

FIFTY-THIRD DAY

Tuesday, April 20, 2010

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2010, convened at 11:36 o'clock a.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Representative Dwight Pono Chong, after which the Roll was called showing all Members present with the exception of Representatives McKelvey, M. Oshiro and Takai, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 243 through 249) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 243, informing the House that on April 19, 2010, the following bill was signed into law:

S.B. No. 2117, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 031)

Gov. Msg. No. 244, informing the House that on April 19, 2010, the following bill was signed into law:

H.B. No. 2028, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GROUP LIFE INSURANCE." (ACT 032)

Gov. Msg. No. 245, informing the House that on April 19, 2010, the following bill was signed into law:

S.B. No. 1178, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH." (ACT 033)

Gov. Msg. No. 246, informing the House that on April 19, 2010, the following bill was signed into law:

S.B. No. 2120, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF PRINCIPALS AND VICE-PRINCIPALS." (ACT 034)

Gov. Msg. No. 247, informing the House that on April 19, 2010, the following bill was signed into law:

S.B. No. 2837, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING." (ACT 035)

Gov. Msg. No. 248, informing the House that on April 19, 2010, the following bill was signed into law:

S.B. No. 2910, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY." (ACT 036)

Gov. Msg. No. 249, informing the House that on April 19, 2010, the following bill was signed into law:

S.B. No. 2440, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARDS OF WATER SUPPLY." (ACT 037)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 595 through 622) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 595, dated April 19, 2010, informing the House that the Senate has on April 16, 2010, reconsidered its action taken on April 7, 2010, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 2409, HD 3, entitled: "A BILL FOR AN ACT RELATING TO MARINE LIFE CONSERVATION DISTRICTS."

Sen. Com. No. 596, dated April 19, 2010, informing the House that the following bill has this day passed Final Reading:

H.B. No. 1900, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY PERSONNEL."

Sen. Com. No. 597, transmitting H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING THE WEEK THAT INCLUDES AUGUST 24TH AS SURF WEEK IN HAWAII," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 598, transmitting H.C.R. No. 161, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CASTLE & COOKE HAWAII, INC. TO WORK WITH THE OAHU ARTS CENTER AND THE COMMUNITY TO SECURE AN APPROPRIATE SITE FOR AN ARTS CENTER," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 599, transmitting H.C.R. No. 21, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1593 PAPAU STREET, KAPAA, HAWAII," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 600, transmitting H.C.R. No. 22, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1951 PAHOEHOE STREET, KOLOA, HAWAII," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 601, transmitting H.C.R. No. 23, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1098 ONAHA STREET, WAILUKU, HAWAII," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 602, transmitting H.C.R. No. 24, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1051 ONAHA STREET, WAILUKU, HAWAII," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 603, transmitting H.C.R. No. 25, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 91-1139 KAMAHA LOOP, KAPOLEI, HAWAII," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 604, transmitting H.C.R. No. 26, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 91-1072 WELOWELO STREET, KAPOLEI, HAWAII," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 605, transmitting H.C.R. No. 27, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-033 KUAHELANI AVENUE, MILILANI, HAWAII," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 606, transmitting H.C.R. No. 28, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 94-940 MEHEULA PARKWAY, MILILANI, HAWAII," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 607, transmitting H.C.R. No. 29, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-029 KUAHELANI AVENUE, MILILANI, HAWAII," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 608, transmitting H.C.R. No. 30, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-021 KUAHELANI AVENUE, MILILANI, HAWAII," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 609, transmitting H.C.R. No. 31, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 2949 ALA ILIMA STREET #201, HONOLULU, HAWAII," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 610, transmitting H.C.R. No. 32, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF THE NORTHWEST CORNER PARCEL, KAPOLEI, HAWAII," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 611, transmitting H.C.R. No. 33, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF A 9.105 ACRE VACANT PARCEL IN VILLAGE 8, THE VILLAGES OF KAPOLEI, KAPOLEI, HAWAII," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 612, transmitting H.C.R. No. 34, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF KEKUILANI VILLAGE 4, THE VILLAGES OF KAPOLEI, KAPOLEI, HAWAII," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 613, transmitting H.C.R. No. 36, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF TWO VACANT PARCELS IN HOKULELE, KANEOHE, HAWAII," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 614, transmitting H.C.R. No. 45, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE SALE OF STATE RECLAIMED LANDS AT KANEOHE, KOOLAUPOKO, OAHU," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 615, transmitting H.C.R. No. 50, HD 2, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CREATION OF A JOINT HOUSE AND SENATE INTERIM COMMITTEE TO STUDY THE FEASIBILITY OF ESTABLISHING A TRIBAL HISTORIC PRESERVATION OFFICE WITHIN THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND REQUESTING A PROGRAM AND MANAGEMENT AUDIT OF THE STATE HISTORIC PRESERVATION DIVISION," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 616, transmitting H.C.R. No. 68, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE FIRST DAY OF DECEMBER OF EVERY YEAR AS WORLD AIDS DAY IN THE STATE OF HAWAII," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 617, transmitting H.C.R. No. 212, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING GOVERNOR LINDA LINGLE TO RECOGNIZE LOCAL KOREANS BY ALLOWING A COMMEMORATIVE PLAQUE DESIGNATING THE FORMER SITE OF THE KOREAN NATIONAL ASSOCIATION," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 618, transmitting H.C.R. No. 284, SD 1, entitled: "SENATE [sic] CONCURRENT RESOLUTION REQUESTING AN UPDATE AND PRESENTATION ON THE STADIUM AUTHORITY'S EFFORTS TO TRANSFER THE RECREATIONAL USE RESTRICTION FROM THE STADIUM FACILITIES AND LANDS TO AN ALTERNATIVE STATE PARCEL," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 619, transmitting H.C.R. No. 292, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A

MANAGEMENT PLAN FOR THE TRANSFER OF THE HAPUNA BEACH STATE RECREATION AREA FROM THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO THE COUNTY OF HAWAII," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 620, transmitting H.C.R. No. 296, SD 1, entitled: "SENATE [sic] CONCURRENT RESOLUTION REQUESTING A STATUS REPORT FROM THE HAWAII CAPITAL CULTURAL COALITION," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 621, transmitting H.C.R. No. 297, SD 1, entitled: "SENATE [sic] CONCURRENT RESOLUTION REQUESTING REPORTS ON THE ECONOMIC VALUE OF EXPANDED WORKFORCE DEVELOPMENT CAPACITY AND STEM INITIATIVES," which was adopted by the Senate on April 19, 2010.

Sen. Com. No. 622, dated April 19, 2010, informing the House that the Senate has made the following changes to the Senate Conferee assignments for the following bills:

S.B. No. 2454, Senator(s) Takamine added as conferee(s).
SD 2, HD 1

S.B. No. 2527, Senator(s) Kim added as Co-Chair(s).
SD 2, HD 2

INTRODUCTIONS

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

Representative Awana introduced Mr. Alfred Herrera, President of the Children's Alliance of Hawaii.

ORDER OF THE DAY

SUSPENSION OF RULES

At this time, the Chair stated:

"Members, please note that per Committee Referral Sheet No. 75, HR No. 25 has been re-referred solely to the Committees on Human Services and Health; HR No. 227 has been re-referred solely to the Committee on Hawaiian Affairs; and SCR No. 201 has been re-referred solely to the Committee on Labor and Public Employment.

"The Committees on Tourism, Culture, & International Affairs, Finance, and Judiciary waived their referral to these respective measures, and therefore it is appropriate for the House to consider action for adoption."

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended to reconsider action previously taken on H.R. No. 25, H.R. No. 227, and S.C.R. No. 201. (Representatives McKelvey, M. Oshiro and Takai 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 Nos. 952-10 and 1240-10, recommending referral to the Committee on Tourism, Culture, & International Affairs; and Standing Committee Report No. 1360-10, recommending referral to the Committee on Judiciary, seconded by Representative Evans and carried. (Representatives McKelvey, M. Oshiro and Takai were excused.)

UNFINISHED BUSINESS

H.R. No. 25:

Representative B. Oshiro moved that H.R. No. 25, be adopted, seconded by Representative Evans.

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

"Mr. Speaker, I'd like to ask for a ruling on a potential conflict for HR No. 25. At my law firm we do represent some migrants from the Compact, but I'm not involved in that case. Thank you," and the Chair ruled, "no conflict."

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

"Mr. Speaker, I have reservations and will submit some written comments."

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise with reservations to H.R. 25 which strongly urges the United States Department of the Interior and the Congress to provide additional federal aid to the State of Hawaii for the provision of various state services to migrants from the Compact of Free Association Nations.

"The cost to the State to provide various State services to the Compact of Free Association migrants continues to increase each year. I believe the federal government must address the issue of additional federal support for the State so that we can continue providing State services to these migrants; however, I question this resolution for its request to provide a dialysis and chemotherapy center in Micronesia and all areas within the Compact of Free Association. We must look at these centers as a whole process and question how much the construction and operation of these centers would cost our State and country.

"In this current economic crisis, we can barely pay for our own citizens, which makes it seem as if we are jumping the gun to extend our services overseas. This request needs to be scrutinized in a finance committee before it is adopted so we can study the costs associated with such a request. Thank you."

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

"In support, Mr. Speaker. And I will submit written comments."

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

"I'm in support of House Resolution No. 25, Mr. Speaker. The State of Hawaii expends over \$100 million a year for our COFA migrants. This resolution is simply to ask Congress to provide adequate funding to Hawaii.

"We only get about \$10 to \$11 million a year reimbursed by the federal government. We think it's fair that they come up with their fair share, and so that's all the resolution is asking for. And also to see if we can have dialysis treatment centers in Micronesia, as well as chemotherapy centers in Micronesia. That's it, it's quite simple. Thank you, Mr. Speaker."

Representative Finnegan rose to respond, stating:

"Mr. Speaker, I guess I'll just withdraw my written comments and I'll just say a little bit now. Thank you. Mr. Speaker, I actually agree with half of the resolution. The difficulty that I have and my reservation is this request to the United States Congress to provide dialysis and

chemotherapy centers in Micronesia and all areas within the Compact of Free Association Nations, Mr. Speaker.

"We're already not getting reimbursed from the feds to us as a state, and then on top of this we're going to go ahead and ask them to provide these services for all of the Compact areas. Mr. Speaker, I can understand why we would request for reimbursement. I think by asking for even more when at a time when we federally or locally don't have very much money to give that we should focus on being reimbursed for the obligations that we have locally. Thank you."

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

Representative Marumoto's written remarks are as follows:

"Congress and the federal government owe us. Hawaii should be reimbursed for what COFA immigrants cost Hawaii. Our State government should be paid, not only for medical/welfare costs that they incur and that are borne by the people of Hawaii, but for public education – lower and higher education, not to mention adult education that COFA immigrants utilize. They are also provided related services, such as job training, English classes, and many other amenities provided to our own State residents.

"Hawaii has welcomed COFA emigrants despite the burden on our people. But it is really the federal government that is obligated to underwrite the care for those Pacific Islanders in particular who suffered as a result of past nuclear testing. Hawaii is adversely affected by longstanding federal treaties because of Department of Defense and Department of Interior policies that allow COFA residents unfettered entrance into Hawaii, Guam and the mainland. Because of the relatively small size, Hawaii and Guam bear the brunt of their emigration.

"Many Pacific Islanders enter Hawaii without knowledge of English. They lack higher education and have few job skills. Their cultures have different values in private ownership and work habits compared to Hawaii's fast-paced business practices.

"I cannot stress more strongly that the federal government should help pay for the provision of necessary government services. Others have stated as much. During his term of office, former Governor Ben Cayetano pressed this argument. Our congressional delegation has, in my opinion, not worked as diligently as they might have, to recompense Hawaii agencies that have underwritten the education and care of these new residents. I ask that they renew their efforts to help COFA immigrants by helping local taxpayers."

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

"Mr. Speaker, I'm standing in support. I'd also like to give just a brief rebuttal to the issue of the federal funding that we're not getting. I did find out in a hearing that apparently our Department of Human Services is not trying to lobby hard enough for this federal funding. I think their response to new people who are enrolling in these types of programs, insurance programs, especially for COFA migrants are at a disadvantage because they're just not taking new enrollments. That is in their testimony. Thank you."

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

Representative Wakai's written remarks are as follows:

"The federal government has shirked its responsibilities for decades. When will it end? The feds have allowed the free migration of those from the Federated States of Micronesia and the Republic of the Marshall Islands into the United States, but have never fully compensated Hawaii for the impact of their presence. Hawaii spends more than \$120 million on medical insurance, education and other benefits for people from the Freely Associated States. In return we are given just \$11 million in reimbursement.

"These Pacific Islanders arrive on our shores due mainly to a lack of adequate healthcare and economic opportunities. Those with chronic illnesses will die in their homes unless they migrate to Hawaii hospitals. There is no private sector to speak of in these Pacific Islands, so their options are to work for the government or leave. Hawaii is already burdened with providing adequate services to his people. We can no longer accept more Micronesians without compensation. Our budget is crumbling under the weight of this added burden.

"It is irresponsible for the feds to roll out the welcome mat for those who were subjected to American aggression, then force the people of Hawaii to pay for those amends. I support this resolution to compel those in Washington DC to properly fund the impact of Micronesian migration to Hawaii."

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

"Thank you, Mr. Speaker. Mr. Speaker, in support. I have done some work in these areas; I don't anymore, with rural utility service funding from USDA. There's a lot of money that goes back to Washington and we should be spending it. We should be spending it on these nations that we did a lot to destroy during the war. Thank you."

Representative M. Lee rose to speak in support of the measure, stating:

"Mr. Speaker, in support with some written comments. I just think we ought to remember the history of these islands and our responsibility to them. Thank you."

Representative M. Lee's written remarks are as follows:

"I rise in support of the measure. The Compact of Free Association came about when three sovereign nations, the Federated States of Micronesia, Marshall Islands and Palau voluntarily gave up their autonomy to the United States and have their national defense and other parts of government regulated by United States laws.

"These islands were used for target practice for years and the poor health status of many of the residents is thought to be associated with depleted uranium deposits left by the practices of these years. The countries have essentially no economic activity except for government and their history is a sad commentary on the governance provided by our country.

"Some would allege the Compact has undertones of racism as they are under the rule of a government far away with European roots and the residents of the Compact are heavily Pacific Islanders.

"Nevertheless, we have an obligation to these states to support and protect them, as well as to help them reach a more independent status in the future and to provide adequate medical care."

Representative Ward rose to respond, stating:

"Mr. Speaker, I wish to withdraw my written comments and say a few things in favor of this resolution. Mr. Speaker, this reso needs to be brought up every year. Year after year we need to remind Congress of the obligations. We need to know that in that agreement we promised the Micronesians they could freely move throughout the United States, and as any other citizen would be treated, so could they. As my good friend from Mililani indicated, they went through 12 years of the equivalent of the Hiroshima blast, year by year, hundreds of times, hundreds of atomic explosions. So there is an obligation to watch over them.

"But in terms of the overall condition of Micronesia, having been a United Nations consultant there, the economy is basically government. 70% of the economy is either a transfer payment or welfare payment or some kind of an aid if you will to keep the government afloat. It has no private sector is the bottom line. So what we are trying to do by getting payments from the federal government, the federal government can't even fund Micronesia enough to have its own economy. To have a country without an economy is not really much of a country, but we're trying to help as much as possible and this is the reso that every year we have to

keep reminding them, get back to the Micronesians and help them to do what they need to do to survive. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.R. No. 25, entitled: "HOUSE RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAII FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS; DEEM MIGRANTS ELIGIBLE TO RECEIVE FEDERALLY FUNDED FINANCIAL AND MEDICAL ASSISTANCE; AND PROVIDE DIALYSIS AND CHEMOTHERAPY CENTERS IN MICRONESIA AND ALL AREAS WITHIN THE COMPACT OF FREE ASSOCIATION NATIONS," was adopted, with Representatives M. Oshiro and Takai being excused.

H.R. No. 227:

Representative B. Oshiro moved that H.R. No. 227, be adopted, seconded by Representative Evans.

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

Representative Awana's written remarks are as follows:

"Mr. Speaker, I stand in strong support. The tradition of native Hawaiian tattooing has been present here in the Hawaiian Islands for hundreds of years, long before the introduction of western influence.

"Nationally recognized Keone Nunes, the *kahuna kakau* best states this about traditional Hawaiian tattooing: "If people want to get a tattoo just because they want it, I will say no. If they want it for their journey and growth of their own understanding of their family and who they are, I'll consider it. I don't want to tattoo the world. I want to tattoo the people that are more aware of the significance of their tattoo."

"Not only is traditional Hawaiian tattooing an art form, within the Hawaiian community it is a practice that expresses who we are, where we come from and what we stand for as a native people. I truly appreciate the support from Members on this resolution."

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

Representative Sagum's written remarks are as follows:

"Mr. Speaker, I rise in support of the resolution in recognition of *kakau* (or tattoo) as a *Kanaka* or Hawaiian practice. Polynesians rely on *kakau* and other adornments to communicate rank and status, for cultural resistance, revival and identity."

The motion was put to vote by the Chair and carried, and H.R. No. 227, entitled: "HOUSE RESOLUTION RECOGNIZING TRADITIONAL HAWAIIAN TATTOOING AS AN ART FORM," was adopted, with Representatives M. Oshiro and Takai being excused.

S.C.R. No. 201:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.C.R. No. 201, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO ADOPT RULES TO PROHIBIT ABUSIVE WORK ENVIRONMENTS," was adopted, with Representatives M. Oshiro and Takai being excused.

STANDING COMMITTEE REPORTS

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1372-10) recommending that S.C.R. No. 108, SD 2, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 108, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO ESTABLISH A CONSISTENT FUNDING FORMULA, PROCESS, OR BOTH, BY WHICH EQUITABLE FUNDING TO CHARTER SCHOOLS IS DETERMINED," was adopted, with Representatives M. Oshiro and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1373-10) recommending that S.C.R. No. 140, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 140, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO RESPOND TO KPMG'S RECOMMENDATIONS REGARDING IMPROVEMENTS TO THE DEPARTMENT'S OPERATIONS AND WORKFLOW," was adopted, with Representatives M. Oshiro and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1374-10) recommending that S.C.R. No. 195, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 195, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO INCORPORATE SIGN LANGUAGE AND OTHER COMMUNICATION STRATEGIES DURING INSTRUCTION TO ENHANCE THE LEARNING OF CHILDREN WITH COGNITIVE AND OTHER DISABILITIES," was adopted, with Representatives M. Oshiro and Takai being excused.

CONFERENCE COMMITTEE REPORTS

Representative Takumi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2077, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 9-10) recommending that H.B. No. 2077, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 9-10 and H.B. No. 2077, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Morita, Herkes, Karamatsu and Coffman, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2631, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 10-10) recommending that H.B. No. 2631, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 10-10 and H.B. No. 2631, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY INDUSTRY REPORTING," was deferred for a period of 48 hours.

Representatives Rhoads and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2533, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 11-10) recommending that H.B. No. 2533, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 11-10 and H.B. No. 2533, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT OF EMPLOYEES' RETIREMENT SYSTEM RETIRANTS," was deferred for a period of 48 hours.

Representatives Rhoads, Herkes and Yamashita, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2566, HD 2, presented a report (Conf. Com. Rep. No. 58-10) recommending that S.B. No. 2566, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 58-10 and S.B. No. 2566, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL AND REHABILITATION BENEFITS," was deferred for a period of 48 hours.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering a certain House Bill for Final Reading by consent calendar. (Representatives M. Oshiro and Takai were excused.)

FINAL READING

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

H.B. No. 2897, HD 1, (SD 1)

H.B. No. 2897, HD 1, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 2897, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Final Reading by a vote of 49 ayes, with Representatives M. Oshiro and Takai being excused.

At 11:51 o'clock a.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 2897, HD 1, SD 1

LATE INTRODUCTIONS

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

Representatives Finnegan and Brower introduced students from Voyager Public Charter School. They were accompanied by parents, Ms. Janet Ishoi and Ms. Naomi Baretto; and teacher, Ms. Bonny Chikamori,

Representative Ward introduced his constituent, Mr. Sam King.

Representative Pine introduced her friends, Mr. and Mrs. Caldaroni.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to a certain House Bill. (Representatives M. Oshiro and Takai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House Bill, seconded by Representative Evans:

H.B. No. 2297, HD 2, (SD 2)

The motion was put to vote by the Chair and carried, and the House reconsidered its action previously taken in disagreeing to the amendments made by the Senate, and gave notice of intent to agree to such amendments for the noted House Bill. (Representatives M. Oshiro and Takai were excused.)

ANNOUNCEMENTS

Representative Evans: "Thank you, Mr. Speaker. Today represents how far into 2010 women must work to earn what men earned in 2009. Today is Equal Pay Day.

"Women continue to earn on average, 77 cents on the dollar to their male counterparts according to the Bureau of Labor Statistics. And with women now making up half the workforce and more families are dependent on a woman's paycheck, pay equity is more important than ever. May I have permission to submit additional comments. Thank you, Mr. Speaker."

Representative Evans' written remarks are as follows:

"The American Federation of Labor and Congress of Industrial Organizations highlights some facts about working women in Hawaii:

- According to the Census Bureau's survey of men's and women's earnings in 2008, the ratio of women's earnings to men in Hawaii was among the highest in the nation at about 80.5 percent.
- However, the rate of progress in closing our State's wage gap is slower than average. Hawaii ranks 34th among states in closing the hourly wage gap.
- At the current rate of change, Hawaii's working women won't have equal pay until after 2050.

"Gender wage discrimination has been illegal since President Kennedy signed the Equal Pay Act in 1963, yet the wage gap persists. Millions of women continue struggling today to make ends meet while doing same jobs as men under similar working conditions with equal skill, effort and responsibilities. According to the National Women's Law Center, the average Hawaii woman must receive a bachelor's degree before she can earn as much as the average Hawaii male high school graduate.

"Pay equity is not just a woman's issues; it is a family issue. Lower income for women makes it more difficult for them to make ends meet. When women get equal pay, their family income rises and the entire family benefits.

"We can achieve equal pay. With education and advocacy, we can progress towards women getting paid equally for similar jobs."

Representative Berg: "Thank you Mr. Speaker. Just an informal announcement to our colleagues. I have a legislative intern who is about to graduate with a sociology degree from the University of Hawaii. She'll be going around to the offices asking you to consider the possibility of filling out an informal, unofficial survey so that she can get some data for her last final paper. Her name is Any Popovich and she's from my office. We'll be also sending a memo out via email to your office managers. Thank you."

ADJOURNMENT

At 11:56 o'clock a.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Wednesday, April 21, 2010. (Representatives M. Oshiro and Takai were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 20, 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 made the following changes to the conferees on the following measure:

S.B. No. 532, Discharged Representative Souki.
SD 1, HD 1

House Communication dated April 20, 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 reconsidered its action taken in disagreeing to the amendments made by the Senate on April 7, 2010, and gives notice of intent to agree to the following House Bill:

H.B. No. 2297, HD 2, SD 2

House Communication dated April 20, 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 this day agreed to the amendments made by the Senate and passed the following House Bill on Final Reading:

H.B. No. 2897, HD 1, SD 1