

## EIGHTH DAY

**Tuesday, January 31, 2012**

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:05 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Mr. Danny Kaleikini, Hawaii's Ambassador of Aloha, after which the Roll was called showing all Members present with the exception of Representatives Okamura and Oshiro, who were excused.

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

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 204 and 205) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 204, dated January 18, 2012, transmitting the Final Report Relating to Global Warming, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 20, SLH 2009, First Special Session.

Gov. Msg. No. 205, dated January 30, 2012, transmitting the Department of Labor and Industrial Relations' Annual Report for fiscal year ending June 30, 2011, pursuant to Act 100, SLH 1999.

## SENATE COMMUNICATIONS

The following communication from the Senate (Sen. Com. No. 3) was received and announced by the Clerk:

Sen. Com. No. 3, dated January 30, 2012, informing the House that the following bills have this day passed Final Reading in the Senate:

S.B. No. 239, SD 2, HD 2, CD 1  
S.B. No. 809, SD 1, HD 1, CD 1

## INTRODUCTIONS

The following introduction was made to the Members of the House:

Representative Chang introduced his friends Mr. Eddie Rehfeldt and his son, Mr. Christopher Rehfeldt. They were accompanied by Ms. Linda Wong.

## ORDER OF THE DAY

## UNFINISHED BUSINESS

**Conf. Com. Rep. No. 1-12 and H.B. No. 608, HD 3, SD 1, CD 1:**

By unanimous consent, action was deferred one legislative day.

## REPORTS OF STANDING COMMITTEES

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 13-12) recommending that H.B. No. 14, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 14, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Okamura being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 14-12) recommending that H.B. No. 1669, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1669, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary, with Representative Okamura being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 15-12) recommending that H.B. No. 1688, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1688, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, 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."

The motion was out to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1688, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Okamura being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 16-12) recommending that H.B. No. 1743, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1743, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Second Reading and was referred to the Committee on Judiciary, with Representative Okamura being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 17-12) recommending that H.B. No. 1749, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1749, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Okamura being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 18-12) recommending that H.B. No. 1726, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1726, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Finance, with Representative Okamura being excused.

Representatives Rhoads and McKelvey, for the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 19-12) recommending that H.B. No. 1679, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1679, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Okamura being excused.

Representatives Rhoads and McKelvey, for the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 20-12) recommending that H.B. No. 1680, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 1680, HD 1, pass Second Reading and be referred to the Committee on Judiciary, 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 Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with reservations and a very brief comment. The practice of prohibiting one's marital status, one age, etc., is on the books. It is now the case. This goes a bit beyond that and says that you can't say whether you're unemployed, basically. It means that you're looking for someone that is employed.

"For those in this building that are in the civil service, and those that are in the federal service have to know that when you are going for an upper-echelon job or a pay raise, you have to be in the system, by which you qualify to apply for that. This basically says that if you advertise a position that's already within the system, or to someone in the system, you can't say that they're in the system. So it's going to be very deceptive to change the practice of hiring people by passing this bill.

"So I would just suggest the Committee that hears this next view it with caution because this is a long-standing tradition of saying that if you want to make it further in that government position, you have to say you're already within the government. Otherwise, no need to apply. Thank you, Mr. Speaker."

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

"Mr. Speaker, in support. Just wanted to clarify that the Joint Committee between ERB and LAB, that we excluded internal recruiting for the very reasons that the Minority Leader mentioned. 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. 1680, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Okamura being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 21-12) recommending that H.B. No. 1925, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1925, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Okamura being excused.

At 12:15 o'clock p.m., Representative Evans requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:21 o'clock p.m., with Vice Speaker Manahan presiding.

### SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering a certain House Bill for Third Reading by consent calendar. (Representatives Chang, Marumoto and Okamura were excused.)

### THIRD READING

#### H.B. No. 1927:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 1927, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING COMMISSION LAW," passed Third Reading, with Representatives Chang, Marumoto and Okamura being excused.

At 12:22 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 1927

### ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, this is the end of January. It's already 2012, and on the 31st of January there was a special birth-date of someone who I believe is the Vice Speaker, and we should wish him a happy birthday. Happy birthday, Joey."

### ADJOURNMENT

At 12:23 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, February 01, 2012. (Representatives Chang, Marumoto and Okamura were excused.)