

FIFTY-FIRST DAY

Wednesday, April 18, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:06 o'clock p.m., with Vice Speaker Karamatsu presiding.

The invocation was delivered by Mr. Justin Woodson, legislative staff of Representative Brower, after which the Roll was called showing all members present with the exception of Representatives Bertram and M. Oshiro, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 334 through 337) were received and announced by the Clerk and was placed on file:

Gov. Msg. No. 334, informing the House that on April 17, 2007, the following bill was signed into law:

H.B. No. 1400, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES." (ACT 019)

Gov. Msg. No. 335, informing the House that on April 17, 2007, the following bill was signed into law:

H.B. No. 1278, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL SITE CLEANUP." (ACT 020)

Gov. Msg. No. 336, informing the House that on April 17, 2007, the following bill was signed into law:

S.B. No. 923, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS." (ACT 021)

Gov. Msg. No. 337, dated April 18, 2007, transmitting the February, 2007 Medicaid School-based Claiming Program report prepared by the Department of Education.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 830 and 831) were received and announced by the Clerk:

Sen. Com. No. 830, dated April 17, 2007, informing the House that the President has appointed as conferees on the part of the Senate, for consideration of amendments proposed by the Senate to the following House Bills:

- 15, H.D. 2, S.D. 2 Sakamoto, Chair; Tsutsui, Co-Chair; Nishihara, Gabbard
- 18, H.D. 1, S.D. 2 Sakamoto, Chair; Tsutsui, Co-Chair; Tokuda, Gabbard
- 24, H.D. 1, S.D. 2 Sakamoto, Chair; Tsutsui, Co-Chair; Tokuda, Gabbard
- 598, H.D. 1, S.D. 1 Sakamoto, Chair; Fukunaga/Tsutsui, Co-Chairs; Tokuda, Gabbard
- 767, H.D. 2, S.D. 2 Sakamoto, Chair; Tsutsui, Co-Chair; Nishihara, Gabbard

1372, H.D. 1, S.D. 1 Ige, Chair; Baker, Co-Chair; Fukunaga, Whalen

1477, H.D. 2, S.D. 2 Ige, Chair; Sakamoto/Baker, Co-Chairs; Fukunaga, Whalen

1529, H.D. 2, S.D. 2 Sakamoto, Chair; Tsutsui, Co-Chair; Tokuda, Gabbard

Sen. Com. No. 831, dated April 17, 2007, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

H.B. No. 667, HD 1, SD 2 Senator Chun Oakland added as a conferee.

H.B. No. 1001, HD 2, SD 2 Senator Chun Oakland added as a conferee.

H.B. No. 1004, HD 2, SD 1 Senator Fukunaga added as a conferee.

H.B. No. 1757, HD 1, SD 3 Senators Baker, Fukunaga, Menor added as Co-Chairs.

S.B. No. 871, SD 2, HD 2 Senator Kim added as a conferee

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bill was re-referred to committee by the Speaker:

<u>S.B. No.</u>	<u>Re-referred to:</u>
1928, SD2, HD3	Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Economic Development & Business Concerns, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

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

<u>S.C.R. Nos.</u>	<u>Re-referred to:</u>
48, SD1	Jointly to the Committee on Health and the Committee on Human Services & Housing
75, SD1	Committee on Legislative Management
114, SD1	Jointly to the Committee on Agriculture and the Committee on Legislative Management
176	Jointly to the Committee on Agriculture and the Committee on Legislative Management
193, SD1	Committee on Agriculture

STANDING COMMITTEE REPORTS

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 2077), recommending that S.C.R. No. 166, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 166, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A TEMPORARY LOCATION FOR THE MANOA PUBLIC LIBRARY TO ACCOMMODATE THE COMMUNITY AND STUDENTS DURING THE LIBRARY'S TWO-YEAR CLOSURE," was referred to the Committee on Finance with Representatives Bertram and M. Oshiro being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 2078), recommending that S.C.R. No. 3, SD 1, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 3, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO STUDY THE RATE STRUCTURES OF PRIVATE ENTITIES THAT FURNISH WATER USED FOR AGRICULTURAL PURPOSES," was referred to the Committee on Consumer Protection & Commerce with Representatives Bertram and M. Oshiro being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 2079), recommending that S.C.R. No. 102, SD 1, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 102, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO STUDY LABELING REQUIREMENTS RELATING TO THE USE OF HAWAII-GROWN COFFEE NAMES AND STUDY THE EFFECTIVENESS OF THE ADMINISTRATIVE RULES RELATING TO INSPECTION, CERTIFICATION, AND AUDIT REQUIREMENTS FOR HAWAII-GROWN COFFEE," was referred to the Committee on Consumer Protection & Commerce with Representatives Bertram and M. Oshiro being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 2080) recommending that S.C.R. No. 78, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 78, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT ON CURRENT INITIATIVES AND DEVELOP A PLAN FOR FUTURE AREAS OF IMPROVEMENT," was adopted, with Representatives Bertram and M. Oshiro being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 2081) recommending that S.C.R. No. 56, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.C.R. No. 56, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII EDUCATIONAL POLICY CENTER TO REPORT ON THE RETENTION AND CHANGE IN ASSIGNMENT OF TEACHERS

WITHIN THE DEPARTMENT OF EDUCATION," was adopted, with Representatives Bertram and M. Oshiro being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 2082) recommending that S.C.R. No. 192, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 192, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO ESTABLISH A TASK FORCE TO DEVELOP LONG-TERM SOLUTIONS TO EFFECTIVELY PROTECT THE LIVESTOCK INDUSTRY IN HAWAII," was adopted, with Representatives Bertram and M. Oshiro being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 2083) recommending that S.C.R. No. 206, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 206, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO DEVELOP A TARO SECURITY AND PURITY RESEARCH PROGRAM," was adopted, with Representatives Bertram and M. Oshiro being excused.

ANNOUNCEMENTS

Representative Thielen: "Thank you, Mr. Speaker. Mr. Speaker, I would like to remind Members that we have a big day coming up this Friday. The Legislature will be celebrating Earth Day on Friday by Members wearing natural fiber shirts, including hemp aloha shirts. So I would encourage everyone to wear natural fiber and particularly my colleague over there sitting next to the Transportation Committee Chair. Natural fiber. Thank you."

Representative Har for the Committee on Public Safety and Military Affairs requested a waiver of the 48-hour advanced notice requirement to hear the following resolutions tomorrow, Thursday, April 19, at 10:30 am in Conference Room 312, and the Chair "so ordered."

SCR No. 32, Requesting the Department of the Attorney General to Study the Impact of Cigarette Fire Safety Standards Established in other States; and

SCR No. 39, HD 1, Requesting the Enactment of the Filipino American Veteran's Equity Act of 2007.

Representative Berg: "Thank you, Mr. Speaker. If I may just make a short announcement congratulating one of our colleagues for receiving an award. Colleagues if you will acknowledge that Representative Cynthia Thielen, will be receiving the Woman of the Year Award from her high school, Marlborough in California. Thank you."

Representative Thielen: "Thank you very much, Mr. Speaker. I want to make it very clear to Members that's Marlborough School. Not Marlboro the tobacco company."

ADJOURNMENT

At 12:16 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, April 19, 2007. (Representatives Bertram and M. Oshiro were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 18, 2007, 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 Speaker has this day appointed as Conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House Bill:

1608, SD 3 Souki/Evans/Waters, Co-Chrs.; McKelvey,
Pine

House Communication dated April 18, 2007, 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 made the following changes to the conferees on the following measure:

S.B. No. 1928, Discharged Representative Chong as
SD 2, HD 3 manager.
Added Representative Chong as Co-Chair.

House Communication dated April 18, 2007, 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 made the following changes to the conferees on the following measures:

H.B. No. 1339, Added Representative Yamane as a
HD 1, SD 1 member.

S.B. No. 11, Representative Ward replaced
SD 3, HD 2 Representative Wakai.

S.B. No. 1425, Added Representatives Har and McKelvey
SD 2, HD 1 as members.
Representative Finnegan replaced
Representative Awana.

House Communication dated April 18, 2007, 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 made the following changes to the conferees on the following measures:

H.B. No. 1414, Discharged all House conferees.
HD 1, SD 2

H.B. No. 1818, Discharged all House conferees
HD 2, SD 1