

SEVENTH DAY

Monday, January 28, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:04 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Jon Riki Karamatsu, after which the Roll was called showing all members present with the exception of Representative Awana, who was excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 223 through 229) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 223, dated January 24, 2008, transmitting the Report Pursuant to Section 2 of Act 219 Session Laws of Hawaii 2007, Requiring a Report by the Maui Health Initiative Task Force.

Gov. Msg. No. 224, dated January 24, 2008, transmitting the Hawaii Community Development Authority's Annual Report for fiscal year ending June 30, 2007.

Gov. Msg. No. 225, dated January 16, 2008, transmitting the Governor's reports pursuant to provisions of Act 213, SLH 2007, the General Appropriations Act of 2007.

Gov. Msg. No. 226, dated January 15, 2008, transmitting the Director of Finance's reports pursuant to provisions of Act 213, SLH 2007, the General Appropriations Act of 2007.

Gov. Msg. No. 227, dated January 24, 2008, transmitting the Report to the Legislature, Pursuant to SECTION 196-41, Act 95, Session Laws of Hawaii 2004.

Gov. Msg. No. 228, dated January 23, 2008, informing that pursuant to Act 213 (2007), Part 7, Section 187, Relating to the State Budget, there were no uses of this proviso during the previous twelve month period to pay settlements and judgments.

Gov. Msg. No. 229, dated January 25, 2008, transmitting the Hawaii State Public Library System's Annual Report for fiscal year ending June 30, 2007.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

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

<u>H.R.</u> <u>Nos.</u>	<u>Referred to:</u>
4	Committee on Transportation, then to the Committee on Public Safety & Military Affairs
5	Committee on Tourism & Culture
6	Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

7	Committee on Health
8	Committee on Higher Education, then to the Committee on Health
9	Committee on Judiciary
10	Committee on Tourism & Culture
11	Committee on Health, then to the Committee on Economic Development & Business Concerns
12	Committee on Health
13	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
14	Committee on Judiciary, then to the Committee on Finance
15	Committee on Tourism & Culture
16	Committee on Human Services & Housing, then to the Committee on International Affairs
17	Committee on International Affairs
18	Jointly to the Committee on Human Services & Housing and the Committee on Health
19	Committee on International Affairs, then to the Committee on Public Safety & Military Affairs
20	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
21	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
22	Committee on International Affairs, then to the Committee on Public Safety & Military Affairs
23	Committee on Human Services & Housing, then to the Committee on Judiciary
24	Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management, then to the Committee on Finance
25	Committee on Health
26	Jointly to the Committee on Education and the Committee on Health, then to the Committee on Finance
27	Committee on Transportation
28	Committee on Transportation
29	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Finance
30	Committee on Human Services & Housing, then to the Committee on Labor & Public Employment
31	Committee on Education, then to the Committee on Judiciary

32	Committee on Education	8	Committee on Judiciary
33	Committee on Health	9	Committee on Tourism & Culture
34	Jointly to the Committee on Education and the Committee on Health	10	Committee on Health, then to the Committee on Economic Development & Business Concerns
35	Committee on Water, Land, Ocean Resources & Hawaiian Affairs	11	Committee on Health
36	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Education	12	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
37	Committee on Education, then to the Committee on Health, then to the Committee on Finance	13	Committee on Judiciary, then to the Committee on Finance
38	Committee on Education, then to the Committee on Tourism & Culture	14	Committee on Tourism & Culture
39	Committee on International Affairs, then to the Committee on Judiciary	15	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Health, then to the Committee on Legislative Management, then to the Committee on Finance
40	Jointly to the Committee on Energy & Environmental Protection and the Committee on Education, then to the Committee on Finance	16	Committee on Human Services & Housing, then to the Committee on International Affairs
41	Committee on Health, then to the Committee on Judiciary	17	Committee on International Affairs
42	Committee on Labor & Public Employment	18	Jointly to the Committee on Human Services & Housing and the Committee on Health
43	Committee on Higher Education, then to the Committee on Legislative Management, then to the Committee on Finance	19	Committee on International Affairs, then to the Committee on Public Safety & Military Affairs
46	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management	20	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
47	Committee on Human Services & Housing, then to the Committee on Finance	21	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
48	Committee on Education, then to the Committee on Legislative Management, then to the Committee on Finance	22	Committee on International Affairs, then to the Committee on Public Safety & Military Affairs
49	Committee on Health, then to the Committee on Judiciary	23	Committee on Human Services & Housing, then to the Committee on Judiciary
50	Committee on Health, then to the Committee on Finance	24	Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management, then to the Committee on Finance
51	Jointly to the Committee on Health and the Committee on Human Services & Housing	25	Committee on Health
52	Committee on Tourism & Culture	26	Jointly to the Committee on Education and the Committee on Health, then to the Committee on Finance
<b><u>H.C.R.</u></b>		27	Committee on Transportation
<b><u>Nos.</u></b>	<b><u>Referred to:</u></b>	28	Committee on Transportation
3	Committee on Transportation, then to the Committee on Public Safety & Military Affairs	29	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Finance
4	Committee on Tourism & Culture	30	Committee on Human Services & Housing, then to the Committee on Labor & Public Employment
5	Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance	31	Committee on Education, then to the Committee on Judiciary
6	Committee on Health	32	Committee on Education
7	Committee on Higher Education, then to the Committee on Health		

33	Committee on Health	<b>COMMITTEE REASSIGNMENTS</b>	
34	Jointly to the Committee on Education and the Committee on Health	The following bills were re-referred to committee by the Speaker:	
		<b><u>H.B.</u></b>	
35	Committee on Water, Land, Ocean Resources & Hawaiian Affairs	<b><u>Nos.</u></b>	<b><u>Re-referred to:</u></b>
36	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Education	2223	Committee on Health, then to the Committee on Labor & Public Employment, then to the Committee on Finance
37	Committee on Education, then to the Committee on Health, then to the Committee on Finance	2236	Committee on Judiciary, then to the Committee on Finance
38	Committee on Education, then to the Committee on Tourism & Culture	2256	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance
39	Committee on International Affairs, then to the Committee on Judiciary	2295	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
40	Jointly to the Committee on Energy & Environmental Protection and the Committee on Education, then to the Committee on Finance	2296	Committee on Energy & Environmental Protection, then to the Committee on Judiciary, then to the Committee on Finance
41	Committee on Health, then to the Committee on Judiciary	2330	Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Finance
42	Committee on Labor & Public Employment		
43	Committee on Higher Education, then to the Committee on Legislative Management, then to the Committee on Finance	2344	Committee on Judiciary, then to the Committee on Finance
46	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management	2368	Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance
47	Committee on Human Services & Housing, then to the Committee on Finance	2407	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
48	Committee on Education, then to the Committee on Legislative Management, then to the Committee on Finance	2433	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
49	Committee on Health, then to the Committee on Judiciary	2439	Committee on Transportation, then to the Committee on Tourism & Culture, then to the Committee on Finance
50	Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management, then to the Committee on Finance	2472	Committee on Transportation, then jointly to the Committee on Tourism & Culture and the Committee on Energy & Environmental Protection, then to the Committee on Finance
51	Committee on Health, then to the Committee on Finance	2474	Committee on Judiciary, then to the Committee on Finance
52	Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management	2490	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
53	Jointly to the Committee on Health and the Committee on Human Services & Housing		
54	Committee on Public Safety & Military Affairs	2498	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
55	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance		
56	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance	2615	Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance
57	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance	2678	Committee on Health, then jointly to the Committee on Public Safety & Military Affairs and the Committee on Judiciary, then to the Committee on Finance
58	Committee on Tourism & Culture		

- 2701 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Judiciary and the Committee on Finance
- 2806 Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance

Mrs. Suzanne Chung and Mrs. Heather Morishige; and chaperones, Mr. Steven Knapp and Mr. Peter Sablan.

#### ANNOUNCEMENT

Representative Ward: "Mr. Speaker, an unusual event took place today and I would just announce that it was of impact to all of us in terms of the future of Hawaii. It was the State of Hawaii and the federal Department of Energy, and the Energy Partnership Initiative that was announced this morning in the Governor's Office.

"It could be a historic day in that the energy independence or independence from oil, could hereafter be on the decline because it was announced that in one generation, 70 percent dependence on oil would be obviated. More important is that our own Representatives, Hermina Morita and Cynthia Thielen were very front and center of that. So I just want to put that in the record as a date to be marked for our future and our oil independence. Thank you."

#### ADJOURNMENT

At 12:11 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, Tuesday, January 29, 2008.

#### STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 3-08) recommending that H.B. No. 2034, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2034, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

Representative Mizuno's written remarks are as follows:

"Mr. Speaker, I rise in support of HB2034. If the outside temperature is 80 degrees, which is very common for Hawaii, the temperature inside a car under direct sunlight can reach 110 degrees after 5 minutes. When a child's body temperature reaches 106 degrees, it's fatal – that child can die or suffer permanent disability from heat stroke.

"This measure will simply make it a traffic violation, not to be mistaken with a criminal charge, and violators will only be subjected to a fine - similar to our seat belt law.

"However, the violation and fine in this measure will act as a substantial deterrent to parents, caregivers, or anyone responsible for children while driving and ultimately save lives.

"I respectfully ask all Members to support the passage of HB2034. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2034, entitled: "A BILL FOR AN ACT RELATING TO UNATTENDED CHILDREN IN MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary.

#### THIRD READING

##### H.B. No. 2688, HD 1:

By unanimous consent, action was deferred one legislative day.

At 12:08 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:09 o'clock p.m.

#### LATE INTRODUCTION

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

Representative Wakai introduced the 4th grade students of Salt Lake Elementary School. They were accompanied by their teachers,