

NINTH DAY

Tuesday, February 2, 2010

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2010, convened at 12:03 o'clock p.m., with Vice Speaker Magaoy presiding.

The invocation was delivered by Representative Robert N. Herkes, after which the Roll was called showing all Members present with the exception of Representatives McKelvey and Pine, who were excused.

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

DEPARTMENTAL COMMUNICATIONS

The following departmental communication (Dept. Com. No. 55) was received by the Clerk and was placed on file:

Dept. Com. No. 55, from the Department of Labor & Industrial Relations, transmitting the Workers' Compensation Data Book 2008.

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>
747, HD1	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2280	Committee on Housing, then to the Committee on Finance
2318	Committee on Housing, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representatives Chang and Takumi, for the Committee on Higher Education and the Committee on Education presented a report (Stand. Com. Rep. No. 23-10) recommending that H.B. No. 2305, 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 Committees was adopted and H.B. No. 2305, entitled: "A BILL FOR AN ACT RELATING TO HAWAII INSTITUTE FOR EDUCATIONAL PARTNERSHIPS," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 24-10) recommending that H.B. No. 2022, 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. 2022, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 25-10) recommending that H.B. No. 1860, 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. 1860, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," passed Second Reading and was referred to the Committee on Health, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 26-10) recommending that H.B. No. 1978, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1978, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with some serious reservations regarding Stand. Com. 26-10. Mr. Speaker, I know that most of us in this Chamber are here to create more jobs, protect jobs, get our kids back in school, and put things in priority. But why we are micromanaging the towing business with such detail here saying, 'You must stay open 24 hours.' Did we tell Walmart to stay open 24 hours? Did we tell 7-Eleven to do that? I don't understand the intent of this bill, but it's kind of a 'slippery slope' that once we start doing all this stuff, what's left for the market? And I think our whole nation is looking at, is it going to be determined by government or is it determined by the marketplace? And I think we are going to have to push back a little bit. Get government out of the way and let the marketplace decide, particularly in telling towing companies, 'You must stay open 24 hours a day.' Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1978, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 27-10) recommending that H.B. No. 2084, 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. 2084, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL DISPROPORTIONATE SHARE HOSPITAL FUNDS," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 28-10) recommending that H.B. No. 2138, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 2138, HD 1, pass Second Reading and be referred to the Committee on Education, seconded by Representative Evans.

Representative Finnegan 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 Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise with reservations on HB 2138 relating to the Healthy Start Program. When this bill was first introduced, it fundamentally undermined the separation of powers between the Executive and Legislative branches. This measure was an attempt to usurp the prerogative of the Executive branch by legislatively establishing the

Healthy Start Program as a permanent program and exempting the Healthy Start Program from the budget allotment system. Furthermore, the bill also undermined the Legislature and its ability to determine budgets for the State.

"Additionally, this bill ignored budgetary reality. Many government programs are important, but in this economic situation, many of them have been cut. Healthy Start is in the same position as most State programs. Why should it be established as a special program that can ignore fiscal reality?"

"HB 2138 has subsequently been amended to the HD 1 version that has mitigated some of the budget concerns and gives the Legislature the power to determine the services that DOH provides. Although the amendments rectify the issues from the initial draft, they essentially render this bill unnecessary and pointless. We do not need a bill to enable the Legislature and the Governor to do what is already within the power and purview of the Legislature and the Governor."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2138, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTHY START," passed Second Reading and was referred to the Committee on Education, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 29-10) recommending that H.B. No. 2206, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 2206, HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative Evans.

Representative Marumoto rose to speak in support of the measure, stating:

"I would like to make a comment on Stand. Com. Report 29-10. I'm sorry, I was sitting down on the job. I would just like to make a comment in favor of this health savings account bill. I think it's a great bill and I hope it comes to fruition. I think this concept should be incorporated in any federal health care reform that may pass on the national level in Congress. Thank you, very much."

Representative Yamane rose in support of the measure and asked that the remarks of Representative Marumoto be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2206, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH SAVINGS ACCOUNTS," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representatives McKelvey, Pine and Tokioka being excused.

Representatives Chang and Karamatsu, for the Committee on Higher Education and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 30-10) recommending that H.B. No. 2051, 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 Committees was adopted and H.B. No. 2051, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Carroll, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 31-10) recommending that H.B. No. 1964, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1964, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REPATRIATION," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives McKelvey, Pine and Tokioka being excused.

Representatives Carroll and Ito, for the Committee on Hawaiian Affairs and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 32-10) recommending that H.B. No. 1969, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 1969, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you. I did want to express concerns on Stand. Com. No. 32-10. I'd just like to express again my reservations on this particular bill. I think of course we're in favor of taking care of burial sites, but the financial burden is my concern. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1969, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 33-10) recommending that H.B. No. 1851, 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. 1851, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF COUNTY AGENCIES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey, Pine and Tokioka being excused.

Representatives Takumi and Chang, for the Committee on Education and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 34-10) recommending that H.B. No. 1849, 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 Committees was adopted and H.B. No. 1849, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC WARRANT VOUCHERS," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Pine and Tokioka being excused.

Representatives Takumi and Chang, for the Committee on Education and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 35-10) recommending that H.B. No. 1850, 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 Committees was adopted and H.B. No. 1850, entitled: "A BILL FOR AN ACT RELATING TO PREAUDITS FOR PROPOSED PAYMENTS," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Pine and Tokioka 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. 36-10) recommending that H.B. No. 2074, 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 Committees was adopted and H.B. No. 2074, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF PRINCIPALS AND VICE-PRINCIPALS," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Pine and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization, Business, & Military Affairs presented a report (Stand. Com. Rep. No. 37-10) recommending that H.B. No. 462, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 462, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY SPECIAL NUMBER PLATES," passed Second Reading and was referred to the Committee on Transportation, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 38-10) recommending that H.B. No. 1914, pass Second Reading and be referred to the Committee on Economic Revitalization, Business, & Military Affairs.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1914, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC OPPORTUNITY POVERTY REDUCTION TASK FORCE," passed Second Reading and was referred to the Committee on Economic Revitalization, Business, & Military Affairs, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 39-10) recommending that H.B. No. 1885, 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. 1885, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC MONITORING," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 40-10) recommending that H.B. No. 1936, 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. 1936, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey, Pine and Tokioka being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 41-10) recommending that H.B. No. 2144, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

Representative B. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 2144, HD 1, pass Second Reading and be referred to the Committee on Legislative Management, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise again with serious reservations on a measure, Stand. Com. No. 41-10, Relating to Legislative Caucuses. Thank you, Mr.

Speaker. I think the bill is good. It's got a great intention, but possibly very serious unintended consequences. For example, there are probably dozens of caucuses. Former Representative Stegmaier and I back in the '90s formed the Small Business Caucus, but we're not in statute. If we made the Keiki Caucus and the Kupuna Caucus the premier statutized caucuses, are the other ones illegitimate or less capable of carrying on what they're doing? Or are they moot and therefore we all have to rush.

"My point is this will set a precedent. If your caucus is not in statute, will your caucus still remain as a caucus. I know that's usually a Speaker and a Leadership call, but since this is a little bit odd I wanted to bring it to attention because we're kind of punting it down the line, and I know the next Committee will probably have to answer these questions. Thank you, Mr. Speaker."

Representative Ching rose to speak in support of the measure with reservations, stating:

"I don't know if I should have a conflict of interest, but we have a Heritage Caucus. I don't know if I need to establish that, but I too just wanted to reiterate some concerns. I have some reservations in that I very much support, of course, *kupuna* and *keiki* as a Member, but I'm just concerned about what this legislation may mean. Thank you."

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

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I stand in support of the measure which establishes both the Keiki Caucus and Kupuna Caucus in statute.

"For several years now both of these groups have met regularly with members of the community to discuss issues which will result in the betterment of the quality of life for our *keiki* and *kupuna*. These caucuses have involved large numbers of faithful community advocates, and have not ceased to meet regularly year round to plan for future action.

"In addition, the Kupuna Caucus has contributed major input into the yearly reports of the Joint Legislative Committee on Aging in Place. To say the establishment of these caucuses would diminish the status of others is not the intent, nor would that be the final result of passage of this bill. Rather, it would be a recognition of the many hours of work and discussion that make up the work of both the Keiki and Kupuna Caucus advocates."

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2144, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE CAUCUSES," passed Second Reading and was referred to the Committee on Legislative Management, with Representatives McKelvey, Pine and Tokioka 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. 42-10) recommending that H.B. No. 2203, 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 Committees was adopted and H.B. No. 2203, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 43-10) recommending that H.B. No. 1903, 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. 1903, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR STATE EMPLOYEES," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 44-10) recommending that H.B. No. 2163, 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. 2163, entitled: "A BILL FOR AN ACT RELATING TO SALARY AND PENSION PAYMENTS," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 45-10) recommending that H.B. No. 437, 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. 437, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 46-10) recommending that H.B. No. 1877, 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. 1877, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 47-10) recommending that H.B. No. 2169, 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. 2169, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 48-10) recommending that H.B. No. 2379, 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. 2379, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 49-10) recommending that H.B. No. 2411, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 2411, HD 1, pass Second Reading and be referred to the Committee on Legislative Management, seconded by Representative Evans.

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise to speak in favor of this measure, but I did vote with reservations in Committee. So just to explain my vote in Committee - there were actually 5 votes with reservations on this particular Committee Report. It calls for a study of the economic and environmental impact on businesses and communities as a result of the reduction in services of the Department of Agriculture's Quarantine Branch and Commodities Branch, statewide.

"The intent is very good and how could you vote against this? But the LRB was in attendance and testified that they have several duties to attend to and this might not rise to a high priority level. They're a little reluctant to do this study. We all know the results of cutbacks and reductions in services in the Department of Agriculture. The effects are dire and adverse so I have a little reluctance in pushing this particular study forward. I think the money might be better spent on keeping some of the staff working. Thank you, very much."

Representative Finnegan rose in support of the measure with reservations and asked that the remarks of Representative Marumoto be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, 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. 2411, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," passed Second Reading and was referred to the Committee on Legislative Management, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 50-10) recommending that H.B. No. 2274, 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. 2274, entitled: "A BILL FOR AN ACT RELATING TO THE WIRELESS ENHANCED 911 FUND," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 51-10) recommending that H.B. No. 2115, 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. 2115, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 52-10) recommending that H.B. No. 2291, 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. 2291, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," passed Second Reading and was

referred to the Committee on Finance, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 53-10) recommending that H.B. No. 2292, 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. 2292, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FARM PRODUCE," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 54-10) recommending that H.B. No. 2017, 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. 2017, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 55-10) recommending that H.B. No. 2028, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 2028, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Takai rose to disclose a potential conflict of interest, stating:

"On Stand. Com. Rep. No. 55-10, may I have a ruling on a potential conflict. My potential conflict is that I'm an insurance broker," 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. 2028, entitled: "A BILL FOR AN ACT RELATING TO GROUP LIFE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives McKelvey, Pine and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 56-10) recommending that H.B. No. 747, as amended in HD 1, be recommitted to the Committee on Human Services.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 747, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," was recommitted to the Committee on Human Services, with Representatives McKelvey, Pine and Tokioka being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 13 through 16) and concurrent resolutions (H.C.R. Nos. 51 through 55) were referred to Printing and further action was deferred:

H.R. No. 13, entitled: "HOUSE RESOLUTION DECLARING THE SECOND WEEK IN OCTOBER AS CASE MANAGEMENT WEEK," was jointly offered by Representatives Mizuno, Aquino, Brower, Manahan and Yamane.

H.R. No. 14, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPLEMENT A STATEWIDE PLAN TO ELIMINATE THE WASTE OF MILK DISTRIBUTED WITH SCHOOL LUNCHES," was jointly offered by Representatives M. Lee, Manahan, Mizuno, Pine, Thielen, Awana and Hanohano.

H.R. No. 15, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW TO DETERMINE WHETHER CASE MANAGERS SHOULD BE CERTIFIED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was jointly offered by Representatives Mizuno, Aquino, Brower, Manahan and Yamane.

H.R. No. 16, entitled: "HOUSE RESOLUTION SUPPORTING THE UNITED STATES BUREAU OF THE CENSUS AND URGING ALL HAWAII RESIDENTS TO PARTICIPATE IN 2010," was jointly offered by Representatives Mizuno, Brower, Chong and Tsuji.

H.C.R. No. 51, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING THE SECOND WEEK IN OCTOBER AS CASE MANAGEMENT WEEK," was jointly offered by Representatives Mizuno, Aquino, Brower, Manahan and Yamane.

H.C.R. No. 52, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPLEMENT A STATEWIDE PLAN TO ELIMINATE THE WASTE OF MILK DISTRIBUTED WITH SCHOOL LUNCHES," was jointly offered by Representatives M. Lee, Manahan, Mizuno, Pine, Thielen, Ward, Awana and Hanohano.

H.C.R. No. 53, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW TO DETERMINE WHETHER CASE MANAGERS SHOULD BE CERTIFIED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was jointly offered by Representatives Mizuno, Aquino, Brower, Manahan and Yamane.

H.C.R. No. 54, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE UNITED STATES BUREAU OF THE CENSUS AND URGING ALL HAWAII RESIDENTS TO PARTICIPATE IN 2010," was jointly offered by Representatives Mizuno, Brower, Chong and Tsuji.

H.C.R. No. 55, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF HAWAII'S PUBLIC, EDUCATIONAL, AND GOVERNMENTAL ACCESS ORGANIZATIONS," was offered by Representative Mizuno.

ADJOURNMENT

At 12:17 o'clock p.m. on motion by Representative Evans, seconded by Representative Thielen and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Wednesday, February 3, 2010. (Representatives McKelvey, Pine and Tokioka were excused.)