

**HAWAII STATE
HOUSE OF REPRESENTATIVES**

REGULAR SESSION OF 2009

***ROUGH DRAFT
JOURNAL***

THIRTY-SEVENTH DAY

MARCH 27, 2009

OFFICE OF THE CHIEF CLERK



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THIRTY-SEVENTH DAY

Friday, March 27, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:08 o'clock p.m., with Vice Speaker Magaoy presiding.

The invocation was delivered by Mr. Pamai Tenn, after which the Roll was called showing all members present with the exception of Representatives Chang, McKelvey, M. Oshiro, Pine and Takai, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 274 and 275) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 274, dated March 24, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Act 219, Session Laws of Hawaii, 2007, Relating to the Health Care and Act 213, Part III, Section 52, Session Laws of Hawaii, 2007, Relating to the State Budget for the Hawaii Health Care Workforce Assessment.

Gov. Msg. No. 275, dated March 24, 2009, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2009, Pursuant to Act 213, Section 38, Session Laws of Hawaii, 2007, A Bill Relating to the State Budget Requiring the Department of Health to Prepare a Report on the Implementation of Medicaid Home & Community-based Services.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 6) was received and announced by the Clerk:

Sen. Com. No. 428, transmitting H.B. No. 520, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDINGS," which passed Third Reading in the Senate on March 25, 2009.

Representative B. Oshiro moved to disagree to the amendments made by the Senate to the following House bill, seconded by Representative Evans and carried: (Representatives Chang, McKelvey, M. Oshiro, Pine and Takai were excused.)

H.B. No. 520, HD 1, SD 1

INTRODUCTIONS

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

Representative Choy introduced the 2008 Hawaii High School Athletic Association Division I State Champs, the Punahou Buff 'n Blue Varsity Football Team. They were accompanied by Punahou President, Dr. James Scott; and Head Football Coach, Mr. Kale Ane.

Representative Marumoto introduced friends and family of the Football Team: grandparents, former District Judge and Mrs. Tenny Tong; and friend, Mr. David Arakawa.

Representative Marumoto also introduced her daughter, Ms. Wendy Suite, and grandson Brian Suite, a defensive back on the team.

Representative Berg further recognized and congratulated the Punahou Buff 'n Blue Football Team.

Representative Har introduced student artists from Makakilo Elementary School who were accompanied by teachers, Ms. Lisa Shindo, Ms. Betty Nishihara and husband, 'Papa' Nishihara; and Principal Mr. Sean Tajima.

Miss Kylie Kiyuna, 1st grade student with her parents, Mrs. Eileen and Mr. Ronnie Kiyuna, and sisters Sapphire and Kira;

Miss Keeley Oyadomari, 2nd grade student with her parents, Mrs. Felice and Mr. Shaye Oyadomari, brothers Dianni and Anotonio, and sister Bryanna;

Miss Nharee Cook, 1st grade student with mother, Ms. Amy Cook, sisters Abcdee and Loeghan, and brother Nunu.

Representative Ching introduced her 5 year old daughter Miss Anna Lauren Elizabeth Lerner, who was accompanied by her legislative staff Ms. Kristen Tibourtine.

Representative Carroll introduced leaders from the Ka Ipu Kukui Fellows program from Maui:

Ms. Kate Bahr, Lahaina Restoration Foundation;
Mr. Kainoa Casco, Dowling Company;
Ms. Ellen Federoff, Akimeka Technologies;
Mr. David Gorman, Morgan Stanley, Inc.;
Ms. Kuhea Paraculles, County of Maui, Office of the Mayor;
Ms. Kattie McMillian, Maui Community College;
Mr. Kevin Yoshida, Central Pacific Bank;
Ms. Leilani Pulmano, Maui Land & Pine Co.;
Mr. Jeff Rebugio, Kaanapali Land Management Corp;
Ms. Megan Webster, Maul Land & Pine Co.; and
Ms. Tamara Paltin, County of Maui, Department of Parts & Recreation.

Representative Chong introduced Ms. Myra Shozuya of the Legislative Reference Bureau, and her grandson, Nicholas.

At 12:22 o'clock p.m. Representative Takumi requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:24 o'clock p.m.

Representative Takumi introduced Education Week Honorees:

Ms. Erin Yagi from Waipahu Intermediate School, winner of the Presidential Award for Excellence in Mathematics and Science Teaching for 2007. She was accompanied by her son, Mr. Dearnin Yagi and Ms. Carol Yang-Endo from the Leeward District Office; and

Ms. Ivalee Sinclair, family specialist for the Department of Education's Community Children's Council Office, winner of the *Honolulu Advertiser* 2008 Jefferson Award and recipient of Mental Health America of Hawaii's lifetime achievement award. She was accompanied by friends, Mr. Eric Rolseth and Ms. Christy Nishimura.

Representative Berg introduced Education Week Honorees:

Ms. Alisha Deguair, third grade teacher at Kahakai Elementary School and winner of the National Milken Educators of Hawaii's 'Teacher of Promise' award. She was accompanied by Kahakai Elementary School, Principal Jessica Yamasawa; and

Ms. Carol Hotta, Maui District Itinerant teacher for the visually impaired and winner of the first Eva Smyth Educator of Blind Children Award. She was accompanied by her husband, Mr. Earle Hotta.

At 12:28 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:36 o'clock p.m.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.R.
No.

Re-referred to:

- 163 Committee on Health, then to the Committee on Finance
- 277 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

H.C.R.
No.

Re-referred to:

- 201 Committee on Health, then to the Committee on Finance
- 305 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance

S.B.
No.

Re-referred to:

- 378, SD1, HD1 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
- 636, SD1, HD1 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
- 1046, SD1 Committee on Higher Education, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1213) recommending that S.B. No. 580, SD 2, 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 S.B. No. 580, SD 2, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Keith-Agaran rose in support of the measure 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 strongly support SB 580, S.D. 2, H.D. 1 which will clarify that the State's forfeiture laws apply to natural resource violations. A recent Hawaii Supreme Court decision, *Carlisle v. One Boat, et. al.* (No. 26995, November 17, 2008) raised the issue of whether the State's forfeiture statutes and the DLNR administrative rules, as applied to natural resource violations, provide a legally sufficient statutory basis to authorize forfeiture claims by the State.

"This bill will validate the use of certain civil remedies, including forfeiture of property such as boats or water vessels, imposed to enforce violations of laws protecting the Kaho'olawe Island Reserve, caves and other historic preservation areas. This bill clarifies and confirms what DLNR and DOCARE have been doing over the years (i.e., seizing and forfeiting boats and other instruments used in natural resource violations). The language of Section 2 of this bill specifically provides that "violators may be subject to civil remedies, including forfeiture pursuant to Chapter

712A." Section 3 authorizes DLNR to participate in forfeitures by policy and to adopt rules for covering certain kinds of natural resource violations.

"I generally support giving DLNR's enforcement officers the necessary tools to be good stewards and to better foster sustainability. Many natural resource violations involving the use of a boat or fishing vessel fall within the category of petty misdemeanors punishable with a fine of no more than \$1,000 or imprisonment of not more than thirty days, or both. The relatively light punishment for such violations is not sufficient to deter a boat owner who commits a natural resource violation. Forfeiture of a violator's boat or vessel provides stronger deterrence than the current penalty provision for a petty misdemeanor. However, risking the loss of a boat or vessel worth possibly ten times more than the monetary penalty will certainly cause someone to think twice before attempting to use a boat or vessel to unlawfully poach within the Kaho'olawe Island Reserve and similar historic preservation areas.

"I urge my colleagues to vote in favor of the bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 580, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1214) recommending that S.B. No. 1088, SD 2, 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 S.B. No. 1088, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1215) recommending that S.B. No. 1318, SD 1, 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 S.B. No. 1318, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Hanohano and Souki, for the Committee on Public Safety and the Committee on Transportation presented a report (Stand. Com. Rep. No. 1216) recommending that S.B. No. 1059, SD 2, 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 S.B. No. 1059, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1217) recommending that S.B. No. 1060, SD 1, 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 S.B. No. 1060, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Second Reading and was referred to the

Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1218) recommending that S.B. No. 970, SD 1, 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 S.B. No. 970, SD 1, 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 Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1219) recommending that S.B. No. 969, SD 2, 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 S.B. No. 969, SD 2, 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 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 S.B. No. 969, SD 2, 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 Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1220) recommending that S.B. No. 1258, SD 2, 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 S.B. No. 1258, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1221) recommending that S.B. No. 1680, SD 2, HD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1680, SD 2, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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

Representative Bertram's written remarks are as follows:

"Mr. Speaker. I rise in support of SB1680 SD2 HD1. At the EBM Committee, there were over 500 testimonies in support of Senate language that would finally resolve the long standing PEG access organizations controversy. The Senate language follows the recommendations of our own HCR 358 task force which recommended against the use of procurement and recommended proper and effective oversight by the cable regulator.

"The CPC Committee received over a thousand testimonies in support of keeping the Senate's PEG language in. While there are some technical corrections requested by the Administration and industry, no one has testified or requested that the PEG language be removed. The public has overwhelmingly spoken and it wants the PEG issue resolved with the rest of the broadband issues. I stand with the public and the people of Maui in support passage of this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1680, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1222) recommending that S.B. No. 933, SD 2, 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 S.B. No. 933, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY LICENSURE OF DENTISTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1223) recommending that S.B. No. 571, 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 S.B. No. 571, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A VETERANS' MEMORIAL," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1224) recommending that S.B. No. 705, SD 1, 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 S.B. No. 705, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1225) recommending that S.B. No. 764, SD 2, 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 S.B. No. 764, SD 2, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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 S.B. No. 764, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1226) recommending that S.B. No. 1195, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

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

1195, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ECONOMY," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1227) recommending that S.B. No. 1140, SD 2, 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 S.B. No. 1140, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai 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. 1228) recommending that S.B. No. 967, SD 2, 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 S.B. No. 967, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1229) recommending that S.B. No. 585, SD 2, 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 S.B. No. 585, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1230) recommending that S.B. No. 1671, SD 1, 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 S.B. No. 1671, SD 1, HD 2, 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 Ching 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 S.B. No. 1671, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FOSSIL FUELS," was referred to the Committee on Finance with Representative Thielen voting no, and with Representatives Chang, Herkes, McKelvey, Pine, Takai 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. 1231) recommending that S.B. No. 1142, SD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1142, SD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ching 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 Ward 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 Marumoto 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 S.B. No. 1142, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai 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. 1232) recommending that S.B. No. 605, SD 1, 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 S.B. No. 605, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NOISE," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai 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. 1233) recommending that S.B. No. 470, 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 S.B. No. 470, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai 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. 1234) recommending that S.B. No. 887, SD 1, 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 S.B. No. 887, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai 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. 1235) recommending that S.B. No. 892, SD 1, 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 S.B. No. 892, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the

Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1236) recommending that S.B. No. 614, 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 S.B. No. 614, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1237) recommending that S.B. No. 896, SD 1, 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 S.B. No. 896, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1238) recommending that S.B. No. 1205, SD 2, 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 S.B. No. 1205, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1239) recommending that S.B. No. 876, SD 2, 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 S.B. No. 876, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1240) recommending that S.B. No. 1621, SD 2, 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 S.B. No. 1621, SD 2, 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 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 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."

Representative Ward 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 S.B. No. 1621, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Finance with Representatives Ching, Finnegan, Marumoto and Thielen voting no, and with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1241) recommending that S.B. No. 1223, SD 1, 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 S.B. No. 1223, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MADE PRODUCTS," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1242) recommending that S.B. No. 1173, SD 2, 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 S.B. No. 1173, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1243) recommending that S.B. No. 382, SD 1, as amended in HD 1, 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 S.B. No. 382, SD 1, HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

Representative Marumoto 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 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 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 S.B. No. 382, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Finnegan, Marumoto and Thielen voting no, and with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1244) recommending that S.B. No. 1226, SD 2, 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 S.B. No. 1226, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"On Stand. Com. Rep. Nos. 1244, 1245 and 1246, all with strong reservations."

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

"On Stand. Com. 1244, strong reservations as well."

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 S.B. No. 1226, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TOURISM SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1245) recommending that S.B. No. 1227, SD 2, 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 S.B. No. 1227, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"On Stand. Com. Rep. Nos. 1244, 1245 and 1246, all with strong reservations."

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 S.B. No. 1227, SD 2, 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 Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1246) recommending that S.B. No. 264, 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 S.B. No. 264, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"On Stand. Com. Rep. Nos. 1244, 1245 and 1246, all with strong reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 264, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1247) recommending that S.B. No. 1329, SD 2, 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 S.B. No. 1329, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Chang and Rhoads, for the Committee on Higher Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1248) recommending that S.B. No. 1665, SD 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 S.B. No. 1665, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai 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. 1249) recommending that S.B. No. 1263, SD 2, 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 S.B. No. 1263, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1250) recommending that S.B. No. 119, 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 S.B. No. 119, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM FOREIGN-COUNTRY MONEY JUDGMENTS RECOGNITION ACT," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1251) recommending that S.B. No. 843, SD 1, 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 S.B. No. 843, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1252) recommending that S.B. No. 1137, SD 2, 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 S.B. No. 1137, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1253) recommending that S.B. No. 931, SD 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 S.B. No.

931, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1254) recommending that S.B. No. 423, SD 1, 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 S.B. No. 423, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1255) recommending that S.B. No. 568, SD 2, 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 S.B. No. 568, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PRESCRIPTIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1256) recommending that S.B. No. 1178, SD 2, 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 S.B. No. 1178, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1257) recommending that S.B. No. 1673, SD 2, 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 S.B. No. 1673, SD 2, 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."

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 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 S.B. No. 1673, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1258) recommending that S.B. No. 1203, SD 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 S.B. No. 1203, SD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICE," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1259) recommending that S.B. No. 1568, SD 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 S.B. No. 1568, SD 2, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1260) recommending that S.B. No. 905, SD 2, 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 S.B. No. 905, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF COMMUNITY SERVICES," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1261) recommending that S.B. No. 1, SD 1, 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 S.B. No. 1, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OPIHI," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1262) recommending that S.B. No. 378, SD 1, 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 S.B. No. 378, SD 1, HD 1, pass Second Reading and be referred to the Committee on Judiciary, 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 C. Lee 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 an aye vote with reservations for her, 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 Berg 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 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 S.B. No. 378, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," passed Second Reading

and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1263) recommending that S.B. No. 521, SD 2, 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 S.B. No. 521, SD 2, 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 Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1264) recommending that S.B. No. 522, SD 2, 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 S.B. No. 522, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1265) recommending that S.B. No. 1141, SD 2, 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 S.B. No. 1141, SD 2, 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." [Note: Representative Thielen later changed her vote to a 'no' vote.]

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 to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I wish to register a 'no' vote to pass this forward. Looking at the expectation of this bill to offer the sale and exchange of parcels to leaseholders on Sand Island, knowing that it is ceded lands. The Department opposes the bill. The Attorney General says that it has constitutional concerns. I don't think this should go any further. Thank you."

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

Representative Belatti rose and asked that the Clerk record a no vote 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 Wooley 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 a no vote 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."

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

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

"Mr. Speaker, I'd like to change my reservations to a 'no' vote, please."

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

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

Representative Morita 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 the report of the Committee was adopted and S.B. No. 1141, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Finance with Representatives Belatti, Berg, Cabanilla, Finnegan, Luke and Thielen voting no, and with Representatives Chang, Herkes, McKelvey, Pine, Takai 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. 1266) recommending that S.B. No. 442, SD 2, 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 S.B. No. 442, SD 2, HD 2, 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 S.B. No. 442, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSIT ORIENTED DEVELOPMENT," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai 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. 1267) recommending that S.B. No. 1218, SD 2, 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 S.B. No. 1218, SD 2, 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 S.B. No. 1218, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATORS," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources presented a report (Stand.

Com. Rep. No. 1268) recommending that S.B. No. 1152, 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 S.B. No. 1152, HD 1, pass Second Reading and be referred to the Committee on Judiciary, 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 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 Marumoto 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 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 Berg rose and asked that the Clerk record an aye vote with reservations for her, 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1152, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai 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. 1269) recommending that S.B. No. 633, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Hawaiian Affairs.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 633, SD 1, HD 1, pass Second Reading and be referred to the Committee on Hawaiian Affairs, seconded by Representative Evans.

Representative Morita 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 S.B. No. 633, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER," passed Second Reading and was referred to the Committee on Hawaiian Affairs with Representatives Chang, Herkes, McKelvey, Pine, Takai 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. 1270) recommending that S.B. No. 1345, SD 1, 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 S.B. No. 1345, SD 1, 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 C. Lee 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 an aye vote with reservations for her, and the Chair "so ordered."

Representative Saiki 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 S.B. No. 1345, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1271) recommending that S.B. No. 468, SD 1, 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 S.B. No. 468, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1272) recommending that S.B. No. 636, SD 1, 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 S.B. No. 636, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1273) recommending that S.B. No. 709, SD 2, as amended in HD 1, 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 S.B. No. 709, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Agriculture with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka 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. 1274) recommending that S.B. No. 50, SD 1, 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 S.B. No. 50, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY PRODUCERS," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1275) recommending that S.B. No. 295, SD 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 S.B. No. 295, SD 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."

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 No. 1295, Senate Bill 295, Senate Draft 1, Relating to Transportation. This bill will allow high occupancy vehicle lanes to be used by hybrid and other energy-efficient vehicles including plug-in hybrid electric vehicles, regardless of the number of occupants.

"Mr. Speaker, I stand in strong support for two reasons. First, this adds an incentive to purchase energy efficient vehicles. Energy-efficient vehicles, such as hybrid vehicles and plug-in hybrid vehicles, are gaining increased acceptance in the consumer market. These vehicles are being purchased in greater numbers and are becoming a more common sight on our roadways. The use of these vehicles not only reduces the consumption of fossil fuels, but also aids in the reduction of pollution, including greenhouse-gas emissions. Providing incentives for the purchase and use of these vehicles, such as allowing these vehicles to use HOV lanes regardless of the number of occupants, will benefit the environment and decrease the State's dependence on fossil fuels.

"Secondly, our HOV lanes are currently underutilized. By allowing energy efficient vehicles to use HOV lanes, we can get more cars out of general purpose lanes and improve the flow of traffic. This will be one part of a traffic solution to minimize the time spent on the road. For these reasons, I stand in strong support. Thank you, Mr. Speaker."

Representative Ching rose in support of 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 strong support of S.B. 295 - Relating to Transportation. I introduced a similar measure as a freshman member of this Body and I am glad to see this bill is moving.

"Sierra Club says, "Hawaii is the most dependent state in the nation on imported oil. Some 50 million barrels are imported annually, nearly 80% of which originate from foreign sources. In addition, over 805,000 tons of coals are imported into our state. These sources provide power for over 92% of Hawaii's electricity generation. The combustion of these resources also contributes over 23 million tons of climate changing greenhouse gas into our atmosphere annually." Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 295, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1276) recommending that S.B. No. 718, SD 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 S.B. No. 718, SD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

Representative Bertram's rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support."

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 support of SB718 SD1 to require the adoption of a statewide "complete streets" policy. This bill makes the modest requirement that all roads, streets and highways constructed or maintained by the State or counties make reasonable accommodation for convenient access and mobility for all users -- not just cars.

"While the Department of Transportation has testified that building complete streets would cost too much, sadly we see what it costs in terms of tragic pedestrian accidents, countless lost hours stuck in traffic, billions from the local economy thrown down the tube to foreign oil, and the marginalization of an estimated one third of the public that doesn't own a car. When we don't have complete streets, our streets are not safe for every user and our roads are not inviting for all modes of transportation.

"Contrary to DOT testimony, this is not a mandate without flexibility. SB718 includes reasonable exemptions for highways, for example, where bikes and pedestrians are prohibited, and for projects in sparsely populated areas that would cost too much for their low probable use. And the task force called for in the bill should help resolve some of the questions heard in the testimony and bring groups together.

"Mr. Speaker, I am very optimistic that complete streets will revitalize our communities simply because the policy requires we build what's missing, like street and sidewalk lighting, beautiful landscaping, feeder routes, and safe bikeways.

"Let's ensure our beautiful island towns and cities have complete streets. Through this simple policy, we will be improving safety, reducing car congestion, cutting the foreign oil habit and improving public health, just by encouraging walking and biking. I urge passage of SB718. Mahalo."

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

Representative Belatti's written remarks are as follows:

"Mr. Speaker, I rise in support of SB 718, SD 1. I am in support of a Complete Streets policy for this State. The goal of Complete Streets is to make our public highways and trails accessible, convenient, and safe, not just for motorists, but also for a broad spectrum of other users, including pedestrians, bicyclists, transit users, and persons of all ages and abilities. A Complete Streets policy encourages alternative forms of transportation so that the people of Hawaii may come to rely less on their cars.

"Designing our streets to make room for pedestrians and bicyclists will produce many positive results for our State and our people. Making the option of walking or biking more readily available will promote healthy physical activity. The resulting decrease in cars on our roads will reduce our dependence on fossil fuels, reduce traffic congestion, and reduce vehicular air and noise pollution. A Complete Streets policy will make room for all of us on Hawaii's roads, thereby reducing the incidence of pedestrian and bicyclist injuries and fatalities. A Complete Streets policy promises to improve the quality of life for all of Hawaii's citizens. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 718, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1277) recommending that S.B. No. 1224, SD 1, 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 S.B. No. 1224, SD 1, 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:

"A 'no' vote, please, on 1277. Mr. Speaker, this is the bill where we give a break to lessees out at the airport, but we don't give a break to the others that are leasing State or county lands. It singles out one group for favorable treatment. Maybe there are compelling reasons, but in this time, there are compelling reasons, I think, for many other small business people. I just don't think this bill is fair.

"Now, we have the Superferry decision, so this may be looked at, as that kind of single issue, single focus legislation, and it may not even withstand judicial scrutiny. But, I think we're being unfair to all the others, at the expense of their operations, by giving this off to this one group. Thank you."

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support with reservations for S.B. 1224 - Relating to Airport Concessions. This bill would allow government to pick winners and losers in the economy by deciding how much rent concessions should pay based on their performance. Unprofitable concessions would then pay less rent than profitable ones. This is not fair to the profitable concessions. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1224, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONS," passed Second Reading and was referred to the Committee on Finance with Representative Thielen voting no, and with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1278) recommending that S.B. No. 1611, SD 2, 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 S.B. No. 1611, SD 2, 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."

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 an aye vote with reservations for him, 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 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 S.B. No. 1611, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second

Reading and was referred to the Committee on Finance with Representatives Ching and Marumoto voting no, and with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1279) recommending that S.B. No. 427, 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 S.B. No. 427, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1280) recommending that S.B. No. 242, SD 2, 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 S.B. No. 242, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1281) recommending that S.B. No. 688, 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 S.B. No. 688, HD 2, 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. I'll be very brief because the Chair of EBM is not here, because I wanted to commend him for doing what otherwise would be impossible. This is a bill that says that if you buy a business, you've got to keep the employees, or at least those who are non-supervisory.

"But, he and the Vice Chair, in a very innovative way, have brought the two sides together. I like the spirit of bringing labor and management together. That's very, very well, and that's really why I wanted to stand to commend them about. Because it says that if you keep the employees, you get a 4% G.E. Tax holiday for a year.

"Now because this was a HD 1, I'm not sure whether business likes it, or labor likes it, but the fact that it's moving on, and it's creative, and it's in the spirit of trying to put a quarter of a loaf and a quarter of a loaf, and maybe you get a half of a loaf out of it. I wanted to stand to commend the Chair. 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 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 S.B. No. 688, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," was referred to the

Committee on Finance with Representatives Ching, Finnegan, Marumoto and Thielen voting no, and with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1282) recommending that S.B. No. 205, SD 1, 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 S.B. No. 205, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OWNER-BUILDERS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1283) recommending that S.B. No. 178, SD 1, be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 178, SD 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 S.B. No. 178, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1284) recommending that S.B. No. 1248, SD 1, 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 S.B. No. 1248, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1285) recommending that S.B. No. 266, SD 2, 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 S.B. No. 266, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GLOBAL WARMING," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1286) recommending that S.B. No. 464, SD 2, 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 S.B. No. 464, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1287) recommending

that S.B. No. 466, SD 2, 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 S.B. No. 466, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO POLLUTION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai 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. 1288) recommending that S.B. No. 701, SD 2, 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 S.B. No. 701, SD 2, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

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

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

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

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in strong support. This measure addresses the concerns from constituents along the Waianae Coast who have been plagued by the only solid municipal landfill in the City and County of Honolulu. I had organized and held a series of three meetings with the community on their concerns about landfills for the past two years. Officials from the Department of Health were present to answer questions and provide resources to meeting attendees.

"Mr. Speaker, landfills have been a concern for the residents along the Waianae Coast for a very long time. This measure will force our City and County to look elsewhere if another solid municipal landfill is to be established. However, my hope is that discussions surrounding landfills will soon be the thing of the past and alternatives can be implemented when addressing waste. Thank you, Mr. Speaker."

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

"I rise with reservations on this measure. First, this bill is a good example of bad public policy. I do understand the concerns of residents on the Leeward Coast. They have been burdened with the problem of waste for many years, and the health concerns are valid.

"This bill, however, places a moratorium on the construction of any new solid waste landfills and/or the expansion of any existing private solid waste landfills in the Waianae, Waialua, Koolaupoko and Koolauloa Districts. It does not mention Central Oahu, Mililani, Kunia or Wahiawa—all of which lie above the Pearl Harbor Aquifer.

"I was part of the effort to keep Mililani's water supply pure after pesticide contamination was found in 1986. I strongly oppose any policy which, intended or not, would permit any landfill over the Pearl Harbor Aquifer. I suggest this bill be amended or voted down."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 701, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDFILLS," passed Second

Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai 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. 1289) recommending that S.B. No. 536, SD 1, 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 S.B. No. 536, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

Representative Belatti's written remarks are as follows:

"Mr. Speaker, I rise in support of SB 536, SD 1, HD 1, which calls for the development of a Statewide Starlight Reserve Strategy to preserve the quality of Hawaii's night sky. The night sky visible from Hawaii, the most isolated land mass on earth, is perhaps more spectacular than the night sky that can be viewed from anywhere else. It is a unique educational, scientific, cultural, environmental, health, and economic resource worth preserving for future generations.

"First, our night sky has important educational and scientific value. Our two astronomy observatories at Maunakea and Haleakala are world-renowned for the views of the heavens that they afford.

"Second, our night skyscape has irreplaceable value to our native peoples, who have relied on the stars to assist them with agricultural cycles, fishing cycles, and oceanic navigation. Younger generations who are now reviving Native Hawaiian cultural and traditional practices depend on the continued preservation of the night sky.

"Third, a naturally dark night sky is a valuable environmental and health resource. Endangered animals like Newell's shearwater birds and sea turtles can become disoriented by too much ambient night light.

"Lastly, there are a growing number of visitors who come to Hawaii to enjoy our unparalleled views of the heavens. These visitors constitute a tourist market we should cultivate.

"Hawaii is a unique place with natural resources found nowhere else in the world. This State should be at the forefront of worldwide efforts to preserve its view of the night sky. For all of these reasons, I stand in strong support of the Statewide Starlight Reserve Policy embodied in SB 536 SD 1 HD 1."

Represent Ching rose to speak in support of the measure, stating:

"Thank you. I stand in strong support of this bill, Mr. Speaker. Thank you. Mr. Speaker, what this bill does, is it requires DBEDT to develop an Advisory Committee to develop a Statewide Starlight Reserve Strategy and preserve the quality of the night sky, associated scientific, astronomical, natural, landscape related values.

"One of our prides and joy is the fact that we are one of the best places in the world for astronomy. That is a reflection of excellence in this State. And, what they came to tell us, is that the light from Maui and Oahu is traveling over to the Big Island, to Mauna Kea. And it is affecting the ability to see the astronomical, constellations, etc. All the research that's going into that.

"What catches my attention, because I've been following this issue for some time, is that not only is light linked to problems with some of the natural behavior of our *honu*, but actually, they're finding more and more that it is detrimental to health of human beings. It interrupts the circadian rhythm of people. Even though you may have curtains, even though you may have all of this, it's linked to breast cancer and some other ailments.

"But more important, well, that's important too, but all three of the reasons, not only is it affecting one of our reflections of excellence, and it is bad for the natural environment and our health, but it costs a lot of money. And I would propose that if we were to, as there are initiatives coming out of Australia and New Zealand, to turn off your lights more often, and to be more judicious about when we're putting our nightlight's on, you would save a lot of money. You would save a lot of energy.

"And so, this is something that to me has a lot of merit, and I would just like to ask for additional written comments."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of S.B. 536 - Relating to Starlight Reserve. I believe the starlight reserve has a vast range of benefits to the State. The starlight reserve will produce energy savings by reducing wasteful use of light at night, improve glare from roadway lighting and preserve the ability of Hawaii's residents and visitors to view the beauty of the night sky.

"Richard Wainscoat, who works at the University of Hawaii Institute for Astronomy and as President of Commission 50 of the International Astronomical Union, states in his testimony that "Mauna Kea Observatory on the Island of Hawaii is arguably the best observing site on Earth. Haleakala Observatory on Maui is among the best observing sites in the Northern Hemisphere. Mauna Kea is threatened by light pollution. Haleakala already suffers from significant light pollution that comes both from Maui County and from Oahu. Much of it is unnecessary, and results from careless and wasteful use of light at night." Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 536, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STARLIGHT RESERVE," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai 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. 1290) recommending that S.B. No. 1008, SD 1, 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 S.B. No. 1008, SD 1, 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:

"A 'no' vote please, on Relating to Water Quality Standards, Mr. Speaker. I don't believe in lessening the standards. Thank you."

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

Representative Rhoads 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 S.B. No. 1008, SD 1, 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 Representative Thielen voting no, and with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Morita and McKelvey, for the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1291) recommending that S.B. No. 1065, SD 2, 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 S.B. No. 1065, SD 2, 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 Consumer Protection & Commerce with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representatives Morita and Tsuji, for the Committee on Energy & Environmental Protection and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1292) recommending that S.B. No. 512, SD 2, 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 S.B. No. 512, SD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, I have reservations on this bill, but it's not to be construed that I'm opposed to biofuel development. It's just, I feel that this bill needs a little more study, and a little more work. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 512, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1293) recommending that S.B. No. 109, SD 2, 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 S.B. No. 109, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR JUVENILES," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

At 1:00 o'clock p.m. Representative Thielen requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:01 o'clock p.m.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1294) recommending that S.B. No. 851, SD 1, 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 S.B. No. 851, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1295) recommending that S.B. No. 912, SD 2, 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 S.B. No. 912, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERMANENCY HEARINGS," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1296) recommending that S.B. No. 1352, SD 2, 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 S.B. No. 1352, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUREAU OF CONVEYANCES," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1297) recommending that S.B. No. 504, SD 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 S.B. No. 504, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1298) recommending that S.B. No. 713, SD 2, 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 S.B. No. 713, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EMERGENCY ENVIRONMENTAL WORKFORCE," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1299) recommending that S.B. No. 1334, SD 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 S.B. No. 1334, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN MUSIC AND DANCE," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1300) recommending that S.B. No. 602, SD 2, 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 S.B. No. 602, SD 2, 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 602, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ARTS," was referred to the

Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1301) recommending that S.B. No. 1083, SD 1, 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 S.B. No. 1083, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BURIAL SITES," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai 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. 1302) recommending that S.B. No. 1268, SD 2, 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 S.B. No. 1268, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, 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."

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 S.B. No. 1268, SD 2, 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 Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1303) recommending that S.B. No. 932, SD 2, 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 S.B. No. 932, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFECTIOUS DISEASE TESTING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1304) recommending that S.B. No. 940, SD 1, 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 S.B. No. 940, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1305) recommending that S.B. No. 496, SD 2, 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 S.B. No. 496, SD 2, 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."

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

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

"A ruling on a potential conflict. At my law firm, I represent Charter Schools. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 496, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Finance with Representative Marumoto voting no, and with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1306) recommending that S.B. No. 389, SD 1, 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 S.B. No. 389, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1307) recommending that S.B. No. 754, SD 1, 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 S.B. No. 754, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Tokioka, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1308) recommending that S.B. No. 1148, SD 2, 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 S.B. No. 1148, SD 2, 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 S.B. No. 1148, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPREHENSIVE OFFENDER REENTRY SYSTEM," was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1309) recommending that S.B. No. 44, SD 2, 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 S.B. No. 44, SD 2, 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."

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 Ward 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 S.B. No. 44, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Finance with Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka being excused.

ADJOURNMENT

At 1:05 o'clock p.m. on motion by Representative Evans, seconded by Representative Ching and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, March 30, 2009. (Representatives Chang, Herkes, McKelvey, Pine, Takai and Tokioka were excused.)

HOUSE COMMUNICATION

House Communication dated March 27, 2009, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has disagreed to the amendments made by the Senate to the following House bill:

H.B. No. 520, HD 1, SD 1