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HOUSE OF REPRESENTATIVES**

REGULAR SESSION OF 2009

***ROUGH DRAFT
JOURNAL***

**SEVENTEENTH DAY
FEBRUARY 17, 2009**

OFFICE OF THE CHIEF CLERK



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SEVENTEENTH DAY

Tuesday, February 17, 2009

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

The invocation was delivered by Representative Robert N. Herkes, after which the Roll was called showing all members present with the exception of Representatives Evans and Takai, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 241 through 249) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 241, dated February 9, 2009, transmitting the Affordable Housing Regulatory Barriers Task Force Report, established via Executive Order No. 07-02, created pursuant to the U.S. Department of Housing and Urban Development's invitation to participate in the National Call to Action for Affordable Housing through Regulatory Reform, providing background for measures pending before the House and Senate: HB 1083/SB 901, HB 1084/SB 902, HB 1085/SB 903, HB 1089/SB 907, HB 1090/SB 908, HB 1091/SB 909.

Gov. Msg. No. 242, dated February 6, 2009, transmitting the 2008 Annual Report prepared by the Natural Energy Laboratory of Hawaii Authority, pursuant to Chapter 227D, Hawaii Revised Statutes, as amended.

Gov. Msg. No. 243, dated February 9, 2009, transmitting the 2008 Annual Report of the State of Hawaii Overseas Offices, prepared by the Department of Business, Economic Development, & Tourism, pursuant to Act 201, Section 201-84.

Gov. Msg. No. 244, dated February 3, 2009, transmitting the Department of Human Services' Report to the Legislature as required by Act 158, Part 7, Section 200.1, SLH 2008.

Gov. Msg. No. 245, dated January 30, 2009, transmitting the Department of Human Services' Report to the Legislature as required by Act 213, Part 7, Section 209, SLH 2007.

Gov. Msg. No. 246, dated January 30, 2009, transmitting the Department of Human Services' Report to the Legislature as required by Act 213, Part III, Section 54, SLH 2007.

Gov. Msg. No. 247, dated February 3, 2009, transmitting the Department of Human Services' Report to the Legislature as required by section 346-7.5, Hawaii Revised Statutes.

Gov. Msg. No. 248, dated February 13, 2009, transmitting the 2008 Report of the Commission to Promote Uniform Legislation of the Department of the Attorney General.

Gov. Msg. No. 249, dated January 30, 2009, transmitting the Department of Human Services' Report to the Legislature as required by Act 213, Part 7, Section 210, SLH 2007.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 11 through 18) were received and announced by the Clerk:

Sen. Com. No. 11, transmitting S.B. No. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPIHI," which passed Third Reading in the Senate on February 13, 2009.

Sen. Com. No. 12, transmitting S.B. No. 64, entitled: "A BILL FOR AN ACT RELATING TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD," which passed Third Reading in the Senate on February 13, 2009.

Sen. Com. No. 13, transmitting S.B. No. 92, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," which passed Third Reading in the Senate on February 13, 2009.

Sen. Com. No. 14, transmitting S.B. No. 119, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM FOREIGN-COUNTRY MONEY JUDGMENTS RECOGNITION ACT," which passed Third Reading in the Senate on February 13, 2009.

Sen. Com. No. 15, transmitting S.B. No. 153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," which passed Third Reading in the Senate on February 13, 2009.

Sen. Com. No. 16, transmitting S.B. No. 468, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," which passed Third Reading in the Senate on February 13, 2009.

Sen. Com. No. 17, transmitting S.B. No. 711, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on February 13, 2009.

Sen. Com. No. 18, transmitting S.B. No. 718, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on February 13, 2009.

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

S.B. No. 1, S.D. 1
S.B. No. 64
S.B. No. 92
S.B. No. 119
S.B. No. 153, S.D. 1
S.B. No. 468, S.D. 1
S.B. No. 711, S.D. 1
S.B. No. 718, S.D. 1

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 57) was received by the Clerk and was placed on file:

Dept. Com. No. 57, dated February 9, 2009, from Jeffrey Kuwada, Deputy County Clerk, County of Maui, transmitting a copy of Resolution No. 09-9 entitled: "URGING SUPPORT FOR CONTINUED STATE FUNDING FOR THE HAWAII HEALTHY START PROGRAM," which was adopted by the Council of the County of Maui, State of Hawaii, on February 6, 2009.

INTRODUCTIONS

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

ROUGH DRAFT

Representative Manahan introduced Ms. Lourdes S. Tabamo, Deputy Consul General with the Philippine Consulate in Hawaii.

Representative Cabanilla introduced Mr. Elman Abdullayev, Deputy Consul for the Republic of Azerbaijan Consulate in Los Angeles.

Representative Ward further recognized Mr. Abdullayev and the Republic of Azerbaijan.

Representative Finnegan introduced the 7th and 8th grade students of Our Savior Lutheran School in Aiea, and their teachers, Mrs. Pat Lemmer and Mr. Todd Bedner.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

<u>S.B. Nos.</u>	<u>Referred to:</u>
123, SD1	Committee on Transportation, then to the Committee on Judiciary
281	Committee on Transportation, then to the Committee on Judiciary
412	Committee on Water, Land, & Ocean Resources
697	Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
715	Committee on Transportation, then to the Committee on Water, Land, & Ocean Resources

COMMITTEE REASSIGNMENTS

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

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
274	Committee on Public Safety
342	Committee on Finance
863, HD1	Committee on Transportation, then to the Committee on Finance
908, HD1	Committee on Hawaiian Affairs, then to the Committee on Finance
960, HD1	Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance
1046	Committee on Finance
1492, HD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1583	Committee on Finance
1588	Committee on Finance
1598	Committee on Finance
1600	Committee on Finance

1684, HD1 Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Judiciary

STANDING COMMITTEE REPORTS

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 266) recommending that H.B. No. 253, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.B. No. 253, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOTEL RENOVATION TAX CREDIT," passed Second Reading and was referred to the Committee on Finance with Representatives Evans, Mizuno and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 267) recommending that H.B. No. 532, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.B. No. 532, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL AMNESTY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Evans, Mizuno and Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 268) recommending that H.B. No. 172, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.B. No. 172, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECONSTITUTING SCHOOLS," passed Second Reading and was referred to the Committee on Finance with Representatives Evans, Mizuno and Takai being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 269) recommending that H.B. No. 1377, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.B. No. 1377, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Finance with Representatives Evans, Mizuno and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 270) recommending that H.B. No. 493, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.B. No. 493, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Evans, Mizuno and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 271) recommending that H.B. No. 1688, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.B. No. 1688, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CHECK-OFF," passed Second Reading and was referred to the Committee on Finance with Representatives Evans, Mizuno and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 272) recommending that H.B. No. 1686, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1686, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Chong.

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

"Mr. Speaker, I would like a ruling on a potential conflict of interest. At my law firm, I represent a couple of Charter Schools. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1686, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Finance with Representatives Evans, Mizuno and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 273) recommending that H.B. No. 985, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.B. No. 985, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Evans, Mizuno and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 274) recommending that H.B. No. 983, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.B. No. 983, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance with Representatives Evans, Mizuno and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 275) recommending that H.B. No. 986, HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.B. No. 986, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," was referred to the Committee on Finance with Representatives Evans, Mizuno and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 276) recommending that H.B. No. 329, HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 329, HD 1, be referred to the Committee on Finance, seconded by Representative Chong.

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

"Thank you, Mr. Speaker. In opposition to Stand. Com. Rep. No. 276. Thank you, Mr. Speaker. Just short comments. In regards to this particular legislation, having to do with Abstinence-Only Funding, Title V, Comprehensive Sex Education.

"Mr. Speaker, the biggest reason why I am against this is because I called the people this would affect, and this is the Boys and Girls Club of

Hawaii. But it's actually contracted through one of their Club Houses, and that is the Waianae Club House. They weren't aware of what actual legislation was moving around in the State Capitol, and so of course they were telling me about their program, and how they want to expand and do all of this other stuff.

"My no vote is mainly because this is regarding a program which is a positive program for youth that is currently operating right now that has not actually made their voice known, having to do with their program, and how it's going to affect their program. So, I'm voting no on this bill. Thank you."

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

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

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

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

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

"Mr. Speaker, I stand in support of HB 329, a Women's Caucus measure relating to Title V Funding.

"Studies have shown that abstinence only education is effective for teens for only a short time. After 18 months, youth who receive abstinence only education are much less likely to use some form of contraception to prevent pregnancy or to protect against STIs.

"Certain Title V federal dollars are required to be used for abstinence-until-marriage sex education programs. Programs accepting Title V federal funding are prohibited by law from providing information about the health benefits of condoms and birth control in preventing unwanted pregnancy, sexually transmitted infections, and human immunodeficiency virus.

"Mr. Speaker, Hawaii's teen pregnancy rate has actually spiked by 12% between 2005 and 2006, despite programs funded by both Title V and CDAE funds. Comprehensive sexuality education for all of Hawaii's youth is required so that Hawaii's youth can protect themselves against unwanted pregnancy and STIs. Abstinence is a good thing, however studies tell us it does not work for everyone and is an unrealistic standard for our public schools.

"I urge my colleagues support of this measure."

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition to H.B. 329 - Abstinence-Only Funding; Title V; Comprehensive Sex Education. It appears this bill might not be necessary since there is an already existing comprehensive and well-rounded curricula being taught in the schools.

"Currently I must agree with Chiyo Fukino, M.D., who is the Director of Health for the State of Hawaii, when she says, "The Title V Abstinence-Only Program integrates sexual abstinence until marriage, as the expected standard with healthy youth development activities that are provided in an out-of-school setting. Abstinence-only education promotes and provides age-appropriate information about sexual health and provides accurate and factual information on sexually transmitted diseases and HIV/AIDS as reasons to be abstinent. Healthy youth development activities include character and relationship building approaches to equip young people with the skills needed to make healthy decisions and safe choices. This bill is not necessary because abstinence-only audiences have access to State-funded programs and resources such as family planning

and other teen pregnancy prevention counseling that do provide comprehensive contraceptive information.””

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 329, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was referred to the Committee on Finance with Representatives Ching, Finnegan, Pine and Ward voting no, and with Representatives Evans, Mizuno and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 277) recommending that H.B. No. 330, HD1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 330, HD 1, be referred to the Committee on Finance, seconded by Representative Chong.

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

"Thank you, Mr. Speaker. In opposition with some comments. Thank you, Mr. Speaker. This bill, Stand. Com. Rep. No. 277, HB 330, House Draft 1, requires sexuality or health education funded by the State to provide medically accurate and be factual comprehensive information, but is age appropriate and includes education on abstinence, contraception, and methods of disease prevention for an unintended pregnancy and sexually transmitted disease, including HIV.

"First of all, I'd like to thank the prior Committees, having to do with the addition of the language that says, 'specifically for sexuality or health education and medically accurate and comprehensive education', because that actually protects some of the non-profits from losing other funding, so I do appreciate that particular verbiage that was added.

"My comments have to do mostly with, after digging into this, because as a parent, I want to make sure both of my kids go to public schools, and so I wanted to make sure I was making the responsible decision as a parent, as to how we teach sex education in our classrooms.

"I first should start off with, some of the people involved in this particular bill, I understand why it's so upsetting, because President Bush basically, he moved forward with abstinence-only sex education, and said that federal funding, you were not going to be able to receive this federal funding unless it was abstinence-only sex education. I don't necessarily agree with that. I agree that there should be a good array of the kinds of information that a teen needs.

"The problem that I face as a parent is, the fundamental responsibility of the parent is to make sure that these things are being taught to their children. Hopefully through the parent, but if that doesn't happen, then of course, society, the education system, or whoever has to come into play because this information is very vital for a young person.

"But there are three different things that are going on in this bill. One is the prevention of abstinence-only sex education. Two is the Board of Education currently has a policy in regards to sex education, and their specific policy is abstinence-based sex education. And then there's this bill that says comprehensive sexuality health education. And those are three different things.

"I happen to believe that we should have a combination of abstinence-only, and the other, whether it be abstinence-based education, or a comprehensive sexuality health education. And that's because there are different tools, or different things that you're promoting.

"In abstinence-only education, they're promoting abstinence, and they're basically saying, 'here are some of the tools that you might need.' You may need to be able to say to a boyfriend or someone who wants to have sex with you, that I'm not ready and here are some of the tools that they help practice and say, 'Hey you know, you don't have to give in to this kind of peer-pressure,' and that sort of thing. And I've reviewed all of the material. I actually went and read through these different things. They also say that abstinence-only works 100 percent of the time, and then they

go and say about contraceptives, what their failure rate is. Now the other side of the equation is that they don't like the fact that they hone in on the failure rate, instead of the success rate of the contraceptives.

"So, what I would like to see is, in a classroom setting, age-appropriate material. Sometimes you're going to have to have boys separated from girls. Being that we have younger minds in the audience, I'm not going to give some of the examples of what they currently teach in 7th grade, which I think would be inappropriate for my kids, and something that I would want to teach on my own to my kids.

"The last point I do want to make is that in your hundred percent of students out there. There are maybe 25, I think they were saying 25 to 30 percent that are sexually active. But yet, this kind of information, in some of the explicit ways that they do this for 7th and 8th graders, they do it for hundred percent of the kids ..."

Representative Pine rose to yield her time, and the Chair "so ordered."

Representative Finnegan continued, stating:

"They do it for a hundred percent of the kids, and some of those kids aren't quite at that age, or it wouldn't be age-appropriate for them. That's three-quarters to two-thirds of the kids who aren't sexually active.

"So, Mr. Speaker, as we move forward with this bill, and I did interviews with parents. I didn't care what their religious affiliation was. I just went up to parents, and I said, 'Look, as a parent, this concerns me. What do you think?' And some of those concerns from all different kinds parents came back to me. And so I think I represent a lot of parents who have kids that are teenagers that may have concerns as to how this sex education is being taught to our kids, and that maybe we should take a step back and say, we understand that there are a segment of kids that are going to be sexually active, but you cannot just go ahead and spread all of this information to kids that aren't ready for it.

"So, Mr. Speaker, I speak in opposition of this language, and I just hope that we would think broader on this particular subject. Thank you."

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

"I would just like to register a no-vote, and I would love to use the words of the previous speaker."

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

"Thank you, Mr. Speaker. I would also like to register my reservations, but asked that words of the Minority Leader be incorporated as my own. I also would like to advocate for the input of parents in providing choice and what type of education would they like their children to have, and I think that this could be done. Thank you."

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

"Mr. Speaker, I rise in support. Very briefly, I just want to say that the reason I support this is, I was looking at a report by the United States House of Representatives Committee on Government Reform, prepared for Representative Henry Waxman, and I just want to read one of the conclusions. 'The report finds that over 80 percent of abstinence-only criteria used, that over two-thirds of the grantees contained false, misleading, or distorted information about reproductive health.'

"As much I can appreciate what the Minority Leader is saying about how we need to make sure that parental involvement happens and that everybody has an informed attitude about it, the fact remains that abstinence-only, 80 percent of the time, in two-thirds of the programs provided false information. And if that is the data we have to go forward on, I think that's more than ample reason for us to start rejecting that type of dogma and indoctrination. Thank you."

Representative Pine rose to respond, stating:

"Just in rebuttal. If it is the case that certain abstinence-only education is promoting false and misleading information, then certainly I think we would definitely be opposed to that. But it's no reason to reject all federal funding for abstinence-only education, or to force children or teenagers that are not ready to get the medically accurate education. Let's just focus on the false and misleading stuff, and fix that part."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker, and just as a short rebuttal. You know, some of the misrepresentation that I think that the Majority Leader is talking about in that report, and when I asked of one of the testifiers in hearing, what is that misleading information, and you know part of it was that some of the students, or student teachers, or facilitators, or I forget what they call them, the teachers that teach some of this abstinence-only education, is that they'll say how it affected them, like emotionally; if there was an effect in regards to premarital sex, or even sex at a young age, or anything like that.

"The person who was testifying said that, well, if you have sex before marriage, that it might be, what the abstinence-only people are talking about is it might be emotionally stressful and have a traumatic experience, that kind of thing, on their lives. And that was the specific example that the male testifier talked about. It's very interesting to me, because time after time now, I don't know if this is stamped by the CDC, or anyone else, but time after time from those true experiences of women who have had sex at a young age, or sex before marriage, and even those people who have been a part of the teaching program, have had these experiences where they were emotionally affected by making a decision like this.

"So, maybe it doesn't have the CDC 'stamp of approval', and this particular male testifier had said, 'That's ridiculous, that doesn't happen.' I would ask, for those women who were in situations like that, maybe they may not have regrets as to their decisions that they made, but there are so many people that don't get the message that you can wait. And one of the testimonies coming from some of the schools, like Kahuku and Waianae. They were saying that these kids don't get that message at all. They don't have anyone telling them, 'You know, you can wait.' That sex maybe should be a choice of waiting until a more appropriate age for yourself, for when you're older, and when you can make these decisions that don't have all of this peer-pressure around you.

"So, I'm just saying that this message is a good one. One that says to people who don't get the message of waiting until you're ready. We should make that available to them. Thank you, Mr. Speaker."

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

"Mr. Speaker, I rise in favor of this measure. I like the message of abstinence-only and it's a very good message, but unfortunately it hasn't worked.

"This is a Women's Caucus bill. We heard, in discussing what bills we were going to support, that the abstinence-only program has led to increased pregnancies and increased sexually transmitted diseases. So, I think we have no choice but to promote programs that talk about abstinence, plus provide accurate, age-appropriate sex education. Please keep this in mind and vote for the measure."

Representative Ching rose to respond, stating:

"Thank you again, Mr. Speaker. With reservations. I wanted to support with what the Minority Leader had mentioned in regards to the emotional component of some of the programs and their importance. I think that an additional aspect of this that should be looked at is the fact that we have such high teen suicide rates. And upon examination of teen suicide rates, it would be interesting to note that there are teens that take some of these things very, very hard, and I think that we should consider that when we're considering what the Minority Leader said. Thank you."

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

"Mr. Speaker, in support and would like to insert written comments. Just one comment that I would like to make is that 25 states have rejected Title V funding for abstinence-only education. But many of the programs here are receiving community-based abstinence education grants. These aren't included in the bill we previously heard. So, I was a little surprised to hear that in our public schools, organizations which receive CBAE grants actually can go into the schools at the invitation of a teacher. These programs, for the most part, have been known to contain false, misleading, and distorted information. And this has been shown in several national studies.

"So, I do stand in support of the bill. I don't think the amendment made was helpful, but I'd like to see it go forward. Thank you."

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

"Mr. Speaker, I stand in support of HB 330, a Women's Caucus measure relating to comprehensive sexuality education.

"Each year approximately one million American teens become pregnant and approximately half of all teenagers ages 14 to 18 engage in sexual intercourse. In 2007 a study of two thousand children done by Mathematica Policy found that teaching abstinence does not keep teenagers from having sex, nor does it increase the likelihood that they will use contraception if they do. We must be sure that our youth receive the sex education necessary to understand their bodies and protect themselves against unwanted pregnancy and sexually transmitted infections.

"HB 330 requires that any recipient of State monies to fund sex education must provide accurate information about contraception and the spread of STTs. We owe our youth the best and most accurate information available.

"Mr. Speaker, I encourage all the members support."

At this time, Representative Cabanilla called for the previous question.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 330, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE SEXUALITY HEALTH EDUCATION," was referred to the Committee on Finance with Representatives Finnegan and Pine voting no, and with Representatives Evans, Mizuno and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 278) recommending that H.B. No. 710, as amended in HD 1, be recommitted to the Committee on Health.

On motion by Representative B. Oshiro, seconded by Representative Chong and carried, the report of the Committee was adopted and H.B. No. 710, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was recommitted to the Committee on Health with Representatives Evans, Mizuno and Takai being excused.

ANNOUNCEMENTS

Representative B. Oshiro: "Mr. Speaker, I just wanted to thank the House for all of their participation in our lollipops fundraiser for Valentine's Day. A total of 1,075 lollipops were sent around in this building, and we raised a total of \$445 for the Foodbank. So, thank you very much to everyone that participated."

At 12:36 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

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

Representative Takumi: "Thank you very much, Mr. Speaker. Just a quick announcement. This is the first time since I've been in office that

I'm actually doing a birthday announcement. I generally don't do these things, but today the Sergeant-at-Arms is a birthday boy. You're not supposed to say his age, but remember that old Steve McGarrett show, Hawaii Five-0? That should give you a hint. Happy birthday, Kevin."

ADJOURNMENT

At 12:43 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 18, 2009. (Representatives Brower, Evans, Mizuno and Takai were excused.)