

## FIFTY-EIGHTH DAY

Friday, May 1, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 6:40 o'clock p.m., with Vice Speaker Magaoy presiding.

The invocation was delivered by Representative Rida Cabanilla, after which the Roll was called showing all Members present with the exception of Representatives Bertram and Takai, who were excused.

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

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 325 and 326) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 325, dated May 1, 2009, informing the House that on April 30, 2009, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 1108

On April 30, 2009, Senate Bill No. 1108, entitled "A Bill for an Act Relating to Native Hawaiians" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to extend from June 30, 2009 to June 30, 2011 the sunset date for the operation of the Aha Kiole Advisory Committee.

This Committee was established in 2007 to initiate a process for using indigenous best practices in managing State natural resources. This Administration supports the concepts embodied in the original bill which called for the adoption of traditional, community-based natural resource management techniques.

Unfortunately, the actual operations of the Committee have strayed from the original intent, to the extent that certain Native Hawaiian organizations are calling for the Committee to be abolished.

The concerns with this bill are twofold. First, it fails to address the need for a larger cross-section of the native Hawaiian community to be represented on the membership. Act 212 established a membership selection process that required the Governor to select names submitted by only one umbrella organization. There are many groups and individuals in the Native Hawaiian community who care deeply about the preservation and restoration of our ecosystems. It is unfortunate that the membership has come from only one portion of that community and no efforts were made to expand that membership in this bill.

Second, there is a growing concern about the focus and positions that this Advisory Committee has taken. The Committee has taken official stances on issues that appear to be outside of the scope of its intended jurisdiction, which are the natural resources of the State of the Hawaii. The Advisory Committee has weighed in on the issue of fisheries management in jurisdictions outside of this state, affecting other countries and their ability to oversee their own resources. Further, the Committee has acted in a manner that masks its advisory nature, blurring the lines between advising others and taking positions independent of the State or the Department of Land and Natural Resources. Again, this bill to extend the Committee fails to redefine and clarify the matters that the Committee should address.

This measure does not include an appropriation for the Advisory Committee. I believe it is incumbent upon the Legislature to review the sources of support the Aha Kiole Advisory Committee has used and

determine if those sources have compromised the independence or objectivity of the Committee.

For the foregoing reasons, I allowed Senate Bill No. 1108 to become law as Act 39, effective April 30, 2009, without my signature.

Sincerely,

/s/

LINDA LINGLE"

Gov. Msg. No. 326, dated April 29, 2009, transmitting the report "Efforts to Increased [sic] the Number of High-Skilled Jobs in Targeted Industry Clusters" (Act 148, SLH 2003).

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 762 through 773) were received and announced by the Clerk:

Sen. Com. No. 762, dated April 30, 2009, informing the House that the Senate has on April 29, 2009, agreed to the amendments proposed by the House to the following Senate Concurrent Resolutions and that said resolutions were this day adopted by the Senate:

S.C.R. No. 30, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A FEASIBILITY STUDY ON CONVERTING HARD COVER TEXT BOOKS TO E-BOOKS FOR USE IN PUBLIC SCHOOLS."

S.C.R. No. 188, SD 2, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ACCEPT THE RECOMMENDATIONS OF THE WORKING GROUP FORMED BY HAWAII'S CONGRESSIONAL DELEGATION TO DETERMINE THE MOST APPROPRIATE USES OF STATE FISCAL STABILIZATION FUND MONEYS, AND AUTHORIZE THE EXPENDITURE OF STATE FISCAL STABILIZATION FUND MONEYS IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE WORKING GROUP."

Sen. Com. No. 763, transmitting H.C.R. No. 4, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING THE FIRST WEEK IN FEBRUARY AS HAWAII TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK," which was adopted by the Senate on April 30, 2009.

Sen. Com. No. 764, transmitting H.C.R. No. 16, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING STATE AND COUNTY ACTION TO STIMULATE INDIVIDUAL SAVINGS AND DEVELOPMENT OF CREDIT AND TO FORMULATE AN INVENTORY OF BANKING SERVICES AVAILABLE TO LOW-INCOME PERSONS AND THOSE WITH NO CREDIT HISTORY IN THE STATE," which was adopted by the Senate on April 30, 2009.

Sen. Com. No. 765, transmitting H.C.R. No. 34, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO RAISE MEDICARE FEE SCHEDULE PAYMENT AMOUNTS FOR PHYSICIANS RENDERING SERVICES IN HAWAII," which was adopted by the Senate on April 30, 2009.

Sen. Com. No. 766, transmitting H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT, TO PROVIDE LIMITED ENFORCEMENT SERVICES AT NIGHT ON A REGULAR BASIS AND TO CONTINUE PROVIDING ENFORCEMENT SERVICES ON WEEKENDS AND HOLIDAYS AT KANEOHE BAY," which was adopted by the Senate on April 30, 2009.

Sen. Com. No. 767, transmitting H.C.R. No. 109, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR COLONOSCOPY COLORECTAL CANCER SCREENING," which was adopted by the Senate on April 30, 2009.

Sen. Com. No. 768, transmitting H.C.R. No. 113, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO CONSULT WITH OTHER PUBLIC AND PRIVATE ENTITIES TO DEVELOP A PLAN TO OPTIMIZE THE USE OF THE KAMUELA VACUUM COOLING PLANT," which was adopted by the Senate on April 30, 2009.

Sen. Com. No. 769, transmitting H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAII FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS," which was adopted by the Senate on April 30, 2009.

Sen. Com. No. 770, transmitting H.C.R. No. 214, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT FEDERAL FUNDING BE PROVIDED TO THE CENTERS FOR DISEASE CONTROL AND PREVENTION TO ESTABLISH A CHRONIC OBSTRUCTIVE PULMONARY DISEASE PROGRAM," which was adopted by the Senate on April 30, 2009.

Sen. Com. No. 771, transmitting H.C.R. No. 217, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO DEVELOP PLANS FOR A SCHOLARSHIP PROGRAM FOR HAWAII RESIDENTS TO STUDY ABROAD," which was adopted by the Senate on April 30, 2009.

Sen. Com. No. 772, transmitting H.C.R. No. 250, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW ALL BOARDS, COMMISSIONS, COUNCILS, COMMITTEES, WORKING GROUPS, AND TASK FORCES TO DETERMINE WHICH OF THESE CAN BE ELIMINATED," which was adopted by the Senate on April 30, 2009.

Sen. Com. No. 773, transmitting H.C.R. No. 251, entitled: "HOUSE CONCURRENT RESOLUTION URGING DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF AQUATIC RESOURCES, TO CONSULT AND CONFER WITH LICENSED SPECIALIZED FISHING PRACTITIONERS PRIOR TO IMPLEMENTING REVISED OR NEW REGULATIONS AFFECTING THESE STYLES OF NEAR-SHORE COMMERCIAL FISHING AND TO SEEK ADVICE FROM AND WORK COLLABORATIVELY WITH THEM ON ANY AND ALL FUTURE REGULATIONS RELATING TO COMMERCIAL FISHING," which was adopted by the Senate on April 30, 2009.

#### DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 66) was received by the Clerk and was placed on file:

Dept. Com. No. 66, dated May 1, 2009, from Marion Higa, State Auditor, transmitting their 2008 Annual Report.

#### INTRODUCTIONS

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

Representative Carroll introduced her shadows for the day, Mr. Richard Kinney of the Hawaiian Political Action Committee of Hawaii, Mr. Keoni

Eggard of the Royal Order of Kamehameha I, Mr. Kale Gumapac of the Kanaka Council, and Mr. Ben Tajon of the Kanaka Council.

Representative McKelvey introduced his staff, Mr. Stewart Lambert.

Representative Finnegan introduced her intern from the University of Hawaii, Ms. Tania Kehau Cortez; and Ms. Maunalei Love from the Charter School Administrative Office.

At 6:48 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 7:08 o'clock p.m.

#### PETITION

At this time, the Chair addressed the Clerk who announced that the following Petition was received and read as follows:

"To the Speaker of the House of Representatives and the President of the Senate:

Your Petitioners, members of the House of Representatives and of the Senate of the Twenty-Fifth Legislature of the State of Hawaii, respectfully request an extension of two days beyond the sixtieth day of the Regular Session of 2009 of the Twenty-Fifth Legislature of the State of Hawaii.

Senators Kokubun, Tsutsui, Galuteria, Takamine, Sakamoto, Hooser, Hee, Mercado Kim, Nishihara, Kidani, Espero, Gabbard, Green, Tokuda, English, Fukunaga, Bunda, Taniguchi.

Representatives McKelvey, M. Oshiro, B. Oshiro, Evans, Cabanilla, Karamatsu, Hanohano, Berg, Morita, Choy, Belatti, Shimabukuro, Carroll, Rhoads, Awana, Chang, Tokioka, Sagum, Wakai, Keith-Agaran, Nakashima, Yamane, Mizuno, Aquino, Yamashita, Coffman, Ito, Tsuji, Magaoay, M. Lee, Brower, Chong, Har, Manahan, Souki, Nishimoto, Luke, C. Lee, Wooley."

The following Proclamation was received and read by the Clerk:

#### "PROCLAMATION

We, Colleen Hanabusa, President of the Senate, and Calvin K.Y. Say, Speaker of the House of Representatives, of the Twenty-Fifth Legislature of the State of Hawaii pursuant to the power vested in us by Section 10, Article III of the Constitution of the State of Hawaii, and at the written request of two-thirds of the members to which each house is entitled, do hereby extend the Regular Session of 2009 of the Twenty-Fifth Legislature of the State of Hawaii for a period of Two Days beyond the Sixtieth day of the 2009 Regular Session, excluding Saturdays, Sundays, holidays and any days in recess pursuant to a concurrent resolution.

/s/ Colleen Hanabusa  
President of the Senate

/s/ Calvin K.Y. Say  
Speaker of the House of Representatives"

#### INTRODUCTION OF RESOLUTION

The following House Concurrent Resolution was received and read by the Clerk:

H.C.R. No. 313, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS AND SESSION DAYS OF THE REGULAR SESSION OF 2009," was jointly offered by Representatives Say, Evans, Magaoay and B. Oshiro.

#### ADOPTION

Representative B. Oshiro moved that H.C.R. No. 313, be adopted, seconded by Representative Evans.

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

"Yes, Mr. Speaker. I rise to speak against the Resolution. Mr. Speaker, there is only one purpose for extending this Session, and that's so the Democrat Majority will be in a position to override Governor Linda Lingle's vetoes of tax measures. I oppose this extension, Mr. Speaker, and I believe that we should allow Governor Lingle to have her chance to veto measures, and we should live with that result.

"The taxes on our people are going to be very onerous. She's aware of that, and I don't like us to set up this Body to set forth an override of her vetoes."

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

"Thank you, Mr. Speaker. I also rise in opposition to this measure. Mr. Speaker, time management experts tell us that a task either expands or contracts, according to the amount of time that you give it. The people of Hawaii have given us 60 days to do our business. We have a budget. In fact, we just came out of the Conference Committee that said, I think in the words of the President of the Senate, 'We have a budget surplus.' So, the biggest job that we were sent here to do, we've done.

"Now, is it because we don't have enough time to combat the Governor who said unequivocally, 'We can balance the budget without cutting jobs. We can balance the budget without raising taxes.' If we are extending to refute that, I think it's a futility. For those reasons, I oppose this motion."

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

"Mr. Speaker, I rise in support. Very briefly, I just want to rebut some of those comments. First and foremost, just to rebut this argument about time expanding or contracting. Let's be honest, all we're doing is really adding one calendar day. I think in these budgetary times, where we are crunched with some significant pressures, adding one legislative day is not really too much to ask, especially when we are looking at what the actual cost to this Body will be. And that will not be very excessive, because the Speaker has already said, unfortunately, our staff will be ending on the originally stated date of May 7th. And so if there are any costs for that one additional legislative day, it will be very minimal.

"Secondly, the argument about a surplus that will be carried over. I think that's a mischaracterization. If anything, Senator Kim said it was a slim, very slim surplus that we may have. And all of that is extremely contingent on every single one of these tax revenue proposals passing. If they don't pass, at that point, our budget falls apart. It's all out of kilter. It's all out of whack. And so, at that point, we need every single one of these measures to pass.

"Thirdly, this is about the balance and separation of powers. This is about checks and balances. And, they may not like the fact that there's a 2/3 majority in this Chamber that can override the Governor's veto, but that's the way it works. That's the way government works. There are checks and balances. We don't have to just abide by what one person decides is best for this State. Instead, it's a collective decision made by the 51 House Members and the 25 Members in the other Chamber. Thank you."

Representative Pine rose, stating:

"I just wanted a point of clarification, please. Yes, I was in that committee hearing where Senator Kim did speak, and we do have a recording of it. And, what she said was, with the tax increases, the many program cuts and layoffs, we will have enough money to make up for our budget shortfall, plus a surplus."

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

"Mr. Speaker, I just wanted you to note my opposition to the extension, as well as just short comments. We've all been very careful with the timing of this Session, and I guess I'm also just curious as to why, knowing that we had less than nine days for the Governor to veto, and we needed an extension, why couldn't we have at least tried to do that business 10 days before the Session is over? And so, that would be my question to, I guess the Body, or to leadership. Could have done it with careful planning since it was just one overnight day with that particular bill.

"Mr. Speaker, I do speak in opposition because I voted against all those tax measures. I believe that, just like everyone out there in the public that has to deal with living within their means, I think we should do as well. Thank you."

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

"Yes, Mr. Speaker. In opposition. I think it's bad enough to vote once to raise taxes, but to vote to override a veto of a tax increase is to vote twice for the same tax increase. I think it's doubly wrong. Thank you."

Representative B. Oshiro rose to a point of order, stating:

"Point of order, Mr. Speaker. We're not talking about the bills yet. This is just about the Resolution. Can we just focus on the Resolution? Thank you."

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

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

"Mr. Speaker, in support. I just want to say that if the Governor doesn't veto the bills, then we can go sine die on Thursday. Thank you."

Representative Thielen rose to respond, stating:

"Bingo, Mr. Speaker. Bingo. That's exactly the point. There's no question why this extension is being requested and pushed through by the Democrat Majority. Thank you."

The motion was put to vote by the Chair and carried, and H.C.R. No. 313, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS AND SESSION DAYS OF THE REGULAR SESSION OF 2009," was adopted, with Representatives Ching, Finnegan, Marumoto, Thielen and Ward voting no, and with Representatives Bertram, Souki and Takai being excused.

## ORDER OF THE DAY

### UNFINISHED BUSINESS

At this time, the Chair stated:

"Members, Conference Committee Reports Nos. 10 through 13, 59 and 60, as listed on pages 1 and 2, will be deferred one legislative day, to Tuesday, May 5."

#### **Conf. Com. Rep. No. 10 and H.B. No. 615, HD 1, SD 2, CD 1:**

By unanimous consent, action was deferred to May 5, 2009.

#### **Conf. Com. Rep. No. 11 and H.B. No. 590, HD 1, SD 2, CD 1:**

By unanimous consent, action was deferred to May 5, 2009.

#### **Conf. Com. Rep. No. 12 and H.B. No. 1071, HD 3, SD 2, CD 1:**

By unanimous consent, action was deferred to May 5, 2009.

**Conf. Com. Rep. No. 13 and H.B. No. 1351, HD 2, SD 1, CD 1:**

By unanimous consent, action was deferred to May 5, 2009.

**Conf. Com. Rep. No. 59 and S.B. No. 714, SD 1, HD 2, CD 1:**

By unanimous consent, action was deferred to May 5, 2009.

**Conf. Com. Rep. No. 60 and S.B. No. 564, SD 2, HD 1, CD 1:**

By unanimous consent, action was deferred to May 5, 2009.

**STANDING COMMITTEE REPORTS**

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1904) recommending that S.C.R. No. 183, SD 1, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.C.R. No. 183, SD 1, be adopted, seconded by Representative Evans.

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

"Yes, Mr. Speaker. I would like to rise in support of this very memorable area in my district. Thank you."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 183, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING FULL PRESERVATION OF THE WORLD WAR II HONOLULU INTERNMENT CAMP AS A NATIONAL MONUMENT, MUSEUM, AND RESTORED MEMORIAL PARK FOR THE STATE OF HAWAII," was adopted, with Representatives Bertram, Say, Souki and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1905) recommending that S.C.R. No. 138, SD 1, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.C.R. No. 138, SD 1, be adopted, 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 rise in strong support of S.C.R. 138. The Falls of Clyde has a rich history and is one of the few remaining man built jewels of old Hawaii. She was launched in 1878 from Scotland and serves as a reminder of all the great contributions the Scotts have been making to Hawaii since their arrival in the late 1700's. The Falls of Clyde serviced the residents of Hawaii by carrying sugar from Hilo to San Francisco and in 1900 an act of Congress allowed the ship to fly both the U.S. and Hawaiian flag. Over the years tens of thousands of people have toured the Falls of Clyde and in 1989 she was named a National Historic Monument by the National Parks Service.

"This piece of legislation has been long overdue and as the founder of the Heritage Caucus I am very proud to have sponsored this measure on the House side. To have the Legislature recognize the historic importance of this distinguished ship is quite an exceptional accomplishment. As a result of this legislation we will be able to preserve and protect this ship

for many years to come so that people of Hawaii can prosper both culturally and financially. Thank you."

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

"Mr. Speaker, in strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 138, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE TO RECOGNIZE THE HISTORICAL SIGNIFICANCE OF THE FALLS OF CLYDE AS A SAILING SYMBOL OF HAWAII," was adopted, with Representatives Bertram, Say, Souki and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1906) recommending that S.C.R. No. 152, SD 1, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.C.R. No. 152, SD 1, be adopted, 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 rise in strong support to S.C.R. 152. As founder of the Heritage Caucus I believe this measure will be a valuable asset in the effort to secure Iolani Palace as a World Heritage Site. Being a World Heritage Site will raise the global awareness of Iolani Palace and in-turn will attract more visitors to Hawaii. I believe attracting more visitors to Hawaii during these economic times is vital to helping the tourism industry and our economy and I am in full support of this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 152, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR TO PLACE IOLANI PALACE ON THE NOMINATION LIST TO THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION FOR WORLD HERITAGE SITE DESIGNATION," was adopted, with Representatives Bertram, Say, Souki and Takai being excused.

**CONFERENCE COMMITTEE REPORTS**

At this time, the Chair stated:

"Members, please note the 48-hour notice for Conference Committee Reports Numbers 47 through 50, and 93 through 97, as listed on pages 4 and 5."

Representatives Karamatsu, Hanohano and Aquino, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1713, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 47) recommending that H.B. No. 1713, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 47 and H.B. No. 1713, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAZARDS," was deferred for a period of 48 hours.

Representatives McKelvey and Choy, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 994, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 48) recommending that H.B. No. 994, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 48 and H.B. No. 994, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," was deferred for a period of 48 hours.

Representatives Chang, Karamatsu and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1174, HD 3, SD 2, presented a report (Conf. Com. Rep. No. 49) recommending that H.B. No. 1174, HD 3, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 49 and H.B. No. 1174, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred for a period of 48 hours.

Representatives Manahan, Tsuji and Tokioka, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1471, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 50) recommending that H.B. No. 1471, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 50 and H.B. No. 1471, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FARMS," was deferred for a period of 48 hours.

Representative M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1206, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 93) recommending that S.B. No. 1206, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 93 and S.B. No. 1206, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," was deferred for a period of 48 hours.

Representatives Chang, Rhoads and Yamashita, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1665, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 94) recommending that S.B. No. 1665, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 94 and S.B. No. 1665, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was deferred for a period of 48 hours.

Representatives Tsuji, Herkes and Wooley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1223, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 95) recommending that S.B. No. 1223, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 95 and S.B. No. 1223, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MADE PRODUCTS," was deferred for a period of 48 hours.

Representatives Hanohano and M. Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 539, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 96) recommending that S.B. No. 539, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 96 and S.B. No. 539, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," was deferred for a period of 48 hours.

Representatives Mizuno, Ito and Brower, for the Committee on Conference on the disagreeing vote of the Senate to the amendments

proposed by the House in S.B. No. 851, SD 1, HD 3, presented a report (Conf. Com. Rep. No. 97) recommending that S.B. No. 851, SD 1, HD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 97 and S.B. No. 851, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," was deferred for a period of 48 hours.

## SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering certain House bills for Final Reading by consent calendar. (Representatives Bertram, Say, Souki and Takai were excused.)

## FINAL READING

Representative B. Oshiro moved to agree to the amendments made by the Senate to the following House bills, seconded by Representative Evans.

H.B. No. 1362, HD 1, (SD 2)

H.B. No. 1538, HD 1, (SD 1)

The motion was put to vote by the Chair and carried, and the House agreed to the amendments made by the Senate to the noted House bills. (Representatives Bertram, Say, Souki and Takai were excused.)

The Chair addressed the Clerk who announced that the record of votes for said measures had been received, and that the requisite number of House Conferees appointed have cast affirmative votes to report said measures to the Floor.

### H.B. No. 1362, HD 1, SD 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1362, HD 1, on the following showing of Ayes and Noes:

Ayes, 3 (Yamane, Wakai and Nishimoto). Noes, none. Excused, 1 (Finnegan).

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1362, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO GENETIC COUNSELORS," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Say, Souki and Takai being excused.

### H.B. No. 1538, HD 1, SD 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1538, HD 1, on the following showing of Ayes and Noes:

Ayes, 4 (Yamane, Berg, Nishimoto and Ching). Noes, none. Excused, none.

Representative B. Oshiro moved that H.B. No. 1538, HD 1, SD 1, pass Final Reading, seconded by Representative Evans.

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

"Mr. Speaker, in support. Mr. Speaker, I would just like to commend the author of this bill. It's my understanding that the bill's author is a child who spent a lot of time examining the architecture and custodial arts of

boys' lavatories of public schools. And from that time on, Mr. Speaker, the Representative from Kapahulu vowed that he would make it his life commitment to get environmentally-sensitive, green cleaning projects in our public schools. He's remained steadfast in his resolve, and now thousands of school children and teachers may have lavatories with the fragrances of citrus, lavender and sandalwood potpourri. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 1538, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTALLY-SENSITIVE PRODUCTS," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Say, Souki and Takai being excused.

At 7:22 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1362, HD 1, SD 2  
H.B. No. 1538, HD 1, SD 1

At this time, Representative Evans moved to keep the Journal open until 12:00 midnight this legislative day, seconded by Representative Pine and carried. (Representatives Bertram, Say, Souki and Takai were excused.)

At 7:23 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives stood in recess until 9:00 o'clock a.m., Tuesday, May 5, 2009. (Representatives Bertram, Say, Souki and Takai were excused.)

#### CONFERENCE COMMITTEE REPORTS

In accordance with the motion made, the following Conference Committee Reports (Conf. Com. Rep. Nos. 98 through 166; and 168 through 172) were received by the Clerk prior to 12:00 o'clock midnight this legislative day and the following action taken:

Conf. Com. Rep. No. 98 and S.B. No. 464, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 99 and S.B. No. 695, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 100 and S.B. No. 1664, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 101 and S.B. No. 1250, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 102 and S.B. No. 1218, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATORS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 103 and S.B. No. 1164, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 104 and S.B. No. 266, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GLOBAL WARMING," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 105 and S.B. No. 1224, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 106 and S.B. No. 1352, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUREAU OF CONVEYANCES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 107 and S.B. No. 1345, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 108 and S.B. No. 1160, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 109 and S.B. No. 109, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR JUVENILES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 110 and S.B. No. 1461, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 111 and H.B. No. 381, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII ENDOWMENT FUND," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 112 and H.B. No. 1536, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 113 and H.B. No. 1016, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 114 and H.B. No. 1550, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 115 and H.B. No. 952, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 116 and H.B. No. 981, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 117 and H.B. No. 1166, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PASSENGER FACILITY CHARGE SPECIAL FUND," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 118 and H.B. No. 1552, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 119 and H.B. No. 610, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCIENCE AND TECHNOLOGY," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 120 and H.B. No. 586, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE KANEOHE BAY REGIONAL COUNCIL," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 121 and H.B. No. 1525, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 122 and H.B. No. 111, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE SALARIES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 123 and H.B. No. 343, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RURAL PRIMARY HEALTH CARE TRAINING," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 124 and H.B. No. 1692, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 125 and H.B. No. 1809, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 126 and H.B. No. 1807, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 127 and H.B. No. 371, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 128 and H.B. No. 986, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 129 and H.B. No. 1378, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 130 and H.B. No. 1504, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 131 and S.B. No. 1058, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 132 and S.B. No. 199, SD 1, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 133 and S.B. No. 917, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THIRD PARTY LIABILITY FOR MEDICAID," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 134 and S.B. No. 423, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 135 and S.B. No. 1677, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 136 and S.B. No. 387, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 137 and S.B. No. 427, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 138 and S.B. No. 1263, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 139 and S.B. No. 166, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 140 and S.B. No. 1202, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION ENERGY INITIATIVES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 141 and S.B. No. 912, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERMANENCY HEARINGS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 142 and S.B. No. 292, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 143 and S.B. No. 972, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 144 and S.B. No. 1142, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 145 and S.B. No. 415, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 146 and S.B. No. 496, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 147 and S.B. No. 1248, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 148 and S.B. No. 1674, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 149 and S.B. No. 43, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN WORKFORCE ASSESSMENT," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 150 and S.B. No. 1329, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 151 and H.B. No. 427, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST ONE PLANET PACIFIC ENERGY, LLC, A PROCESSING ENTERPRISE," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 152 and H.B. No. 1627, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 153 and H.B. No. 1628, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIOENERGY HAWAII, LLC," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 154 and H.B. No. 1483, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR BETTER PLACE HAWAII, INC.," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 155 and H.B. No. 1678, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 156 and H.B. No. 34, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 157 and H.B. No. 35, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 158 and H.B. No. 1495, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE INCOME TAX," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 159 and H.B. No. 1544, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX EXEMPTIONS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 160 and H.B. No. 754, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 161 and H.B. No. 899, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 162 and H.B. No. 1364, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 163 and H.B. No. 183, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 164 and H.B. No. 1405, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 165 and H.B. No. 900, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 166 and H.B. No. 300, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 168 and S.B. No. 21, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 169 and S.B. No. 1678, SD 3, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 170 and S.B. No. 585, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 171 and S.B. No. 884, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

Conf. Com. Rep. No. 172 and S.B. No. 1350, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," were placed on the Calendar for Final Reading on Tuesday, May 5, 2009.

## ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 9:00 o'clock a.m., Tuesday, May 5, 2009.

## HOUSE COMMUNICATIONS

"HOUSE OF REPRESENTATIVES  
STATE OF HAWAII  
STATE CAPITOL  
HONOLULU, HAWAII 96813

May 2, 2009  
1:00 a.m.

## MEMORANDUM

TO: All House Members  
FROM: Speaker Calvin K.Y. Say /s/  
RE: Extension of Conference Committee Report  
Filing Deadline

Prior to the convening of the 2009 session, the Senate President and I prepared an internal legislative timetable, setting May 1st as the last day to file fiscal bills to deck for Final Reading. A few weeks ago the President and I signed the Conference Committee Guidelines that provides, in paragraph 11(c) that all Conference Committee reports shall be filed by 11:30 p.m. on Friday, May 1st.

As you know, several measures were being negotiated throughout the evening. Several Conference Committees, even though they had reached agreement on the substance of these measures, did not have the time to prepare and adequately review the reports and the final form of the Conference Drafts prior to the filing deadline.

Therefore, the President and I are exercising our powers under Rule 13 of the Conference Committee Guidelines, to make an exception to this deadline for the bills that were agreed to and voted upon this evening.

The President and I are granting this exception to provide the Conference members with an opportunity to ensure that the Conference Committee reports and the Conference drafts reflect the agreements reached on the evening of May 1st.

The President and I felt that since the Conferees had reached timely agreement on these bills, allowing these bills to die based on an internal procedural deadline for filing paperwork with the Clerks' Offices, is not in the best interest of the people of Hawaii.

For the bills agreed to and voted on this evening, the Clerks of the respective Chambers shall accept Conference drafts between 12:00 noon and 1:00 p.m. tomorrow Saturday, May 2nd.

I wish to emphasize that previous Legislatures, when facing similar problems in past years, have followed the same procedure we will follow with these measures."



House Communication dated May 1, 2009, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

S.B. No. 496,      Added Representative Finnegan as a member.  
SD2, HD2

House Communication dated May 1, 2009, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 1362, HD 1, SD 2  
H.B. No. 1538, HD 1, SD 1