

THIRTY-SIXTH DAY

Wednesday, March 25, 2009

(FLOOR PRESENTATIONS)

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Father Tim Sexton of Saint Andrew's Cathedral, after which the Roll was called showing all Members present with the exception of Representatives Brower, M. Oshiro, Sagum, Souki, Takai and Ward, who were excused.

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

INTRODUCTIONS

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

Representative Thielen introduced her student shadow, Miss Kylie Schatz, 5th grade student at Aikahi Elementary School. She was accompanied by legislative aides, Ms. Lauren Goodmiller and Ms. Franziska Roessy.

Representative Choy introduced Mrs. Cora Say of Lanakila Elementary School, wife of House Speaker Calvin Say.

Representative Ching introduced 3rd grade teachers, Ms. Carol Kishimoto and Ms. Carolyn Emoto; and PCNC Coordinator, Ms. Cynthia Fong of Blue Ribbon School, Lanakila Elementary.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

S.C.R.

| <u>Nos.</u> | <u>Referred to:</u> |
|-------------|--|
| 18, SD1 | Committee on Education, then to the Committee on Finance |
| 52, SD1 | Committee on Education, then to the Committee on Finance |

COMMITTEE REASSIGNMENTS

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

S.B.

| <u>Nos.</u> | <u>Re-referred to:</u> |
|----------------|--|
| 264 | Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance |
| 440, SD2, HD1 | Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources |
| 1202, SD2, HD1 | Committee on Energy & Environmental Protection, then to the Committee on Finance |
| 1271, SD1 | Committee on Finance |

INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 293) was announced by the Clerk and the following action taken:

H.R. No. 293, entitled: "HOUSE RESOLUTION CONGRATULATING KAREN HERESA AS HAWAII'S 2008 MILKEN AWARD WINNER, AND KAPALAMA ELEMENTARY SCHOOL, KAIMUKI MIDDLE SCHOOL, AND LANAKILA ELEMENTARY SCHOOL AS THE 2009 BLUE RIBBON SCHOOLS OF THE STATE OF HAWAII," was jointly offered by Representatives Takumi and Berg.

Representative Takumi moved that H.R. No. 293 be adopted, seconded by Representative Berg.

Representative Takumi recognized in absentia Ms. Karen Heresa, a special education teacher at Wilcox Elementary, Hawaii's 2008 Milken Award winner.

Representative Berg then recognized and applauded Hawaii's 2009 Blue Ribbon Schools, and introduced the honorees seated on the Floor of the House:

Kaimuki Middle School represented by their Principal, Mr. Frank Ferdnandes;

Kapalama Elementary School represented by their Vice Principal, Ms. Michelle DeBusca; and

Lanakila Elementary School represented by their Principal, Mr. Michael Ono.

Representative Berg also introduced friends and family seated in the gallery:

Mr. Fernandes' wife, Mrs. Rinda Fernandes; and daughter, Ms. Kalito Fernandes;

Ms DeBusca's colleagues from Kapalama Elementary, Curriculum Coordinator, Ms. Atsuko Sakamoto; and Student Services Coordinator, Ms. Linda Nagatani; and

Mr. Ono's colleagues from Lanakila Elementary, 3rd grade teachers, Ms. Carol Kishimoto and Ms. Carrolyn Emoto; and PCNC, Ms. Cynthia Fong.

Representative Tokioka then praised the work of Ms. Heresa and thanked her for her work with his hearing-impaired son.

Representative Marumoto then congratulated Kaimuki Middle School, and Representative Ching congratulated Lanakila Elementary.

The motion was put to vote by the Chair and carried, and H.R. No. 293 was adopted with Representatives Brower, Keith-Agaran, C. Lee, Mizuno, M. Oshiro, Sagum, Saiki, Takai and Ward being excused.

The following resolution (H.R. No. 294) was announced by the Clerk and the following action taken:

H.R. No. 294, entitled: "HOUSE RESOLUTION RECOGNIZING THE OUTSTANDING ACHIEVEMENTS OF NANCY ATMOSPERSA-WALCH, CONNIE CHUN, MARIO PALMA, AND BEATRICE "BEA" RAMOS-RAZON, AS OUTSTANDING FILIPINO NURSES IN HAWAII," was offered by Representative Cabanilla.

Representative Cabanilla moved that H.R. No. 294 be adopted, seconded by Representative M. Lee.

Representative Cabanilla recognized the contributions of the Filipino nurses to the people of Hawaii.

Representative M. Lee then introduced Filipina nurse, Ms. Connie Beltran Chun who was seated on the Floor of the House, recipient of the 2008 YWCA Women of the Year Award. With Ms. Chun were Mr. Luis and Ms. Luz Gantan who were seated in the gallery.

Representative M. Lee then introduced Ms. Nancy Atmospera-Walch seated on the Floor of the House, who was awarded the Inez Cayaban Distinguished Service Excellence Award by the Filipino Nurses of Hawaii in 2008. With her were friends and family seated in the gallery, Ms. Nellie Atmospera, Mr. Kuhio Walch, Mr. Gerhart Walch, and Mr. James Boersma.

Representative Yamane introduced Mr. Mario Palma seated on the Floor of the House, who was awarded the Leadership Excellence Award by the Hawaii Filipino Nurses of Hawaii in 2008.

Representative Yamane then recognized all the Filipino nurses seated in the gallery.

Representative McKelvey further recognized and thanked all the Filipino nurses for helping to ease the nursing shortage in Hawaii.

Representative Souki further congratulated former Representative Connie Chun and applauded her contributions as a legislator in the area of health and human services.

The motion was put to vote by the Chair and carried, and H.R. No. 294 was adopted with Representatives Keith-Agaran, C. Lee, Sagum, Saiki, Takai and Ward being excused.

LATE INTRODUCTION

The following late introduction was made to the Members of the House:

Representative Ching introduced her student shadow, Ms. Kara Nelson, a junior at St. Andrews Priory.

At 12:32 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:41 o'clock p.m.

At this time, the Chair announced:

"Members, please note that S.B. No. 440, SD 2, HD 1, has been referred solely to the Committees on Housing, and Water, Land, & Ocean Resources per Committee Referral Sheet No. 40 that has been placed on your desk today. The Committee on Transportation has waived its referral to this measure and therefore it is appropriate for the House to consider action for passage on Third Reading."

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, to rules were suspended to reconsider action previously taken on S.B. No. 440, SD 2, HD 1. (Representatives Bertram, Sagum, Saiki, Takai and Ward were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 1157, recommending referral to the Committee on

Transportation, seconded by Representative Evans and carried. (Representatives Bertram, Sagum, Saiki, Takai and Ward were excused.)

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering a certain Senate bill for Third Reading by consent calendar. (Representatives Bertram, Sagum, Saiki and Takai were excused.)

UNFINISHED BUSINESS

S.B. No. 440, SD 2, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 440, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Third Reading by a vote of 47 ayes, with Representatives Bertram, Sagum, Saiki and Takai being excused.

At 12:43 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 440, SD 2, HD 1

STANDING COMMITTEE REPORTS

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1170) recommending that S.B. No. 947, SD 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 S.B. No. 947, SD 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT CONTRIBUTION RATES," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1171) recommending that S.B. No. 1126, SD 2, 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 S.B. No. 1126, SD 2, entitled: "A BILL FOR AN ACT RELATING TO JOB-SHARING FOR PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1172) recommending that S.B. No. 690, SD 2, 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 S.B. No. 690, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERGOVERNMENTAL MOVEMENTS," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1173) recommending that S.B. No. 1122, SD 2, 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 S.B. No. 1122, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1122, SD 2, 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 Sagum, Saiki and Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1174) recommending that S.B. No. 1094, SD 2, 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 S.B. No. 1094, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1175) recommending that S.B. No. 1679, SD 2, 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 S.B. No. 1679, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1176) recommending that S.B. No. 1073, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Public Safety.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1073, SD 1, HD 1, pass Second Reading and be referred to the Committee on Public Safety, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1073, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," passed Second Reading and was referred to the Committee on Public Safety with Representatives Sagum, Saiki and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1177) recommending that S.B. No. 1610, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Judiciary and 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 S.B. No. 1610, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ORDERS," passed Second Reading and was referred jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce with Representatives Sagum, Saiki and Takai being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1178) recommending that S.B. No. 1105, SD 2, 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 S.B. No. 1105, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE HEARINGS AND PROCEDURES," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1179) recommending that S.B. No. 300, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 300, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Sagum, Saiki and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1180) recommending that S.B. No. 101, SD 1, 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 S.B. No. 101, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS BY COUNTIES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Sagum, Saiki and Takai being excused.

Representatives McKelvey and Manahan, for the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1181) recommending that S.B. No. 1005, SD 2, 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 S.B. No. 1005, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Sagum, Saiki and Takai being excused.

Representatives McKelvey and Tsuji, for the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1182) recommending that S.B. No. 506, SD 1, 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 S.B. No. 506, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1183) recommending that S.B. No. 1054, SD 2, 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 S.B. No. 1054, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Sagum, Saiki and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1184) recommending that S.B. No. 1118, SD 2, 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 S.B. No. 1118, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1185) recommending that S.B. No. 868, SD 2, 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 S.B. No. 868, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1186) recommending that S.B. No. 1107, SD 2, 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 S.B. No. 1107, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1187) recommending that S.B. No. 886, SD 1, 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 S.B. No. 886, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Sagum, Saiki and Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1188) recommending that S.B. No. 1633, SD 2, 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 S.B. No. 1633, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST EPOD, INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY ON THE ISLAND OF OAHU," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1189) recommending that S.B. No. 497, SD 1, 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 S.B. No. 497, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1190) recommending that S.B. No. 747, SD 2, 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 S.B. No. 747, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1191) recommending that S.B. No. 360, SD 1, 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 S.B. No. 360, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXTRACURRICULAR ACTIVITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1192) recommending that S.B. No. 777, SD 1, HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 777, SD 1, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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

Representative Ching rose in opposition to 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 opposition to S.B. 777 - Relating to Comprehensive Sexuality Health Education. I continue to believe that this bill is unnecessary because the current sexual education curricula being taught by the State is accurate and appropriate. The Department of Health states in their testimony that, "Information currently provided by State-funded DOH programs regarding sexual health education, family planning, pregnancy counseling, and sexually transmitted diseases, including Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome, is medically accurate, based on scientific fact, and is age appropriate. This bill is unnecessary because as part of the contracting process, program materials are reviewed by DOH on a regular basis, and inaccurate information would be corrected at this time."

"The Hawaii Family Forum, which is a non-profit, pro-family education organization committed to preserving and strengthening families in Hawaii, states, "S.B.777 is an unnecessarily punitive measure, which will de-fund successful local abstinence programs for Hawaii's youth." I agree with the Hawaii Family Forum and would like to see the continuation of such programs as, "Try Wait." Catholic Charities Hawaii has operated this successful federally funded abstinence program, which is a medically accurate abstinence-only program. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 777, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE SEXUALITY HEALTH EDUCATION," was referred to the Committee on Finance with Representatives Bertram, Ching and Finnegan voting no, and with Representatives Sagum, Saiki and Takai being excused.

Representatives Tsuji and Manahan, for the Committee on Agriculture and the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1193) recommending that S.B. No. 696, SD 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 S.B. No. 696, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COQUI FROGS," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representatives Karamatsu and Hanohano, for the Committee on Judiciary and the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1194) recommending that S.B. No. 1058, SD 2, 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 S.B. No. 1058, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representatives Ito and Karamatsu, for the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1195) recommending that S.B. No. 995, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 995, SD 2, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Marumoto 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 Marumoto's written remarks are as follows:

"HB 995 resolves claims and disputes relating to the portion of income from the lands of the public land trust for use by the Office of Hawaiian Affairs between 1978 and 2008. It conveys certain parcels of land in fee simple to OHA.

"I speak as a proponent of a "global solution" to the OHA issue. This bill is but a small step towards that goal.

"My reservations stem from the Senate intent to transfer Mauna Kea and other properties to OHA, and although subsequent HDs have not reflected this desire, the original idea can always re-emerge in conference drafts.

"Regarding the properties of Kaka'ako Makai, the testimony of the Attorney General pointed out that OHA's unilateral ability to pick and choose means that the State could be left with property that is fragmented rather than contiguous, and substantially de-valued by the selection. We should be more careful with the land owned by citizens and taxpayers."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 995, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1196) recommending that S.B. No. 523, SD 2, 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 S.B. No. 523, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Second Reading and was referred to the

Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1197) recommending that S.B. No. 537, SD 2, 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 S.B. No. 537, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1198) recommending that S.B. No. 830, SD 2, 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 S.B. No. 830, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT SHARED SERVICES TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1199) recommending that S.B. No. 1614, SD 2, 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 S.B. No. 1614, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PASSENGER FACILITY CHARGE SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1200) recommending that S.B. No. 711, SD 1, 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 S.B. No. 711, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Sagum, Saiki and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1201) recommending that S.B. No. 979, SD 2, 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 S.B. No. 979, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Sagum, Saiki and Takai being excused.

Representatives Manahan and McKelvey, for the Committee on Tourism, Culture, & International Affairs and the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1202) recommending that S.B. No. 1167, SD 2, 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 S.B. No. 1167, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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 S.B. No. 1167, SD 2, 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 Sagum, Saiki and Takai being excused.

Representatives Manahan and Tsuji, for the Committee on Tourism, Culture, & International Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1203) recommending that S.B. No. 1272, SD 1, 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 S.B. No. 1272, SD 1, 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 vote 'aye' with reservations. I'm reluctant to dedicate an unspecified percentage of the Transient Accommodation Tax to pest eradication. I think we need it more for marketing purposes during our economic doldrums."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1272, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1204) recommending that S.B. No. 921, SD 2, 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 S.B. No. 921, SD 2, HD 1, 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 Sagum, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1205) recommending that S.B. No. 1183, SD 2, 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 S.B. No. 1183, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRACTICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Sagum, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1206) recommending that S.B. No. 19, SD 1, 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 S.B. No.

19, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1207) recommending that S.B. No. 63, SD 2, 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 S.B. No. 63, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 63, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Finance with Representative Finnegan voting no, and with Representatives Sagum, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1208) recommending that S.B. No. 642, SD 2, 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 S.B. No. 642, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1209) recommending that S.B. No. 1125, SD 2, 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 S.B. No. 1125, SD 2, 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 Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1125, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second

Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1210) recommending that S.B. No. 1181, SD 2, 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 S.B. No. 1181, SD 2, 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1181, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1211) recommending that S.B. No. 1664, SD 2, 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 S.B. No. 1664, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum, Saiki and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1212), recommending that H.C.R. No. 94, be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 94, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AND FINANCIAL AUDIT OF THE HAWAII PUBLIC HOUSING AUTHORITY'S MAINTENANCE CONTRACTS," was referred to the Committee on Legislative Management with Representatives Sagum, Saiki and Takai being excused.

ANNOUNCEMENTS

Representative Carroll: "Thank you, Mr. Speaker. Your Committee on Hawaiian Affairs will reconvene for decision-making in Room 329 at 1:30 today."

Representative Ching: "Thank you, Mr. Speaker. Mr. Speaker, tomorrow, March 26, we will celebrate Prince Jonah Kuhio Kalaniana'ole Day. He was born in 1871, the Prince of the Reigning House of Kalaukua, and Hawaii's second Delegate to Congress, and he was called Ke Ali'i Maka 'Ainana, Prince of the People. Citizen Prince. In line to become the king of the Hawaiian Monarchy, had it continued.

"Upon the overthrow in the 1800s, a year later, he joined Native Hawaiians and American sympathizers, in organizing what would become an unsuccessful rebellion against the newly formed Republic of Hawaii that would lead to his imprisonment.

"And upon his release, he left Hawaii, traveled to Europe, Africa, joined the British Army to fight the Second Boer War, before returning home to Hawaii's new political scene.

"And in 1901, Prince Kuhio Kalaniana'ole joined the Republican Party, and was credited as starting the Republican Party in Hawaii, whereas his brother, David Kawananakoa started the Democrat Party. And as the

Party's U.S. Congressional Delegate won a sweeping victory, he would serve from 1903 to his death in 1922.

"He is buried at Mauna Ala, the Royal Mausoleum, in Nu'uano, where there will be a ceremony, tomorrow at 9 a.m. In attendance will be Princess Abigail Kekaulike Kawananakoa. Thank you."

ADJOURNMENT

At 12:52 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 Friday, March 27, 2009. (Representatives Sagum, Saiki, Takai and Ward were excused.)