

SEVENTEENTH DAY

Monday, February 11, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:05 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered in song by Ms. Mary Coghlin, a sophomore at Maryknoll High School, after which the Roll was called showing all members present with the exception of Representatives Bertram, Evans, Nakasone, Sagum, Sonson, Takamine and Ward, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 257 through 259) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 257, dated February 1, 2008, transmitting Act 250, S.B. 1174 (2006), Department of Public Safety Report on Strengthening Keiki of Incarcerated Parents Program.

Gov. Msg. No. 258, dated February 2, 2008, transmitting Act 8 (2007), Department of Public Safety Report on Special Session, Part 2, Section 7, Inmate Transition and Reentry into the Community, Special Session, Part 7, Section 21, Inmate Reentry into the Community, and Special Session, Part 7, Section 22, Tax Incentives for Employers Who Hire Ex-Inmates.

Gov. Msg. No. 259, dated February 12, 2008 [*sic*], transmitting the Office of Youth Services' Gender Responsive Programs Report as required by Act 258, Section 2, Session Laws of Hawaii 2007.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 8 through 13) were received and announced by the Clerk:

Sen. Com. No. 8, transmitting S.B. No. 2169, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES," which passed Third Reading in the Senate on February 8, 2008.

Sen. Com. No. 9, transmitting S.B. No. 2365, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on February 8, 2008.

Sen. Com. No. 10, transmitting S.B. No. 2401, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS: MAKING VARIOUS TECHNICAL AMENDMENTS TO THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, AND CLARIFYING LANGUAGE," which passed Third Reading in the Senate on February 8, 2008.

Sen. Com. No. 11, transmitting S.B. No. 2402, S.D. 1, entitled: "A BILL FOR AN ACT MAKING VARIOUS HOUSEKEEPING AMENDMENTS TO VOLUME 11 OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, AND CLARIFYING LANGUAGE," which passed Third Reading in the Senate on February 8, 2008.

Sen. Com. No. 12, transmitting S.B. No. 2454, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," which passed Third Reading in the Senate on February 8, 2008.

Sen. Com. No. 13, transmitting S.B. No. 2960, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE," which passed Third Reading in the Senate on February 8, 2008.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representatives Bertram, Evans, Nakasone, Sagum, Sonson, Takamine and Ward were excused.)

S.B. No. 2169, SD 1	S.B. No. 2402, SD 1
S.B. No. 2365, SD 1	S.B. No. 2454, SD 1
S.B. No. 2401, SD 1	S.B. No. 2960, SD 1

MISCELLANEOUS COMMUNICATION

The following miscellaneous communication (Misc. Com. No. 2) was received by the Clerk and was placed on file:

Misc. Com. No. 2, from the State of Colorado, House of Representatives, dated February 8, 2008, House Joint Resolution 08-1004 concerning participation in the "Legislatures Step to Health" Programs, encouraging health and wellness in their communities by challenging both themselves and their colleagues across the country to participate.

INTRODUCTIONS

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

Representative Tokioka introduced Kauai High School senior, Ms. Briana Bailey, a West Point candidate; and her teacher, Ms. Dorothy Hoe, Student Activities Coordinator.

Representative Belatti introduced grade school and high school students of Maryknoll School. They were accompanied by:

Mr. Alfred Wong, President of the Board of Maryknoll School;
Ms. Shana Tong, Vice Principal of the Grade School;
Ms. Darcie Kawamura, Vice Principal of the High School, and sister of Representative Belatti, along with her twins, Reece and Wyatt Kawamura; and
Mr. Jared Kaufmann, High School teacher.

Representative Luke introduced her friend and Maryknoll School alumni, Mr. Duane Miyashiro.

Representative Ching introduced her relative and Maryknoll School alumni, Ms. Susan Wong.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

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

H.R.
Nos.

Referred to:

58 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

- 59 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
- 60 Committee on Judiciary, then to the Committee on Higher Education

H.C.R.
Nos.

Referred to:

- 67 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
- 68 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
- 69 Committee on Judiciary, then to the Committee on Higher Education

The following bills were referred to committee by the Speaker:

S.B.
Nos.

Referred to:

- 2169, SD1 Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce
- 2292 Committee on Consumer Protection & Commerce
- 2365, SD1 Committee on Transportation, then to the Committee on Energy & Environmental Protection
- 2401, SD1 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
- 2402, SD1 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
- 2454, SD1 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
- 2960, SD1 Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B.
Nos.

Re-referred to:

- 2173, HD1 Committee on Health, then to the Committee on Judiciary
- 2408 Committee on Consumer Protection & Commerce

**INTRODUCTION OF RESOLUTION
(FLOOR PRESENTATION)**

The following resolution (H.R. No. 61) was announced by the Clerk and the following action taken:

H.R. No. 61, entitled: "HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING MARYKNOLL SCHOOL FOR ITS OUTSTANDING WORK AND SERVICE TO THE STATE OF HAWAII ON ITS 80TH ANNIVERSARY," was jointly offered by Representatives Belatti, Awana, Berg, Bertram, Brower, Caldwell, Carroll, Chang, Evans, Green, Herkes, Ito, Karamatsu, Luke, Magaoay, Mizuno, Morita, Nishimoto, M. Oshiro, Pine, Rhoads, Saiki, Shimabukuro, Sonson, Takumi, Tsuji, Ward, Waters, Yamane, Ching, Lee, Nakasone, Souki, Takamine and Yamashita.

Representative Belatti moved that H.R. No. 61 be adopted, seconded by Representative Brower.

Representative Belatti congratulated Maryknoll School on their 80th anniversary and introduced the honorees who were seated on the floor of the House:

- Mr. Michael Baker, President of Maryknoll School;
- Sister Rosario Daley, Maryknoll Sister;
- Ms. Betsey Gunderson, High School Principal;
- Ms. Joni Shimomura, Student Senate President; and
- Master Matthew Kimura, Grade School representative.

Representative Ching further congratulated Maryknoll School and thanked them for their contribution to education in Hawaii.

The motion was put to vote by the Chair and carried, and H.R. No. 61 was adopted with Representatives Evans, Nakasone, Sagum, Sonson and Ward being excused.

At 12:18 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

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

STANDING COMMITTEE REPORTS

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 279-08) recommending that H.B. No. 2521, as amended in HD 1, pass Second Reading and 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 H.B. No. 2521, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Berg, Evans, Nakasone, Sagum, Sonson and Ward being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 280-08) recommending that H.B. No. 2172, as amended in HD 1, be recommitted to the Committee on Health.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2172, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was recommitted to the Committee on Health with Representatives Berg, Evans, Nakasone, Sagum, Sonson and Ward being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 58 through 60) and concurrent resolutions (H.C.R. Nos. 67 through 69) were referred to Printing and further action was deferred:

H.R. No. 58, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO INSTALL ADDITIONAL BICYCLE RACKS AT STATE PARKS," was jointly offered by Representatives Brower, McKelvey, Say and Bertram.

H.R. No. 59, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO LEASE APPROXIMATELY 13.2 ACRES OF STATE-OWNED PUBLIC LAND NEAR KE'EHĪ LAGOON," was jointly offered by Representatives Manahan and Say.

H.R. No. 60, entitled: "HOUSE RESOLUTION ESTABLISHING A TASK FORCE TO REVIEW THE RETIREMENT AGE FOR STATE COURT JUSTICES AND JUDGES; THE TERMS OF AND POSSIBLE TERM LIMITS FOR STATE COURT JUSTICES AND JUDGES; THE POSSIBILITY OF ESTABLISHING A SENIOR JUDGE SYSTEM FOR STATE COURT JUSTICES AND JUDGES; JUDICIAL ACCOUNTABILITY AND FITNESS IN THE STATE OF HAWAII; AND RELATED MATTERS," was offered by Representative Say, by request.

H.C.R. No. 67, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO INSTALL ADDITIONAL BICYCLE RACKS AT STATE PARKS," was jointly offered by Representatives Brower, McKelvey, Say and Bertram.

H.C.R. No. 68, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO LEASE APPROXIMATELY 13.2 ACRES OF STATE-OWNED PUBLIC LAND NEAR KE'EHĪ LAGOON," was jointly offered by Representatives Manahan and Say.

H.C.R. No. 69, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A TASK FORCE TO REVIEW THE RETIREMENT AGE FOR STATE COURT JUSTICES AND JUDGES; THE TERMS OF AND POSSIBLE TERM LIMITS FOR STATE COURT JUSTICES AND JUDGES; THE POSSIBILITY OF ESTABLISHING A SENIOR JUDGE SYSTEM FOR STATE COURT JUSTICES AND JUDGES; JUDICIAL ACCOUNTABILITY AND FITNESS IN THE STATE OF HAWAII; AND RELATED MATTERS," was offered by Representative Say, by request.

ANNOUNCEMENTS

Representative Caldwell: "Mr. Speaker, I have two announcements. Two of our members today are celebrating birthdays. One is the Chair of Health, Josh Green, who is here. The other is Roland Sagum, who is on Kauai working hard for his constituents, so when you see him tomorrow, wish him well. Thank you, Mr. Speaker."

Representative Herkes: "Thank you, Mr. Speaker. For the members of Judiciary and CPC, there will be decision making at 2:00 on five bills. If you could be there at 2:00 so we can get those out, and then you can go on your merry way, and then come back for our hearing. Thank you."

Representative Belatti: "Mr. Speaker, just one quick announcement. Maryknoll School is having a reception upstairs in Room 329. I know we have very busy schedules, but if you can stop by, we have lunch, so please join us. Thank you."

Representative Finnegan: "Thank you, Mr. Speaker. I just wanted to remind the House to come out tomorrow morning at 6:45, and then running or walking at 7:00. We had about 10 percent of our House out last week, so we'd love to have you come and join us, both

Representative Oshiro and myself, and all those who joined us last week. Thank you."

ADJOURNMENT

At 12:27 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, February 12, 2008. (Representatives Berg, Evans, Nakasone, Sagum, Sonson and Ward were excused.)