

## SECOND DAY

**Thursday, January 20, 2011**

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2011, convened at 12:09 o'clock p.m., with the Speaker presiding.

The ecumenical invocation was delivered by Representative Pono Chong, after which the Roll was called showing all Members present with the exception of Representative Souki, who was excused.

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

**GOVERNOR'S MESSAGES**

The following messages from the Governor (Gov. Msg. Nos. 471-10 through 496-10) were received by the Clerk and were placed on file:

Gov. Msg. No. 471-10, dated August 26, 2010, transmitting the Department of Human Services' Report to the Legislature as required by Act 162, Part 7, Section 159, SLH 2009.

Gov. Msg. No. 472-10, dated August 26, 2010, transmitting the Department of Human Services' Report to the Legislature as required by Act 162, Part 7, Section 158, SLH 2009, and Section 346-51.5, HRS.

Gov. Msg. No. 473-10, dated September 1, 2010, transmitting the Department of Taxation's Descriptive Statistics on the Operations of Qualified High Technology Businesses from 2000 through 2009, Addendum to the Report of September 2009 as required by Act 206, Session Laws of Hawaii 2007.

Gov. Msg. No. 474-10, dated September 2, 2010, transmitting the Variance Report for FYs 2009-10, pursuant to Section 37-75, HRS, Variance Report.

Gov. Msg. No. 475-10, dated October 1, 2010, transmitting the Department of Accounting and General Services' Report on the Wireless Enhanced 911 Fund to comply with SCR 180.

Gov. Msg. No. 476-10, dated September 23, 2010, transmitting the report on the Economic Impacts of Agricultural Reservoir Closures in Hawaii as required pursuant to Act 118, Session Laws of Hawaii 2006.

Gov. Msg. No. 477-10, dated September 30, 2010, transmitting the Annual Report on Administratively Established Appropriations as required pursuant to Act 178, Session Laws of Hawaii 2002.

Gov. Msg. No. 478-10, dated October 8, 2010, transmitting the Department of Land and Natural Resources' report, Security Breach Of Personal Information as required by Section 487N-4, Hawaii Revised Statutes.

Gov. Msg. No. 479-10, dated October 11, 2010, transmitting the Hawaii Department of Agriculture's Report of establishment of two federally funded civil service positions as required in Act 180, Section 134, SLH 2010.

Gov. Msg. No. 480-10, dated October 10, 2010, transmitting the Report on the Number of Pen Register Orders and Orders for Trap and Trace Devices Applied For by Law Enforcement Agencies of the State, pursuant to section 803-47(c), Hawaii Revised Statutes.

Gov. Msg. No. 481-10, dated October 25, 2010, transmitting the Department of the Attorney General's Report on the Antitrust Trust Fund, pursuant to section 28-13(d), Hawaii Revised Statutes.

Gov. Msg. No. 482-10, dated October 25, 2010, transmitting the Department of the Attorney General's Report on the Tobacco Enforcement Special Fund, pursuant to section 28-15(d), Hawaii Revised Statutes.

Gov. Msg. No. 483-10, dated October 25, 2010, transmitting the Department of the Attorney General's Report on the Use of the Hawaii Omnibus Criminal Forfeiture Act, pursuant to section 712A-16(c), Hawaii Revised Statutes.

Gov. Msg. No. 484-10, dated October 25, 2010, transmitting the Department of the Attorney General's Goals and Objectives, pursuant to Act 100, Session Laws of Hawaii 1999, as amended by Act 154, Session Laws of Hawaii 2005.

Gov. Msg. No. 485-10, dated October 29, 2010, transmitting the 2010 Annual Report of Hawaii Strategic Development Corporation pursuant to Act 211F, Section 15.

Gov. Msg. No. 486-10, dated October 28, 2010, transmitting the annual report for the Pesticide Use Revolving Fund for Fiscal Year 2010 as required pursuant to Section 149A-13.5(f), Hawaii Revised Statutes.

Gov. Msg. No. 487-10, dated November 5, 2010, transmitting the Department of Human Services' Report to the Legislature as required by Section 346-319, Hawaii Revised Statutes, Hawaii Rx Plus Program Report.

Gov. Msg. No. 488-10, dated November 5, 2010, transmitting the Department of Human Services' Report to the Legislature as required by Act 191, Section 24, SLH 2010, Adult Dental Care in QUEST.

Gov. Msg. No. 489-10, dated November 17, 2010, transmitting the Department of Labor and Industrial Relations' (DLIR) Hoisting Machine Operators Advisory Board Annual Report for fiscal year ending June 30, 2010, as required by Section 396-20, Hawaii Revised Statutes.

Gov. Msg. No. 490-10, dated November 24, 2010, transmitting the Report of the Construction Site Inspection Task Force as required by Act 121, SLH 2010.

Gov. Msg. No. 491-10, dated November 26, 2010, transmitting the Comprehensive Annual Financial Report of the State of Hawaii for the fiscal year ended June 30, 2008, prepared by the Comptroller, pursuant to Section 40-5, Hawaii Revised Statutes.

Gov. Msg. No. 492-10, dated November 29, 2010, transmitting the Department of Labor and Industrial Relations' Employment and Training Fund Program (ETF) report for the fiscal year ending June 30, 2010, as required by Section 383-128, Hawaii Revised Statutes.

Gov. Msg. No. 493-10, dated November 29, 2010, transmitting the Department of Labor and Industrial Relations' Reports on the following Non-General Fund Information for the fiscal year ending June 30, 2010:

1. Unemployment Insurance Trust Fund as required by Chapter 383-121, Hawaii Revised Statutes;
2. Special Unemployment Insurance Administration Fund as required by Chapter 383-127, Hawaii Revised Statutes;
3. Employment and Training Fund as required by Chapter 383-128, Hawaii Revised Statutes;
4. Special Compensation Fund (SCF) as required by Chapter 386-151, Hawaii Revised Statutes;
5. Special Fund for Temporary Disability Benefits (TDI) as required by Chapter 392-61, Hawaii Revised Statutes; and
6. Premium Supplemental Fund (PHC) as required by Chapter 393-41, Hawaii Revised Statutes.

Gov. Msg. No. 494-10, dated November 26, 2010, transmitting the Department of Human Services' FY 2009 Annual Report to the Legislature as required by Section 346-5, Hawaii Revised Statutes.

Gov. Msg. No. 495-10, dated November 29, 2010, transmitting the Energy Feedstock Program Report as required by Act 159, Session Laws of Hawaii 2007.

Gov. Msg. No. 496-10, dated November 29, 2010, transmitting the Department of Labor and Industrial Relations' (DLIR) Hawaii Labor Relations Board's Annual Report for the fiscal year ending June 30, 2010, as required by Section 89-5, Hawaii Revised Statutes.

The following messages from the Governor (Gov. Msg. Nos. 1 through 12) were received and announced by the Clerk and were placed on file:

Note: On December 1, 2010, the House of Representatives and the Senate transitioned to a joint numbering system beginning with Gov. Msg. No. 1.

Gov. Msg. No. 1, dated December 3, 2010, transmitting the Department of Accounting and General Services' Annual Report on Goals and Objectives for fiscal year ending June 30, 2010.

Gov. Msg. No. 2, dated December 3, 2010, transmitting the Department of Accounting and General Services' Annual Report on the Building Code Council for the period December 2009 through December 2010.

Gov. Msg. No. 3, dated December 3, 2010, transmitting the Department of Accounting and General Services' Annual Report on the Wireless Enhanced 911 Board for the period July 1, 2009 through June 30, 2010.

Gov. Msg. No. 4, dated December 3, 2010, transmitting the Department of Accounting and General Services' Annual Report of Claims and Lawsuits Arbitrated, Compromised, or Settled for fiscal year ending June 30, 2010.

Gov. Msg. No. 5, dated December 1, 2010, transmitting the Department of Taxation's Impact of the High Technology Business Investment Tax Credit on Hawaii's Economy for Calendar Year 2009 Report as required by Act 206, Session Laws of Hawaii 2007.

Gov. Msg. No. 6, dated December 20, 2010, transmitting the Multi-Year Program and Financial Plan and Executive Budget for the Period 2011-17, pursuant to Sections 37-69, HRS, Budget – The Six-Year Program and Financial Plan; and 37-71, HRS, Budget – The Budget; the Variance Report for FYs 2010-11, pursuant to Section 37-75, HRS, Variance Report; and the Budget in Brief for FB 2011-2013.

Gov. Msg. No. 7, dated January 5, 2011, transmitting the Hawaii Housing Finance and Development Corporation's (HHFDC) Report to the Twenty-Sixth Legislature, State of Hawaii 2011 pursuant to S.C.R. No. 93, S.D.1, H.D.1 (2010) Requesting the HHFDC to Review the Feasibility of Developing Single Room Occupancy Dwellings in Transit Oriented Development Projects to Alleviate the Affordable Housing Shortage.

Gov. Msg. No. 8, dated December 2, 2010, transmitting the Department of Human Services' FY 2010 Annual Report to the Legislature as required by Section 346-5, Hawaii Revised Statutes.

Gov. Msg. No. 9, dated December 16, 2010, transmitting the Self-Sufficiency Income Standard, Estimates for 2008, pursuant to HRS 201-3(b); Report to the Legislature on Criteria Used to Measure Growth of Emerging Industries, pursuant to HRS 201-19(b); and Response to the Legislature Regarding House Concurrent Resolution 297 CD 1, 2010 Requesting Reports on the Economic Value of Expanded Workforce Development Capacity and STEM Initiatives.

Gov. Msg. No. 10, dated December 20, 2010, transmitting the Public Utilities Commission's Special Fund Report for fiscal year ending June 30, 2010, as required by Section 269-33(c), Hawaii Revised Statutes.

Gov. Msg. No. 11, dated December 20, 2010, transmitting the Public Utilities Commission's Annual Report for fiscal year ending June 30, 2010, as required by Section 269-5, Hawaii Revised Statutes.

Gov. Msg. No. 12, dated December 27, 2010, transmitting the 2011 Exempt Study Report.

The following message from the Governor (Gov. Msg. No. 503) was received and announced by the Clerk for immediate action:

Gov. Msg. No. 503, dated January 19, 2011, appointing Georgette "Jo" Jordan to the 45th House District with a term to expire November 6, 2012.

The Speaker appointed the Sergeant-at-Arms to escort Ms. Georgette "Jo" Jordan to the rostrum for the Oath of Office.

The Speaker then appointed the Assistant Sergeant-at-Arms to escort the Honorable Mark E. Recktenwald, Chief Justice of the State of Hawaii, to the rostrum and requested that he administer the Oath of Office.

#### OATH OF OFFICE

The Honorable Mark E. Recktenwald, Chief Justice of the State of Hawaii, addressed Ms. Jordan and administered the Oath of Office in accordance with the provisions of the Constitution of the State of Hawaii.

The Speaker then presented to the Members of the House the newest Member of the House, Representative Georgette "Jo" Jordan, and invited her to say a few words to her new colleagues.

Representative Jordan addressed the Body, stating:

"I'm a little nervous. I won't lie. Thank you. I would like to first thank my community for giving me all my guidance to get me to this point in time. I would like to thank the Governor for putting his trust in me. And I would like to thank all of you for help and support going forward in this journey that I'm going to be travelling. I look forward to working with all of you and doing the best of my abilities for my constituents in the State of Hawaii. I look forward to working with all of you. Mahalo."

Representative B. Oshiro then presented Representative Jordan with lei on behalf of the Members of the House.

Representative Ward rose, stating:

"Mr. Speaker, we do not have flowers, but we have, on behalf of the Minority, a welcoming *aloha* to the newest Member. Welcome."

Speaker Say: "Thank you very much for the warm Aloha."

At 12:16 o'clock p.m. the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:25 o'clock p.m.

#### SENATE COMMUNICATIONS

The following communication from the Senate (Sen. Com. No. 1) was received and announced by the Clerk:

Sen. Com. No. 1, transmitting S.C.R. No. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CHIEF JUSTICE OF THE HAWAII SUPREME COURT TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION FOR THE STATE OF THE JUDICIARY ADDRESS," which was adopted by the Senate on January 19, 2011.

On motion by Representative B. Oshiro, seconded by Representative Ward and carried, S.C.R. No. 1 was adopted, with Representative Souki being excused.

#### DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 76-10 through 82-10 and 1 through 32) were received by the Clerk and were placed on file:

Note: On December 1, 2010, the House of Representatives and the Senate transitioned to a joint numbering system beginning with Dept. Com. No. 1.

Dept. Com. No. 76-10, dated September 21, 2010, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Sunrise Analysis: Real Estate Appraisal Management Companies.

Dept. Com. No. 77-10, dated October 22, 2010, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Sunrise Analysis: Athletic Trainers.

Dept. Com. No. 78-10, dated November 8, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Report on a Security Breach at the University of Hawaii at West Oahu on October 18, 2010, per Section 487N-4, Hawaii Revised Statutes.

Dept. Com. No. 79-10, from Ken H. Takayama, Director, Legislative Reference Bureau, transmitting the Hawaii Administrative Rules 2010 Table of Statutory Sections Implemented and Directory.

Dept. Com. No. 80-10, from the Legislative Reference Bureau, transmitting Report No. 2, 2010, Through Kolekole Pass: Using Lualualei Naval Road As An Emergency Evacuation Route.

Dept. Com. No. 81-10, dated November 24, 2010, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Review of Revolving Fund, Trust Funds, and Trust Accounts of the Judiciary and the Departments of Commerce and Consumer Affairs, Hawaiian Home Lands, Health, and Human Services.

Dept. Com. No. 82-10, dated November 23, 2010, from Georgina K. Kawamura, Director of Finance, Department of Budget and Finance, transmitting certified statements and supporting schedules on the debt limit and total outstanding indebtedness of the State of Hawaii as of July 1, 2010, in accordance with Section 39-92(e) and Section 39-93(d), Part IV of Chapter 39 of the Hawaii Revised Statutes.

Dept. Com. No. 1, dated December 13, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on University of Hawaii Special, Revolving, and Trust Funds FY 2010, pursuant to Section 304A-106 and Section 304A-2007, Hawaii Revised Statutes.

Dept. Com. No. 2, dated December 13, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on Government Operations and Biennium Report on Benchmarks and Performance Indicators, pursuant to Act 100, Session Laws of Hawaii 1999 and Section 304A-2001.

Dept. Com. No. 3, dated December 13, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on Student Scholarship and Assistance Special Fund 2009-10, pursuant to Section 304A-2159, Hawaii Revised Statutes.

Dept. Com. No. 4, dated December 13, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on Research and Training Revolving Fund 2009-2010, pursuant to Section 304A-2253, Hawaii Revised Statutes.

Dept. Com. No. 5, dated December 13, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Report on University of Hawaii Project Adjustment Fund, pursuant to Section 95 of Act 162, Session Laws of Hawaii 2009, and Section 8(1) of Act 180, Session Laws of Hawaii 2010.

Dept. Com. No. 6, dated December 13, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on Use of University Revenue-Undertakings Funds for FY2011, pursuant to Section 4(14) of Act 180, Session Laws of Hawaii 2010.

Dept. Com. No. 7, dated December 13, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on Hawaii P-20 Partnerships for Education and Plans for Education in the Twenty-First Century, pursuant to Act 281, Session Laws of Hawaii 2007.

Dept. Com. No. 8, dated December 13, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on Transfer of Appropriated Funds & Positions, pursuant to Section 37-74, Hawaii Revised Statutes.

Dept. Com. No. 9, dated December 13, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on Salary, pursuant to Section 304A-1004, Hawaii Revised Statutes.

Dept. Com. No. 10, dated December 13, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on The Construction Academy Curriculum, pursuant to Section 304A-1144, Hawaii Revised Statutes.

Dept. Com. No. 11, dated December 13, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on the Mauna Kea Lands, pursuant to Section 304A-1905, Hawaii Revised Statutes.

Dept. Com. No. 12, dated December 13, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on University of Hawaii Risk Management Special Fund, pursuant to Section 304A-2151, Hawaii Revised Statutes.

Dept. Com. No. 13, dated December 13, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on University of Hawaii Tuition & Fees Special Fund Expenditures for the Purpose of Generating Private Donations, pursuant to Section 304A-2153, Hawaii Revised Statutes.

Dept. Com. No. 14, dated December 13, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on the Community College Conference Center Revolving Fund, pursuant to Section 304A-2273, Hawaii Revised Statutes.

Dept. Com. No. 15, dated December 13, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on University Revenue Bonds Issued FY2010, pursuant to Section 304A-2689, Hawaii Revised Statutes.

Dept. Com. No. 16, dated December 13, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on the University of Hawaii's Continued Participation in the Western Interstate Commission on Higher Education, pursuant to Section 304A-3205, Hawaii Revised Statutes.

Dept. Com. No. 17, dated December 13, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Report on Uses of University of Hawaii Special Funds to Finance Projects Where the Method of Financing is Designated to be by University of Hawaii Revenue Bonds, pursuant to Section 84 of Act 162, Session Laws of Hawaii 2009.

Dept. Com. No. 18, dated December 13, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Report on Amounts Budgeted for Personnel Costs, pursuant to Section 160 of Act 162, Session Laws of Hawaii 2009.

Dept. Com. No. 19, dated December 13, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Report on Status of Respective Purchases and Use of Locally-Produced Produce or other Hawaii Agricultural Products, pursuant to House Concurrent Resolution 289 HD 1, 2010.

Dept. Com. No. 20, dated December 13, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Report on Issuance of Additional Revenue Bonds Authorized by Section 2, Including a Detailed Listing and Description of all Projects to be Funded, pursuant to Section 3 of Act 94, Session Laws of Hawaii 2009.

Dept. Com. No. 21, dated December 17, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on Operations of the Hawaii Research Center for Future Studies, pursuant to Section 304A-3253, Hawaii Revised Statutes.

Dept. Com. No. 22, dated December 17, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Report by the University of Hawaii at Manoa on the Economic Value of Expanding Workforce Development Capacity and STEM Initiatives, pursuant to House Concurrent Resolution 297 SD 1 CD 1, 2010.

Dept. Com. No. 23, dated December 20, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Report on the University of Hawaii Procurement Procedures, pursuant to Act 82, Session Laws of Hawaii 2010.

Dept. Com. No. 24, dated December 17, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on University of Hawaii Uncollectible Account, pursuant to Section 40-82, Hawaii Revised Statutes.

Dept. Com. No. 25, dated December 17, 2010, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report from the Medical Education Council, pursuant to Section 304A-1704, Hawaii Revised Statutes.

Dept. Com. No. 26, dated December 28, 2010, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Management and Financial Audit of Department of Taxation Contracts, pursuant to Section 23-9, Hawaii Revised Statutes.

Dept. Com. No. 27, dated December 28, 2010, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Management Audit of the Department of Public Safety's Contracting for Prison Beds and Services, pursuant to Section 23-9, Hawaii Revised Statutes.

Dept. Com. No. 28, dated December 30, 2010, from Vanelle Maunalei Love, Executive Director, Charter Schools Administrative Office, transmitting Budget Proviso Responses, pursuant to Act 180, 2010 SLH, Provisos 39, 39.1, 40 and 41.

Dept. Com. No. 29, dated December 28, 2010, from Stephen H. Levins, Chairman, Mortgage Foreclosure Task Force, transmitting the Preliminary Report of the Mortgage Foreclosure Task Force as required by Act 162, SLH 2010.

Dept. Com. No. 30, dated December 30, 2010, from Vanelle Maunalei Love, Executive Director, Charter Schools Administrative Office, transmitting the Charter Schools Funding Task Force Final Report, pursuant to Senate Concurrent Resolution 108.

Dept. Com. No. 31, dated January 5, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Report by the UH Task Force on Developing a Budgetary System and Funding Formula for Distribution of Fiscal Resources to UH Campuses for 2010, pursuant to Section 3 of Act 188, Session Laws of Hawaii 2008.

Dept. Com. No. 32, dated December 27, 2010, from Clyde W. Namu'o, Chief Executive Officer, Office of Hawaiian Affairs, transmitting The Disparate Treatment of Native Hawaiians in the Criminal Justice System, pursuant to 2009's House Concurrent Resolution Number 27.

## MISCELLANEOUS COMMUNICATIONS

The following miscellaneous communications (Misc. Com. Nos. 1 through 6) were received by the Clerk and were placed on file:

Misc. Com. No. 1, dated December 20, 2010, from Cathy McCully, Chief, 2010 Census Redistricting Data Office, on behalf of U.S. Census Bureau Director, Dr. Robert M. Groves, transmitting a letter regarding the upcoming data releases for the 2010 Census Redistricting Data Program.

Misc. Com. No. 2, received December 27, 2010, from Anna C. Hirai, Acting Administrator, City and County of Honolulu Liquor Commission, transmitting the Report pursuant to House Resolution 41, HD 1, requesting the Honolulu Liquor Commission to Study the Feasibility of Mandatory Statewide Training Standards for Sellers and Servers of Alcoholic Beverages.

Misc. Com. No. 3, dated January 4, 2011, from the Leeward Housing Coalition, transmitting the 2011 Legislative Report in response to HCR 262 H.D.1 and SCR 206 S.D.1, Requesting the Establishment of the Wai'anae Coast Homeless Task Force to Develop a Comprehensive Plan to Address the Immediate, Short-, and Long-Term Needs of the Homeless and Those At-Risk of Becoming Homeless.

Misc. Com. No. 4, dated December 30, 2010, from Leimana DaMate, Administrative Director, Aha Kiole Advisory Committee, transmitting the Aha Kiole Final Report to the Legislature 2011.

Misc. Com. No. 5, dated December 23, 2010, from Megan McCorrison, Executive Director, Ho'okako'o Corporation, transmitting their annual progress report about the expanded learning time (ELT) initiative, pursuant to SCR 53 SD1, 2009 Regular Session.

Misc. Com. No. 6, dated January 7, 2011, from Gary Yabuta, Chief of Police, Police Department, County of Maui, transmitting a letter pursuant to Act 242, relating to Uniform Information Practices, stating that during the calendar year 2010, no Police Officer was suspended and discharged for any of the following categories of misconduct: Malicious Use of Physical Force; Mistreatment of Prisoners; Use/Possession of Drugs and Narcotics; Cowardice.

## OTHER COMMUNICATIONS

Communication dated January 10, 2011, from Representative Robert N. Herkes, Chair, Special Investigative Committee on the County of Hawaii Department of Water Supply, established pursuant to House Resolution No. 136, House Draft 1, submitting a report, House Spec. Com. Rep. No. 1-11.

## ORDER OF THE DAY

### INTRODUCTION OF BILLS

On motion by Representative Evans, seconded by Representative Pine and carried, the following bills (H.B. Nos. 1 through 79) passed First Reading by title and were referred to Printing: (Representative Souki was excused.)

### H. B. Nos.

1 "A BILL FOR AN ACT RELATING TO SPECIAL NUMBER PLATES."

Introduced by: Representatives Takai, Aquino, Belatti, Brower, Chang, Evans, Hanohano, Herkes, Ito, Johanson, C. Lee, M. Lee, Manahan, Marumoto, Mizuno, Nakashima, Nishimoto, Riviere, Thielen, Wooley, Chong, Fontaine, Luke, McKelvey, B. Oshiro, Pine, Rhoads, Saiki and Souki.

2 "A BILL FOR AN ACT RELATING TO THE HONOR AND REMEMBER FLAG."

Introduced by: Representatives Takai, Aquino, Belatti, Brower, Evans, Hanohano, Herkes, Ito, Johanson, C. Lee, Manahan, Marumoto, McKelvey, Mizuno, Nishimoto, Pine, Saiki, Thielen, Wooley, Chang, Chong, Fontaine, M. Lee, Luke, Nakashima, B. Oshiro, Rhoads, Riviere and Souki.

3 "A BILL FOR AN ACT RELATING TO MILITARY RESERVE COMPONENTS."

Introduced by: Representatives Takai, Hanohano, Herkes, Ito, C. Lee, McKelvey, Mizuno, Nishimoto, Pine, Thielen, Chang, Evans, Johanson, Luke, B. Oshiro, Rhoads, Saiki and Souki.

4 "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN."

Introduced by: Representatives Takai, Hanohano, Keith-Agaran, M. Lee, McKelvey, Souki, Aquino, Chang and Riviere.

5 "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS."

Introduced by: Representatives Takai, Aquino, Chang, Hanohano, McKelvey, Pine, Riviere and Souki.

6 "A BILL FOR AN ACT RELATING TO THE CONSUMER ADVOCATE."

Introduced by: Representative Thielen.

7 "A BILL FOR AN ACT RELATING TO ELECTRIC WHEELING."

Introduced by: Representatives Thielen, Takai and McKelvey.

8 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Representative Thielen.

9 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL RESPONSE, ENERGY, AND FOOD SECURITY TAX."

Introduced by: Representative Thielen.

10 "A BILL FOR AN ACT RELATING TO FINANCING THE INSTALLATION OF PHOTOVOLTAIC SOLAR PANELS ON SCHOOLS."

Introduced by: Representatives Thielen, Riviere, Takai, Herkes and C. Lee.

11 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Thielen.

12 "A BILL FOR AN ACT RELATING TO PLANT THEFT."

Introduced by: Representatives Thielen, C. Lee, Riviere and Tsuji.

13 "A BILL FOR AN ACT RELATING TO CHAPTER 471, HAWAII REVISED STATUTES."

Introduced by: Representative Thielen.

14 "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS."

Introduced by: Representative Thielen, by request.

15 "A BILL FOR AN ACT RELATING TO PICKUP TRUCKS."

Introduced by: Representative Marumoto.

16 "A BILL FOR AN ACT RELATING TO HELMETS."

Introduced by: Representative Marumoto.

17 "A BILL FOR AN ACT RELATING TO USE OF SAFETY HELMETS."

Introduced by: Representative Marumoto.

18 "A BILL FOR AN ACT RELATING TO ALL-TERRAIN VEHICLES."

Introduced by: Representative Marumoto.

19 "A BILL FOR AN ACT RELATING TO SCHOOL BUSES."

Introduced by: Representative Marumoto.

20 "A BILL FOR AN ACT RELATING TO THE REPEAL OF ACT 17, SPECIAL SESSION LAWS OF HAWAII 2009."

Introduced by: Representative Marumoto.

21 "A BILL FOR AN ACT RELATING TO THE REPEAL OF ACT 68, SESSION LAWS OF HAWAII 2010."

Introduced by: Representative Marumoto.

22 "A BILL FOR AN ACT RELATING TO DAYLIGHT SAVING TIME."

Introduced by: Representatives Marumoto and Pine.

23 "A BILL FOR AN ACT RELATING TO ATTRACTIONS AND EDUCATIONAL FACILITIES TAX CREDIT."

Introduced by: Representative Takai.

24 "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII BUDGET."

Introduced by: Representatives Takai and C. Lee.

25 "A BILL FOR AN ACT RELATING TO EDUCATION BUDGETING."

Introduced by: Representatives Takai and C. Lee.

26 "A BILL FOR AN ACT RELATING TO INFANT AND TODDLER CHILD CARE CENTERS."

Introduced by: Representatives Takai, Aquino, Awana, Brower, Hanohano, M. Lee, Marumoto, McKelvey, Mizuno, Nakashima, Nishimoto, Pine, Riviere, Johanson, B. Oshiro, Saiki, Souki and Tsuji.

- 27 "A BILL FOR AN ACT RELATING TO SCHOOLS."  
Introduced by: Representatives Takai, Aquino, Hanohano, Keith-Agaran, Marumoto, Nishimoto, Pine and Saiki.
- 28 "A BILL FOR AN ACT RELATING TO DANGEROUS WEAPONS."  
Introduced by: Representatives Takai, Hanohano, Marumoto, Nishimoto, Pine, Aquino and Saiki.
- 29 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."  
Introduced by: Representatives Takai, Evans, C. Lee, Manahan, Marumoto, Nakashima, Rhoads, Hanohano, Ito, Luke, McKelvey and Mizuno.
- 30 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."  
Introduced by: Representatives Takai, Brower, Evans, Hanohano, Herkes, Ito, C. Lee, Manahan, Marumoto, McKelvey, Mizuno, Nishimoto, Pine, Thielen, Wooley, Chang, Chong, Fontaine, Luke, Nakashima, Rhoads, Saiki and Souki.
- 31 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."  
Introduced by: Representatives Takai, Belatti, Chang, Evans, Hanohano, Ito, C. Lee, McKelvey, Pine, Herkes, Johanson, Luke, Mizuno, B. Oshiro, Rhoads, Saiki, Souki and Thielen.
- 32 "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS."  
Introduced by: Representatives Takai, Awana, Brower, Hanohano, Ito, Nishimoto, Pine, Aquino, Belatti, Johanson, M. Lee, McKelvey, Mizuno, B. Oshiro, Riviere, Saiki, Souki and Ward.
- 33 "A BILL FOR AN ACT RELATING TO DISCRIMINATION."  
Introduced by: Representative Rhoads.
- 34 "A BILL FOR AN ACT RELATING TO PETROLEUM."  
Introduced by: Representative Rhoads.
- 35 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."  
Introduced by: Representative Rhoads.
- 36 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION REGARDING THE FREEDOM OF SPEECH."  
Introduced by: Representative Rhoads.
- 37 "A BILL FOR AN ACT RELATING TO BICYCLE SAFETY."  
Introduced by: Representative Rhoads.
- 38 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION REGARDING THE FREEDOM OF SPEECH."  
Introduced by: Representative Rhoads.
- 39 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUORS."  
Introduced by: Representative Rhoads.
- 40 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."  
Introduced by: Representative Rhoads.
- 41 "A BILL FOR AN ACT RELATING TO PROSTITUTION."  
Introduced by: Representative Rhoads.
- 42 "A BILL FOR AN ACT RELATING TO PUBLIC ORDER."  
Introduced by: Representative Rhoads.
- 43 "A BILL FOR AN ACT RELATING TO SIDEWALKS."  
Introduced by: Representative Rhoads.
- 44 "A BILL FOR AN ACT RELATING TO PROSTITUTION."  
Introduced by: Representative Rhoads.
- 45 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."  
Introduced by: Representative Rhoads.
- 46 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."  
Introduced by: Representative Rhoads.
- 47 "A BILL FOR AN ACT RELATING TO ELECTIONS."  
Introduced by: Representative Rhoads.
- 48 "A BILL FOR AN ACT RELATING TO ELECTIONS."  
Introduced by: Representative Rhoads.
- 49 "A BILL FOR AN ACT RELATING TO ARMED FORCES SERVICE MEMBERS."  
Introduced by: Representatives Takai, Hanohano, Keith-Agaran, M. Lee, McKelvey, Nakashima, Pine, Riviere, Wooley, Aquino, Chang and Souki.
- 50 "A BILL FOR AN ACT RELATING TO A MEMORIAL."  
Introduced by: Representatives Takai, Aquino, Chang, Hanohano, Nishimoto, Pine, Riviere, Wooley, McKelvey, Saiki and Souki.
- 51 "A BILL FOR AN ACT RELATING TO TELEMEDICINE."  
Introduced by: Representatives Takai, Chang, Hanohano, McKelvey, Aquino and Riviere.
- 52 "A BILL FOR AN ACT RELATING TO UNIFORM MAINTENANCE ALLOWANCE."  
Introduced by: Representative Takai, by request.

53 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION REGARDING THE CONVENING OF REGULAR LEGISLATIVE SESSIONS IN A PRESIDENTIAL INAUGURATION YEAR."

Introduced by: Representatives Takai, Aquino, Hanohano, Keith-Agaran, M. Lee, Mizuno, Nishimoto, Pine, Souki and Wooley.

54 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Representatives Takai, Awana, Belatti, Brower, Hanohano, Ito, Keith-Agaran, Manahan, Marumoto, McKelvey, Mizuno, Nishimoto, B. Oshiro, Pine, Rhoads, Riviere, Saiki and Souki.

55 "A BILL FOR AN ACT RELATING TO A COLLEGE SAVINGS PROGRAM TAX CREDIT."

Introduced by: Representatives Takai, Aquino, Awana, Belatti, Brower, Hanohano, Ito, Johanson, Keith-Agaran, Manahan, Marumoto, McKelvey, Mizuno, Nishimoto, Pine, Riviere, Ward, B. Oshiro, Saiki and Souki.

56 "A BILL FOR AN ACT RELATING TO CHILD VISITATION."

Introduced by: Representatives Takai, Aquino, Awana, Brower, Hanohano, Ito, Marumoto, McKelvey, Mizuno, Nishimoto, Pine, Keith-Agaran, Nakashima, Rhoads, Saiki and Souki.

57 "A BILL FOR AN ACT RELATING TO NUCLEAR ENERGY."

Introduced by: Representatives Takai, Evans, Hanohano, Ito, Marumoto, Mizuno, Nishimoto, Pine, Brower, Fontaine, Luke and Souki.

58 "A BILL FOR AN ACT RELATING TO TRAFFIC."

Introduced by: Representatives Takai, Aquino, Awana, Belatti, Hanohano, Marumoto, Nishimoto, Pine, Wooley, Evans, Keith-Agaran, Manahan, Mizuno, Rhoads, Saiki and Souki.

59 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Representatives Takai, Brower, Evans, Hanohano, Manahan, Nishimoto, Pine, Aquino, Awana, Johanson, Marumoto, Mizuno, Riviere, Saiki, Souki and Ward.

60 "A BILL FOR AN ACT RELATING TO WIRELESS ENHANCED 911 SERVICE."

Introduced by: Representatives Takai, Awana, Belatti, Brower, Hanohano, Marumoto, Nishimoto, Pine, Riviere, Ward, Evans, Ito, Johanson, McKelvey, Mizuno, B. Oshiro, Saiki and Souki.

61 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Takai, Hanohano, C. Lee, Pine, Brower, Chang, Herkes, Ito, Johanson, Luke, McKelvey, Mizuno, B. Oshiro, Rhoads, Saiki and Souki.

62 "A BILL FOR AN ACT RELATING TO NUCLEAR ENERGY."

Introduced by: Representatives Takai, Evans, Hanohano, Ito, Marumoto, Mizuno, Nishimoto, Pine, Brower, Chong, Fontaine, Johanson, C. Lee, Luke, McKelvey, B. Oshiro and Souki.

63 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ALARM SYSTEMS."

Introduced by: Representative Rhoads.

64 "A BILL FOR AN ACT RELATING TO BURGLARY."

Introduced by: Representative Choy.

65 "A BILL FOR AN ACT RELATING TO SPECIAL TREATMENT FACILITIES."

Introduced by: Representative Choy.

66 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Choy.

67 "A BILL FOR AN ACT RELATING TO TOBACCO."

Introduced by: Representative Choy, by request.

68 "A BILL FOR AN ACT RELATING TO SEWER SYSTEMS."

Introduced by: Representatives Cabanilla, Awana and Chong.

69 "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS."

Introduced by: Representatives Cabanilla, Brower and Evans.

70 "A BILL FOR AN ACT RELATING TO THE HOMELESS."

Introduced by: Representative Cabanilla.

71 "A BILL FOR AN ACT RELATING TO THE ALOHA STADIUM."

Introduced by: Representatives Takai, Hanohano, Keith-Agaran, McKelvey, Saiki, Aquino, Awana, Brower, M. Lee, Marumoto, Mizuno, Nishimoto, B. Oshiro, Pine, Riviere and Souki.

72 "A BILL FOR AN ACT RELATING TO THE TRANSFER OF THE STADIUM AUTHORITY TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Takai, Hanohano, M. Lee, Mizuno, Pine, Aquino, Awana, Belatti, Brower, Keith-Agaran, McKelvey, Nishimoto, B. Oshiro, Rhoads, Riviere, Souki and Tsuji.

73 "A BILL FOR AN ACT RELATING TO PREPAID CALLING CARDS."

Introduced by: Representatives Takai, Aquino, Evans, Hanohano, Keith-Agaran, Manahan, Marumoto, Mizuno, Nishimoto, Pine, Saiki and Souki.

74 "A BILL FOR AN ACT RELATING TO INCOME TAX CHECK-OFF."

Introduced by: Representatives Takai, Hanohano, Nishimoto and Aquino.

75 "A BILL FOR AN ACT RELATING TO PUBLIC RECORDS."

Introduced by: Representatives Takai, Hanohano and Pine.

76 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Representatives Takai, Evans, Hanohano, M. Lee, Marumoto, Aquino, McKelvey, Saiki and Souki.

77 "A BILL FOR AN ACT RELATING TO FOIE GRAS."

Introduced by: Representative McKelvey, by request.

78 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Representative McKelvey.

79 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Representatives Choy, Aquino, Cullen, Hashem, Ichiyama, Keith-Agaran and C. Lee.

#### ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, this is a 24-hour late announcement from yesterday, which I guess I spoke at the wrong time. Basically it was three things. One was to congratulate you as the Speaker. Two, to thank you for mentioning the founder of our party as one of the healers of what you spoke of in the Lincoln address. And three, all of those together collectively say we're Americans first, we're Democrats and Republicans second. So I just want to say thank you."

Speaker Say: "Thank you, for mentioning the Democrats first."

#### ADJOURNMENT

At 12:28 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, January 21, 2011. (Representative Souki was excused.)