

## EIGHTH DAY

Monday, February 1, 2010

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2010, convened at 12:08 o'clock p.m., with Vice Speaker Magaoy presiding.

The invocation was delivered by Kahu Curt Kekuna of the Kawaihae'o Church, after which the Roll was called showing all Members present with the exception of Representatives McKelvey, Sagum and Wooley, who were excused.

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

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 165 and 166) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 165, dated January 22, 2010, transmitting the Progress Report to the Governor and Legislature of the State of Hawaii Pursuant to Section 196-41, Hawaii Revised Statutes (HRS).

Gov. Msg. No. 166, dated January 26, 2010, transmitting the High Technology Development Corporation's 2009 Annual Report, pursuant to Section 206M-3.5, Hawaii Revised Statutes.

## INTRODUCTIONS

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

Representative Karamatsu introduced family and friends of the late Senator Nadao 'Najo' Yoshinaga: sons, Mr. Alvin Yoshinaga and Mr. Michael Yoshinaga; daughter and son-in-law, Mrs. Susan Yoshinaga-Ward and Mr. Roger Ward; and friends, Mr. Robert Miller and Mr. Steve Montgomery.

Representative Saiki introduced third grade students from Lunalilo Elementary School and their teachers, Ms. Lori Towata, and Ms. Tiffany Sera.

Representative Har, on behalf of the Committee on Water, Land, & Ocean Resources, introduced Mr. Ken Kawahara, Deputy Director for the Department of Land and Natural Resources.

Representative Ching also recognized her friend and environmental proponent, Mr. Steve Montgomery.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENTS

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

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
1929	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
2905	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

## STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 8-10) recommending that H.B. No. 2005, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2005, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES AND MOPED FEES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey, Sagum and Wooley being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 9-10) recommending that H.B. No. 2020, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2020, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey, Sagum and Wooley being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 10-10) recommending that H.B. No. 1859, as amended in HD 1, pass Second Reading and be referred to the Committee on Health.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1859, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDING FOR PARKING FOR DISABLED PERSONS," passed Second Reading and was referred to the Committee on Health, with Representatives McKelvey, Sagum and Wooley being excused.

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 11-10) recommending that H.B. No. 1901, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the committee be adopted, and that H.B. No. 1901, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, on Stand. Com. Report No. 11-10, HB No. 1901, I'd like to ask for a ruling on potential conflict. At my law firm, we represent one of the potential vendors for the election system, but I don't work on that case," 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 H.B. No. 1901, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT OF VOTING SYSTEM EQUIPMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Sagum and Wooley being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 12-10) recommending that H.B. No. 1854, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1854, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Sagum and Wooley being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 13-10) recommending that H.B. No. 1852, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1852, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Sagum and Wooley being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 14-10) recommending that H.B. No. 2190, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2190, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey, Sagum and Wooley being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 15-10) recommending that H.B. No. 1928, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1928, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey, Sagum and Wooley being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 16-10) recommending that H.B. No. 2236, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2236, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Sagum and Wooley being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 17-10) recommending that H.B. No. 2239, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2239, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Sagum and Wooley being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 18-10) recommending that H.B. No. 2238, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2238, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE PORTFOLIO STANDARDS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives McKelvey, Sagum and Wooley being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 19-10) recommending

that H.B. No. 2197, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2197, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives McKelvey, Sagum and Wooley being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 20-10) recommending that H.B. No. 1957, pass Second Reading and be referred to the Committee on Tourism, Culture, & International Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1957, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH," passed Second Reading and was referred to the Committee on Tourism, Culture, & International Affairs, with Representatives McKelvey, Sagum and Wooley being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 21-10) recommending that H.B. No. 2110, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2110, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives McKelvey, Sagum and Wooley being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 22-10) recommending that H.B. No. 2027, 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 H.B. No. 2027, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISHONORED CHECKS," passed Second Reading, and was placed on the calendar for Third Reading, with Representatives McKelvey, Sagum and Wooley being excused.

## ANNOUNCEMENTS

Representative Chang, for the Committee on Higher Education requested a waiver of House Rule 11.5 to hear the following measures on Tuesday, February 2, 2010 at 2 p.m. in Conference Room 309:

HB No. 2641, Relating to University of Hawaii Projects;  
 HB No. 2670, Relating to the University of Hawaii;  
 HB No. 2685, Relating to University of Hawaii Budget;  
 HB No. 2701, Relating to the University of Hawaii; and  
 HB No. 2921, Relating to Licensing.

At 12:23 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:23 o'clock p.m.

## ADJOURNMENT

At 12:24 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives, on a standing vote in memory of the late Senator Nadao Yoshinaga, adjourned until 12:00 o'clock noon tomorrow, Tuesday, February 2, 2010. (Representatives McKelvey, Sagum and Wooley were excused.)