

**HAWAII STATE
HOUSE OF REPRESENTATIVES**

REGULAR SESSION OF 2009

***ROUGH DRAFT
JOURNAL***

TWENTY-FOURTH DAY

MARCH 5, 2009

OFFICE OF THE CHIEF CLERK



All Mini and Rough Draft Journals are provided as an informational service only and are not intended to replace the permanent bound version of the House Journal which is the official certified record. The daily Mini Journals and Rough Draft Journals are subject to correction and approval, and should not be relied upon, quoted or cited as an official record.

*The **Mini Journal** is produced for each legislative day and shows all action which took place on the Chamber Floor, including all bills and resolutions introduced, referrals, readings, all motions and votes, and Governor's Messages and other Communications. The Mini Journal does not include verbatim floor remarks or announcements made.*

The Mini Journal is generally available the next legislative day following each day's session and may be obtained at the House Printshop.

*The **Rough Draft Journal** includes verbatim floor remarks, written remarks, announcements and introductions made on the Chamber Floor. Copies of the Rough Draft Journal may be obtained at the House Printshop as they become available.*

*The **bound version of the House Journal** is the official certified record of the proceedings of the House of Representatives. Once certified, the official permanent record is published and bound after the close of the Regular or Special Session of the Legislature.*

TWENTY-FOURTH DAY

Thursday, March 5, 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 Vice Speaker Magaoay presiding.

The invocation was delivered by Ms. Karess Purcell of Vice Speaker Magaoay's office, after which the Roll was called showing all members present with the exception of Representatives Berg, Finnegan, M. Oshiro and Takai, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 252 through 256) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 252, received February 26, 2009, transmitting the Department of Defense, Office of Veterans Services' report, "Relating to Government Operations" (Act 100, Session Laws of Hawaii 1999).

Gov. Msg. No. 253, dated February 12, 2009, transmitting the State Foundation on Culture and the Arts' Annual Report for the period July 1, 2007 through June 30, 2008.

Gov. Msg. No. 254, dated March 2, 2009, transmitting the Director of Finance's reports pursuant to provisions of Act 213, SLH 2007, the General Appropriations Act of 2007, as amended by Act 158, SLH 2008, the Supplemental Appropriations Act of 2008.

Gov. Msg. No. 255, dated March 2, 2009, transmitting the Governor's reports pursuant to provisions of Act 213, SLH 2007, the General Appropriations Act of 2007, as amended by Act 158, SLH 2008, the Supplemental Appropriations Act of 2008.

Gov. Msg. No. 256, dated March 2, 2009, transmitting the Department of Budget and Finance, Report to the Legislature, on Act 272, SLH 2007, Relating to State Funds.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 34) was received and announced by the Clerk:

Sen. Com. No. 34, transmitting S.B. No. 190, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY CARE FOSTER FAMILY HOME," which passed Third Reading in the Senate on February 25, 2009.

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

S.B. No. 190, SD 1

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 60 and 61) were received by the Clerk and were placed on file:

Dept. Com. No. 60, dated February 27, 2009, from Marion Higa, State Auditor, transmitting the report, Study on the Appropriate Accountability Structure of the Hawai'i Teacher Standards Board.

Dept. Com. No. 61, dated February 25, 2009, from David McClain, President, University of Hawaii System, transmitting The Research Corporation of the University of Hawai'i's Annual Report for the fiscal year ending June 30, 2008.

INTRODUCTION

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

Representative Bertram introduced his cousins, Mr. Albert Morairty from Maui, and Mr. and Mrs. Michael Morarity from Michigan.

ORDER OF THE DAY

COMMITTEE ASSIGNMENT

The following measure was referred to committee by the Speaker:

H.C.R.No. Referred to:

89 Committee on Education

COMMITTEE REASSIGNMENTS

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

H.B.Nos. Re-referred to:

31 Committee on Labor & Public Employment

1436, Jointly to the Committee on Water, Land, & Ocean Resources
HD1 and the Committee on Agriculture

1619 Committee on Finance

At 12:13 o'clock p.m. the Clerk requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:30 o'clock p.m.

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATION)

The following resolution (H.R. No. 80) was announced by the Clerk and the following action taken:

H.R. No. 80, entitled: "HOUSE RESOLUTION HONORING THE HAWAII ALLIANCE OF THE BOYS AND GIRLS CLUBS," was offered by Representative Yamashita.

Representative McKelvey moved that H.R. No. 80 be adopted, seconded by Representative Yamashita.

Representative McKelvey recognized the contributions of the Hawaii Alliance of Boys and Girls Clubs.

Representative Keith-Agaran applauded the Boys and Girls Club Youth of the Year Program and commended the participants.

Representative Carroll then introduced the Hawaii Youth of the Year finalists who were seated on the floor of the House:

Ms. Meghan McGrath Big Island Youth representative and freshman at Pahoehoe High School;

Ms. Rachel Getz, Marine Corp Base Hawaii Youth representative and sophomore at Pearl City High School;

Mr. Benjie Baclig, Boys and Girls Club Hawaii representative and senior at Waimea High School;

Mr. Benjamin Hoyt, Boys and Girls Club Maui representative and sophomore at King Kekaulike High School;

Mr. Meko Thompson, II, Boys and Girls Club Army representative and sophomore at Radford High School; and

Ms. Samantha Bernard, Boys and Girls Club Hickam Air Force Base representative and senior at the Myron B. Thompson Academy.

The motion was put to vote by the Chair and carried, and H.R. No. 80 was adopted with Representatives Berg, Finnegan, M. Oshiro and Takai being excused.

At 12:45 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:52 o'clock p.m., with the Speaker presiding.

At this time, the Chair announced:

"Members at this time, we are on Unfinished Business. Please note that House Bill No. 1436, House Draft 1, has been re-referred solely to the Committees on Water, Land, & Ocean Resources and Agriculture per Committee Referral Sheet No. 24 that has been placed on your desk today. The Committee on Education waived its referral to this measure, and therefore it is appropriate for the House to consider action for passage on Third Reading."

SUSPENSION OF RULES

Representative B. Oshiro moved to suspend the rules of the House to reconsider action previously taken on H.B. No. 1436, HD 1, seconded by Representative Evans.

At 12:53 o'clock p.m. Representative Pine requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:54 o'clock p.m.

The Chair addressed Representative Choy, stating:

"Representative Choy, what is the motion before this Body?"

Representative Choy responded, stating:

"The Motion before this Body is to waive Committee referral on this and to put this bill on the floor for Third Reading."

The Chair responded, stating:

"We are suspending the Rules of the House to reconsider action taken on House Bill No. 1436, House Draft 1."

The motion was put to vote by the Chair and carried, and the rules were suspended to reconsider action previously taken on H.B. No. 1436, HD 1. (Representatives Berg, Finnegan and Takai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 428, recommending referral to the Committee on Education, seconded by Representative Evans and carried. (Representatives Berg, Finnegan and Takai were excused.)

SUSPENSION OF RULES

Representative B. Oshiro moved to suspend the rules of the House to consider certain House bills for Third Reading by consent calendar, seconded by Representative Evans.

The Chair then stated:

"Representative Ward, what is the motion before this Body at this point in time? Representative Blake Oshiro, please repeat the motion so that the Members understand what we are voting on."

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering certain House bills for Third Reading by consent calendar. (Representatives Berg, Finnegan and Takai were excused.)

UNFINISHED BUSINESS

H.B. 1436, HD 1:

Representative B. Oshiro moved that H.B. No. 1436, HD 1, pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I waited until the appropriate time, I hope. Mr. Speaker, I'm rising with reservations on this. I know it's Third Reading, but the Bill still has to go over to the Senate and be considered by them.

"A couple of things concern me. We are saying that we are opening up the agricultural district to educational facilities. The first thing I would think about there is, the wisdom of placing an educational facility in an agricultural district, where you're going to have some chemicals applied to the agricultural crops. So, what you're doing is putting students, really, in proximity to some substances that could cause some serious ramifications for the students.

"The other concern I have is, just because years ago I represented a client in a case involving the attempt to put a slaughter house near a residential project on Maui, and the concern is that if you're going to open this up to appurtenances that are handling livestock, then you could end up with some uses that maybe should go through a special permit process, instead of just being allowed as of right.

"And I would hope that the Senate would take a look at those concerns and consider it as they look at this bill. Thank you."

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

"Mr. Speaker, I rise in support. Mr. Speaker, my apologies for failing your pop-quiz, because I was thinking about what I was going to say, anticipating that she was going to speak. A good excuse, right?"

"I was actually preoccupied, because this is a bill which hits very close to home in the farmlands of Hawaii Kai, where the Kamilo Nui Valley has nurseries. That is Kamehameha Schools Bishop Estate land, and they want to integrate some of their educational classes with that land, and to get them down on the farm, so it's not abstract classroom, but here's really nurseries, here's real coqui frog dangers, etc. etc. And also, the Malama o Maunaloa Bay wants to show how the runoff from that valley really contributes to the pollution in Maunaloa Bay. So, Ag. and education can

go hand in hand. And for the edification of my colleague, I hope she would take that to heart. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 1436, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

At 12:59 o'clock p.m., the Chair noted that H.B. No. 1436, HD 1, passed Third Reading.

At this time, the Chair announced:

"Members, please note that House Bill No. 31 has been re-referred solely to the Committee on Labor & Public Employment, per committee referral sheet No. 24 that has been placed on your desk today. The Committees on Consumer Protection & Commerce and Judiciary waived their referral to this measure, and therefore it is appropriate for the House to consider action for passage on Third Reading."

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, to rules were suspended to reconsider action previously taken on H.B. No. 31. (Representatives Berg, Finnegan and Takai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved to reconsider action taken pursuant to the recommendation contained in Stand. Com. Rep. No. 205, recommending referral to the Committees on Consumer Protection & Commerce and Judiciary, seconded by Representative Evans and carried.

UNFINISHED BUSINESS

H.B. No. 31:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 31, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

At 1:01 o'clock p.m., the Chair noted that H.B. No. 31, passed Third Reading.

STANDING COMMITTEE REPORTS

Representative Yamane, for the Committee on Health presented two reports:

(Stand. Com. Rep. No. 649), recommending that H.R. No. 43, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 650), recommending that H.C.R. No. 53, be referred to the Committee on Finance.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 43 and H.C.R. No. 53, be referred to the Committee on Finance, seconded by Representative Evans.

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

"In opposition. We need to deal with HHSC this Session. We don't need another delay like this."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 43, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII HEALTH SYSTEMS CORPORATION TO ESTABLISH A BLUE RIBBON PANEL TO CONDUCT A HEALTH CARE NEEDS ASSESSMENT AND OPERATIONAL STRUCTURE ANALYSIS," was referred to the Committee on Finance with Representative Herkes voting no, and with Representatives Berg, Finnegan and Takai being excused; and

H.C.R. No. 53, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII HEALTH SYSTEMS CORPORATION TO ESTABLISH A BLUE RIBBON PANEL TO CONDUCT A HEALTH CARE NEEDS ASSESSMENT AND OPERATIONAL STRUCTURE ANALYSIS," was referred to the Committee on Finance with Representative Herkes voting no, and with Representatives Berg, Finnegan and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 651), recommending that H.C.R. No. 51, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 51, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO INCREASE EDUCATIONAL EFFORTS TO PREVENT AND ERADICATE CERVICAL CANCER," was referred to the Committee on Finance with Representatives Berg, Finnegan and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 652), recommending that H.C.R. No. 43, as amended in HD 1, 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.C.R. No. 43, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO INVESTIGATE HEALTH RISKS AND POTENTIAL ENERGY USES OF POLYSTYRENE FOOD CONTAINERS AND TO ESTABLISH STANDARDS FOR BIODEGRADABLE PLASTIC FOOD CONTAINERS AND GROCERY BAGS," was referred to the Committee on Consumer Protection & Commerce with Representatives Berg, Finnegan and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 653), recommending that H.R. No. 52, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 52, entitled: "HOUSE RESOLUTION URGING THE USE OF POLYVINYL CHLORIDE AND HIGH-DENSITY POLYETHYLENE PIPE AND FITTINGS FOR THE CONSTRUCTION OR REPAIR OF PRIVATE AND PUBLIC POTABLE WATER SYSTEMS," was referred to the Committee on Finance with Representatives Berg, Finnegan and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 654), recommending that H.C.R. No. 66, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 66, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE USE OF POLYVINYL CHLORIDE AND HIGH-DENSITY POLYETHYLENE PIPE AND FITTINGS FOR THE CONSTRUCTION OR REPAIR OF PRIVATE AND PUBLIC POTABLE WATER SYSTEMS," was referred to the Committee on Finance with Representatives Berg, Finnegan and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 655), recommending that H.C.R. No. 27, be referred to the Committee on Hawaiian Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 27, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF DISPARATE TREATMENT IN HAWAII'S CRIMINAL JUSTICE SYSTEM," was referred to the Committee on Hawaiian Affairs with Representatives Berg, Finnegan and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 656) recommending that H.B. No. 710, 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. 710, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 657) recommending that H.B. No. 1032, 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. 1032, entitled: "A BILL FOR AN ACT RELATING TO NOTARY PUBLIC SEALS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 658) recommending that H.B. No. 1075, 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. 1075, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 659) recommending that H.B. No. 875, 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. 875, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 660) recommending that H.B. No. 1554, 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. 1554, entitled: "A BILL FOR AN ACT RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 661) recommending that H.B. No. 135, 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. 135, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INSECT," passed Second Reading and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 662) recommending that H.B. No. 274, 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. 274, entitled: "A BILL FOR AN ACT RELATING TO PATRIOT DAY," passed Second Reading and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 663) recommending that H.B. No. 1070, 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. 1070, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 664) recommending that H.B. No. 813, 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. 813, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 665) recommending that H.B. No. 520, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 520, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I rise in opposition of Stand. Com. Rep. 665, Relating to Buildings. Thank you, very much. This bill seeks to completely repeal a law that was passed last year, which was passed through both Chambers, House and Senate, went up to the Fifth Floor, and was signed into law. And I think that the Founding Fathers, who created the process of the Legislature understood that bills would be vetted and that everyone should have a chance to improve and hone bills. And occasionally, yes, like a little *manini* fish, somehow some mistake gets through a hole in the net. But that does not mean to me that, because a *manini* fish got through the hole in the net, that somehow it didn't work.

"It's a bill that had a reason why it was voted on and passed into law. Because it was some kind of an idea that said that, 'Maybe this might work. Maybe this might be important.' Because we're knocking down a ton of buildings that are actually, like the plate lunch, a unique part of Hawaii. Hawaii is so unique in the sense that it can blend many different diverse elements. It doesn't stop at food. It doesn't stop at music. And it doesn't stop in architecture. What happens with architecture in Hawaii, when nobody really notices, 'cause look old, so knock 'um down. It's old fashioned. Like any kind of art, it has a message. It reveals our history,

and it reveals our heritage. And in unique cases, such as certain plantation homes, it is a unique blend, the *hapa haole* blend of Asian plus European, in the architecture.

"So, when people look at that, and you can explain it to a child, he's going to say, 'Wow, that's pretty cool.' It also expresses the graciousness of our time before, when you sat on your veranda and you looked out. These are ways to teach children.

"The thing is, we're knocking down buildings. Sometimes, they need to be knocked down. Go for it. What this bill initially intended, was merely to say, 'If the guy's dying, can we give him a funeral?' That's all we wanted. All the bill initially said was, take a photograph, and to go for it. So at least, later, we can recreate the building. It's not 'zippo', gone forever. Like a person, gone forever. You never can learn from them again.

"So, what I'm just saying is that I understand. It was the intention, and it got a life of its own. It went on, and there were mistakes made. The implementation was not in accordance with what this House and the Senate passed. But do we 'throw the baby out with the bath water?' To me, that is no more rash than the rash implementation of the bill. So you're kind of like doing the same thing, and then you're saying, 'Oh, somehow it made it through two houses, and it's a wrong bill.

"So, with all due respect, and I do respect very much the opponents of what's going on, and I empathize deeply. I know it has to be fixed. I cannot, in good conscience, vote in support."

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

Representative B. Oshiro's written remarks are as follows:

"In support of HB 520 HD1, which aims to modify Act 228 (2008) that was originally aimed at strengthening aspects of the State's Historic Preservation Office (SHPO) by requiring structures over fifty years old to be documented through archive quality photographs; the intent of this Act was consistent with best practices for historic preservation – and should be implemented in the future with the proper coordination with City and State officials.

"If our intention is to strengthen the State's current historic preservation practices then we should have a holistic approach and work to strengthen the State Historic Preservation Office both statutorily and financially.

"The introducers of this measure correctly identify the inability of City and State departments to effectively carry out the intent of Act 228. If we want real change as to how historic preservation protocol is carried out, then we need to adequately fund and staff the State Historic Preservation Office. This office is consistently underfunded, understaffed, and the support services to effectively carry out this office's mission are lacking (storage facilities, museum support, etc.).

"In the future, I hope that improving our State's Historic Preservation Office, and its mission, will include: adequate funding and staffing of the SHPO; improved research and conservation capabilities; appropriate recruiting of the SHPO director - requiring that the individual has some background in historic preservation; adoption and implementation of the International Existing Buildings Code (IEBC); convening a task force to identify ways to improve the Department's overall mission; and expanding the technological capabilities of the SHPO."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 520, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDINGS," passed Second Reading, and was placed on the calendar for Third Reading with Representative Ching voting no, and with Representatives Berg, Finnegan and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 666) recommending

that H.B. No. 921, 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. 921, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai 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. 667) recommending that H.B. No. 361, 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. 361, 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 Berg, Finnegan and Takai 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. 668) recommending that H.B. No. 1186, 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. 1186, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING DEVELOPMENT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 669) recommending that H.B. No. 382, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 382, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"I will be voting on this measure with reservations. I simply do not understand the bill, but I will reserve judgment until Third Reading, if I find out it is useful."

Representative Belatti 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. 382, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE TORT LIABILITY," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 670) recommending that H.B. No. 1148, 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. 1148, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 671) recommending that H.B. No. 147, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 147, HD 1, pass Second Reading and be placed on the calendar for Third Reading, 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 Thielen 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."

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

"I just want to stand with support with reservations for this particular measure, Stand. Com. Rep. 671. Originally, this bill increased the minimum value of stolen property of services constituting theft in the second degree, from \$300 to \$1000. But now in the recent amendment, it leaves it blank, and so it's a little easier for me to vote with reservations. I think my concern is that in 2005, the Penal Code Review Committee fully considered to increase this. However, they rejected it, saying it was unnecessary.

"And, my second concern is that I think we should stop veering, as a Body, to be more lenient to criminals, and instead, have them serve their time, or pay the price for their criminal actions."

Representative Tokioka 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 an aye vote with reservations for him, and the Chair "so ordered."

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

Representative Carroll 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. 147, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT IN THE SECOND DEGREE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Ching and Thielen voting no, and with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 672) recommending that H.B. No. 294, 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. 294, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL LIABILITY OF TRUSTEE TO THIRD PARTIES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 673) recommending that H.B. No. 1212, 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. 1212, HD 1, entitled: "A BILL FOR AN ACT RELATING TO

INFORMATION PRACTICES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 674) recommending that H.B. No. 1512, 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. 1512, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 675) recommending that H.B. No. 128, 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. 128, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 676) recommending that H.B. No. 130, 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. 130, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUDGMENTS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 677) recommending that H.B. No. 1751, 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. 1751, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNICATIONS FRAUD," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai 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. 678) recommending that H.B. No. 233, 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. 233, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai 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. 679) recommending that H.B. No. 654, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 654, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. A potential conflict. I have contractors in the family," and the Chair ruled, "no conflict."

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

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

"Mr. Speaker, may I have a ruling on a potential conflict? At my law firm, I do represent contractors. Thank you," and the Chair ruled, "no conflict."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 654, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representatives Manahan and McKelvey, for the Committee on Tourism, Culture, & International Affairs and the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 680) recommending that H.B. No. 1141, 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. 1141, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THRILL CRAFT OPERATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 681) recommending that H.B. No. 570, 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. 570, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 682) recommending that H.B. No. 1144, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1144, HD 1, pass Second Reading and be placed on the calendar for Third Reading, 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. 1144, HD 1, entitled: "A BILL

FOR AN ACT RELATING TO CONSERVATION OF THREATENED AND ENDANGERED SPECIES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representatives Ito and Morita, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 683) recommending that H.B. No. 589, 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. 589, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representatives Ito and Morita, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 684) recommending that H.B. No. 590, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 590, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, a 'no' vote please, on 'Relating to Renewable Energy Facilities,' because of the automatic approval provision. 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. 590, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," passed Second Reading, and was placed on the calendar for Third Reading with Representative Thielen voting no, and with Representatives Berg, Finnegan and Takai 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. 685) recommending that H.B. No. 1047, 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. 1047, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai 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. 686) recommending that H.B. No. 1008, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1008, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. With reservations on this bill, please. I'm concerned, Mr. Speaker, that the ultimate result will be to urbanize, or at least take some of our best lands out of agriculture. Thank you."

Representative Belatti 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. 1008, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 687) recommending that H.B. No. 730, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 730, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

Representative Mizuno's written remarks are as follows:

"I rise in support of Stand. Com. Rep. No. 687, HB No. 730, HD 1. According to the Humane Society of the United States, in a national ranking of dog fighting laws in the states and the District of Columbia, Hawaii ranked 50th in part, because it is one of two states with no penalties for paying admission or wagering on an organized dogfight or for breeding, selling or possessing dogs with the intent to fight them in a dogfight.

"The Michael Vick case sadly exposed the truth that no community is immune from dogfighting. Comprehensive laws, such as the contents contained in this measure, will properly equip Hawaii's law enforcement sector to successfully charge and convict those involved in dogfighting in Hawaii.

"Dogfighting is also associated with other crimes such as illegal gambling, drug distribution, and gang violence.

"Bait animals are also used, such as smaller dogs, cats, or even rabbits, to determine a dog's propensity to fight. These "bait animals" are also used in ring practice to sharpen the dogs killing skills for their matches.

"Dogs used in the actual dogfight are subject to extreme injuries and often die because of blood loss, dehydration, exhaustion, or infection hours or days after the fight."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 730, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 688) recommending that H.B. No. 1035, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1035, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Keith-Agaran 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. 1035, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPEALS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 689) recommending that H.B. No. 1229, 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. 1229, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTICE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representatives Karamatsu and Herkes, for the Committee on Judiciary and the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 690) recommending that H.B. No. 1415, 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. 1415, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai 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. 691) recommending that H.B. No. 640, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 640, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. A 'no' vote, please, for me on this, and just a few comments. Thank you. Mr. Speaker, there is a process underway right now, where there is a comprehensive review of the Environmental Impact Statement procedures in the statutes. Some of us have been contacted for personal interviews by the group that's doing the comprehensive review.

"There is a process in place whereby, the Department of Transportation or other entities can request an exemption. They have a list, in fact, of exemptions and should be able to refer to those to exempt certain things that will not have an environmental impact, or a cumulative impact. I don't think it's a good idea to step in the middle of this process and do a piecemeal fix. I don't think it's necessary at this point. Thank you."

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

"Mr. Speaker, in support of the measure, and just some additional information regarding this bill. This bill really wouldn't be necessary if certain agencies were doing their job. But unfortunately, the Department of Transportation is not using its exemption list, and they're requiring projects to go through the Chapter 343 process unnecessarily. As a result, there's a backlog of over 400 construction projects, and at some point the Legislature has to step in, because this kind of situation, which is really unnecessary if the laws were interpreted properly, and the exemption list, which actually exists right now, was used as it should be.

"So, in order to clear up this backlog, unfortunately, the Legislature needs to step in. 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. 640, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Second Reading, and was placed on the calendar for Third Reading with Representative Thielen voting no, and with Representatives Berg, Finnegan and Takai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 692) recommending that H.B. No. 1226, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1226, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

Representative Carroll rose and asked that the Clerk record a no vote for her, 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:

"This GMO-industry supported bill raises serious questions about regulation in the State of Hawaii that need to be addressed. However, our legislative response should not be a preemptive law that would eliminate nearly all county and State authority to regulate GMO.

"Currently, anyone can buy, grow, sell, or research GMO in Hawaii with very limited exception. In addition, GMO need not be labeled anywhere in the process. As a result, we actually have a lack of oversight, particularly as research has shown GMO can cross over and infiltrate crops on farms that are trying not to grow GMO and is associated with significant, but as yet unknown, human health risks. Also, many developed countries prohibit GMOs, which means we may jeopardize our ability to export crops in the future. My biggest concern is this bill, if law, would handcuff our State and county agencies and put our farmers and consumers at serious risk. Before moving forward with a GMO bill that would prohibit our State and county agencies from taking any regulatory action, we must make sure we have a system in place to protect our local economy and the health and safety of our people."

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

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

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

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

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

"Mr. Speaker, I rise in support. This is a very good bill. Thank you very much for your nodding in compliance. I believe that bio-technology will play an increasing and vital role for our future. We therefore need science. We depend upon science, but also we respect culture. And we need legal protection for genetic engineering for plant organisms, and their use is therefore necessary.

"This bill tries to address both sides. Science and technology, and also respecting culture and heritage. If carried out, and I believe in a

responsible manner in compliance with federal requirements, genetic engineering will be conducted safely, without endangering public safety, and also disrupting our heritage and culture in Hawaii. Thank you, very much."

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

"Thank you, Mr. Speaker. In strong support, and may I ask that the words from the speaker from the Big Island be inserted as if they were my own? And I'd like to thank him for all the hard work he has done over the past year and a half on this measure. Thank you, Mr. Speaker."

Representative Karamatsu rose in support of the measure and asked that the remarks of Representative Tsuji be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

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

"Mr. Speaker, I rise in support with a brief comment. As we talk about a global economy, it's a genetically modified economy. For those of us who worked a lot in overseas development, literally 80 percent of the cornmeal and the corn-fed people of the world have genetically modified corn. There's no turning back, and I know there's precautions about it. Taro is exempted in this one. Wheat has, maybe, 10 or 20 percent already. With genetically modified rice, it's maybe a little bit less. But in order to feed the world, this has been a blessing, and not the curse that I think some people, may be possibly mistaking it as being.

"It's science, it's a little more sophisticated than we can truly understand. But, it's something that's here, and it's something that I think we have to protect as we proceed. Thank you."

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

"Yes, Mr. Speaker. I want to speak in support of the bill. And I would like the remarks from the Chairman of Agriculture to be entered as my own. I just want to add that this is one of the best drafted bills that I've seen in a very long time. The language is very substantive, and it provides a balance for agriculture. Thank you, very much."

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

"Mr. Speaker, I'd like a ruling on a potential conflict. At my law firm, I represent the Hawaii Crop Improvement Association, but nothing related to this bill. Thank you," and the Chair ruled, "no conflict."

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

"Mr. Speaker, just standing in strong support, and I think the amendments that were made in the Agriculture Committee were more than reasonable, and I stand in strong support. 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. 1226, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED PLANT ORGANISMS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll and Morita voting no, and with Representatives Berg, Finnegan and Takai 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. 693) recommending that H.B. No. 1048, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1048, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I would like a vote with reservations, and a few remarks. Thank you. Mr. Speaker, I would ask Members to look at page 5 of this bill. The thing that is causing me trouble is found on lines 13 to 15. The bill states that in the establishment of boundaries for rural districts, the 'Land Use Commission shall include', and then it goes on to this provision that I find to be troubling, 'low density, residential lots, and residential subdivisions on agricultural lands existing before January 1st, 2009.' This could go out and catch some of those developments, including the one on the Big Island that was such a controversy a couple of years ago. I think it deserves further analysis, and I think the bill could go forward without that provision. 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. 1048, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representatives Ito and Cabanilla, for the Committee on Water, Land, & Ocean Resources and the Committee on Housing presented a report (Stand. Com. Rep. No. 694) recommending that H.B. No. 948, 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. 948, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Finnegan and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 695) recommending that H.B. No. 876, HD 1, pass 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. 876, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 696) recommending that H.B. No. 1270, HD 1, pass 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. 1270, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 697) recommending that H.B. No. 1101, HD 1, pass 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. 1101, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF HUMAN SERVICES," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 698) recommending that H.B. No. 866, HD 1, pass Third Reading.

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

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

"Thank you, Mr. Speaker. I stand in strong support of Stand. Com. Report No. 698, House Bill No. 866, House Draft 1. Mr. Speaker, first of all, I want to thank the Chairs of the Transportation and Judiciary Committees for hearing and passing out this measure, because I truly believe that this bill will, in fact, provide traffic relief for the residents of West Oahu and Central Oahu.

"Mr. Speaker, may I request permission to submit written comments into the Journal for my further comments? Thank you," and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I stand in strong support of Standing Committee Report No. 698, House Bill 866, House Draft 1, Relating to High Occupancy Vehicle Lanes. This bill would allow all motor vehicles, regardless of number of persons on board, to use high occupancy vehicle lanes or zipper lanes when one or more lanes of traffic have been shut down by law enforcement officers or emergency services personnel. It would also require the Department of Transportation to develop protocols for the use of HOV or zipper lanes.

"As commuters from the Leeward side know, many long hours that could be better spent at work or with family are spent commuting. Adding to the commute is the issue of accidents or other incidents on the freeway. For every minute that an incident (i.e. stall, blown out tire, car accident) is allowed to stay on the freeway, that incident causes 10 minutes of backlog in traffic. This adds to additional time wasted in traffic. Currently, the HOV/zipper lanes are overly restrictive and underutilized. As such, there must be more flexible use of the HOV and zipper lanes, particularly when incidents cause a lane to be closed. We must make full use of all lanes, mitigate traffic and reduce time on the road. For these reasons, Mr. Speaker, I stand in strong support. Thank you."

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

"Thank you very much, Mr. Speaker. In support. At first when I saw this bill, I had to admit, I thought it was another toll road special, but it obviously isn't. What's great about this bill is that it keeps traffic moving, and anything that keeps traffic moving is music to my ears. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 866, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai 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. 699) recommending that H.B. No. 808, pass 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. 808, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 700) recommending that H.B. No. 1165, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1165, pass Third Reading, 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 continued 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 the need for safety rules; however, the Maui 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 and record of indifference to 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 are primarily aimed at limiting or even displacing longtime community use of our harbor and other nearshore waters for commercial interests. I certainly hope this is not the case and that this is not primarily another example of commercial and business interests trumping local community concerns.

"I believe appropriate safety 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. Access and use of our nearshore waters are an important aspect of the Public Trust. 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 Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

At 1:25 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 876, HD 1
H.B. No. 1270, HD 1
H.B. No. 1101, HD 1
H.B. No. 866, HD 1
H.B. No. 808
H.B. No. 1165

THIRD READING

H.B. No. 254, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 254, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

H.B. No. 349, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 349, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE," passed Third Reading by a vote of 44 ayes to 4 noes, with Representatives Belatti, Luke, Morita and Takumi voting no, and with Representatives Berg, Finnegan and Takai being excused.

H.B. No. 1273, HD 1:

Representative B. Oshiro moved that H.B. No. 1273, HD 1, pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, I rise in opposition to this bill. I rise after quoting the Majority Leader who says, 'Read the bill, and then speak to the bill.' And I want you to know that I've read, I've re-read, then re-read the bill, and I've even talked to the Chair. Well, we exchanged an email about this. Does this have condominiums in it? And, as I indicated on Second Reading, I have a substantial concern in my district in that regard.

"Mr. Speaker, what I'd like to do is to walk through the bill, particularly where there seems to be a convolution, or a contradiction.

"Page 1 is very clear. It's a great bill. It has great intention. But on the purpose, it states that it is with single family dwellings in mind, except when you go down to the bottom of page 2, line 17. Every private entity is then mentioned, where it cannot prohibit or restrict clotheslines. And if you go to page 3, where it says what is a private entity, private entities include condominium associations.

"So Mr. Speaker, the intention is to exempt them out. Let us be clear, let us tweak it and tighten it, but the way it reads now, it's too 'loosey goosey' to really say that these guys in my district are not going to be brought in by this. Thank you."

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

Representative Har 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 H.B. No. 1273, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Ward voting no, and with Representatives Berg, Finnegan and Takai being excused.

H.B. No. 365, HD 1:

Representative B. Oshiro moved that H.B. No. 365, HD 1, pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, may I have ruling on a potential conflict? At my law firm, I represent contractors. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and H.B. No. 365, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Third Reading by a vote of 48 ayes, with Representatives Berg, Finnegan and Takai being excused.

At 1:29 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 254, HD 1
H.B. No. 349, HD 1
H.B. No. 1273, HD 1
H.B. No. 365, HD 1

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 72 through 79) and concurrent resolutions (H.C.R. Nos. 90 through 100) were referred to Printing and further action was deferred:

H.R. No. 72, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR ESTABLISH A TASK FORCE TO CONSIDER THE ESTABLISHMENT OF TOWNSHIPS OR OTHER POLITICAL SUBDIVISIONS TO ASSIST IN THE PROVISION OF INFRASTRUCTURE IN PRIVATE SUBDIVISIONS," was offered by Representative Hanohano.

H.R. No. 73, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH REPORTING REQUIREMENTS FOR HOSPITALS AND MEDICAL FACILITIES REGARDING HOSPITAL-ACQUIRED INFECTIONS," was jointly offered by Representatives M. Lee, Brower, Rhoads and Har.

H.R. No. 74, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT AN INDEPENDENT APPRAISAL OF MOLOKAI PROPERTIES LIMITED LANDHOLDINGS ON THE ISLAND OF MOLOKAI," was jointly offered by Representatives Ito and Har.

H.R. No. 75, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT, TO PROVIDE LIMITED ENFORCEMENT SERVICES AT NIGHT ON A REGULAR BASIS AND TO CONTINUE PROVIDING ENFORCEMENT SERVICES ON WEEKENDS AND HOLIDAYS AT KANEOHE BAY," was jointly offered by Representatives Ito and Chong.

H.R. No. 76, entitled: "HOUSE RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO INCLUDE GIFTED AND TALENTED STUDENTS IN THE SPECIAL NEEDS CATEGORY," was jointly offered by Representatives Awana, Cabanilla, Ching, Finnegan, Manahan, Marumoto, B. Oshiro, Thielen, Tsuji, Yamashita, Belatti, Chong, Karamatsu, Keith-Agaran, C. Lee, Magaoay, Sagum, Takumi and Tokioka.

H.R. No. 77, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO SET ASIDE STATE-OWNED LAND AT 6091 KALANIANA'OLE HIGHWAY AS "PRESIDENT BARACK OBAMA BIRTHPLACE STATE PARK.", " was jointly offered by Representatives Berg and Ward.

H.R. No. 78, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO ADOPT ORDINANCES PROHIBITING THE DISCHARGE OF BACKWASH FROM NEW RESIDENTIAL SWIMMING POOLS INTO STORM DRAINS AND REQUIRING DISCHARGE INTO A SANITARY SEWER," was jointly offered by Representatives Berg and Hanohano.

H.R. No. 79, entitled: "HOUSE RESOLUTION PROCLAIMING NOVEMBER 21, 2009, AS ISLAM DAY," was jointly offered by Representatives Berg, Hanohano and Belatti.

H.C.R. No. 90, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO STUDY THE FEASIBILITY OF THE FUTURE IMPLEMENTATION OF AN AMBULANCE DISPATCH CENTER ON THE WEST SIDE OF KAUAI, BASED IN KALAHEO," was jointly offered by Representatives Sagum, Morita and Tokioka.

H.C.R. No. 91, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR ESTABLISH A TASK FORCE TO CONSIDER THE ESTABLISHMENT OF TOWNSHIPS OR OTHER POLITICAL SUBDIVISIONS TO ASSIST IN THE PROVISION OF INFRASTRUCTURE IN PRIVATE SUBDIVISIONS," was offered by Representative Hanohano.

H.C.R. No. 92, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY, SHERIFF DIVISION, AND TO REPORT ON THE SUITABILITY OF THE ADMINISTRATIVE ORGANIZATION OF THE DEPARTMENT OF PUBLIC SAFETY AND SHERIFF DIVISION," was offered by Representative Hanohano.

H.C.R. No. 93, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH REPORTING REQUIREMENTS FOR HOSPITALS AND MEDICAL FACILITIES REGARDING HOSPITAL-ACQUIRED INFECTIONS," was jointly offered by Representatives M. Lee, Brower, Rhoads and Har.

H.C.R. No. 94, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AND FINANCIAL AUDIT OF THE HAWAII PUBLIC HOUSING AUTHORITY'S MAINTENANCE CONTRACTS," was jointly offered by Representatives Say, Chong, Manahan, Rhoads and Shimabukuro.

H.C.R. No. 95, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT AN INDEPENDENT APPRAISAL OF MOLOKAI PROPERTIES LIMITED LANDHOLDINGS ON THE ISLAND OF MOLOKAI," was jointly offered by Representatives Ito and Har.

H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT, TO PROVIDE LIMITED ENFORCEMENT SERVICES AT NIGHT ON A REGULAR BASIS AND TO CONTINUE PROVIDING ENFORCEMENT SERVICES ON WEEKENDS AND HOLIDAYS AT KANEOHE BAY," was jointly offered by Representatives Ito and Chong.

H.C.R. No. 97, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE A MEASURE TO REGULATE RESPIRATORY CARE PRACTITIONERS," was jointly offered by Representatives Nakashima, Awana, Brower, Herkes, Keith-Agaran, M. Lee, Magaoay, Manahan, Nishimoto, B. Oshiro, Saiki, Shimabukuro, Wooley, Yamane, Yamashita, Aquino, Belatti, Berg, Choy, Coffman, Hanohano and Rhoads.

H.C.R. No. 98, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO SET ASIDE STATE-OWNED LAND AT 6091 KALANIANA'OLE HIGHWAY AS "PRESIDENT BARACK OBAMA BIRTHPLACE STATE PARK.", " was jointly offered by Representatives Berg and Ward.

H.C.R. No. 99, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO ADOPT ORDINANCES PROHIBITING THE DISCHARGE OF BACKWASH FROM NEW RESIDENTIAL SWIMMING POOLS INTO STORM DRAINS AND REQUIRING DISCHARGE INTO A SANITARY SEWER," was jointly offered by Representatives Berg and Hanohano.

H.C.R. No. 100, entitled: "HOUSE CONCURRENT RESOLUTION PROCLAIMING NOVEMBER 21, 2009, AS ISLAM DAY," was jointly offered by Representatives Berg, Hanohano and Belatti.

ANNOUNCEMENTS

Representative M. Lee, for the Committee on Finance, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measures, stating:

House Bill 819, HD 2, 'RELATING TO CRIME.' This mandates that minors, 15 to 17 be tried as adults in cases of 1st and 2nd degree murder.

House Bill 593, HD 1, 'RELATING TO SHORELINE SETBACKS.' Allows DLNR to establish an interim construction moratorium along Kailua Beach.

House Bill 681, HD 1, 'RELATING TO THE TRANSIENT ACCOMMODATIONS TAX.' Requires that not less than 40 percent of moneys allocated to the Tourism Special Fund, from the TAT be used for tourism product development and cultural programs.

House Bill 378, HD 1, 'RELATING TO TRANSPORTATION.' Allows the Department of Transportation to hire and award security contracts by negotiation, and not through a bid.

House Bill 1567, HD 1, 'RELATING TO SKILLED NURSING FACILITIES.' Adds skilled nursing facilities to the businesses that may qualify for benefits, under the State Enterprise Zones Law.

House Bill 994, HD 1, 'RELATING TO TOURISM.' Appropriates an unspecified amount of funds for the application of a spaceport license.

House Bill 1098, HD 1, 'RELATING TO GENERAL ASSISTANCE.' Placing a four month limit on general assistance to households without minor dependents with appropriate exceptions.

House Bill 1097, HD 1, 'RELATING TO ASSISTANCE FOR AGED, BLIND, AND PERMANENTLY AND TOTALLY DISABLED PERSONS.'

These bills would be heard in room 308, one hour after session.

"In addition, decision-making would be held on the following bills, 30 minutes after the hearing has ended. The two bills that would be up for decision-making are:

House Bill 332, HD 1, 'RELATING TO EMPLOYMENT SECURITY.' Establishing eligibility for unemployment insurance. That was previously heard on Friday, February 27th.

House Bill 271, 'RELATING TO REAL PROPERTY.' This was heard on Tuesday, March 3rd. This permits the registrar of the Bureau of Conveyances to accept electronic documents with electronic signatures.

That would also be heard in Conference Room 308, and that would be 30 minutes after the end of the previous hearing. Thank you, Mr. Speaker."

ADJOURNMENT

At 1:32 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, March 6, 2009. (Representatives Berg, Finnegan and Takai were excused.)