

## FIFTY-FOURTH DAY

**Wednesday, April 21, 2010**

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2010, convened at 11:36 o'clock a.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Representative Isaac W. Choy, after which the Roll was called showing all Members present with the exception of Representatives Har, M. Oshiro, Takai and Wooley, who were excused.

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

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 250 through 254) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 250, informing the House that on April 20, 2010, the following bill was signed into law:

H.B. No. 134, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING." (ACT 038)

Gov. Msg. No. 251, informing the House that on April 20, 2010, the following bill was signed into law:

H.B. No. 2027, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DISHONORED CHECKS." (ACT 039)

Gov. Msg. No. 252, informing the House that on April 20, 2010, the following bill was signed into law:

H.B. No. 2383, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO FLAGS." (ACT 040)

Gov. Msg. No. 253, informing the House that on April 20, 2010, the following bill was signed into law:

S.B. No. 2122, SD 1, entitled: "A BILL FOR AN ACT RELATING TO RESEARCH." (ACT 041)

Gov. Msg. No. 254, informing the House that on April 20, 2010, the following bill was signed into law:

S.B. No. 2389, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII." (ACT 042)

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 623 and 624) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 623, dated April 20, 2010, informing the House that the Senate has on April 19, 2010, reconsidered its action taken on April 8, 2010, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 2323, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Sen. Com. No. 624, dated April 20, 2010, informing the House that the Senate has made the following changes to the Senate Conferee assignments for the following bill:

S.B. No. 2849, Senator(s) Kokubun added as conferee(s).  
SD 2, HD 1

## INTRODUCTIONS

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

Representative Rhoads introduced Mr. Grigory Vasilievich Fandeev, Parliament member of the Republic of Karelia, Russia who is currently in Senate President Hanabusa's office on an NCSL Exchange program.

Representative Wakai introduced students from the Tokai University in Honolulu, and their teacher, Mr. Jeff Bingham Mead.

At 11:41 o'clock a.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:42 o'clock a.m.

## ORDER OF THE DAY

## SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House Bills and Senate Bills for Final Reading by consent calendar. (Representatives Har, M. Oshiro, Takai and Wooley were excused.)

## UNFINISHED BUSINESS

**Conf. Com. Rep. No. 8-10 and H.B. No. 1862, HD 1, SD 1, CD 1:**

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1862, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I'm rising to speak against House Bill 1862. Mr. Speaker, this bill is continuing the work of this Legislature to criminalize an activity which I don't condone, but to criminalize it without paying any attention to the fact that the City and County has not provided adequate public restrooms.

"For those people who can walk into Macy's or can walk into a restaurant, this isn't an issue. But for those people who wouldn't be welcomed in those locations, it is an issue. We lack the public facilities for the public. The unfortunate thing about this bill is, and I could have supported it if it had provisions in it for this task force to look at what is the obstacle for creating the public restrooms. You can't say to some of these people, 'You can go to the police department down there,' because many of those people don't look at the police or that office as a comfortable place to go. Other facilities aren't open for them. We've even heard stories about tourists coming off the ships and coming into the Chinatown area and bemoaning the lack of any public facilities.

"So I think that we really went the wrong way with this measure. The task force I hope would voluntarily take a look at why we don't have public restrooms down in this area that is so heavily used by so many people with this large population. You go to many other cities and you don't find the lack of public restrooms that we have here. You don't find a public park that the City put together without any restroom in it.

"So I just can't support this legislation. I've opposed it before, I oppose it again. Somehow the message isn't getting through to the City to say, 'Let's

get moving. Let's get some public facilities in place, and don't build parks without restrooms that are kept open." Thank you."

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

"Thank you, Mr. Speaker. I am in favor of this measure however I do have reservations. Similar to the previous speaker, I do not condone using the streets as a bathroom and I do believe we need more facilities. Having traveled to some foreign nations, I've noticed that there are very small public urinals for men available on the streets and they take up less space than a phone booth. I certainly would encourage the City or the State government to look into these conveniences. 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. 1862, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ORDER," passed Final Reading by a vote of 46 ayes to 1 no, with Representative Thielen voting no, and with Representatives Har, M. Oshiro, Takai and Wooley being excused.

**Conf. Com. Rep. No. 55-10 and S.B. No. 2187, SD 1, HD 2, CD 1:**

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 2187, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Berg rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. Thank you. And if colleagues would just beg my indulgence for a few moments. Many of you have asked me why I have consistently voted in opposition to this measure. Initially, I opposed this bill because it gives the HTA the authority to withhold from public disclosure competitively-sensitive information including surveys, questionnaire forms, coding sheets, database records of information.

"On the surface Mr. Speaker, the list seems like a small adjustment, particularly in light of the huge task that HTA has to present Hawaii in new creative ways that will invite visitors to travel at this time in the world's economic market. My initial concerns had to do with transparency and communication, information to the public, and also to ourselves. But with each Crossover and every time the bill was before us, more has been revealed to me about the Hawaii Tourism Authority, its operation, and the need for even more attention by us, the monetary conduit for HTA.

"My concerns were particularly exacerbated when I read the January '09 Auditor's Report of the HTA in which the observation was made that in the last five years since the previous audit, HTA has spent nearly \$270 million in State funds or 90% of its marketing funds to attract visitors from North America and Japan. Without a strategic plan that maps out the long term goals and processes to assess the accomplishments of its major contractors, the Authority's Board of Directors is unable to demonstrate that the promotional dollars have been spent purposefully and effectively. By failing to define its own strategies and account for its efforts, the Authority has not fulfilled its leadership role to manage Hawaii tourism in a sustainable manner during these times of economic decline or prosperity. The Authority's failure to establish clear objectives and account for its own activities, expands to major contractors.

"I find this observation particularly troubling. It's true that the HTA has presented a PowerPoint presentation of its goals, but at this time of uncertainty Mr. Speaker, economically I would like to encourage our colleagues to be much more discerning in this particular bill. It is not specifically a money bill and that's why I know we're moving it forward. However, changing the requirements of HTA from developing measures of effectiveness to assess the benefits according to the employment rate, the state taxes, the lesser known and undeveloped destinations, to only requiring them to progress on whether or not their marketing plans have reached their goals, I think is contradicting actually to what the mission of HTA is. If the measures of effectiveness are focused only on plans, I think that we're missing the mark.

"So I went online Mr. Speaker, to take a look at the HTA website. I put my name in for information on their email address a couple weeks ago and still haven't received a response from them. I looked at the Director's Board of Agenda, the meetings and agendas - there's nothing posted. So with a \$88 million budget Mr. Speaker, for this fiscal year '09-'10, and only having spent \$67 million so far, and only having \$269,000 reduction in their budget because of furloughs, I have misgivings about this bill at this time. Maybe I would feel better if they could give \$250,000 to the Early Learning Council, or maybe \$1 million for a SHPD audit, or maybe help with the agricultural inspectors. I'm troubled by the budget and I know that there is much we have to learn about HTA, but I urge my colleagues to be discerning in this particular bill. Thank you, very much."

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

"Mr. Speaker, I'm standing support of this measure. Mr. Speaker, as mentioned, this bill just simply tries to keep proprietary sensitive marketing information for a limited time and not in perpetuity. After a while the information can be released. However, because the HTA is a quasi-public, semi-autonomous entity that also conducts business, there is sensitive marketing information that can be potentially damaging if our competition is privy to it at a certain point in time. So it's a timing thing. It's a timing issue.

"As far as the previous speaker's concerns regarding the audit, I think those have been adequately addressed by the Board. They are working on their strategic plan and actually what this bill does is continue their efforts, as far as maintaining their measures of marketing effectiveness, as well as making it cohesive with their current strategic plan, which they are working on. Please, if you could allow me to insert additional written comments in support. Thank you."

Representative Manahan's written remarks are as follows:

"Your Committee on Tourism, Culture, & International Affairs, to which was referred S.B. No. 2187, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," begs leave to report as follows:

"The purpose of this bill is to improve Hawaii's tourism industry and the administration of the Hawaii Tourism Authority (HTA) by:

- (1) Authorizing HTA to maintain confidentiality of certain sensitive information;
- (2) Directing HTA to develop program performance goals and targets that can be monitored as market gauges and used as attributes to evaluate their promotions;
- (3) Conforming reporting requirements for contracts or agreements entered into by HTA to current practices; and
- (4) Making permanent statutory provisions that exempted HTA accounts from the supervision of the Comptroller and authorized the use of up to five percent of moneys in the Tourism Special Fund (TSF) for administrative expenses.

"HTA and Hawaii Hotel and Lodging Association supported this bill. The Tourism Liaison and Office of Information practices provided comments.

"Your Committee has amended this bill by:

- (1) Adding provisions that allow marketing information to be disclosed after the marketing plans and strategies are executed;
- (2) Specifying that HTA executive meetings must adhere to the Sunshine Law under Chapter 92, Hawaii Revised Statutes;
- (3) Extending, instead of making permanent, statutory provisions that exempted HTA accounts from the supervision of the Comptroller and authorized the use of up to five percent of moneys in the TSF for administrative expenses; and

- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

"As affirmed by the record of votes of the members of your Committee on Tourism, Culture, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2187, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2187, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

"Additionally, the Representative from the 18th District had every opportunity to voice her concerns about the bill on March 8th, 2010 at the hearing held by the Tourism, Culture & International Affairs Committee, of which she is a member. As the voting record shows, she was absent from the hearing, and rather than voicing her concerns during the hearing, she chose to voice her concerns during Final Reading which leads me to believe she is campaigning on the Floor."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2187, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Final Reading by a vote of 46 ayes to 1 no, with Representative Berg voting no, and with Representatives Har, M. Oshiro, Takai and Wooley being excused.

**Conf. Com. Rep. No. 56-10 and S.B. No. 2441, SD 2, HD 2, CD 1:**

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2441, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," passed Final Reading by a vote of 47 ayes, with Representatives Har, M. Oshiro, Takai and Wooley being excused.

**Conf. Com. Rep. No. 57-10 and S.B. No. 2607, SD 2, HD 1, CD 1:**

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2607, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ACTIVITY DESKS," passed Final Reading by a vote of 47 ayes, with Representatives Har, M. Oshiro, Takai and Wooley being excused.

At 11:53 o'clock a.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1862, HD 1, SD 1, CD 1  
S.B. No. 2187, SD 1, HD 2, CD 1  
S.B. No. 2441, SD 2, HD 2, CD 1  
S.B. No. 2607, SD 2, HD 1, CD 1

**STANDING COMMITTEE REPORTS**

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1375-10) recommending that H.R. No. 205, as amended in HD 1, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.R. No. 205, HD 1, be adopted, seconded by Representative Evans.

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

"Mr. Speaker, I rise with reservations on Stand. Com. No. 1375. This is a resolution about what the public can see, and about what we do in the confines of this building. Mr. Speaker, transparency and openness are the hallmarks of a strong democracy. Stated differently, we can't be too open, we can't be too transparent, we can't show them too much of what we do because the more that they know, the more open and vibrant a democracy is.

"What we've got with Capitol TV I think is good, but I have a vision that someday we're going to be like C-SPAN. We're going to have all hearings, all the time, for all the people, whenever they want it. They can fall asleep because a lot of it's boring obviously. But C-SPAN at least gives them the opportunity. We should be pushing the envelope to bring C-SPAN to the State of Hawaii.

"The second thing I envision, and I know I've said this many, many times, is a bipartisan approach to what media, channels or whatever the public view of what we're doing in the State of Hawaii in the Legislature. So it's not just a one man show. And I say that with all due respect in that the Speaker has all control of what is seen and what is not seen in the State Legislature. So Mr. Speaker, with the limited coverage and the limited lack of bipartisanship I have to have reservations about this, but still have the vision that it'll happen someday.

"I find it a great honor to be speaking in front of a man from Russia. I find the lessons that they are teaching us by practicing democracy and openness even more so than sometimes in our own country or even in this State. It's a great honor to be speaking before him because they know by experience when there is no transparency and there's only a few people making decisions for everybody, we get in danger and we get in trouble with democracy. Thank you, Mr. Speaker."

Representative Ching 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 Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition [*sic*] to H.R. 205 – which establishes policies for the legislative broadcast program's cablecasts of House of Representative's proceedings.

"While I understand the intention of this measure, in view of what has happened this year, whereby votes were miscounted on a Minority member's bill and the mistake only caught on Minority Caucus' cameras, it appears this subject needs revisiting. I enter into record the Opinion article from the *Honolulu Advertiser* dated March 5, 2010 entitled "Legislators: Stand up and be Counted" by Common Cause, League of Women Voters of Hawaii, and others.

"Although changes have been made to the original measure, I still worry about the transparency of our sessions because of the wording which states that "all public committee hearings, legislative sessions, and other legislative proceedings shall be authorized for programming and selected by the Speaker of the House of Representatives or the Speaker's designee." I kindly ask that these individuals that authorize programming be cognizant of the fact that it is the public's right to be able to listen and watch all proceedings.

"I feel we should protect the public's right to access and not curb in anyway the minority's broadcast. The language of this measure does not adequately protect the rights of the minority and seems questionable. People should be allowed to tape hearings or Floor sessions. The public should never be denied access in a place that belongs to them. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.R. No. 205, HD 1, entitled: "HOUSE RESOLUTION ESTABLISHING POLICIES FOR THE LEGISLATIVE BROADCAST PROGRAM'S CABLECASTS OF HOUSE OF REPRESENTATIVES' PROCEEDINGS," was adopted, with Representatives Har, M. Oshiro, Takai and Wooley being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1376-10) recommending that S.C.R. No. 172, SD 1, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.C.R. No. 172, SD 1, be adopted, seconded by Representative Evans.

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

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

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

Representative Marumoto 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 S.C.R. No. 172, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY AND THE HAWAII PAROLING AUTHORITY TO IDENTIFY UP TO FIVE HUNDRED NON-VIOLENT INMATES WHO COULD BE INVOLVED IN A DAY REPORTING CENTER, BE MONITORED VIA TWENTY-FOUR HOUR/SEVEN DAYS A WEEK GPS ELECTRONIC MONITORING, BE INCLUDED IN AN EXTENDED WORK FURLOUGH PROGRAM, AND/OR BE ELIGIBLE FOR AN EARLY RELEASE PROGRAM," was adopted, with Representatives Har, M. Oshiro, Takai and Wooley being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1377-10) recommending that S.C.R. No. 180, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 180, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT OF THE WIRELESS ENHANCED 911 FUND," was adopted, with Representatives Har, M. Oshiro, Takai and Wooley being excused.

Representative Hanohano, for the Committee on Public Safety presented a report (Stand. Com. Rep. No. 1378-10) recommending that S.C.R. No. 190, SD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 190, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CORRECTIONS POPULATION MANAGEMENT COMMISSION TO RESUME ITS MEETINGS AND TO MEET AT LEAST QUARTERLY," was adopted, with Representatives Har, M. Oshiro, Takai and Wooley being excused.

Representative Hanohano, for the Committee on Public Safety presented two reports:

(Stand. Com. Rep. No. 1379-10) recommending that S.C.R. No. 191, SD 1, be adopted; and

(Stand. Com. Rep. No. 1380-10) recommending that S.C.R. No. 192, SD 1, be adopted.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that S.C.R. No. 191, SD 1; and S.C.R. No. 192, SD 1, be adopted, seconded by Representative Evans.

Representative Pine rose to speak in support of both measures with reservations, stating:

"I just want to note my reservations on these measures. The reason I have reservations is the Department of Public Safety said they that would love to do both of these, but really in reality, they just don't have the additional funds to do so."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 191, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII PAROLING AUTHORITY TO ESTABLISH A HOPE

PAROLE PILOT PROGRAM," was adopted, with Representatives Har, M. Oshiro, Takai and Wooley being excused; and

S.C.R. No. 192, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO FACILITATE THE DELIVERY OF THE HUIKAHI RESTORATIVE CIRCLES PROGRAM IN HAWAII CORRECTIONAL FACILITIES," was adopted, with Representatives Har, M. Oshiro, Takai and Wooley being excused.

## CONFERENCE COMMITTEE REPORTS

Representatives Souki and Karamatsu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1190, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 12-10) recommending that H.B. No. 1190, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 12-10 and H.B. No. 1190, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ACCIDENT INVESTIGATION," was deferred for a period of 48 hours.

Representatives Souki and Karamatsu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2020, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 13-10) recommending that H.B. No. 2020, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 13-10 and H.B. No. 2020, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," was deferred for a period of 48 hours.

Representatives Takumi and M. Lee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1854, SD 2, presented a report (Conf. Com. Rep. No. 14-10) recommending that H.B. No. 1854, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 14-10 and H.B. No. 1854, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Carroll, McKelvey and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2676, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 15-10) recommending that H.B. No. 2676, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 15-10 and H.B. No. 2676, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE KAHŌ'OLAWĒ ISLAND RESERVE COMMISSION," was deferred for a period of 48 hours.

Representatives Morita and Coffman, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2239, SD 2, presented a report (Conf. Com. Rep. No. 16-10) recommending that H.B. No. 2239, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 16-10 and H.B. No. 2239, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," was deferred for a period of 48 hours.

Representatives Hanohano, Ito, Karamatsu and Aquino, for the Committee on Conference on the disagreeing vote of the Senate to the

amendments proposed by the House in S.B. No. 950, SD 2, HD 3, presented a report (Conf. Com. Rep. No. 59-10) recommending that S.B. No. 950, SD 2, HD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 59-10 and S.B. No. 950, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS," was deferred for a period of 48 hours.

Representatives Souki and Karamatsu, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2449, HD 1, presented a report (Conf. Com. Rep. No. 60-10) recommending that S.B. No. 2449, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 60-10 and S.B. No. 2449, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," was deferred for a period of 48 hours.

Representatives Ito and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2019, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 61-10) recommending that S.B. No. 2019, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 61-10 and S.B. No. 2019, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MAXIMUM TERM OF COMMERCIAL USE AND OPERATOR PERMITS FOR THRILL CRAFT AND PARASAILING," was deferred for a period of 48 hours.

Representatives Morita, Cabanilla and Karamatsu, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2817, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 62-10) recommending that S.B. No. 2817, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 62-10 and S.B. No. 2817, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES," was deferred for a period of 48 hours.

#### FINAL READING

Representative B. Oshiro moved to agree to the amendments made by the Senate to the following House Bill, seconded by Representative Evans and carried: (Representatives Har, M. Oshiro, Takai and Wooley were excused.)

H.B. No. 2297, HD 2, (SD 2)

The Chair addressed the Clerk who announced that the record of votes for said measure had been received which indicated that a quorum was present at decision making, and that the requisite number of House Conferees appointed had cast affirmative votes to report said measure to the Floor.

#### H.B. No. 2297, HD 2, SD 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2297, HD 2, on the following showing of Ayes and Noes:

Ayes, 4 (Souki, Karamatsu, Wakai and Pine). Noes, none. Excused, none.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 2297, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SUN SCREENING DEVICES," passed Final Reading by a vote of 47 ayes, with Representatives Har, M. Oshiro, Takai and Wooley being excused.

At 11:59 o'clock a.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 2297, HD 2, SD 2

#### ANNOUNCEMENTS

Representative Nishimoto, for the Committee on Health requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measure on Thursday, April 22, 2010, at 11:00 a.m. in Conference Room 229, and the Chair "so ordered."

S.C.R. No. 150, Proclaiming September 26, 2010, as Mesothelioma Awareness Day.

#### ADJOURNMENT

At 12:00 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 6:30 o'clock p.m. tomorrow, Thursday, April 22, 2010. (Representatives Har, M. Oshiro, Takai and Wooley were excused.)

#### HOUSE COMMUNICATIONS

House Communication dated April 21, 2010, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day agreed to the amendments made by the Senate and passed the following House Bill on Final Reading:

H.B. No. 2297, HD 2, SD 2

House Communication dated April 21, 2010, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day passed the following bills on Final Reading:

H.B. No. 1862, SD 1, CD 1, CD 1  
S.B. No. 2187, SD 1, HD 2, CD 1  
S.B. No. 2441, SD 2, HD 2, CD 1  
S.B. No. 2607, SD 2, HD 1, CD 1

#### OTHER COMMUNICATIONS

"April 21, 2010

#### MEMORANDUM

TO:	Senator Clayton Hee	Representative Mele Carroll
	Senator Donna Mercado Kim	Representative Ken Ito
	Senator Norman Sakamoto	Representative Marcus R. Oshiro
	Senator Carol Fukunaga	Representative Sharon E. Har
	Senator Fred Hemmings	Representative Gene Ward

FROM: Colleen Hanabusa /s/  
Senate President

Calvin K.Y. Say /s/  
Speaker of the House

Effective immediately, Rule 1(a) of the Joint Senate-House 2010 Committees on Conference Procedures, prohibiting the insertion of

unrelated or new subject matter is hereby waived as it applies to HB 1015  
HD1 SD2 only.

cc: All Senate Members            All House Members  
Senate Majority Research       House Majority Staff Office  
Senate Minority Research       House Minority Research  
Senate Chief Clerk               House Chief Clerk"