

**HAWAII STATE
HOUSE OF REPRESENTATIVES**

REGULAR SESSION OF 2009

***ROUGH DRAFT
JOURNAL***

FORTY-FIFTH DAY

APRIL 9, 2009

OFFICE OF THE CHIEF CLERK



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FORTY-FIFTH DAY

Thursday, April 9, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:04 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Representative James Kunane Tokioka, after which the Roll was called showing all members present with the exception of Representatives Aquino, Berg, Herkes, Keith-Agaran, Marumoto, Morita, M. Oshiro and Takai, who were excused.

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

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. Nos. 283 through 285) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 283, dated April 14, 2009 [*sic*], transmitting the Hawaii 3Rs Program and School Repair and Maintenance Fund report prepared by the Department of Education in response to HB 0500, HD 1, SD 1, CD 1, Section 81, Act 213 (SLH 2007) and Section 302A-1502.4.

Gov. Msg. No. 284, dated April 14, 2009 [*sic*], transmitting the March, 2009 Report On The Medicaid School-Based Claiming Program prepared by the Department of Education in response to SB 1394, Act 141 (SLH 2005).

Gov. Msg. No. dated April 7, 2009, transmitting the Department of Defense, Office of Veterans Services report on Adequacy of Services for Veterans, in accordance with Act 213, Session Laws of Hawaii 2007, pursuant to Act 231, Session Laws of Hawaii 2001.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 476 through 481) were received and announced by the Clerk:

Sen. Com. No. 476, informing the House that the Senate has disagreed to the amendments proposed by the House on the following Senate Bills:

S.B. No. 58, SD 2, HD 1
S.B. No. 203, SD 2, HD 1
S.B. No. 848, HD 1
S.B. No. 940, SD 1, HD 1
S.B. No. 1195, SD 1, HD 2

Sen. Com. No. 477, transmitting S.C.R. No. 64, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING EACH JURISDICTION WITHIN THE STATE OF HAWAII TO SUBMIT PERIODIC REPRICING REVIEWS, AS REQUIRED UNDER SECTION 89-9, HAWAII REVISED STATUTES," which was adopted by the Senate on April 8, 2009.

Sen. Com. No. 478, transmitting S.C.R. No. 67, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HOUSE AND SENATE COMMITTEES ON LABOR TO CONDUCT JOINT HEARINGS TO ASSESS THE PERFORMANCE OF THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN AND PLAN ADMINISTRATORS, AND TO RECOMMEND APPROPRIATE MEANS TO RESOLVE COMPLAINTS BY PLAN MEMBERS," which was adopted by the Senate on April 8, 2009.

Sen. Com. No. 479, transmitting H.B. No. 593, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHORELINE SETBACKS," which passed Third Reading in the Senate on April 8, 2009.

Sen. Com. No. 480, transmitting H.B. No. 1141, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THRILL CRAFT OPERATION," which passed Third Reading in the Senate on April 8, 2009.

Sen. Com. No. 481, transmitting H.B. No. 1436, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on April 8, 2009.

Representative B. Oshiro moved to disagree to the amendments made by the Senate to the following House bills, seconded by Representative Evans and carried: (Representatives Aquino, Berg, Herkes, Keith-Agaran, Marumoto, Morita, M. Oshiro and Takai were excused.)

H.B. No. 593, HD 2, (SD 1)
H.B. No. 1141, HD 1, (SD 1)
H.B. No. 1436, HD 1, (SD 1)

INTRODUCTIONS

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

Representative Chang introduced promoter, Mr. Tom Moffat, and his publicist, Ms. Tracy Laruya.

Representative Yamane introduced Ms. Regina Toguchi and Ms. Monica Toguchi from Highway Inn Restaurant.

Representative Tokioka introduced friends from Kauai, cancer patient volunteer, Aunty Annie Cabating; her daughters, Ms. Nalani Cabating and Ms. Merlinda Cabating, and friend, Ms. Joyce Kubota.

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

The House of Representatives reconvened at 12:40 o'clock p.m.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>S.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>
37	Committee on Agriculture, then to the Committee on Finance
38, SD1	Committee on Agriculture, then to the Committee on Finance
56, SD1	Committee on Health, then to the Committee on Finance
57, SD1	Committee on Health, then to the Committee on Finance
63, SD1	Committee on Health, then to the Committee on Judiciary
69, SD1	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
77, SD1	Committee on Health

87, Committee on Housing
SD1

(Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka were excused.)

102, Committee on Health, then to the Committee on Finance
SD1

UNFINISHED BUSINESS

121, Committee on Agriculture, then jointly to the Committee on
SD1 Higher Education and the Committee on Education

S.B. No. 438:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 438, entitled: "A BILL FOR AN ACT RELATING TO BOARD OF EDUCATION MEETINGS," passed Third Reading, with Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka being excused.

COMMITTEE REASSIGNMENTS

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

H.C.R.

Nos. Re-referred to:

206, Committee on Economic Revitalization, Business, & Military
HD1 Affairs, then to the Committee on Finance

At 12:42 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 438

221, Committee on Consumer Protection & Commerce
HD1

The Chair then announced:

"Members, Stand. Com. No. 1456 and S.B. No. 1677 will be deferred one legislative day."

S.B.

Nos. Re-referred to:

438 Committee on Education

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1456) recommending that S.B. No. 1677, SD 1, HD 1, as amended in HD 2, pass Third Reading.

1108 Committee on Hawaiian Affairs

By unanimous consent, action on Stand. Com. Rep. No. 1456 and S.B. No. 1677, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," was deferred one legislative day.

S.C.R.

No. Re-referred to:

126, Jointly to the Committee on Transportation and the Committee
SD1 on Energy & Environmental Protection, then to the Committee on Finance

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1570) recommending that S.B. No. 1073, SD 1, HD 1, as amended in HD 2, pass Third Reading.

At this time, the Chair announced:

"Members, please note that S.B. No. 438 has been re-referred solely to the Committee on Education per Committee Referral Sheet No. 52 that was placed on your desk today. The Committee on Judiciary waived its referral to this measure and therefore it is appropriate for the House to consider action for passage on Third Reading."

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1073, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," passed Third Reading by a vote of 46 ayes, with Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1571) recommending that S.B. No. 281, as amended in HD 1, pass Third Reading.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, to rules were suspended to reconsider action previously taken on S.B. No. 438. (Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka were excused.)

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 281, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," passed Third Reading by a vote of 46 ayes, with Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka being excused.

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 1119, recommending referral to the Committee on Judiciary, seconded by Representative Evans and carried. (Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka were excused.)

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1572) recommending that S.B. No. 35, SD 1, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 35, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

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

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering certain Senate bills for Third Reading by consent calendar.

"Mr. Speaker, may I have a ruling on a potential conflict? I am a certified public accountant," 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. 35, SD 1, HD 1, entitled: "A

BILL FOR AN ACT RELATING TO MORTGAGES," passed Third Reading by a vote of 46 ayes, with Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1573) recommending that S.B. No. 711, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 711, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, I rise with strong reservations on this measure. This calls for buses that are longer than what we have now. Three units, as a matter of fact. I would much rather see them come more frequently, than to invest \$1.2 million in buses. At this point, I don't believe that the bus system has demonstrated that we need to have buses longer than what we have now. Thank you."

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 to S.B. 711 – Relating to Transportation. I do support this bill for the fact that the 80 ft bus can carry 150 people at a time and provide traffic relief to Hawaii's congested roadways, but I also have some concerns on this bill. I am concerned about the visibility of the roadways and cross-walks for our seniors when there is an 80 ft bus in front of them. I also have concerns that many of the bus stops would have to be increased by 90 ft and doing so could take away a number of our already limited parking spaces.

"There is a trend of larger vehicles these days and we are experiencing problems in my district. This trend has resulted in my residence having to give up parking spots. I am a big believer in the concept of a walkable community and I hope this bill does not increase the number of our already high pedestrian fatality rate. 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. 711, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 46 ayes, with Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1574) recommending that S.B. No. 932, SD 2, HD 1, as amended in HD 2, pass Third Reading.

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 2, entitled: "A BILL FOR AN ACT RELATING TO INFECTIOUS DISEASE TESTING," passed Third Reading by a vote of 46 ayes, with Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 1575) recommending that S.B. No. 1066, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1066, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Third Reading by a vote of 46 ayes, with Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1576) recommending that S.B. No. 426, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 426, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed Third Reading by a vote of 46 ayes, with Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1577) recommending that S.B. No. 933, SD 2, HD 1, as amended in HD 2, pass Third Reading.

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 2, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY LICENSURE OF DENTISTS," passed Third Reading by a vote of 46 ayes, with Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1578) recommending that S.B. No. 382, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 382, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

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

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

"Yes. In opposition. Yes, I am in opposition to this measure because it splits the authority to appoint members of this Board from the Governor. Many Governors in the past have had the full authority to appoint all members, and I think we continue to overstep the division of the different Branches by changing this."

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

"Mr. Speaker, I am also in opposition. I really feel that this bill moves the Legislative Branch into the Executive Branch. In other words, we'll be taking over some Executive functions. So, I will be voting 'no.'"

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 2, entitled: "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY," passed Third Reading by a vote of 43 ayes to 3 noes, with Representatives Finnegan, Marumoto and Pine voting no, and with Representatives Berg, Herkes, Keith-Agaran, Morita, Takai and Tokioka being excused.

At 12:46 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1073, SD 1, HD 2
 S.B. No. 281, HD 1
 S.B. No. 35, SD 1, HD 1
 S.B. No. 711, SD 1, HD 2
 S.B. No. 932, SD 2, HD 2
 S.B. No. 1066, SD 2, HD 1
 S.B. No. 426, HD 2
 S.B. No. 933, SD 2, HD 2
 S.B. No. 382, SD 1, HD 2

STANDING COMMITTEE REPORTS

The Chair then announced:

"Members, please note the 48-hour notice for Stand. Com. Nos. 1590 through 1997."

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1590) recommending that S.B. No. 205, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1590 on S.B. No. 205, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 205, SD 1, HD 2, were made available to the members of the House.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1591) recommending that S.B. No. 300, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1591 on S.B. No. 300, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 300, SD 2, HD 2, were made available to the members of the House.

Representatives Herkes and Karamatsu, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1592) recommending that S.B. No. 53, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1592 on S.B. No. 53, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 53, HD 1, were made available to the members of the House.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1593) recommending that S.B. No. 420, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1593 on S.B. No. 420, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 420, SD 2, HD 2, were made available to the members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1594) recommending that S.B. No. 764, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1594 on S.B. No. 764, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 764, SD 2, HD 2, were made available to the members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1595) recommending that S.B. No. 937, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1595 on S.B. No. 937, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 937, HD 1, were made available to the members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1596) recommending that S.B. No. 1259, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1596 on S.B. No. 1259, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1259, SD 2, HD 2, were made available to the members of the House.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1597) recommending that S.B. No. 34, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1597 on S.B. No. 34, SD 1, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 34, SD 1, HD 1, were made available to the members of the House.

Representatives Ito and Cabanilla, for the Committee on Water, Land, & Ocean Resources and the Committee on Housing presented a report (Stand. Com. Rep. No. 1598) recommending that S.B. No. 1350, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1350, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1599) recommending that S.B. No. 292, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 292, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, 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 Hanohano 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. 292, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1600) recommending that S.B. No. 387, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 387, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, I rise with reservations, with just a brief comment. This bill attempts to make the Governor subservient to the Legislature, by having to report what she is or is not doing with the money. And, I know somebody is going to say, 'No, no, no. This bill doesn't do that.' Well, why just now? And why just this Governor, is the question. Thank you."

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

"I rise in support. Very briefly. This isn't a matter of making anyone subservient to the Legislature. This is a matter of being accountable to the public. Thank you."

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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 387, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1601) recommending that S.B. No. 659, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 659, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1602) recommending that S.B. No. 917, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 917, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THIRD PARTY LIABILITY FOR MEDICAID," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1603) recommending that S.B. No. 1111, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1111, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"Yes, on Stand. Com. Report 1603, I am in opposition. Yes, this would increase the Transient Accommodation Tax, and I think that in this economy, as we're trying to compete with other visitor destinations, it's important that we don't do anything that would increase the costs of people to come here. I think it would be devastating to our economy. And with that, the House Republican Caucus will be voting 'no' on this measure."

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

"Mr. Speaker, as my colleague has just stated, and I'm standing in opposition. The Finance Committee, without even an iota of doubt, said, 'Don't do this. Don't do it now. It's going to hurt.' And the response is, 'Well, it's still blank.' Well, they're talking about 1%.

"The point is, the people of Hawaii, the industries of Hawaii, the small businesses of Hawaii are Taxed Enough Already. That stands for TEA, which on the 15th of this month, there is going to be a big rally, and this is

probably one of the things that they're going to be upset with. This is not a good bill, Mr. Speaker. Thank you."

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

"Mr. Speaker, I rise in support. Mr. Speaker, I travel throughout the United States, like many of us as legislators do. We go into towns, we pay our hotel, and we pay our transient taxes. I think you'll find that they vary significantly. In many, many places, they charge a whole lot more than us. And, I think keeping this alive, keeping the debate going, and knowing where we fit overall across the United States, is a good thing.

"We love our visitors. We want them to come. But also, we need to know where we fit elsewhere, and it may be appropriate to take a look. So, I think we should keep the discussion going. Thank you."

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

"Mr. Speaker, I rise in opposition to this bill. I'd like the words of the Representative from Ewa Beach entered as my own.

"It's easy to tax tourists. It seems like it's not us, so, why don't we load up on taxes against the tourists. But, tourists are our lifeblood. And whether we like it or not, tourism still is our number one industry. It is most important to our economy. It pays for our education and health services, and we need those revenues very much, especially in these days.

"Other towns may have a heavier tourist tax, but they may be an hour away, or a three hour's driving distance, or five hours. It's hard for people to get to Hawaii, and so I think we have to be very vigilant about not scaring away our tourists. I think at present, they're paying 11.5%. The tourist tax, the hotel tax, plus the general excise tax, which on Oahu is a half percent higher than the Neighbor Islands.

"So, let's not overtax the tourists and our hotel industry. They're very important to us. Thank you."

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

"Yes, Mr. Speaker and Members, I wish to speak with reservations. In fact, with strong reservations. The money from this, the increase, of course are planned to go into the general fund. And, we need the money to balance the budget. But, I don't think we should be attaching some of the special funds, especially in a very competitive tourism market, where we have an unprecedented downfall in the hotels. This certainly would not help.

"We need money. There is no doubt. If we really need money, then we shouldn't be taking it from our employees. We shouldn't be taking it out of exempt employees. Or possibly raising the personal income tax, which will affect each of us, individually. Let's look at raising the excise tax. I know it's a bad thing, but you need to have a balanced approach, rather than a piecemeal approach, which I don't even know what is going to balance the budget. And, this is my concern.

"Hopefully in the end, everything is going to be balanced, and there will be some satisfaction as we move on. But, I would prefer to have an excise tax increase of a half percent or so, rather than nickel-and-diming and everything. Thank you."

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

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition to S.B. 1111 – Relating to Taxation. This bill will have a negative impact on our already struggling economy. Tourism is our number one source of revenue and currently the

number of tourists coming to visit Hawaii is dropping. The *Star-Bulletin* and *The Honolulu Advertiser* both recently did front page articles on the lack of visitors coming to Hawaii and how economic recovery is tied to tourism. The headline in the *Honolulu Advertiser* read "Recovery tied to tourism" and the headline in the *Star-Bulletin* read "Visitor arrivals plummet 12.7%." The States Tourism Liaison says "Hawaii ended 2008 with a 10.8% decrease in visitor arrivals and a 9.9% decrease in visitor spending (\$1.2 billion). Visitor arrivals in January were down 12.5% and visitor expenditures decreased 13.6%, or \$149 million." and "Now is not the time to increase the transient accommodations tax. Our visitor industry is having a difficult time as it is convincing visitors to come. Further decreases in visitors will result in more of our residents being laid off. We need to bolster the visitor industry so that we can keep our residents employed, not tax it further."

"We must do everything we can to attract visitors here. Raising the transient accommodations tax just might be enough to keep people from coming to visit Hawaii. Tourism is vital to this State's economy and we must protect it, not go out of our way to hurt it. Outrigger Enterprises Group states, "The balancing act we are currently dealing with is the maintaining of a decent occupancy rate, but with low room rates. While this is not the ideal situation, it is keeping our heads above water. Some employees are still working, the hotels are still in business and the State is receiving revenue," and "This bill can very well tip that balance were the cost of a room will deter a traveler from coming, which is the formula for disaster, resulting in low room occupancy and low room rates."

"This bill will harm Hawaii's economy and it concerns me that the Legislature can pass this bill so easily while ignoring the impact this bill will have on tourism and the economy. The Department of Taxation states, "Recent studies and data show that Hawaii's tourism industry is hurting badly. Increasing the tax on this industry, thus making Hawaii more expensive and a less favorable destination, could force Hawaii's economy into further disarray." This is some compelling testimony and I implore the Legislature to heed their warning. Thank you."

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

"Thank you, Mr. Speaker. A 'no' vote, please. And, may I have the comments of the speaker from Wailuku entered into the record as if they were my own, except the portion about the general excise tax.

"And, let me just note one thing. In the newspaper about a week ago, there were big headlines that said tourism is our biggest industry. And that, when you look at stimulus, that the State needs to focus on that. And that is a pretty pressing tale to tell. We want to diversify our economy, but until we actually get there, this is our 'bread and butter'. So, that is a very serious concern of mine. Thank you."

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

"Thank you, Mr. Speaker. Just short comments in opposition. Thank you. Aside from all the other concerns that were brought up today, I also did want to mention that some of these hotels, in fact, most of these hotels are dropping their rates at this point in time to incentivize people to come here. And, what we do when we increase that, it's like we're taking right out from under the noses of these people who have jobs here at the hotels.

"And so, if you have a district that employs a lot of people at these hotels, we're doing absolutely the opposite thing of what these hotels are trying to do, which is bring people to Hawaii. They're lowering the cost. They're trying to make sure that we have jobs in our hotel industry. And we're going right back and saying we're going to increase the tax. I think that's not a good idea. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, just a footnote to my previous opposition. In this room, there are probably those who are doubting the price sensitivity to tourism. And, I would only add to look at the Japan visitor record. Each year, the slippage of 10 percentage points, even double-digit figures and beyond,

have been visiting us for the last 10 years. Each year, we slip a little bit more. I had the opportunity to go with the Governor with her delegation to Japan. We sat around with all the airlines, with all the hotels, all the big tour agencies, and they basically said there are places that are more competitive. They cost less. They're as beautiful as Hawaii. Well, they didn't say as beautiful as Hawaii, but they're cheaper, quicker in access than other markets and destinations that people have.

"So, the sensitivity, and, particularly I emphasize again, that there was not one person in the Finance Committee who even suggested that the industry here could afford an increase in the taxes. Mr. Speaker, I trust those who've been in this business, their families for decades, for 50, 60, 70, 100 years. They should know better than us. I know it's our responsibility, but it's our responsibility to listen to those who are in the know. Those of the 'Delphi Oracle', those who know what's going on. It's our job to implement that. Thank you."

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

"Thank you, Mr. Speaker. I'm standing in support of this measure. Hawaii's still, as far as a visitor destination and to the visitor, I think we're still one of the most tax-friendly states. Not to mention, this would also bring added revenue for marketing, which would drive an increase visitors. Thank you."

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

"Thank you, Mr. Speaker. I just rise with reservations, and I just want to note that I don't think it's anybody's intent to unnecessarily increase taxes on anyone. But we are chasing a nearly \$2 billion shortfall this year. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1111, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Brower, Ching, Finnegan, Marumoto, Pine, Thielen and Ward voting no, and with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1604) recommending that S.B. No. 1206, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1206, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1605) recommending that S.B. No. 1327, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1327, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RATE OF INTEREST APPLICABLE TO OVERPAYMENTS OF TAX," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1606) recommending that S.B. No. 1343, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1343, SD 2, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"Yes, in opposition. What this bill does is, it removes the administrative agency's authority to establish fees, and it instead replaces them through statute. And, as busy as the Finance Committee has been lately, I would much rather a department take care of that little piece of the pie, than us debating a fee for a small, little area in a department. Thanks."

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

"Mr. Speaker, I'm also standing in opposition. As previously, I think we have to trust our directors. They know they're on the front lines. They're the ones who know what these fees should, or should not be. And, I think we should be listening closer to them. Thank you."

Representative Finnegan rose and asked that the Clerk record a no vote for him, 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 rise in opposition to S.B. 1343 – Relating to Fees and Other Assessments. In a slumping economic environment broad strokes aren't always the best answer. My concern is that this bill does not allow for the State to adjust to the ebb and flow of the economy. The Department of Transportation says, "The bill takes a one size fits all circumstances approach which fails to realize the complex mixture of uses, tenants, customers and regulations which make up the airports system."

"Certain State agencies need to adjust their fees for various reasons and this bill hamstringing them from doing so and as result the citizens of Hawaii will be the ones who get punished. The Hawaii Housing and Finance and Development Corporation states in their testimony, "As a special-funded agency, the ability to establish and revise fees and service charges through the administrative rulemaking process will ensure that administrative expenses are covered and a larger portion of the HHFDC's special funds are devoted to housing finance and development assistance. We would prefer to maintain the authority to set our own service fee schedule via administrative rulemaking processes." The University of Hawaii shares a similar concern as HHFDC and UH states in their testimony that, "The necessity to establish and revise fees related to the many programs and services only through statute would be impractical and unwieldy and would likely result in fees that are not commensurate with costs and expenses." 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. 1343, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES AND OTHER ASSESSMENTS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Finnegan, Pine and Ward voting no, and with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1607) recommending that S.B. No. 1461, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1461, SD 2, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'm casting a 'no' vote on this, and I'd like to explain why. I've heard from a number of small businesses that this bill is going to have a bad impact on them. And, in fact, one company said, it's going to be like having another noose around their necks in these bad, slow economic times.

"What it does is, it accelerates the deadline and payment date for paying general excise tax, and other fees and taxes. And it's a short term way to get some money. And it's a big hit on the businesses, by making them do these payments that soon. Many of them don't have the data that they need, and the reconciliation that they need in order to do it.

"So, I think it's a foolish way to grab a little bit of money -- one time only, and then put this noose around small businesses' necks. So, I have a very decided, loud, and emphatic 'no' on this measure."

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

"Mr. Speaker, the previous speaker said it all. The State will gain one time by having a higher balance on June 30th, but small business will be paying the price for it. It's a lot of work for this, every single month. So, I would also be voting 'no' on Second Reading. Thank you."

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition to S.B. 1461 – Relating to Taxation. I am concerned that this bill might have a negative impact on small business. In these economic times we need to make things easier for small businesses not harder. The Retail Merchants of Hawaii states in their testimony, "Of great concern is that accelerating the filling and payment due dates most surely will have a negative impact on our hundreds of small businesses." Thank You."

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

"Thank you, Mr. Speaker. It's with regret that I vote in opposition. And, I wrestled with this one, Members, because I was thinking, 'Well, let's go with reservations.' But as the Chair of the Business Committee, my conscience could not allow me to do anything but vote 'no.'

"As I've been going up to all the districts in Honolulu, Maui, and elsewhere, talking to small businesses, this is the reality: they're behind. A lot of them are behind. This would have the effect of pretty much, a nuclear weapon being detonated on a small business community. You will have layoffs, Mr. Speaker. You will have job closings, and you will have a detrimental hit. Maybe you'll get a one-time spike, but when you look at the unemployment rolls increasing, and the tax-base shrinking, it's going to be a net loss.

"This is not going to only be on corporate. We're talking about the little guys. The little guys, the people who we recognized today in the gallery, families, small business, they are the biggest portion of our economy.

"So therefore, I know we're trying to search for all these ways to balance the budget, but I really think, I would just advise everybody to look at the net effect. Because I can tell you, businesses, because of what happened with oil and the economy this summer, fell behind, and they're playing 'catch up.' And this would be basically killing them. Killing them, Mr. Speaker.

"I just hope that we can put the brainpower of this institution together to come up with other ideas than this one. Thank you, very much."

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

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

"Mr. Speaker, it's only 10 days earlier. Thank you."

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

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

"Mr. Speaker, I'm rising in strong support. I will keep the bulk of my comments for Third Reading, but just a couple of points. The contents of this bill, Senate Bill 1461, is the same as the House Bill just passed, nearly unanimously by this very Body on Third Reading, on March 6th, 2009.

"The second point I need to make is that this has the strong endorsement of the Governor of the State of Hawaii, and is in fact, a part of her financial plan for the biennium. There is a revenue gain of about \$20 million in the fiscal year '10 and '11. Thank you."

Representative Thielen rose to respond, stating:

"I'm rising again in opposition, Mr. Speaker. Thank you. I appreciated the comments of the Chair of Finance, but the point is, many people in this Body have never been small business people. Some Members in the Body never were in business, or in anything other than government work from the very beginning.

"The reality is, for the small business people, this is a burden. It's going to be harmful to them, and they're the very people that we need to continue to stay afloat and to stay alive. It's a cheap-shot, and a one-shot only at getting money from them, and leaving them with a burden of that early reporting, where their reconciliation and other figures are not available to them. So, why on earth do we do that?

"If we were going to gain millions and millions of dollars, there could be some justification. It's a one-shot only, and it makes no sense, and we're hurting the very people that we need to protect the most.

"And, I would also like the comments of the Maui Representative entered into the Journal as if they were my own," and the Chair, "so ordered." (By reference only.)

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. 1461, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Ching, Finnegan, Marumoto, Pine and Thielen voting no, and with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1608) recommending that S.B. No. 199, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 199, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

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

"I Also would like to note my reservations. And what we've just said about the previous bill on business, and the impact really goes to this one also, because we're kind of doing a wholesale hatchet, rather than a scalpel.

"For example, the important ag. lands that has been worked on for 30 years, which we finally passed. That one gets blown out of the water with this thing. Some of them have to go of course, but some of them need to stay, which are very, very important. Thank you, Mr. Speaker."

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. 199, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1609) recommending that S.B. No. 972, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 972, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1610) recommending that S.B. No. 1678, SD 3, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1678, SD 3, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Pine 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."

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 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. 1678, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading, and was placed on the calendar for Third Reading with Representative Marumoto voting no, and with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1611) recommending that S.B. No. 21, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 21, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1612) recommending that S.B. No. 971, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 971, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1613) recommending that S.B. No. 1271, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1271, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

At 1:07 o'clock p.m. Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:08 o'clock p.m.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1271, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1614) recommending that S.B. No. 294, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 294, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE DEPARTMENTS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1615) recommending that S.B. No. 884, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 884, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1616) recommending that H.R. No. 121, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 121, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ADOPT THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES," was adopted, with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative Manahan, for the Committee on Tourism, Culture, & International Affairs presented a report (Stand. Com. Rep. No. 1617) recommending that H.C.R. No. 150, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 150, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ADOPT THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES," was adopted, with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1618) recommending that H.R. No. 214, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 214, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH A TASK FORCE TO DEVELOP A POLICY AGAINST TEEN DATING VIOLENCE AND ABUSE," was adopted, with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1619) recommending that H.C.R. No. 246, HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 246, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH A TASK FORCE TO DEVELOP A POLICY AGAINST TEEN DATING VIOLENCE AND ABUSE," was adopted, with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

THIRD READING

S.B. No. 532, SD 1, HD 1:

Representative B. Oshiro moved that S.B. No. 532, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and S.B. No. 532, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITING CIVIL LIABILITY," passed Third Reading by a vote of 36 ayes, with Representatives Brower, Hanohano, C. Lee, Luke, Nishimoto, Saiki and Takumi voting no, and with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

S.B. No. 1222, SD 1, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 1222, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HUMANE TREATMENT OF PET ANIMALS," passed Third Reading by a vote of 43 ayes, with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

S.B. No. 55, SD 1, HD 1:

Representative B. Oshiro moved that S.B. No. 55, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, may I have a ruling on a potential conflict? I own a public accounting firm," and the Chair ruled, "no conflict."

Representative Choy then 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 S.B. No. 55, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Third Reading by a vote of 43 ayes, with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

S.B. No. 856:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 856, entitled: "A BILL FOR AN ACT RELATING TO IDENTIFICATION," passed Third Reading by a vote of 43 ayes, with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

At 1:11 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 532, SD 1, HD 1
S.B. No. 1222, SD 1, HD 1
S.B. No. 55, SD 1, HD 1
S.B. No. 856

SUPPLEMENTAL CALENDAR # 1

STANDING COMMITTEE REPORT

Representative Ito, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1620) recommending that S.B. No. 638, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 638, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka being excused.

At this time, Representative Evans moved to keep the Journal open until 10:00 p.m. this legislative day for the purpose of receiving Standing Committee Reports and Senate bills transmitted thereby, seconded by Representative Pine and carried. (Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka were excused.)

At 1:13 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 1:13 o'clock p.m.

ANNOUNCEMENTS

Representative M. Lee: "Thank you, Mr. Speaker. I wanted to remind everyone that at 1:30, we'll be distributing the Easter baskets to IHS, and you're all invited to come to help send them on their way to IHS. We'll be in the Rotunda. Thank you.

"And for all those who contributed, thank you very, very much. It's highly appreciated by the people at IHS. On behalf of the Women's Caucus, we especially want to thank all the men who participated."

Representative Chong: "Thank you, Mr. Speaker. I'd just like to thank everybody who showed up, participated and donated their money at yesterday's root beer, Coke, and orange float. My apologies for running out. We thought we had enough, and there was overwhelming support. Thank you all."

RECESS

At 1:14 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives stood in recess until 9:00 o'clock a.m., Tuesday, April 14, 2009. (Representatives Berg, Herkes, Karamatsu, Keith-Agaran, McKelvey, Morita, Takai and Tokioka were excused.)

STANDING COMMITTEE REPORTS

In accordance with the motion made, the following Standing Committee Reports (Stand. Com. Nos. 1621 through 1737) were received by the Clerk prior to 10:00 p.m. this legislative day, and the following action taken:

Stand. Com. Rep. No. 1621 (JUD) and S.B. No. 979, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1622 (JUD) and S.B. No. 1, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO OPIHI," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1623 (JUD) and S.B. No. 931, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1624 (FIN) and S.B. No. 119, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM FOREIGN-COUNTRY MONEY JUDGMENTS RECOGNITION ACT," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1625 (FIN) and S.B. No. 862, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1626 (FIN) and S.B. No. 878, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF HEARING NOTICES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1627 (FIN) and S.B. No. 880, entitled: "A BILL FOR AN ACT RELATING TO GAS PIPELINE SYSTEMS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1628 (FIN) and S.B. No. 947, SD 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT CONTRIBUTION RATES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1629 (FIN) and S.B. No. 39, entitled: "A BILL FOR AN ACT RELATING TO REPORTS ON THE HAWAII CANCER

RESEARCH SPECIAL FUND," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1630 (FIN) and S.B. No. 160, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL MEALS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1631 (FIN) and S.B. No. 162, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1632 (FIN) and S.B. No. 163, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1633 (FIN) and S.B. No. 164, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL GRANTS SEARCH, DEVELOPMENT, AND APPLICATION REVOLVING FUND," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1634 (FIN) and S.B. No. 1250, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1635 (FIN) and S.B. No. 528, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1636 (FIN) and S.B. No. 166, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1637 (FIN) and S.B. No. 568, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PRESCRIPTIONS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1638 (FIN) and S.B. No. 585, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1639 (FIN) and S.B. No. 777, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE SEXUALITY HEALTH EDUCATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1640 (FIN) and S.B. No. 843, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1641 (FIN) and S.B. No. 896, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1642 (FIN) and S.B. No. 378, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1643 (FIN) and S.B. No. 1167, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1644 (FIN) and S.B. No. 91, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1645 (FIN) and S.B. No. 523, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1646 (FIN) and S.B. No. 537, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1647 (FIN) and S.B. No. 161, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1648 (FIN) and S.B. No. 178, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1649 (FIN) and S.B. No. 501, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TEACHER EDUCATION COORDINATING COMMITTEE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1650 (FIN) and S.B. No. 1164, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1651 (FIN) and S.B. No. 1329, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1652 (FIN) and S.B. No. 470, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1653 (FIN) and S.B. No. 887, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1654 (FIN) and S.B. No. 892, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1655 (FIN) and S.B. No. 1107, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1656 (FIN) and S.B. No. 1218, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATORS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1657 (FIN) and S.B. No. 43, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN WORKFORCE ASSESSMENT," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1658 (FIN) and S.B. No. 423, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1659 (FIN) and S.B. No. 427, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1660 (FIN) and S.B. No. 1140, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO

HEALTH CARE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1661 (FIN) and S.B. No. 1205, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1662 (FIN) and S.B. No. 1263, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1663 (FIN) and S.B. No. 512, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1664 (FIN) and S.B. No. 1046, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PROFESSIONAL EDUCATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1665 (FIN) and S.B. No. 1674, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1666 (FIN) and S.B. No. 718, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1667 (FIN) and S.B. No. 1224, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1668 (FIN) and S.B. No. 642, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1669 (FIN) and S.B. No. 1568, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1670 (FIN) and S.B. No. 210, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1671 (FIN) and S.B. No. 309, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1672 (FIN) and S.B. No. 539, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1673 (FIN) and S.B. No. 540, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1674 (FIN) and S.B. No. 564, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1675 (FIN) and S.B. No. 967, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1676 (FIN) and S.B. No. 190, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY CARE FOSTER FAMILY HOME," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1677 (FIN) and S.B. No. 415, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1678 (FIN) and S.B. No. 851, SD 1, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1679 (FIN) and S.B. No. 912, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PERMANENCY HEARINGS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1680 (FIN) and S.B. No. 914, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1681 (FIN) and S.B. No. 1344, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1682 (FIN) and S.B. No. 1679, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1683 (FIN) and S.B. No. 521, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1684 (FIN) and S.B. No. 522, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1685 (FIN) and S.B. No. 1345, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1686 (JUD) and S.B. No. 468, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1687 (JUD) and S.B. No. 714, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1688 (JUD) and S.B. No. 1005, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1689 (JUD) and S.B. No. 1056, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1690 (JUD) and S.B. No. 1183, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO

DISCRIMINATORY PRACTICES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1691 (FIN) and S.B. No. 301, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGISTERED AGENTS ACT," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1692 (FIN) and S.B. No. 389, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1693 (FIN) and S.B. No. 496, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1694 (FIN) and S.B. No. 1223, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MADE PRODUCTS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1695 (FIN) and S.B. No. 109, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR JUVENILES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1696 (FIN) and S.B. No. 1060, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1697 (FIN) and S.B. No. 605, SD 1, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO NOISE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1698 (FIN) and S.B. No. 868, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1699 (FIN) and S.B. No. 1173, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1700 (FIN) and S.B. No. 1202, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION ENERGY INITIATIVES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1701 (FIN) and S.B. No. 1258, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1702 (FIN) and S.B. No. 1260, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION FEES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1703 (FIN) and S.B. No. 1118, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1704 (FIN) and S.B. No. 1160, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1705 (FIN) and S.B. No. 19, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1706 (FIN) and S.B. No. 876, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1707 (FIN) and S.B. No. 1122, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1708 (FIN) and S.B. No. 169, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH CORPS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1709 (FIN) and S.B. No. 1142, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1710 (FIN) and S.B. No. 1673, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1711 (FIN) and S.B. No. 1058, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1712 (FIN) and S.B. No. 1611, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1713 (FIN) and S.B. No. 50, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY PRODUCERS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1714 (FIN) and S.B. No. 636, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1715 (FIN) and S.B. No. 44, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1716 (FIN) and S.B. No. 995, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1717 (FIN) and S.B. No. 721, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT-WIDE IMPROVEMENT PROGRAMS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1718 (FIN) and S.B. No. 1069, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1719 (FIN) and S.B. No. 602, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ARTS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1720 (FIN) and S.B. No. 1096, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE AND DEVELOPMENT," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1721 (FIN) and S.B. No. 1665, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1722 (FIN) and S.B. No. 266, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GLOBAL WARMING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1723 (FIN) and S.B. No. 464, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1724 (FIN) and S.B. No. 713, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EMERGENCY ENVIRONMENTAL WORKFORCE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1725 (FIN) and S.B. No. 1338, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSEHOLD ENERGY DEMAND," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1726 (FIN) and S.B. No. 62, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1727 (FIN) and S.B. No. 695, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1728 (FIN) and S.B. No. 536, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STARLIGHT RESERVE," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1729 (FIN) and S.B. No. 1268, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1730 (FIN) and S.B. No. 1248, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1731 (FIN) and S.B. No. 1299, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED FLIGHT SIMULATOR TRAINING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1732 (FIN) and S.B. No. 1137, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1733 (FIN) and S.B. No. 1664, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1734 (FIN) and S.B. No. 1621, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1735 (FIN) and S.B. No. 242, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1736 (FIN) and S.B. No. 1008, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY STANDARDS," were placed on the calendar for Third Reading on April 14, 2009.

Stand. Com. Rep. No. 1737 (FIN) and S.B. No. 1352, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO BUREAU OF CONVEYANCES," were placed on the calendar for Third Reading on April 14, 2009.

ADJOURNMENT

At 10:00 o'clock p.m., the House of Representatives adjourned until 9:00 o'clock a.m., Tuesday, April 14, 2009.

HOUSE COMMUNICATION

House Communication dated April 9, 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 bills:

H.B. No. 593, HD 2, SD 1
H.B. No. 1141, HD 1, SD 1
H.B. No. 1436, HD 1, SD 1