

SECOND DAY

Thursday, October 25, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Second Special Session of 2007, convened at 9:07 o'clock p.m., with Temporary Chair B. Oshiro presiding.

The invocation was delivered by Representative Roland D. Sagum, III, after which the Roll was called showing all members present with the exception of Representatives Cabanilla, Chang, Ching, Marumoto, Nakasone, Saiki, Takai and Takumi, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the First Day of the Second Special Session was deferred.

INTRODUCTION

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

Representative McKelvey introduced his brother, Mr. Ian McKelvey, and mother, Mrs. Joan McKelvey of Maui. They were accompanied by Representative McKelvey's office manager, Mrs. Tish Mercado.

ORDER OF THE DAY

STANDING COMMITTEE REPORTS

Representative Waters, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1) recommending that H.B. No. 2, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Say.

Representative McKelvey rose in support of the measure, stating:

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Chang, Marumoto, Saiki, Takai and Takumi being excused.

At 9:12 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:31 o'clock p.m.

SUPPLEMENTAL CALENDAR #1

Representatives Souki and M. Oshiro, for the Committee on Transportation and the Committee on Finance, presented a report (Stand. Com. Rep. No. 2) recommending that H.B. No. 1, pass Second Reading and be placed on the calendar for Third Reading.

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

The Chair then stated:

"Members, we are on Second Reading and you will have another opportunity to speak on Third Reading. Is there any discussion?"

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

Representative Morita's written remarks are as follows:

"Mr. Speaker, I rise in opposition to this measure. The Constitution of the State of Hawaii grants us the power to enact legislation that is not inconsistent with the Constitutions of the United States and Hawaii. We generally make laws to protect the health, safety and welfare of Hawaii's people and its environment. We should not be making laws to correct political fixes gone bad which is what House Bill 1 attempts to do. I want to emphasize, in House Bill 1 this body is not making a new policy. Rather, this body is establishing a process to circumvent existing laws to facilitate a permitting process.

"No one should be fooled by the disguise of Hawaii Superferry under the term large capacity ferry vessel. This is a special interest bill to benefit one company from the blunders of the Lingle Administration to avoid disclosure under an environmental review process. This type of action shows no respect for the rule of law by this company or this Administration and now, by this body. We jeopardize the integrity of this institution by our participation in this tragic comedy of errors."

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

Representative Belatti 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 Belatti's written remarks are as follows:

"I have serious reservations that this bill is proceeding forward unamended without any effort put towards adding specific conditions to alleviate environmental concerns that have been expressed during the hearing process."

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

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Berg, Carroll, Hanohano, Morita, Shimabukuro

and Tokioka voting no, and Representatives Cabanilla, Chang, Marumoto, Nakasone, Saiki, Takai and Takumi being excused.

ADJOURNMENT

At 9:34 o'clock p.m. on motion by Representative Caldwell, seconded by Representative Meyer and carried, the House of Representatives adjourned until 3:00 o'clock p.m., tomorrow, Friday, October 26, 2007. (Representatives Cabanilla, Chang, Marumoto, Saiki, Takai and Takumi being excused.)