

**HAWAII STATE  
HOUSE OF REPRESENTATIVES**

**REGULAR SESSION OF 2009**

***ROUGH DRAFT  
JOURNAL***

**TWENTIETH DAY  
FEBRUARY 20, 2009**

OFFICE OF THE CHIEF CLERK

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TWENTIETH DAY

Friday, February 20, 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 Jon Riki Karamatsu, after which the Roll was called showing all members present with the exception of Representatives Bertram, Shimabukuro, Takai and Takumi, who were excused.

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

INTRODUCTIONS

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

Representative Bertram introduced Ms. Taryn Kiyota, Miss Kihei 2009. She was accompanied by her mother, Mrs. Cory Kiyota.

Representative Belatti introduced students and parents of the Makiki Homeschoolers Group, and their teacher, Ms. Nicole Guiles.

Representative Magaoay introduced former Representative Jun Abinsay.

Representative Har introduced Masters Quincy and DJ Woo of Kapolei, students with the Makiki Homeschooling Group.

At this time, the Chair announced:

"The Chair will call a short recess. We will reconvene at 12:20 to allow the Minority Caucus to continue with their deliberations on the Second Reading measures."

At 12:11 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:25 o'clock p.m.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.R.</u> <u>Nos.</u>	<u>Referred to:</u>
53	Committee on Hawaiian Affairs, then to the Committee on Finance
54	Committee on Human Services, then to the Committee on Judiciary
55	Jointly to the Committee on Human Services and the Committee on Health
56	Committee on Tourism, Culture, & International Affairs
57	Committee on Higher Education, then to the Committee on Finance
58	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

59	Committee on Water, Land, & Ocean Resources
60	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
61	Committee on Hawaiian Affairs

H.C.R.  
Nos.      Referred to:

67	Committee on Hawaiian Affairs, then to the Committee on Finance
68	Committee on Human Services, then to the Committee on Judiciary
69	Jointly to the Committee on Human Services and the Committee on Health
70	Committee on Tourism, Culture, & International Affairs
71	Committee on Higher Education, then to the Committee on Finance
72	Jointly to the Committee on Higher Education and the Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance
73	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
74	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
75	Committee on Hawaiian Affairs

S.B.  
Nos.      Referred to:

1, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
64	Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance
92	Committee on Judiciary
119	Committee on Judiciary, then to the Committee on Finance
120, SD1	Committee on Judiciary, then to the Committee on Finance
153, SD1	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
264	Committee on Tourism, Culture, & International Affairs
468, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
711, SD1	Committee on Transportation, then to the Committee on Judiciary

718, Committee on Transportation, then to the Committee on  
SD1 Finance

### COMMITTEE REASSIGNMENTS

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

<u>H.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
640	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources
794	Committee on Health, then to the Committee on Finance
813	Committee on Tourism, Culture, & International Affairs
952	Committee on Labor & Public Employment, then to the Committee on Finance
979	Committee on Finance
1665	Committee on Hawaiian Affairs, then to the Committee on Finance
1692, HD1	Committee on Housing, then to the Committee on Finance

### STANDING COMMITTEE REPORTS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 491) recommending that H.B. No. 524, 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. 524, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'm rising to speak against House Bill 524, Standing Committee Report No. 491. Mr. Speaker, if we allow condominium association funds to be invested in county obligations, we may be having those associations risk the security of their funds. Had they done that in Orange County, and then Orange County went belly up, those associations would have lost all their money.

"I think, unless the obligations of the county are insured, and the investors could get the money back, I think it's a risky thing to do. Thank you."

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representative Thielen be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 524, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Finance with Representative Thielen voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 492) recommending

that H.B. No. 1439, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1439, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 493) recommending that H.B. No. 262, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 262, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 494) recommending that H.B. No. 995, 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. 995, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

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

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

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

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

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

Representative Berg rose and asked that the Clerk record an aye vote with reservations for her, 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."

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 995, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Second Reading and was referred to the Committee on Finance with Representative Choy voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 495) recommending that H.B. No. 927, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 927, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 496) recommending that H.B. No. 990, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 990, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 497) recommending that H.B. No. 1568, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1568, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE AMERICAN RED CROSS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Hanohano and Tsuji, for the Committee on Public Safety and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 498) recommending that H.B. No. 316, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 316, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Hanohano and Yamane, for the Committee on Public Safety and the Committee on Health presented a report (Stand. Com. Rep. No. 499) recommending that H.B. No. 312, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 312, entitled: "A BILL FOR AN ACT RELATING TO HAZARDOUS SUBSTANCES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Hanohano and Rhoads, for the Committee on Public Safety and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 500) recommending that H.B. No. 685, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No.

685, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 501) recommending that H.B. No. 894, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 894, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 502) recommending that H.B. No. 1114, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1114, entitled: "A BILL FOR AN ACT RELATING TO INFECTIOUS DISEASE TESTING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 503) recommending that H.B. No. 1537, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1537, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 504) recommending that H.B. No. 575, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 575, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 575, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Keith-Agaran and Rhoads voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 505) recommending that H.B. No. 1784, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1784, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1784, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Keith-Agaran and Rhoads voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 506) recommending that H.B. No. 1211, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1211, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 507) recommending that H.B. No. 124, 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.B. No. 124, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PROFESSIONAL EDUCATION," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 508) recommending that H.B. No. 1369, 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.B. No. 1369, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 509) recommending that H.B. No. 695, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 695, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 510) recommending that H.B. No. 896, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 896, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 511) recommending that H.B. No. 1284, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1284, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 512) recommending that H.B. No. 1354, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1354, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 513) recommending that H.B. No. 351, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 351, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 514) recommending that H.B. No. 1232, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1232, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABLE AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 515) recommending that H.B. No. 1592, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1592, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 516) recommending that H.B. No. 1044, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1044, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 517) recommending that H.B. No. 426, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 426, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE

OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON OAHU," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 518) recommending that H.B. No. 1484, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1484, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION FEES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 519) recommending that H.B. No. 279, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 279, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 520) recommending that H.B. No. 1807, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1807, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 521) recommending that H.B. No. 285, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 285, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 522) recommending that H.B. No. 834, 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. 834, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'm rising to speak against House Bill 834, and that's Standing Committee Report 522. Thank you. Mr. Speaker, this bill would lower the water quality standards for Hawaiian waters.

"I wanted to talk about a few reasons why I think we should not have this bill pass forward. First of all, OHA brought up a very good point. They said that actually federal water quality standards may not be the best measure of Hawaii's unique water quality. And Hawaii shouldn't therefore lower its water quality standards.

"Another testifier brought up the fact that the Legislature is the wrong venue for this. It should be done administratively, as it is currently happening. And, we as legislators don't have the scientific expertise, or knowledge, actually, to set standards.

"And then the Sierra Club brought up the concern that Hawaii's standards should be different because there are more people in the water, and evidently, people in Hawaii eat three times as much fish as those on the mainland.

"And then finally, a testifier said something that I agree with, and have constantly echoed in this Chamber; that the Legislature should not intervene in ongoing litigation. This is another one of those cases, where the Mayor has come in, this time the Mayor has come in, asking the State to intervene in the middle of ongoing litigation. And we all know that we've been asked to do that in other instances in this Body.

"So I'm casting a 'no' vote, and I hope that others will join me. Thank you."

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

"In opposition, Mr. Speaker. I happen to represent the coastline area that the EPA has deemed that we have untreated sewer water where we fish and swim and surf and paddle. And so, we're definitely in opposition to this bill."

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

"Mr. Speaker, a ruling on a potential conflict. At my law firm, I represent the plaintiff that has sued the City over their wastewater treatment and the pollutants identified in this bill. Thank you," and the Chair ruled, "no conflict."

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

"Thank you, Mr. Speaker. I rise in support. I encourage the Members to read the lengthy Committee Report, because it gives a lot of detailed history.

"One of the problems here is the Department of Health has not updated its water quality standards. They've had rules promulgated since 2005, and they have not adopted those rules. It's been acknowledged that these water quality standards have changed, given the best science available now. It's unfortunate that the Administration has not done its work in getting these standards changed and corrected in a timely manner. What has happened is that there has been litigation, but I think more so, the citizens of the City and County of Honolulu are bearing the brunt of the additional cost that may not be necessary in certain upgrades just because the standards have not been updated.

"So, I think the Legislature is right in taking the extraordinary steps of making these corrections, simply because the Administration has not acted. Thank you."

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

Representative Thielen's written remarks are as follows:

"Mr. Speaker, I want to insert the following comments on the bill from Robert Harris, Director of the Sierra Club, Hawaii Chapter:

"HB 834 (HD1) is an unprecedented. It removes the State water quality standards -- established to protect human health and our fragile marine ecosystem -- from the administrative rule-making process and asks us to

adopt drastically lowered standards without scientific consideration of the impacts on Hawai'i. This proposal could have drastic impacts on human health and our fragile marine ecosystem.

For example, HB 834 (HD1) arbitrarily establishes "waters between five hundred meters and three miles from the shore" are "coastal recreation waters that are rarely or occasionally used." There is no objective basis for this conclusion. Surfers, paddlers, and fisherman frequently go out further than five hundred meters. However, the effect of this proposal drastically increases the amount of contaminants allowed at this range. Can we assure our constituents that this will have no impact on their health and safety? Or do we simply rely upon the arbitrary conclusion that these waters are "rarely or occasionally used?"

Nor is there any research in Hawai'i considering the effects of decreasing the pesticide limits two to five times lower than currently permitted. Previously the Department of Health concluded that the national standards were unacceptable because Hawai'i consumed 3.1 times more fish than the national average. No research has been made available to this body or the public that allows for consideration of these drastically lowered standards.

Finally, it has been incorrectly suggested that HB 834 (HD1) mirrors a proposal suggested by the Department of Health in 2005. There are significant differences between these two proposals. Tellingly, the Department of Health expressly indicated that three years of testing, which have not been completed, were necessary before the 2005 rule changes could be considered. Further the Department of Health did not consider revising the pesticide limits, nor did it define the waters between five hundred meters and three miles from the shore as coastal recreation waters that are rarely or occasionally used."

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 834, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY STANDARDS," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Thielen voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 523) recommending that H.B. No. 1362, 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.B. No. 1362, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENETIC COUNSELORS," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 524) recommending that H.B. No. 429, HD 1, as amended in HD 2, 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.B. No. 429, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Manahan and Tsuji, for the Committee on Tourism, Culture, & International Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 525) recommending that H.B. No. 1471, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1471, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FARMS,"

passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 526) recommending that H.B. No. 1161, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1161, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 527) recommending that H.B. No. 1162, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1162, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR COMMERCIAL DRIVER'S LICENSE VIOLATIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 528) recommending that H.B. No. 1169, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1169, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1169, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary with Representative Finnegan voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 529) recommending that H.B. No. 1190, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1190, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ACCIDENT INVESTIGATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 530) recommending that H.B. No. 1386, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1386, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 531) recommending that H.B. No. 1445, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1445, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. Mr. Speaker, I have reservations about the bill relating to Shared Lane Markings, and specifically because they have not been adopted yet by the federal Highways Administration. I think we should defer action on this until that occurs."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1445, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 532) recommending that H.B. No. 1697, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1697, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 533) recommending that H.B. No. 144, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 144, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 534) recommending that H.B. No. 1696, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1696, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTAL INDUSTRY," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 535) recommending that H.B. No. 1462, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1462, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL DEVELOPMENT," passed Second Reading and was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on

Housing with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 536) recommending that H.B. No. 939, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 939, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'm rising to speak with a 'no' on Standing Committee Report 536, Relating to the Coastal Zone Management. Thank you. Mr. Speaker, what this will do is, it will increase the trigger for a special management area permit, from \$125,000 expenditure, to \$250,000. In other words, at this point, if you're going to make improvements in the special management area, and they are going to be \$125,000 and one cent, then you must get a special management area permit. And I believe that, as some of the environmentalists said at the hearing, that our coastal zones are in very much of a battle for survival, and I think that we need to be more cautious, because the coastal zonings do need much more attention.

"So, I don't like to see this bill go forward, because it will allow more development to go through with just a minor permit, which doesn't have the protections of a SMA permit. Thank you."

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

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

"I stand in opposition to HB 939, Relating to Coastal Management.

"Keeping the valuation low will most likely guarantee that the accountability and purpose of the special management area is upheld. This is imperative in such a pristine and important area. By increasing the valuation rate to \$250,000 rather than maintaining it at \$125,000, the passage of this bill ensures that projects conducted along any coastal beach front area will be subjected to increased criticism.

"I believe that doubling the rate for "special management area minor permit" and "special management area use permit" will lead to the scrutiny and the question of purpose. Are we really taking into account any environmental or ecological effect that doubling the rate may cause? If already at \$125,000 and the current condition of Hawaii's coastline (i.e., Kailua Beach) poses possible environmental hazards to residents and visitors, then increasing it by any standard gives reason to believe that increasing commercial or residential development is more important than the preservation of coastlines and the safety of Hawaii's people."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 939, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading and was referred to the Committee on Judiciary with Representative Thielen voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 537) recommending that H.B. No. 1040, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1040, entitled: "A BILL FOR AN ACT RELATING TO TORT

LIABILITY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 538) recommending that H.B. No. 980, 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. 980, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you Mr. Speaker. Would you register reservations for me on Stand. Com. Report 538? The Recreational Renaissance has some pieces in it that I think are problematic for my district, and we need to look more specifically at it. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 980, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECREATIONAL RENAISSANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 539) recommending that H.B. No. 1009, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1009, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS WHICH ARE IMPORTANT AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 540) recommending that H.B. No. 1763, 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. 1763, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

Representative Manahan's written remarks are as follows:

"Mr. Speaker, I stand in strong support of HB 1763 Relating to the Hawaii Tourism Authority. This bill would repeal the statute which establishes the HTA Board and creates a stand-alone Department of Tourism and redirects the Tourism Special Fund to the DOTourism.

"It is important to understand a few things when considering this measure. First, this proposal before us is a proposal at this point, and the discussion is one that will be taking place eventually as the Tourism Special Fund, the funding mechanism of the HTA, will be 'sun setting' next year. In light of this, I don't think it is unreasonable to begin this discussion sooner rather than later.

"Secondly, I want to thank those members who were open to considering this proposal, as we feel that the current Board has been dysfunctional to say the least. There is a State Auditor's report, which I'm sure many of us have read which sights specific deficiencies of the HTA, so I won't get into those details. But given this current economic crisis—a recession and near depression as it has been referred to by some—I do not think it is appropriate for this Board to be leaderless:

"The Board Chair should be working with staff to hold regular meetings with stakeholders and plan strategically, in order to get a pulse and a handle on our situation. Not to mention, the Board should be responsive to the House and Senate Committees when we ask to meet with them rather than playing politics. There are currently 11 of 12 members right now, and the Governor has not appointed anyone to fill the last seat even though the list of names has been submitted to her. I would think that this would be a priority.

"Meanwhile, we are facing 20% cuts across the board in every department and undoubtedly we will need to go vertical in order to balance a \$1.8 billion deficit. Both our public and private sectors are suffering—our schools, retirees, labor unions, hotels, hotel workers, the counties, airlines, car rentals, retailers, and non-profits are all feeling the effects of the sharp decline in visitor arrivals, and this Board is barely meeting. As a result, vendors, hoteliers, and various stakeholder groups are coming to the Legislature to address their issues. If this is going to be the trend, then I would safely argue, that we don't need the HTA Board.

"Finally, this Legislature is considering pay cuts and layoffs and putting everything 'on the table'. So if everything is on the table, then why not have this on there as well? Why shouldn't we look at restructuring our government to see where we can streamline our processes and make them work smarter for the people of the State?

"And on behalf of all the bills passed out by your Committee, Mr. Speaker, let me just say this: An event last night where many of us were in attendance, the speaker during the closing remarks, compared change to a voyage—inasmuch as it is important to have an idea of your destination and how you are going to get there, it is equally important to consider *why* we want change. I ask the Members to seriously think *why* it is we are considering this proposal at this point in time and if with good conscience you can tell me that change is not needed, then by all means, let's go on with business as usual. Thank you Members, I urge your support of this measure."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1763, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Finance with Representative Ward voting no, and, with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 541) recommending that H.B. No. 1378, 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. 1378, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

Representative Thielen rose and asked that the Clerk record an aye vote with reservations 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 rise in strong support of HB 1378 HD 1, Relating to Advance Practice Registered Nurses.

"This measure will greatly improve access to healthcare at a time when Hawai'i is suffering greatly from a shortage of doctors. HB 1378 grants APRNs global signature authority and certain prescriptive rights. It also requires insurers, mutual and fraternal benefit societies, and health management organizations to recognize APRNs as primary care providers.

"APRNs are extremely valuable providers of healthcare. Their education and experience position them very well to address the State's critical provider shortage. HB 1378 will do just that by expanding the scope of practice for which they are qualified.

"Moreover, HB 1378 removes inefficient barriers in the current APRN practice, authorizing them to certify documents related to the health care of their patients that are within their scope of practice.

"If enacted, this measure would allow Hawai'i's APRNs the ability to move more swiftly and effectively, filling the gaps in the current healthcare system.

"Most important, Mr. Speaker, this bill will have an immediate positive impact on the healthcare crisis in Hawai'i's rural areas; among the most underserved populations, where primary care physicians are in short supply."

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1378, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 542) recommending that H.B. No. 1390, as amended in 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. 1390, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1390, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 543) recommending that H.B. No. 811, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 811, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 811, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REGISTERED NURSES," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 544) recommending that H.B. No. 1045, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1045, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 545) recommending that H.B. No. 1271, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1271, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. On HB No. 1271, House Draft 2, Relating to Government, I will be voting 'no.' This would increase the tax on a barrel of oil from five cents, to one dollar. And, it is rather vague as to how the money will be spent. It specifies that five cents should go toward addressing drinking water, two and half cents should go toward other purposes, the Energy System Development Special Fund. And I don't know how the rest will be spent, except that it should be used, as provided by law. So, there's no clear definition of what 'provided by law' means. So, I will unfortunately be voting 'no' on this measure."

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

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

Representative Wooley 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 Wooley's written remarks are as follows:

"I support the intent of this bill, but have serious concerns about moving it forward. This bill proposes to increase taxes that will disproportionately hurt middle- and low-income families and small businesses. While an increase in the barrel tax is a better way to raise revenue than the proposal

to increase in the general excise tax ("GET"), it is still regressive and will hurt those least able to afford it. A barrel tax would have significant benefits compared to an increase in the GET in other ways as well. Rather than reducing business activity and making it more expensive to do business in Hawai'i, a barrel tax will likely result in less oil use, which would lead to environmental and greenhouse gas benefits in addition to the economic benefit – fewer local dollars will be exported directly out of the state. However, I cannot support a regressive tax unless the adverse economic effects are neutralized with a reduction in income taxes, or some other method, for our middle- and low income families and small businesses.

"Second, this bill allocates a quarter of a million dollars for a taskforce -- made up of government employees – at time when we must reduce government spending. Taskforces can help the State plan ahead and accomplish more, but the budgetary challenges we face this year require that the State do more with less. I believe the taskforce could do the work needed with members contributing their time as part of their existing job, or with a minimal allowance for expenses.

"Last but not least, this bill provides no information regarding where and how 92.5% of the revenue from the tax collected will be spent."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1271, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was referred to the Committee on Finance with Representatives Finnegan and Marumoto voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 546) recommending that H.B. No. 655, HD 1, as amended in HD 2, 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.B. No. 655, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING PHARMACIES," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 547) recommending that H.B. No. 396, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 396, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, I rise in opposition to this, with a few comments. Mr. Speaker, this the Employee Retention bill, which essentially says, if you sell your business and you have 100 employees, you cannot fire, sack, displace, or replace them. The unfortunate thing is, I think this bill would put Hawaiian Tel out of business, quite frankly. They have 1,400 employees; they're wobbling, they're shaking, and if we're going to get anybody to buy it, I know there's a Resolution to make it a co-op. But if anybody is going to put money into that, and they know survival is going to be based upon cutting of costs. Mr. Speaker, this bill doesn't make any sense.

"The problem is that we have hard economic times upon us. We've got to watch out for our workers, but remember, 85 percent of the private sector hires the people who work in the State of Hawaii. The other 15 to

20 percent is government workers. We've got to keep the Hawaii private sector healthy, so this is not a good policy. My problem here is that it's all 'stick' with no 'carrot', whatsoever. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. In opposition with short comments. In the beginning of the year, Mr. Speaker, the Legislative Session, we talked about keeping labor working, and that's what I see this doesn't do. I know the intention is to keep the same employees in, if you sell a company. But I'm afraid that what it will do is close down companies and lose more jobs. Thank you."

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

"Mr. Speaker, I rise in support. Very briefly. I think the purpose of this bill is just merely to reiterate the fact that employees are not fungible goods. Everything else in a business is fungible. It is something that can be easily transferred. But employees are a valued asset that need to be recognized as a part, an integral part, of the business and its success. And therefore, that is the purpose of this bill, and why I believe we should support it. Thank you."

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. 396 - Relating to the Employment which requires successor employers to retain all incumbent employees.

"My concerns are based on the following points laid out by the Department of Labor and Industrial Relations in essence pointing out that the proposed bill would create a negative business climate:

1. Dictating that a buying company that is investing money in a local business, keep employees not needed or not serving in the best interest of their company is an over-reaching and improper action that interferes with a business's ability to make necessary decisions relating to their economic well-being.
2. An adverse affect is created for the selling employer's current employees when a company is being sold due to a financial crisis, and potential successor companies do not choose to purchase the existing company due to the proposed bill's requirements. (In effect ensuring a greater likelihood that the company will go bankrupt and all employees will become unemployed.)
3. Requiring a successor employer in a divestiture to retain all of the incumbent employees of an affected establishment, or a number proportionate to total human resource needs, seems overly prescriptive because it would not allow the successor employer to bring its own employees, except for supervisory or confidential workers.
4. Additionally, the bill is vague on how to measure human resource needs. For example, a successor employer retains only 200 of 300 employees because the business can be successfully operated at that lower staffing amount. How would the employer (or Department) verify that the human resource needs of the company merited the release of 100 employees? If the employer is found in violation, he is responsible for compensation to affected workers. Why should an employer compensate persons who were not their employees?
5. Collective bargaining agreements, which were developed to protect the interests of employees, exist in larger companies and must be taken into consideration by all parties involved in a divestiture.

"Thank you."

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

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

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

Representative Ward rose to respond, stating:

"Mr. Speaker, just a footnote to the Majority Leader that, as we are told continually in the Finance Committee, 69 percent of government costs are employee costs. So, if a business, which is probably not quite as high, is going to be able to adapt, adjust, and otherwise survive, it's got to look at that. So, to say if it's fungible or not fungible, it's where the reality is. Employee costs are one of the highest costs, particularly in the US, where we pay very, very high wages. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 396, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," was referred to the Committee on Finance with Representatives Ching, Finnegan, Marumoto, Thielen and Ward voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 548) recommending that H.B. No. 1567, 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.B. No. 1567, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SKILLED NURSING FACILITIES," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 549) recommending that H.B. No. 459, 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. 459, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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 stand in strong support of SCR 549, HB459 HD1: Making an Appropriation for the Hawaii Civil Air Patrol.

"On Kauai, the Civil Air Patrol has played an integral part in the emergency operations for tsunami warnings and hurricane recoveries. All of the members of the Civil Air Patrol are volunteers who have a history of serving the CAP for many years.

"All of their equipment (aircraft, hangar, etc.) is supplied by the United States Air Force. These monies being requested are for training and emergency preparedness.

"The operating funds that they are requesting are a small price to pay for the service they render for the people of Kaua'i and the State of Hawai'i. Thank you, Mr. Speaker."

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

Representative Yamane's written remarks are as follows:

"Thank you, Mr. Speaker. House Bill 459 makes an appropriation to the Hawaii Civil Air Patrol. With active members of the Civil Air Patrol as constituents of District 37, as well as an active Civil Air Patrol Squadron located nearby at the Wheeler Army Airfield, I stand in strong support.

"Since the Civil Air Patrol's establishment over 50 years ago, members of this volunteer service organization prove to be vital in the emergency response and disaster relief efforts to aide our State. All Civil Air Patrol members are volunteers who receive the proper training through the Air Force, FEMA, and Homeland Security to lead in search and rescue, medical emergency transport services, pre-disaster emergency warning and post-disaster recovery operations. These volunteer members are people from our neighborhoods trained and ready to serve our State during a time of need.

"Being located in the middle of the Pacific we are continuously exposed and threatened by hurricanes, tsunami, volcanic eruption, and earthquakes. We are isolated and need to be able to respond accordingly to local disasters. When Hawaii endured an earthquake measuring 6.7 on the Richter scale in October 2006, islandwide blackouts affected the islands of Hawaii, Maui, and Oahu. Communication blackouts were dually affected prompting grave concern and fear among the population. The Civil Air Patrol volunteer members responded immediately with their inter-island radio communication frequencies to assist in the disaster efforts. Because of their tremendous assistance over the last fifty years, we need to continue to support this vital program and service to our State to ensure the safety, security and wellbeing to the people of Hawaii."

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

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in strong support of Standing Committee Report 549, House Bill 459 HD1. This measure provides funding for the operational costs of the Hawaii Civil Air Patrol (HCAP), which is an unpaid, all-volunteer organization. HCAP provides essential services for the people of Hawaii, as first responders providing airborne patrol for tsunami warning, tsunami damage assessment, homeland security and search and rescue. HCAP also has a cadet program similar to JROTC, providing beneficial training ground for Hawaii's youth. They have provided assistance to the US Coast Guard, the Army National Guard, Hawaii State Civil Defense. We must recognize the dedicated service the HCAP provides to ensure the health and safety of the people across the State. For these reasons I stand in strong support of this bill. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 459, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CIVIL AIR PATROL," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 550) recommending that H.B. No. 464, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 464, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE VETERANS' HOME," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 551) recommending that H.B. No. 610, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No.

610, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCIENCE AND TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 552) recommending that H.B. No. 994, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 994, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 553) recommending that H.B. No. 1309, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1309, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE INCREASE TAX CREDIT," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 554) recommending that H.B. No. 1352, 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. 1352, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"I'm standing with reservations. Mr. Speaker, I'll wait until Third Reading, but I did notice that there was no support for this bill, and so some of my reservations come from that. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1352, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 555) recommending that H.B. No. 1831, 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. 1831, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1831, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand.

Com. Rep. No. 556) recommending that H.B. No. 563, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 563, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 557) recommending that H.B. No. 1165, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1165, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

Representative Keith-Agaran rose in support of the measure with reservations and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise to speak to express my reservations with HB 1165.

"The Department of Transportation in the bill is asking for authority to create rules for the various commercial harbors, ostensibly based on the need to address safety concerns. I certainly understand that there is a need for safety rules; however, the community's long-established shared use of certain commercial harbors for recreational and cultural purposes should be recognized and preserved.

"The Department of Transportation's recent strained relations with local residents using Kahului harbor for canoe racing and practices, and for fishing and surfing, raises some concern that perhaps the rules proposed ostensibly for safety will in actuality operate to limit or even displace the longtime community use of our harbor and other nearshore waters. I certainly hope this will not be the case and I believe rules can be crafted through creativity and improved strategic planning in the State's master plan, including the use of better technology for business and recreational activities that will foster rather than inhibit joint use of the available space. Existing residents who gather for traditional and cultural practices should be taken into consideration when planning for the future so that they may continue to carry out their customs.

"As this bill moves forward, I hope there will be practical, open and frank dialogue between traditional and cultural practitioners, government agencies and the business community about the goals of this bill. Please record my vote with reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1165, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 558) recommending that H.B. No. 1166, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1166, entitled: "A BILL FOR AN ACT RELATING TO THE PASSENGER FACILITY CHARGE SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance with

Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 559) recommending that H.B. No. 1167, 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. 1167, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"With strong reservations. This is the bill that's about modernizing our highways in the State. But unfortunately, it has a fuel tax increase, a vehicle registration increase, as well as some other tax and fee increases in here on the people of Hawaii.

"I just believe that we should focus on what we just recently did in this election season, and that is, the residents of Oahu, at least, supported a rail, and they're already paying a tax increase on that."

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

"A mild no, Mr. Speaker."

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

"Thank you, Mr. Speaker. With reservations. Mr. Speaker, I think the biggest issue that I have with this is, we're in the beginning of the Session, and we want to keep bills alive for conversation purposes and debate. But the way that I could swallow this bill, as a tax increase for now, was because there was a mechanism that basically said, if the economy starts to recover, then we could do this. And what this does now, is that a huge amendment was made to say, automatically, the tax increase is activated on July 1st, 2011. If we haven't recovered, we're kicking people while they're down. If the economy hasn't recovered, we're taking more out of people's paycheck. I don't think that that is smart in this time period. So, that's my strong reservations, Mr. Speaker. Thank you."

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

"With reservations, Mr. Speaker. I have similar concerns as the Minority Leader."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1167, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Finance with Representative Ward voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 560) recommending that H.B. No. 1422, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1422, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 561) recommending that H.B. No. 143, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 143, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF MOBILE PHONES AND ELECTRONIC DEVICES WHILE DRIVING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 562) recommending that H.B. No. 866, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 866, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 866, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 563) recommending that H.B. No. 271, 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.B. No. 271, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 564) recommending that H.B. No. 1428, 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.B. No. 1428, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 565) recommending that H.B. No. 1518, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1518, be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. As this bill keeps resurfacing, I'll keep voting 'no' on it, Mr. Speaker. And if I may make just a couple of comments. Thank you. Mr. Speaker, under current Hawaii law, it's illegal to visibly pass on the GET, if the price of the goods or services is fixed by law.

"So, if this bill passes, it's going to award the towing industry, not one of my favorite industries, but, it will award the towing industry with a privileged exception to current Hawaii law, that no other industry appears to enjoy. And for all those people who have their cars towed, I think they will not be very happy. Thank you."

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

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

"Yes, Mr. Speaker, I speak for the bill. In regards to the previous speakers, I want to say that exceptions are made through law every time we pass a bill, so it's not very unusual that we're having legislation like this here.

"It's discriminatory in some ways to the beloved towing companies that they cannot pass on the tax, where everybody else can. And, there's an exception with the insurance company, where instead of paying the excise tax of four percent, they pay one half of one percent. That's an exception. And we can go on and on and on, Mr. Speaker. Thank you, very much."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1518, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was referred to the Committee on Finance with Representatives Pine and Thielen voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 566) recommending that H.B. No. 1163, 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.B. No. 1163, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 567) recommending that H.B. No. 300, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 300, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 568) recommending that H.B. No. 345, 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. 345, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

"Please register my 'no' vote, and may I make a few short comments? Thank you, Mr. Speaker. I would just like to share with the Body that what we learned in the Committee regarding this Bill is that the Campaign Spending Commission is well under way in preparations for this program, so there is no need for delay. Thank you, Mr. Speaker."

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 345, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading and was referred to the Committee on Finance with Representatives Belatti and Thielen voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 569) recommending that H.B. No. 1379, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1379, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ORDERS FOR LIFE SUSTAINING TREATMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 570) recommending that H.B. No. 1843, HD 1, as amended in HD 2, 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.B. No. 1843, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 571) recommending that H.B. No. 281, HD 1, as amended in HD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 281, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 572) recommending that H.B. No. 1446, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1446, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 573) recommending that H.B. No. 1663, pass Second Reading and be referred to the Committee on Agriculture.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1663, entitled: "A BILL FOR AN ACT RELATING TO TARO SECURITY," passed Second Reading and was referred to the Committee on Agriculture with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 574) recommending that H.B. No. 899, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 899, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 575) recommending that H.B. No. 1015, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1015, entitled: "A BILL FOR AN ACT RELATING TO OBLIGATIONS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS TRUST FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 576) recommending that H.B. No. 1666, 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. 1666, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, I rise with reservations on Stand. Com. No. 576 with brief comments. This is a good bill. It allows for Hawaiian Language to take its rightful place, next to English. It's the official language by the Constitution, so it implements that.

"My problem, Mr. Speaker, with it is that it commits a breach of linguistic protocol in that the bill has the two languages. It appears by the way it's juxtaposing the language, it's making Hawaiian primary and English secondary, by way of the translation. Case in point: Canada; English and French. Generally, you see the English on the top, and then you see the French on the bottom. This bill has it in opposite in it, and there's no place in the world that I've seen that. Unless we intend to have Hawaiian as the primary language and English as the secondary language, in which case, Mr. Speaker, I suggest that we all better get into the Hawaiian language classes. Mahalo Nui Loa."

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

"Mr. Speaker, just in support of that same Stand. Com. Report, and I just want to comment that when I was in Aotearoa, New Zealand, I did notice that the signs were that way, with Maori on top, English on the bottom. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1666, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE," passed Second Reading and was referred to the Committee on Finance with

Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Carroll and Ito, for the Committee on Hawaiian Affairs and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 577) recommending that H.B. No. 949, 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. 949, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Morita 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 Morita's written remarks are as follows:

"Mr. Speaker: I rise with grave reservations about this measure. The primary purpose of these trust lands is not to advance leases for commercial purposes to non-beneficiary private interest parties to ensure their financial viability. We do not extend States leases beyond the 65 year period without a public auction so why should such an exception be made for the Department of Hawaiian Home Lands where the State has an important fiduciary responsibility to native Hawaiians?

"Section 204 of the Hawaiian Homes Commission Act wherein the authority to lease lands to the "general public" is predicated by the statement, "The department is expressly authorized to negotiate, prior to negotiations with the general public, the disposition of Hawaiian home lands or any improvements thereon to native Hawaiian beneficiaries or organization or association owned or controlled by native Hawaiians." It should be pointed out that beneficiaries have advised me that the DHHL has yet to implement the correct priority of negotiating with beneficiaries and beneficiary organizations PRIOR to the general public. Such a priority will drive private interest parties to native Hawaiian beneficiaries and the organizations they control to partner with them, thereby building the capacity intended under section 204. This procedure is very similar to successful development approaches and lessons learned by other Native peoples.

"Secondly, there has been no evidence or comprehensive financial analysis presented at all, that giving 99 year leases on trust lands advances the financial interests of the trust or its beneficiaries. Simply put, if a developer wants a 99 year lease, or to be positioned for zero risk, they should look for fee simple land, not lands that are a native Hawaiian trust, intended for specific homesteading purposes. If a developer cannot get a reasonable return with 65 years, one questions whether it is a viable venture at all. However, the issue of privatizing Hawaiian homes trust lands is not something to be considered lightly and is an aberration of the State's fiduciary responsibility to native Hawaiians."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 949, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 578) recommending that H.B. No. 665, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 665, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 579) recommending that H.B. No. 1766, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1766, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 580) recommending that H.B. No. 231, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 231, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 581) recommending that H.B. No. 518, 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. 518, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 518, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 582) recommending that H.B. No. 1292, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1292, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STATE QUALIFYING SHOOTING RANGE AT KULANI CORRECTIONAL FACILITY IN EAST HAWAII ON THE ISLAND OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 583) recommending that H.B. No. 519, 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. 519, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

"Thank you, Mr. Speaker. For Stand. Com. Rep. 583, this requires that the return of all out-of-state inmates in the private prisons be returned on December 31st, 2015. And I just wanted to also just comment that some prisoners in the mainland feel that they have better services up there. I would say, even through some of my conversations and readings, that it's most. So, it may sound a little odd, but I think I'm speaking on behalf of some of those prisoners, that they want to stay there. And so I don't know if this is the way you want to move forward with requiring all of them returned."

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

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

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

"Yes, Mr. Speaker, just a few words on this measure. First of all, it's a great bill. I think it's long overdue, and I'm going to save my speech for Third Reading, as it comes along. But I just wanted to make another statement, that we are losing, of course, 50 million dollars in revenue, per year because of we are exporting our prisoners to the mainland, and making other states a little more wealthy."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 519, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INMATES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 584) recommending that H.B. No. 1152, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1152, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS' ACCOUNTS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 585) recommending that H.B. No. 1080, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1080, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 586) recommending that H.B. No. 1151, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1151, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESTRICTED ACCESS TO CORRECTIONAL FACILITIES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Hanohano and Rhoads, for the Committee on Public Safety and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 587) recommending that H.B. No. 941, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 941, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 588) recommending that H.B. No. 87, HD 1, as amended in HD 2, 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.B. No. 87, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 589) recommending that H.B. No. 1130, HD 1, as amended in HD 2, 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.B. No. 1130, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOILER AND ELEVATOR SAFETY LAW," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 590) recommending that H.B. No. 1406, HD 1, as amended in HD 2, 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.B. No. 1406, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICES AND THE STATE HOMELESS PROGRAMS," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 591) recommending that H.B. No. 269, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 269, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 592) recommending that H.B. No. 993, 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. 993, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

At 1:02 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:03 o'clock p.m.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 993, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION, RELATING TO THE DISPOSITION OF PROJECTED EXCESS REVENUES," passed Second Reading and was referred to the Committee on Finance with Representatives Ching, Finnegan, Marumoto, Thielen and Ward voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 593) recommending that H.B. No. 1293, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1293, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 594) recommending that H.B. No. 1780, 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. 1780, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition to H.B. 1780 - Relating to Sentencing of Repeat Offenders. The purpose of this bill is to change the mandatory minimum sentencing provisions of the repeat offender law from mandatory to discriminatory.

"I quote Dara Carlin, a counselor for Independent Domestic Violence Survivor:

"While I recognize the intent of this bill is an effort to reduce overcrowding in the prison system and allow for a more community and family-based approach to addressing crime, I have to say that this measure is seeking this benefit for the wrong population. It would make more sense for this proposal to be targeted for First Time offenders, but it's specifically asking for discretion for Repeat Offenders; in either case the discretionary aspect being proposed will erase the "mandatory" in mandatory minimum sentencing."

I agree with her wholeheartedly.

"The repeat current offender law, enacted in 1976, was enacted in the Legislature to protect the people of Hawaii from the relatively small group of criminals who commit so many of the crimes that occur in Hawaii" writes our Attorney General Mark Bennett. The Commentary on section 706-606.5, citing the 1976 House Conference Committee Report No. 32, Senate Conference Committee Report No. 33, states:

*"Finding a clear danger to the people of Hawaii in the high incidence of offenses being committed by repeat offenders, the legislature felt it necessary to provide for mandatory terms of imprisonment without the possibility of parole in cases of repeated offenses by prior offenders."*

"I am concerned that the proposed bill impacts more than just non-violent crimes. As Peter Carlisle, our City Prosecuting Attorney states "Our repeat offender statute covers offenses such as murder, sexual assault, robbery, burglary and auto theft and already permits the judge to sentence the offender to a lesser mandatory minimum when he or she finds strong mitigating circumstances."

"In essence this bill does not serve the public's interest. Should we send the message that crime pays? I don't think so. I think it behooves us to consider the positions of those such as the Attorney General and the Prosecuting Attorney of the City, both of whom oppose this bill. Thank you."

Representative Marumoto 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1780, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT OFFENDERS," passed Second Reading and was referred to the Committee on Finance with Representatives Ching, Finnegan, Marumoto, Pine, Thielen and Ward voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka 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. 595) recommending that H.B. No. 1704, 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. 1704, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I vote with reservations, Mr. Speaker. Thank you. Mr. Speaker, this is asking for \$1 million to be appropriated out of our general fund for 09-2010, and then \$2 million, or as much as is necessary for 2010-2011, for an operation of a government industry consortium.

"We did not really get that much detail about what this is about. I'm somewhat concerned about putting that much money into this consortium. And, if we could put those same funds into deploying actual renewable energy projects that are here in Hawaii, that are either ready to go, or need to have additional structures put up to be able to provide the renewable energy. It's just a little bit 'pie-in-the-sky', and actually, that's where it may be located by this consortium. I'm just not sure, so at this point, until there's more information, I'm with reservations."

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

"Mr. Speaker, in support. What the bill tries to do, even though it is costly, is to do for Hawaii what otherwise we're almost strategically located to do, and that is to reap the energy from the sun. In this

Committee discussion, there were use of the term "space solar energy," and the harnessing the of "space solar energy." In fact, I believe that there's one member of this Body who said that his friend, who is an astronaut, said there's enough energy on the moon to basically power the whole earth. Hawaii has an opportunity to become on the cutting edge of that. If there is "space solar energy," Hawaii is the place, or the epicenter, to do that. It's not going to be free, but that's something that the Finance Committee will look at thereafter. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1704, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 596) recommending that H.B. No. 602, 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.B. No. 602, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 597) recommending that H.B. No. 702, 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.B. No. 702, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 598) recommending that H.B. No. 687, HD 1, as amended in HD 2, 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.B. No. 687, HD 2, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 599) recommending that H.B. No. 1082, HD 1, as amended in HD 2, 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.B. No. 1082, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH INCOME TAX CREDIT," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 600) recommending that H.B. No. 658, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 658, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION

FOR THE MAUI OFFICE OF VETERANS' SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 601) recommending that H.B. No. 1242, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1242, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 602) recommending that H.B. No. 898, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 898, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 603) recommending that H.B. No. 1593, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1593, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 604) recommending that H.B. No. 1503, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1503, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Mr. Speaker, I rise with reservations on Stand. Com. Rep. No. 604, with just a brief comment. This is trying to 'recreate the wheel' of companies. It was initially an ingenuity company, then it became a public purpose company. Everything that we have on the books for people who have eleemosynary charity or goodwill intentions, we have enough structure to do that. It's a bit of an odd hybrid of sorts. It's convoluted. It will probably be misunderstood and misplaced, but it is something I think that the next Committee needs to look at very seriously, in the Judiciary Committee. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1503, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 605) recommending that H.B. No. 1451, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1451, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 606) recommending that H.B. No. 874, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 874, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL REAL PROPERTY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 607) recommending that H.B. No. 700, HD 1, as amended in HD 2, 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.B. No. 700, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NONGOVERNMENT HEALTH PLAN PAYMENTS TO CRITICAL ACCESS HOSPITALS AND FEDERALLY QUALIFIED HEALTH CENTERS," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 608) recommending that H.B. No. 1014, HD 1, as amended in HD 2, 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.B. No. 1014, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 609) recommending that H.B. No. 1071, HD 1, as amended in HD 2, 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.B. No. 1071, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 610) recommending that H.B. No. 984, HD 2, as amended in HD 3, 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.B. No. 984, HD 3, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 611) recommending that H.B. No. 1776, 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.B. No. 1776, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 612) recommending that H.B. No. 332, 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.B. No. 332, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 613) recommending that H.B. No. 1429, 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.B. No. 1429, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ABOUT FACE PROGRAM," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 614) recommending that H.B. No. 1021, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1021, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Carroll and Cabanilla, for the Committee on Hawaiian Affairs and the Committee on Housing presented a report (Stand. Com. Rep. No. 615) recommending that H.B. No. 1612, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1612, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 616) recommending that H.B. No. 901, 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. 901, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 901, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN

AFFAIRS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 617) recommending that H.B. No. 981, 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.B. No. 981, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was referred to the Committee on Finance with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 618) recommending that H.B. No. 215, 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. 215, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'm standing to vote with reservations on Stand. Com. Rep. No. 618, Relating to Campaign Financing. Thank you. Mr. Speaker, the bill is basically a recodification and cleanup of the campaign spending law, but there's one provision in there that really runs contrary to good government, or clean government. What it will do, is eliminate the 20 percent cap on non-resident contributions. If it were to state that that would occur after the coming gubernatorial election, I could support it. But, taking away that 20 percent cap on non-resident contributions now, while the gubernatorial election is going to be coming up in 2010, I think that's very suspect. I think it's really, very suspect.

"I know there's an effort in this Body to do clean government, good government bills. This one unfortunately, has a 'poison pill' in it. I've not been an advocate of the 20 percent cap from non-resident contributions, because we have a lot of our Hawaii people that now are living on the mainland, that still want those ties to Hawaii. But the time to do that is after the next gubernatorial election, not before. Because what it looks like, is that it's a handoff to a particular candidate. Thank you."

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

"Mr. Speaker, I guess the most succinct way of explaining this bill is that it doesn't pass the 'smell test'. Thank you."

Representative Finnegan rose in support of the measure with reservations and asked that the remarks of Representative Thielen be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

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

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

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

"Thank you, Mr. Speaker. I rise with reservations and a few comments. Unlike the previous speakers, I had a little bit of a different take on this. I'd like to point to the language of the purpose statement in this bill, which is 'the purpose of this Act is to update, organize, and clarify the current campaign finance laws and make minor substantive changes to the current laws.'

"My concern is that this is more than just a minor substantive change to the law, and I think we need to take a look at this carefully. So, as it moves forward, as it moves to the Finance Committee, I hope those reservations are listened to. Thank you."

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

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

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

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

"Yes, Mr. Speaker, I wish to speak in favor of this measure. I just wanted to make mention that some years ago, there was no cap on the importing of means and money to Hawaii. A former mayor won the governorship by basically all that imported dollars from the mainland. So, I think it's kind of disingenuous, in a way, where you have a lot of the Minority members of the Governor's same party, now complain, when they did not in the past. Thank you very much, Mr. Speaker."

Representative Pine rose to respond, stating:

"Just in rebuttal. If we're going to talk about history, it was this very Body that removed that cap, purposely, so that our current Governor could not continue to raise money that helped her to get elected. So, we're just trying to be consistent, so that this Body does not look as if it is only targeting Republican governors only."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 215, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCING," passed Second Reading and was referred to the Committee on Finance with Representative Ward voting no, and with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

Representatives Cabanilla and Ito, for the Committee on Housing and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 619) recommending that H.B. No. 1188, 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 H.B. No. 1188, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, McKelvey, Takai, Takumi and Tokioka being excused.

## INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 62 and 63) and concurrent resolutions (H.C.R. Nos. 76 through 81) were referred to Printing and further action was deferred:

H.R. No. 62, entitled: "HOUSE RESOLUTION REQUESTING THAT THE GOVERNOR WITHDRAW THE STATE'S PETITION FOR WRIT OF CERTIORARI IN HAWAII V. OFFICE OF HAWAIIAN AFFAIRS, NO. 07-1372 IN THE SUPREME COURT OF THE UNITED STATES," was jointly offered by Representatives Carroll, Awana, Belatti, Brower, Evans, Hanohano, C. Lee, McKelvey, Mizuno, Nishimoto, Saiki and Bertram.

H.R. No. 63, entitled: "HOUSE RESOLUTION REQUESTING WITHDRAWAL OF THE STATE'S APPEAL PENDING BEFORE THE UNITED STATES SUPREME COURT IN HAWAII V. OFFICE OF HAWAIIAN AFFAIRS, NO. 07-1372," was jointly offered by Representatives Carroll, Belatti, Brower, Evans, Hanohano, C. Lee, McKelvey, Mizuno, Nishimoto, Saiki, Shimabukuro, Bertram, Cabanilla, Magaoy and Sagum.

H.C.R. No. 76, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A FEASIBILITY STUDY ON CONVERTING HARD COVER TEXT BOOKS TO E-BOOKS FOR USE IN PUBLIC SCHOOLS," was jointly offered by Representatives Manahan, Awana, Evans, McKelvey, Mizuno, Shimabukuro, Yamane, Yamashita, Berg, Choy, Magaoy, Takumi, Tsuji, Wakai and Wooley.

H.C.R. No. 77, entitled: "HOUSE CONCURRENT RESOLUTION URGING EITHER THE DEPARTMENT OF LAND AND NATURAL RESOURCES OR THE DEPARTMENT OF TRANSPORTATION TO ACQUIRE THE BOATYARD ADJACENT TO THE STATE PIER AND WHARF FACILITY AND BOAT LAUNCH RAMP, AND TO ADDRESS PERMITTING AND USE CONFLICTS AT HANAIELE, KAUAI," was offered by Representative Sagum, by request.

H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, LAND DIVISION, TO INCLUDE THE ROYAL ORDER OF KAMEHAMEHA IN THE STAKEHOLDERS ASSEMBLED TO MEET AND DEVELOP A HANAPEPE SALT POND RESOURCE MANAGEMENT PLAN," was jointly offered by Representatives Sagum, Awana, Carroll, Chang, Chong, Hanohano, Magaoy, McKelvey, Morita, Har, M. Oshiro, Souki and Tokioka.

H.C.R. No. 79, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO REVIEW AND SUBMIT A LEGAL OPINION REGARDING WHETHER VACATION RENTAL USES IN SINGLE-FAMILY DWELLINGS AND FARM DWELLINGS IN STATE AGRICULTURAL DISTRICTS ARE PROHIBITED UNDER CHAPTER 205, HAWAII REVISED STATUTES," was jointly offered by Representatives Sagum, Chang, Awana, Carroll, Chong, Hanohano, Magaoy, McKelvey, Morita, M. Oshiro, Souki and Tokioka.

H.C.R. No. 80, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE GOVERNOR WITHDRAW THE STATE'S PETITION FOR WRIT OF CERTIORARI IN HAWAII V. OFFICE OF HAWAIIAN AFFAIRS, NO. 07-1372 IN THE SUPREME COURT OF THE UNITED STATES," was jointly offered by Representatives Carroll, Awana, Belatti, Brower, Cabanilla, Evans, Hanohano, C. Lee, McKelvey, Mizuno and Saiki.

H.C.R. No. 81, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING WITHDRAWAL OF THE STATE'S APPEAL PENDING BEFORE THE UNITED STATES SUPREME COURT IN HAWAII V. OFFICE OF HAWAIIAN AFFAIRS, NO. 07-1372," was jointly offered by Representatives Carroll, Belatti, Brower, Evans, Hanohano, C. Lee, McKelvey, Mizuno, Nishimoto, Saiki, Shimabukuro, Bertram and Magaoy.

## ANNOUNCEMENT

Representative Souki: "Mr. Speaker, I'm very proud to announce the birthday of my Vice-Chair, Representative Awana just made '21, and I we all should wish her a happy birthday. Happy birthday, Karen."

## ADJOURNMENT

At 1:16 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 Monday, February 23, 2009. (Representatives Bertram, McKelvey, Takai, Takumi and Tokioka were excused.)