

## FORTIETH DAY

Tuesday, March 30, 2010

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2010, convened at 12:04 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Larry Snyder of Catholic Charities, after which the Roll was called showing all Members present with the exception of Representatives M. Oshiro, Takai, Thielen and Wakai, who were excused.

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

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 357 through 361) were received and announced by the Clerk:

Sen. Com. No. 357, transmitting S.C.R. No. 126, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED NATIONS TO GRANT TAIWAN MEANINGFUL PARTICIPATION IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION," which was adopted by the Senate on March 29, 2010.

Sen. Com. No. 358, transmitting H.B. No. 1868, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," which passed Third Reading in the Senate on March 29, 2010.

Sen. Com. No. 359, transmitting H.B. No. 1927, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO OWNER-BUILDERS," which passed Third Reading in the Senate on March 29, 2010.

Sen. Com. No. 360, transmitting H.B. No. 2289, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GIFT CERTIFICATES," which passed Third Reading in the Senate on March 29, 2010.

Sen. Com. No. 361, transmitting H.B. No. 2351, SD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," which passed Third Reading in the Senate on March 29, 2010.

Representative B. Oshiro moved to disagree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried: (Representatives M. Oshiro, Takai, Thielen and Wakai were excused.)

H.B. No. 1927, HD 2, (SD 1)

H.B. No. 2289, HD 2, (SD 1)

H.B. No. 2351, (SD 1)

## ORDER OF THE DAY

## COMMITTEE ASSIGNMENTS

The following measure was referred to committee by the Speaker:

S.C.R.No.      Referred to:

126      Committee on Tourism, Culture, & International Affairs

## COMMITTEE REASSIGNMENTS

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

H.R.Nos.Re-referred to:

97	Committee on Education, then to the Committee on Finance
140	Committee on Economic Revitalization, Business, & Military Affairs
142	Committee on Finance

H.C.R.Nos.Re-referred to:

159	Committee on Education, then to the Committee on Finance
182	Committee on Finance
209	Committee on Economic Revitalization, Business, & Military Affairs
212	Committee on Finance

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 273) was announced by the Clerk and the following action taken:

H.R. No. 273, entitled: "HOUSE RESOLUTION COMMENDING THE HAWAII PERMANENTE MEDICAL GROUP FOR FIFTY YEARS OF OUTSTANDING MEDICAL SERVICE TO THE PEOPLE OF HAWAII," was jointly offered by Representatives Yamane, Chong, Magaoay, Nishimoto and Yamashita.

Representative Yamane moved that H.R. No. 273 be adopted, seconded by Representative Nishimoto.

Representative Yamane recognized the many men and women physicians in celebration of National Doctor's Day.

Representative Yamane congratulated the Hawaii Permanente Medical Group on their 50th anniversary of providing medical services to the people of Hawaii and commended them for their dedication and commitment to improving lives.

Representative Yamane then introduced the honorees representing the Hawaii Permanente Medical Group who were seated on the Floor of the House:

Dr. Geoffrey Sewell, President and Executive Director of the Hawaii Permanente Medical Group; and

Ms. Janet Liang, President of Kaiser Permanente Hawaii Region.

Representative Yamane also introduced other members of the Hawaii Permanente Medical Group who were seated in the Gallery:

Ms. Richele Thornburg, Director of Physician Leadership and Professional Development;

Mr. Kevin Imanaka, Director of Communications;

Mr. Frank Richardson, Vice President of Government Relations and Regional Counsel;

Mr. John Kirimitsu, Legal and Government Relations Consultant; and

Ms. Phyllis Dendle, Director of Government Relations.

Representative Ching also commended the many physicians on National Doctor's Day, and thanked them for serving the community.

The motion was put to vote by the Chair and carried, and H.R. No. 273 was adopted, with Representatives M. Oshiro, Takai and Thielen being excused.

The following resolution (H.R. No. 274) was announced by the Clerk and the following action taken:

H.R. No. 274, entitled: "HOUSE RESOLUTION CONGRATULATING THE HAWAIIAN TRAIL & MOUNTAIN CLUB ON THEIR 100TH ANNIVERSARY," was jointly offered by Representatives Magaoay and M. Oshiro.

Representative Magaoay moved that H.R. No. 274 be adopted, seconded by Representative Rhoads.

Representative Magaoay congratulated the Hawaiian Trail and Mountain Club and commended them for 100 years of stewardship of Hawaii's forests and trails; promotion of hiking, camping and outdoor activities; and their dedication to preserve and protect Hawaii's natural areas.

Representative Magaoay then introduced the honorees representing the Hawaiian Trail and Mountain Club who were seated on the Floor of the House:

Mr. Tom Mendes, President;  
Ms. Mabel Kedina, Member;  
Mr. Bill Gorst, Vice President;  
Mr. John Hall, Member; and  
Mr. Stuart Ball, Past President.

The motion was put to vote by the Chair and carried, and H.R. No. 274 was adopted, with Representatives Takai, Thielen and Saiki being excused.

### LATE INTRODUCTIONS

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

Speaker Say noted the passing of former State Auditor Newton Sue, and introduced his daughter, Ms. Valerie Sue and her companion, Mr. Brent Chapman from Los Angeles, California. They were accompanied by Ms. Marion Higa, State Auditor; former Deputy Auditor, Ms. Diana Chang; and former Assistant Auditor, Mr. Wilbert Sakamoto.

At 12:23 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:34 o'clock p.m., with Vice Speaker Magaoay presiding.

At this time, the Members of the House of Representatives stood for a moment of silence in honor of the late Newton Sue, retired State Auditor for the State of Hawaii.

### STANDING COMMITTEE REPORTS

At this time, the Chair announced:

"Members, at this time we will be taking Stand. Com. Rep. Nos. 1062-10 and 1063-10 out of order."

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1062-10),

recommending that H.R. No. 199, as amended in HD 1, be referred to the Committee on Judiciary.

Representative B. Oshiro moved that notwithstanding the recommendations contained in Standing Committee Report No. 1062-10, that H.R. No. 199, HD 1, be recommitted to the Committee on Tourism, Culture, & International Affairs, seconded by Representative Evans.

The motion was put to vote by the Chair and carried, and H.R. No. 199, HD 1, entitled: "HOUSE RESOLUTION SUPPORTING THE RECOGNITION OF COCKFIGHTING AS A CULTURAL ACTIVITY," was recommitted to the Committee on Tourism, Culture, & International Affairs, with Representatives Takai and Thielen being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1063-10), recommending that H.C.R. No. 277, as amended in HD 1, be referred to the Committee on Judiciary.

Representative B. Oshiro moved that notwithstanding the recommendations contained in Standing Committee Report No. 1063-10, that H.C.R. No. 277, HD 1, be recommitted to the Committee on Tourism, Culture, & International Affairs, seconded by Representative Evans.

The motion was put to vote by the Chair and carried, and H.C.R. No. 277, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE RECOGNITION OF COCKFIGHTING AS A CULTURAL ACTIVITY," was recommitted to the Committee on Tourism, Culture, & International Affairs, with Representatives Takai and Thielen being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented two reports:

(Stand. Com. Rep. No. 1043-10), recommending that H.R. No. 192, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1044-10), recommending that H.C.R. No. 267, be referred to the Committee on Finance.

Representative B. Oshiro moved that the reports of the Committees be adopted, and that H.R. No. 192, and H.C.R. No. 267, be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, I stand in strong support. These measures may not be written the best way, or in the most important way of saying it, but it's the most important issue that we get our kids back in school and this directs it. All parties. Thank you."

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

"Thank you, Mr. Speaker. Just in strong support with written comments."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support to H.R. 192 and H.C.R. 267, which strongly urges the Governor, the Board of Education, and the Hawaii State Teacher's Association to reopen negotiations to reduce Furlough Fridays.

"As a former teacher, it pains me to see publications such as the *New York Times* talking about how Hawaii has the fewest school days and that our education system is in dire straits. The children of Hawaii are our greatest resource, and we owe it to them to provide a scholastic environment that is conducive to success, not failure. Children need consistency and routine when it comes to education and the current system of Furlough Fridays provides neither. Furloughs do not only harm our children, but they also put an unneeded burden upon the parents.

"In these economic times families are having enough trouble putting food on the table and clothes on their children backs. These furlough days require parents to take days off from work, seek daycare, and add unnecessary worry about their children's educational future. Being a former teacher allows me a certain insight into this problem. I know from years of teaching experience that we must get our children back into school. Thank you."

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

Representative Finnegan's written remarks are as follows:

"I rise in strong support of HR 192 and HCR 267, strongly urging the Governor, the Board of Education, the Department of Education, and the Hawaii State Teachers Association to reopen negotiations to reduce Furlough Fridays.

"The mere fact that we are still discussing the issue of depriving our children of instructional time in school is a travesty. The Board and Department of Education, as the employer group, need to ensure a reasonable contract with the Hawaii State Teachers Association. HSTA must ensure that in trying to negotiate the best contract for their members, it does not ultimately jeopardize our children's future.

"There are many systemic issues plaguing our public education system that cannot continue to be ignored. I believe that these issues, including Furlough Fridays must be addressed. Furlough Fridays are the most visible and immediate problem, but it is not the only issue robbing our children of a quality education. It is time to resolve Furlough Fridays once and for all in a manner that not only gets our children back into school, but ultimately allows the State of Hawaii to live within its means. Once this issue is resolved, we must fundamentally address the deficiencies that have existed for decades in the Department of Education.

"Mr. Speaker, there is no more time or room left for 'baby steps.' We need education reform now or else we will find ourselves in this same situation in the future."

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

"Thank you, very much. In strong support Mr. Speaker. Thank you."

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

Representative Pine's written remarks are as follows:

"Mr. Speaker, I rise in support for House Resolution 192 and House Concurrent Resolution 267. These resolutions would urge the Governor, the Board of Education, the Department of Education, and the Hawaii State Teachers Association to reopen negotiations to reduce Furlough Fridays.

"These resolutions are a step in the right direction. It would encourage the aforementioned parties that we too want to reduce Furlough Fridays and get Hawaii's children back to school.

"It is my hope that once negotiations are re-opened, that Furlough Fridays are not only reduced, but completely eliminated."

The motion was put to vote by the Chair and carried, and the reports of the Committees were adopted, and H.R. No. 192, entitled: "HOUSE RESOLUTION STRONGLY URGING THE GOVERNOR, THE BOARD OF EDUCATION, THE DEPARTMENT OF EDUCATION, AND THE HAWAII STATE TEACHERS ASSOCIATION TO REOPEN NEGOTIATIONS TO REDUCE FURLOUGH FRIDAYS," was referred to the Committee on Finance, with Representatives Takai and Thielen being excused; and

H.C.R. No. 267, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE GOVERNOR, THE BOARD OF

EDUCATION, THE DEPARTMENT OF EDUCATION, AND THE HAWAII STATE TEACHERS ASSOCIATION TO REOPEN NEGOTIATIONS TO REDUCE FURLOUGH FRIDAYS," was referred to the Committee on Finance, with Representatives Takai and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1045-10), recommending that H.R. No. 167, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 167, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A TASK FORCE TO MAKE RECOMMENDATIONS FOR AN EDUCATIONAL PROGRAM FOR HIGH SCHOOL ATHLETIC COACHES AND TRAINERS TO AVOID AND MINIMIZE INJURIES TO HIGH SCHOOL ATHLETES," was referred to the Committee on Finance, with Representatives Takai and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1046-10), recommending that H.C.R. No. 238, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 238, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A TASK FORCE TO MAKE RECOMMENDATIONS FOR AN EDUCATIONAL PROGRAM FOR HIGH SCHOOL ATHLETIC COACHES AND TRAINERS TO AVOID AND MINIMIZE INJURIES TO HIGH SCHOOL ATHLETES," was referred to the Committee on Finance, with Representatives Takai and Thielen being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented two reports:

(Stand. Com. Rep. No. 1047-10), recommending that H.R. No. 73, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1048-10), recommending that H.C.R. No. 132, be referred to the Committee on Finance.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 73, and H.C.R. No. 132, 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 on both measures, and the Chair "so ordered."

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

Representative Pine rose to speak in support of both measures with reservations, stating:

"Reservations, and if I could be permitted a couple of comments. These resolutions urge Congress to pass the 'Cash for Clunkers' legislation in the Second Session of the 111th Congress, and I think it's still debatable whether this was a successful program or not. For some people it was very successful, financially, for their businesses. However, as we look to protect the finances of our constituents who are already now overburdened with a new healthcare bill and other tax increases that are coming their way, I think if we're going to fund or bailout some people, I think we should focus on bailing out the American people first. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted, and H.R. No. 73, entitled: "HOUSE RESOLUTION URGING CONGRESS TO PASS 'CASH FOR CLUNKERS' LEGISLATION IN THE SECOND SESSION OF THE 111TH CONGRESS," was referred to the Committee on Finance, with Representative Finnegan voting no, and with Representatives Takai and Thielen being excused; and

H.C.R. No. 132, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO PASS "CASH FOR CLUNKERS" LEGISLATION IN THE SECOND SESSION OF THE 111TH CONGRESS," was referred to the Committee on Finance, with Representative Finnegan voting no, and with Representatives Takai and Thielen being excused.

Representatives McKelvey and Morita, for the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1049-10), recommending that H.R. No. 153, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 153, entitled: "HOUSE RESOLUTION REAFFIRMING THE SUPPORT OF THE HAWAII STATE LEGISLATURE FOR THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY AS AN INCUBATOR FOR RESEARCH AND COMMERCIALIZATION OF ENERGY, HIGH TECHNOLOGY, AND ECONOMIC DEVELOPMENT IN THE STATE OF HAWAII," was referred to the Committee on Finance, with Representatives Takai and Thielen being excused.

Representatives McKelvey and Morita, for the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1050-10), recommending that H.C.R. No. 224, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 224, entitled: "HOUSE CONCURRENT RESOLUTION REAFFIRMING THE SUPPORT OF THE HAWAII STATE LEGISLATURE FOR THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY AS AN INCUBATOR FOR RESEARCH AND COMMERCIALIZATION OF ENERGY, HIGH TECHNOLOGY, AND ECONOMIC DEVELOPMENT IN THE STATE OF HAWAII," was referred to the Committee on Finance, with Representatives Takai and Thielen being excused.

Representatives McKelvey and Morita, for the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1051-10), recommending that H.R. No. 215, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 215, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION TO COORDINATE INITIATIVES WITHIN THE COMMUNITY WHICH ADDRESS ENERGY INNOVATION WITH THE ORGANIZERS OF ENERGY AWARDS AND PROGRAMS, AND ASSIST IN THEIR OUTREACH TO THE HAWAII COMMUNITY," was referred to the Committee on Finance, with Representatives Takai and Thielen being excused.

Representatives McKelvey and Morita, for the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1052-10), recommending that H.C.R. No. 298, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 298, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION TO COORDINATE INITIATIVES WITHIN THE COMMUNITY WHICH ADDRESS ENERGY INNOVATION WITH THE ORGANIZERS OF ENERGY AWARDS AND PROGRAMS, AND ASSIST IN THEIR OUTREACH TO THE HAWAII COMMUNITY,"

was referred to the Committee on Finance, with Representatives Takai and Thielen being excused.

Representative Takumi, for the Committee on Education presented two reports:

(Stand. Com. Rep. No. 1053-10), recommending that H.R. No. 103, as amended in HD 1, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1054-10), recommending that H.C.R. No. 167, as amended in HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 103, HD 1, and H.C.R. No. 167, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Finnegan rose to speak in support of both measures with reservations, stating:

"Thank you, Mr. Speaker I have reservations on the two measures and just short comments. Thank you, Mr. Speaker. These measures request the Board of Education to adopt a policy for the integration of a pedagogy of aloha in public schools.

"Mr. Speaker, I'm not necessarily against this. What I am against is that the Board of Education needs to do a lot of work and they don't have the time to do it. They're constantly telling us what they're going through, whether it's balancing their budget or anything like that, and they just don't have time. So I don't think that we should be putting something like this on their plate right now during this season. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted, and H.R. No. 103, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ADOPT A POLICY FOR THE INTEGRATION OF A PEDAGOGY OF ALOHA IN PUBLIC SCHOOLS FOR IMPROVED LEARNING IN THE 21ST CENTURY," was referred to the Committee on Finance, with Representatives Takai and Thielen being excused; and

H.C.R. No. 167, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ADOPT A POLICY FOR THE INTEGRATION OF A PEDAGOGY OF ALOHA IN PUBLIC SCHOOLS FOR IMPROVED LEARNING IN THE 21ST CENTURY," was referred to the Committee on Finance, with Representatives Takai and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1055-10), recommending that H.C.R. No. 38, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 38, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO CREATE POLICIES ALLOWING CHARTER SCHOOLS TO USE VACANT CLASSROOMS AND SCHOOLS THAT WILL BE CLOSED," was referred to the Committee on Finance, with Representatives Takai and Thielen being excused.

Representatives Takumi and Tsuji, for the Committee on Education and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1056-10), recommending that H.C.R. No. 290, as amended in HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committees be adopted, and that H.C.R. No. 290, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, I would like to a request for a ruling on a potential conflict. I'm on the Board of Directors of the Pacific Gateway Center that

has a commercial incubator kitchen that would be in direct competition with using schools as kitchens," and the Chair ruled, "no conflict."

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

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

"I'd like to seek a ruling on a potential conflict for Stand. Com. Rep. No. 1056. At my law firm, I represent the Hawaii Farm Bureau. Thank you," and the Chair ruled, "no conflict."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted, and H.C.R. No. 290, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII FARM BUREAU TO CONVENE A WORKING GROUP TO EXPLORE LEASING OR RENTING PUBLIC SCHOOL CAFETERIAS TO VALUE-ADDED FOOD PROCESSORS TO PROMOTE THE USE OF LOCALLY-GROWN FRESH PRODUCE IN SCHOOL MEALS," was referred to the Committee on Finance, with Representatives Takai and Thielen being excused.

Representatives Tsuji and Souki, for the Committee on Agriculture and the Committee on Transportation presented a report (Stand. Com. Rep. No. 1057-10), recommending that H.R. No. 221, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 221, entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SEEK CLARIFICATION FROM THE UNITED STATES SECRETARY OF TRANSPORTATION REGARDING THE USE OF AIRPORT REVENUES TO PAY FOR THE OPERATIONAL COSTS OF STATE AGRICULTURAL INSPECTIONS OF INCOMING AIR CARGO AT STATE AIRPORTS," was referred to the Committee on Finance, with Representatives Takai and Thielen being excused.

Representatives Tsuji and Souki, for the Committee on Agriculture and the Committee on Transportation presented a report (Stand. Com. Rep. No. 1058-10), recommending that H.C.R. No. 305, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 305, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SEEK CLARIFICATION FROM THE UNITED STATES SECRETARY OF TRANSPORTATION REGARDING THE USE OF AIRPORT REVENUES TO PAY FOR THE OPERATIONAL COSTS OF STATE AGRICULTURAL INSPECTIONS OF INCOMING AIR CARGO AT STATE AIRPORTS," was referred to the Committee on Finance, with Representatives Takai and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1059-10), recommending that H.R. No. 161, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 161, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO MAKE TOP PRIORITY PROJECTS THE INSTALLATION OF A LEFT-TURN-ONLY LANE ON KALANIANA'OLE HIGHWAY KOKO HEAD-BOUND INTO THE KOKO MARINA SHOPPING CENTER AND THE INSTALLATION OF A SECOND RIGHT-TURN LANE FROM LUNALILO HOME ROAD

EWA-BOUND ONTO KALANIANA'OLE HIGHWAY," was referred to the Committee on Finance, with Representatives Takai and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1060-10), recommending that H.C.R. No. 232, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 232, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO MAKE TOP PRIORITY PROJECTS THE INSTALLATION OF A LEFT-TURN-ONLY LANE ON KALANIANA'OLE HIGHWAY KOKO HEAD-BOUND INTO THE KOKO MARINA SHOPPING CENTER AND THE INSTALLATION OF A SECOND RIGHT-TURN LANE FROM LUNALILO HOME ROAD EWA-BOUND ONTO KALANIANA'OLE HIGHWAY," was referred to the Committee on Finance, with Representatives Takai and Thielen being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1061-10), recommending that H.C.R. No. 284, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 284, be referred to the Committee on Finance, seconded by Representative Evans.

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

"Regarding HCR No. 284, I am in opposition to this mainly because I thought we were putting the cart before the horse. We were planning to redevelop the Aloha Stadium before we have a new stadium. I believe we need to plan for a new stadium because it takes so much lead time. It could be at least ten years before we have a stadium, and I think we certainly need one for our University and all other entities that make use of it.

"Also, the Stadium Authority testified in opposition to this measure. There was testimony in favor, but I don't think there was anybody there to whom we addressed questions, and I had several questions in my mind.

"But this resolution basically asks us to redevelop Aloha Stadium and demolish it immediately. To plan for the demolition of the stadium and salvaging of any scrap and debris. I was quite taken aback that this might move ahead. It asks for the engagement of planning and engineering for a low and moderate income housing development along with appropriate mixed uses, and the inclusion of a mass transit station at the Aloha Stadium site.

"I would assume that this will entail some funds to DAGS who would do this planning report. It would also call for, as I said before, the demolition of the stadium and the salvaging of scrap and debris.

"It does ask for a development of a new stadium to be developed publicly in joint venture with a private developer or on a turnkey or lease back basis. It would also ask to study whether this new stadium should be under the Stadium Authority or transferred to the University of Hawaii or another new State agency.

"So there were so many big moves in this particular resolution and very little discussion on it. There were very little proponents there to speak for it, so I do hope that there could be some debate on this. Perhaps someone could educate me on this.

"I ask the Finance Committee to look at it very carefully to see whether this is the direction we want to go. I really hope that we have plans for a new stadium before we knock down the old one. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 284, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT

OF ACCOUNTING AND GENERAL SERVICES TO UNDERTAKE PLANNING ACTIVITIES WITH RESPECT TO A NEW STADIUM ON OAHU AND RELATED MATTERS," was referred to the Committee on Finance, with Representative Marumoto voting no, and with Representatives Takai and Thielen being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources presented two reports:

(Stand. Com. Rep. No. 1064-10), recommending that H.R. No. 119, as amended in HD 1, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1065-10), recommending that H.C.R. No. 184, as amended in HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the reports of the Committees be adopted, and that H.R. No. 119, HD 1, and H.C.R. No. 184, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like a ruling on a possible conflict. I represent the owner of a private agricultural water system," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the reports of the Committees were adopted, and H.R. No. 119, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE LEGISLATURE CONVENE AN INVESTIGATORY PUBLIC HEARING TO EVALUATE THE BIOSECURITY PROGRAM BY EXAMINING STATE AND COUNTY POLICIES AND PRACTICES THAT AFFECT THE AVAILABILITY OF WATER FOR AGRICULTURE AND MAINTENANCE OF AGRICULTURAL IRRIGATION SYSTEMS," was referred to the Committee on Finance, with Representatives Takai and Thielen being excused; and

H.C.R. No. 184, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE LEGISLATURE CONVENE AN INVESTIGATORY PUBLIC HEARING TO EVALUATE THE BIOSECURITY PROGRAM BY EXAMINING STATE AND COUNTY POLICIES AND PRACTICES THAT AFFECT THE AVAILABILITY OF WATER FOR AGRICULTURE AND MAINTENANCE OF AGRICULTURAL IRRIGATION SYSTEMS," was referred to the Committee on Finance, with Representatives Takai and Thielen being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1066-10), recommending that H.C.R. No. 243, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 243, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO MAKE THE HALEAKALA TRAIL AVAILABLE TO THE PEOPLE OF HAWAII," was referred to the Committee on Judiciary, with Representatives Takai and Thielen being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1067-10), recommending that H.C.R. No. 181, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 181, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, LAND DIVISION, TO DEVELOP A PLAN TO REDIRECT STORM WATER RUNOFF FROM STATE LANDS ADJACENT TO THE HANAPEPE SALT PONDS AWAY FROM THE

SALT PANS," was referred to the Committee on Finance, with Representatives Takai and Thielen being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1068-10), recommending that H.C.R. No. 306, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 306, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT A STUDY ON THE MOST EFFECTIVE, EFFICIENT, AND HUMANE METHODS FOR THE CONTROL AND REDUCTION OF THE FERAL PIG POPULATION STATEWIDE," was referred to the Committee on Finance, with Representatives Takai and Thielen being excused.

Representatives Ito and Chang, for the Committee on Water, Land, & Ocean Resources and the Committee on Higher Education presented two reports:

(Stand. Com. Rep. No. 1069-10), recommending that H.R. No. 231, as amended in HD 1, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1070-10), recommending that H.C.R. No. 316, as amended in HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the reports of the Committees be adopted, and that H.R. No. 231, HD 1, and H.C.R. No. 316, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Saiki rose to speak in opposition to both measures, stating:

"Mr. Speaker. I'd like to request no votes on both measures for two reasons. First a House Resolution, as opposed to a Concurrent Resolution is not required and does not have any legal effect.

"And second the House Concurrent Resolution does not conform to Hawaii Revised Statutes Section 171-64.7. Thank you."

Representative Berg rose and asked that the Clerk record a no vote for her on both measures, and the Chair "so ordered."

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

Representative Hanohano rose to speak in opposition to both measures, stating:

*"Mahalo Ho'omalu 'ōlelo, ke kū nei au i koho 'a'ole loa. 'O kēia manawa 'a'ohe ka manawa e ku'ai kēia 'āina. He 'āina waiwai kēia. E holomua kākou e mālama kēia 'āina. Ina e mālama ka 'āina, 'o ka 'āina e mālama ka po'e 'o Hawai'i nei. E alu like kakou e hana i nā mea pono. Mahalo."*

Representative Hanohano provided the following translation:

Thank you, Mr. Speaker. I rise in strong opposition. This is not the time to sell this land. This is good land. We need to move forward to take care of this land. If we take care of the land, the land will take care of the people of Hawaii. We all need to work with righteousness. Thank you.

Representative Cabanilla rose to speak in opposition to both measures, stating:

"Mr. Speaker, in opposition and I would like the words of my colleague from Puna to be entered into the record as my own. And I also want to add that the sale of these 300 acres of land will further complicate the traffic congestion in Ewa because we don't know what is planned on those 300 acres. Thank you, Mr. Speaker."

Representative Brower rose to speak in support of both measures with reservations, stating:

"Mr. Speaker, just please note my reservations, and I'd like to have the words of the Representative from Puna entered as if they were my own, leaving out the portion about Kapolei being the fastest growing district. Thank you."

Representative Souki rose to speak in support of both measures with reservations, stating:

"Yes Mr. Speaker, with strong reservations."

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

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

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

"Thank you very much, Mr. Speaker. I have strong reservations."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

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

Representative Belatti rose to speak in support of both measures with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations and a simple comment that these are the first resolutions that are going to be testing the new law that we enacted last year, so I think we need to get it right on the first time around. Thank you, Mr. Speaker."

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

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

Representative Morita rose to speak in support of both measures with reservations, stating:

"With reservations and just a short comment that there's a specific format outlined in the statute. So the information has to be in this resolution. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committees were adopted, and H.R. No. 231, HD 1, entitled: "HOUSE RESOLUTION APPROVING THE FEE SIMPLE SALE OF NON-CEDED LANDS HELD BY THE UNIVERSITY OF HAWAII IN KAPOLEI, HAWAII," was referred to the Committee on Finance, with Representatives Berg, Cabanilla, Hanohano and Saiki voting no, and with Representatives Takai and Thielen being excused; and

H.C.R. No. 316, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF NON-CEDED LANDS HELD BY THE UNIVERSITY OF HAWAII IN KAPOLEI, HAWAII," was referred to the Committee on Finance, with Representatives Berg, Cabanilla, Hanohano and Saiki voting no, and with Representatives Takai and Thielen being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1071-10), recommending that H.C.R. No. 50, as amended in HD 1, be referred to the Committee on Legislative Management.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 50, HD 1, be referred to the Committee on Legislative Management, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I rise with strong reservations and I have a few comments here at the moment. Thank you, Mr. Speaker."

"I'm not sure that we actually have to legislate for ourselves to have a one-day summit. And while I appreciate the sentiments of healing and creating positive change that is needed for the State Historic Preservation Division, I think we're all aware that the National Park Service issued a scathing letter to Director Thielen and also a report indicating that not only does SHPD have severe deficiencies, but it is a high risk grantee. We stand to lose \$1.4 million if the federal money is withdrawn from SHPD."

"So while a summit might reveal the issues that we may be aware of, I believe that they're the symptoms of a deeper issue, the least of which is the qualifications of this supervisor. Thank you."

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

"Thank you, Mr. Speaker. I am with reservations on this measure as well. It started off as an audit which I think is desperately needed given the revelation of federal National Park Service. Again, a one day summit, as the Representative from Aina Hana said, this may be something that we can already do, but it's a management audit that we need for this division. Thank you."

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

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

"Mr. Speaker, I just request a ruling on a potential conflict. The Division Chief of SHPD's daughter works for me as a Session worker," and the Chair ruled, "no conflict."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 50, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A ONE-DAY SUMMIT FOR THE HEALING AND CREATION OF POSITIVE CHANGE FOR THE STATE HISTORIC PRESERVATION DIVISION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was referred to the Committee on Legislative Management, with Representatives Takai and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented two reports:

(Stand. Com. Rep. No. 1072-10), recommending that H.R. No. 209, as amended in HD 1, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1073-10), recommending that H.C.R. No. 288, as amended in HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 209, HD 1, and H.C.R. No. 288, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, on these two resolutions, I ask for a ruling on potential conflict. At my law firm, I do procurement work and I represent many

potential offerors for energy contracts. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 209, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII PROCUREMENT INSTITUTE TO REVIEW THE POLICIES AND REQUIREMENTS IN THE AWARDED OF STATE ENERGY SERVICE CONTRACTS," was referred to the Committee on Finance, with Representatives Takai and Thielen being excused; and

H.C.R. No. 288, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII PROCUREMENT INSTITUTE TO REVIEW THE POLICIES AND REQUIREMENTS IN THE AWARDED OF STATE ENERGY SERVICE CONTRACTS," was referred to the Committee on Finance, with Representatives Takai and Thielen being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1074-10) recommending that H.R. No. 110, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 110, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO DESIGNATE THE HONOR AND REMEMBER FLAG AS A NATIONAL SYMBOL OF OUR NATION'S CONCERN AND COMMITMENT TO HONORING AND REMEMBERING THE LIVES OF ALL MEMBERS OF THE US ARMED FORCES WHO HAVE LOST THEIR LIVES IN THE LINE OF DUTY," was adopted, with Representatives Takai and Thielen being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1075-10) recommending that H.C.R. No. 175, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 175, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO DESIGNATE THE HONOR AND REMEMBER FLAG AS A NATIONAL SYMBOL OF OUR NATION'S CONCERN AND COMMITMENT TO HONORING AND REMEMBERING THE LIVES OF ALL MEMBERS OF THE US ARMED FORCES WHO HAVE LOST THEIR LIVES IN THE LINE OF DUTY," was adopted, with Representatives Takai and Thielen being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1076-10) recommending that H.C.R. No. 102, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 102, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE VIGOROUS ENFORCEMENT OF EXISTING OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION REGULATIONS ON THE USE OF HEXAVALENT CHROMIUM AND URGING THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION TO PROMOTE THE USE OF SAFER ALTERNATIVES WITH THE GOAL OF EVENTUALLY BANNING HEXAVALENT CHROMIUM," was adopted, with Representatives Takai and Thielen being excused.

Representatives Manahan and McKelvey, for the Committee on Tourism, Culture, & International Affairs and the Committee on Economic Revitalization, Business, & Military Affairs presented two reports:

(Stand. Com. Rep. No. 1077-10) recommending that H.R. No. 82, be adopted; and

(Stand. Com. Rep. No. 1078-10) recommending that H.C.R. No. 142, be adopted.

Representative B. Oshiro moved that the reports of the Committees be adopted, and that H.R. No. 82, and H.C.R. No. 142, be adopted, seconded by Representative Evans.

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

"Mr. Speaker, thank you. In strong support."

The motion was put to vote by the Chair and carried, and the reports of the Committees were adopted, and H.R. No. 82, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO EXPEDITE PAYMENT OF WAR BENEFITS TO FILIPINO VETERANS WHO FOUGHT IN WORLD WAR II BUT WERE SUBSEQUENTLY DENIED THEIR ENTITLED BENEFITS," was adopted, with Representatives Takai and Thielen being excused; and

H.C.R. No. 142, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO EXPEDITE PAYMENT OF WAR BENEFITS TO FILIPINO VETERANS WHO FOUGHT IN WORLD WAR II BUT WERE SUBSEQUENTLY DENIED THEIR ENTITLED BENEFITS," was adopted, with Representatives Takai and Thielen being excused.

Representative Souki, for the Committee on Transportation presented two reports:

(Stand. Com. Rep. No. 1079-10) recommending that H.R. No. 81, be adopted; and

(Stand. Com. Rep. No. 1080-10) recommending that H.C.R. No. 141, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 81, and H.C.R. No. 141, be adopted, seconded by Representative Evans.

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

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

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted, and H.R. No. 81, entitled: "HOUSE RESOLUTION SUPPORTING THE APPLICATION OF HAWAIIAN AIRLINES TO PROVIDE AIRLINE SERVICE TO HANEDA AIRPORT IN TOKYO, JAPAN," was adopted, with Representatives Takai and Thielen being excused; and

H.C.R. No. 141, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE APPLICATION OF HAWAIIAN AIRLINES TO PROVIDE AIRLINE SERVICE TO HANEDA AIRPORT IN TOKYO, JAPAN," was adopted, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1081-10) recommending that S.B. No. 2676, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2676, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Takai and Thielen being excused.



Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1082-10) recommending that S.B. No. 2432, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2432, entitled: "A BILL FOR AN ACT RELATING TO HAWAII INSTITUTE FOR EDUCATIONAL PARTNERSHIPS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1083-10) recommending that S.B. No. 2109, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2109, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1084-10) recommending that S.B. No. 2173, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2173, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1085-10) recommending that S.B. No. 2685, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2685, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1086-10) recommending that S.B. No. 2806, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2806, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1087-10) recommending that S.B. No. 2825, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2825, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Takai and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1088-10) recommending that S.B. No. 2803, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2803, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGENTS CANDIDATE ADVISORY COUNCIL," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Takai and Thielen being excused.

## ANNOUNCEMENTS

Representative Awana: "Thank you, Mr. Speaker. This afternoon, immediately following session, there will be a legislators fellowship luncheon. Our guest speaker will be Pastor Allen Cardines from Hope Chapel Nanakuli. All legislators are invited. Thank you, Mr. Speaker."

Representative M. Lee: "Mr. Speaker, I'd like to request a waiver of the 48-hour hearing notice to hear 25 bills. They'll be heard starting at 10:00 p.m. tonight in Room 308. All Members are asked to attend."

Vice Speaker Magaoay: "Would you like to attempt to name the 25 bills?"

Representative M. Lee: "I'll send you a memo."

At 12:56 o'clock p.m. Representative Finnegan requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:57 o'clock p.m.

Representative M. Lee: "April Fools. Thank you."

## ADJOURNMENT

At 12:57 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, March 31, 2010. (Representatives Takai and Thielen were excused.)

## HOUSE COMMUNICATIONS

House Communication dated March 30, 2010, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has disagreed to the amendments made by the Senate to the following House Bills:

H.B. No. 1927, HD 2, SD 1

H.B. No. 2289, HD 2, SD 1

H.B. No. 2351, SD 1

**25th STATE LEGISLATURE  
JOINT SENATE-HOUSE  
2010 COMMITTEES ON CONFERENCE PROCEDURES**

The Senate and the House have agreed to the following special procedures for all 2010 Regular Session Committees on Conference meetings. For purposes of these procedures:

"Chairs" refers to all of the designated chairs and co-chairs of a Conference Committee.

"Conference Committee" refers to the conference of the House Committee and the Senate Committee assigned by their respective chamber to resolve the differences between the House and the Senate over a particular measure.

"Lead chair" refers to the chair of the House Committee or the Senate Committee who is listed first on the Action Sheets, as provided by the respective chamber.

"Lead committee staff" refers to the staff of the lead Chair from the chamber from which the measure in conference originated.

"Managers" refers to all members of the House and Senate assigned to a Conference Committee.

**1. Conference Committee Scope and Amendments**

The authority of the Conference Committee shall be limited to resolving differences between the Senate and House drafts of a measure. Accordingly:

- a. With the exception of the Executive Budget, the Judiciary Budget, and the Budget of the Office of Hawaiian Affairs, a Conference Committee shall not amend a measure by inserting any unrelated or new subject matter.
- b. To assure the integrity of individual measures, the merging of two or more distinct but related measures into one encompassing measure shall not be allowed.

**2. Conference Committee Meeting Times**

Conference Committee deliberations shall take place only between the hours of 8:00 a.m. and 12:00 midnight.

**3. Initial Public Meeting Notice**

The signatures of the chairs shall be obtained before the notice of an initial meeting is posted or distributed. Prior to offering the initial meeting notice for signatures, the chairs shall consult with one another on the information to be included in the notice.

Lead chairs from both houses are encouraged to sign meeting notices first, before distributing them to other chairs to sign.

Chairs shall provide at least 24 hours public notice of the first meeting of the Conference Committee, and are strongly encouraged to provide more than 24 hours notice if at all possible. Written notices shall be submitted to the Senate Chief Clerk and the House Sergeant-at-Arms for official postings. The lead committee staff shall post notice adjacent to the door of the assigned conference room at the time of the meeting.

**4. Notice of Subsequent Meetings**

- a. If agreement is not reached at a duly noticed meeting but the lead chairs of both chambers agree to meet again before midnight on the same day, the lead chairs of both chambers shall publicly announce at the meeting the time and place at which the Conference Committee will reconvene. Written notice of the reconvening of the Conference Committee on the same day is not

required to be distributed. However, written notice containing information on the subsequent meeting shall be submitted to the Senate Chief Clerk and the House Sergeant-at-Arms for official posting as soon as possible. The lead committee staff shall post notice adjacent to the door of the assigned conference room at the time of the meeting.

- b. If agreement is not reached at a duly noticed meeting but the lead chairs of both chambers agree to meet on another day, the lead chairs of both chambers shall publicly announce at the meeting the date(s), time(s), and place of the subsequent meeting(s), and submit written notice to the Senate Chief Clerk and the House Sergeant-at-Arms for official posting. The lead committee staff shall post notice adjacent to the door of the assigned conference room at the time of the meeting.
- c. If agreement is not reached at a duly noticed meeting and the date(s), time(s), and place of future meetings are not publicly announced at that noticed meeting, chairs shall ensure that written notice, signed by the lead chairs of their respective chamber, is submitted to the Senate Chief Clerk and the House Sergeant-at-Arms for official posting at least 24 hours in advance of the next meeting of the Conference Committee.

**5. Conference Room Notice**

The lead committee staff shall post notices of Conference Committee meetings adjacent to the door of the assigned conference room at the time of the meeting.

**6. Attendance at Meetings**

Except as otherwise provided in these Committees on Conference Procedures, attendance requirements shall be established by the respective chamber.

**7. Conference Discussion**

Except as authorized by the respective chairs, only the respective chairs may speak during conference. All other managers or other authorized persons shall be recognized by their respective chairs before speaking on any issue.

**8. Decorum in Conference Committee Meetings and Courtesy to the Public and to the Managers**

- a. Managers shall respect the differing views of other managers and conduct themselves in a courteous manner.
- b. Chairs shall ensure that meetings convene and reconvene at scheduled times. If none of the chairs of one of the Committees are present within 15 minutes of the scheduled meeting time, the chairs of the other Committee shall have the names of the absent chairs paged through the State Capitol public address system.
- c. If none of the absent chairs are present within 30 minutes of the scheduled meeting time, the chairs present shall inform the members of the public present that the Conference Committee cannot be convened or reconvened, and that, pursuant to 4c of these Committees on Conference Procedures, 24-hour notice shall be provided for a subsequent meeting of the Conference Committee.

**9. Decision-making Meeting**

The decision-making meeting of a Conference Committee shall comply with the following open meeting provisions:

- a. A quorum of the Conference Committee shall be present for the decision-making meeting. A quorum shall be a majority of the House Committee managers and a majority of the Senate Committee managers and shall include a majority of the chairs of the Conference Committee for their respective chamber.

