 29, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, on Stand. Com. No. 375, that's the bill on the display of dead bodies. I'd like to cast a 'no' vote on this. I think it's very onerous to ask the Department of Health to enforce this provision and give out permits for these types of displays. I don't think it'll happen very often, but I don't think they have any expertise on these types of displays.

"Also, I saw in a provision, that if a body of a minor was displayed, you would have to have the written consent of the parents, and I think that's a very onerous provision in this bill. I think it's still in the measure. So, just to flag it out, I'd like to vote 'no' on this measure. Thank you.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 29, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEAD HUMAN BODIES," was referred to the Committee on Finance with Representative Marumoto voting no, and with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 376) recommending that H.B. No. 297, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 297, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR JUVENILES," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 377) recommending that H.B. No. 643, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 643, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 378) recommending that H.B. No. 1025, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1025, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 379) recommending that H.B. No. 1037, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1037, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL ACTIONS," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 380) recommending that H.B. No. 1168, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1168, HD 1, entitled: "A BILL FOR AN ACT RELATING TO

AIRPORTS," was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 381) recommending that H.B. No. 1187, as amended in HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1187, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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

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

"I wanted to note a potential conflict. I work at a homeless shelter," and the Chair ruled, "no conflict."

Representative Pine continued in support of the measure with reservations, stating:

"I just wanted to also note my reservations. I understand the intent is to reduce homelessness, but I would much prefer to use the money towards programs."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1187, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," was referred to the Committee on Finance with Representative Thielen voting no, and with Representatives Bertram, Takai and Takumi being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 382) recommending that H.B. No. 477, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 477, 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, Takai and Takumi being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 383) recommending that H.B. No. 240, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 240, HD 1, entitled: "A BILL FOR AN ACT MAKING A GRANT-IN-AID APPROPRIATION TO THE COUNTIES TO FINANCE DROUGHT MITIGATION PROJECTS AND MEASURES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 384) recommending that H.B. No. 245, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 245, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," passed Second Reading and was referred to the Committee on Energy & Environmental Protection with Representatives Bertram, Takai and Takumi being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources presented a report (Stand.

Com. Rep. No. 385) recommending that H.B. No. 975, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 975, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SYSTEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Takai and Takumi being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 386) recommending that H.B. No. 1242, as amended in HD 1, be recommitted to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1242, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was recommitted to the Committee on Economic Revitalization, Business, & Military Affairs with Representatives Bertram, Takai and Takumi being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 53 through 56) and concurrent resolutions (H.C.R. Nos. 67 through 70) were referred to Printing and further action was deferred:

H.R. No. 53, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO DEVELOP A PLAN TO INSTALL SIGNS IN THE STATE CAPITOL IN BOTH THE ENGLISH AND HAWAIIAN LANGUAGES," was jointly offered by Representatives Hanohano, Awana and Berg.

H.R. No. 54, entitled: "HOUSE RESOLUTION RECOGNIZING APRIL AS SEXUAL ASSAULT AWARENESS AND PREVENTION MONTH," was jointly offered by Representatives Mizuno, Awana, Brower, Hanohano, Pine and Ward.

H.R. No. 55, entitled: "HOUSE RESOLUTION WHEREAS, RECOGNIZING MARCH AS ADULT RESIDENTIAL CARE HOME AND ADULT FOSTER HOME OPERATORS MONTH," was jointly offered by Representatives Mizuno, Aquino, Brower, Cabanilla, Magaoay, Manahan, Keith-Agaran and Yamane.

H.R. No. 56, entitled: "HOUSE RESOLUTION RECOGNIZING JANUARY 20TH OF EVERY YEAR AS BARACK OBAMA II OHANA DAY," was offered by Representative Belatti, by request.

H.C.R. No. 67, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO DEVELOP A PLAN TO INSTALL SIGNS IN THE STATE CAPITOL IN BOTH THE ENGLISH AND HAWAIIAN LANGUAGES," was jointly offered by Representatives Hanohano, Awana, Berg, Carroll, Chong and Tokioka.

H.C.R. No. 68, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING APRIL AS SEXUAL ASSAULT AWARENESS AND PREVENTION MONTH," was jointly offered by Representatives Mizuno, Awana, Brower, Hanohano, Pine and Ward.

H.C.R. No. 69, entitled: "HOUSE CONCURRENT RESOLUTION WHEREAS, RECOGNIZING MARCH AS ADULT RESIDENTIAL CARE HOME AND ADULT FOSTER HOME OPERATORS MONTH," was jointly offered by Representatives Mizuno, Aquino, Brower, Cabanilla, Magaoay, Manahan, Yamane and Keith-Agaran.

H.C.R. No. 70, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING JANUARY 20TH OF EVERY YEAR AS BARACK OBAMA II OHANA DAY," was offered by Representative Belatti, by request.

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, today is Independence Day for the Western African Nation of Gambia. It was freed from the UK in 1965. It's the 44th year of independence today. And how do you know Gambia? If you see the most beautiful, colorful African dresses, that's the sign that they're from Gambia. Thank you, Mr. Speaker."

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measures tomorrow at 9:00 a.m., stating:

"The purpose is to place on tomorrow's agenda, HB 602 Relating to Workers' Compensation. The measure would look at exempting from workers' compensation, LLCs and individuals with 50 percent or more ownership. The second one is on HB 610, Relating to Science and Technology, and it is to reconsider the decision that was made by the Committee at a previous hearing," and the Chair "so ordered."

ADJOURNMENT

At 12:50 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 19, 2009. (Representatives Bertram, Souki, Takai and Takumi were excused.)