

## ELEVENTH DAY

Friday, February 2, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:07 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Josh Green, M.D., after which the Roll was called showing all members present with the exception of Representatives Har, Herkes and Takumi, who were excused.

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

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 242 through 245) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 242, dated January 29, 2007, informing that as of December 1, 2006 (the cut off date for the Report on this matter), the Department of Transportation, Harbors Division, did not expend any funds appropriated by Section 13.2. However, the Department of Transportation is currently processing payments relating to the repair and other expenses incurred at Kawaihae Harbor following the October 15, 2006 Earthquake.

Gov. Msg. No. 243, dated January 30, 2007, transmitting the Report from the Department of Transportation on Act 70, Session Laws of Hawaii 2006.

Gov. Msg. No. 244, dated January 29, 2007, transmitting the Report from the Department of Transportation on Section 11.1 of Act 178, Session Laws of Hawaii 2005, as amended by Act 160, Session Laws of Hawaii 2006.

Gov. Msg. No. 245, dated February 1, 2007, transmitting the Employees' Retirement System's (ERS) Post Retirement Allowance Study.

## INTRODUCTIONS

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

Representative Berg introduced students from Princeton University and members of the *a capella* group, Shere Khan. They were accompanied by parents Mr. and Mrs. Atwater, and Representative Berg's legislative staff, Ms. Liz Labby, Ms. Any Popovich, and Mr. Ian Lind.

At this time Shere Khan, an a cappella group from Princeton University, entertained the members of the House of Representatives with a short medley of songs.

Representative Waters introduced his legislative shadow, Mr. James Sullivan from the Hawaii Job Corp Center in Waimanalo. He was accompanied by Representative Waters' legislative researcher, Mr. Chris Vandercook.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENTS

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

H.B.  
Nos.Re-referred to:

- |      |  |
|------|--|
| 1161 | Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance   |
| 1279 | Jointly to the Committee on Economic Development & Business Concerns and the Committee on Higher Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance |

INTRODUCTION OF RESOLUTION  
(FLOOR PRESENTATION)

The following resolution (H.R. No. 20) was announced by the Clerk and the following action taken:

H.R. No. 20, entitled: "HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING TADD FUJIKAWA AS THE YOUNGEST PLAYER TO QUALIFY FOR THE UNITED STATES OPEN AND THE SECOND YOUNGEST TO MAKE THE CUT IN A P.G.A. TOUR EVENT," was jointly offered by Representatives Wakai and Nishimoto.

Representative Wakai, moved that H.R. No. 20 be adopted, seconded by Representative Nishimoto.

Representative Wakai introduced Mr. Tadd Fujikawa; accompanied by his parents, Mr. Derek Fujikawa and Mrs. Lori Fujikawa.

The motion was put to vote by the Chair and carried, and H.R. No. 20 was adopted with Representatives Har and Herkes being excused.

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

The House of Representatives reconvened at 12:32 o'clock p.m.

## STANDING COMMITTEE REPORTS

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 23) recommending that H.B. No. 202, as amended in HD 1, pass Second Reading and be referred to the Committee on Health.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 202, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TELEPSYCHIATRY," passed Second Reading and was referred to the Committee on Health with Representatives Har and Herkes being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 24) recommending that H.B. No. 669, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Health and the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 669, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR UNIVERSITY OF HAWAII HEALTHCARE WORKFORCE SIMULATION RESOURCE LABORATORIES," passed Second Reading and was referred jointly to the Committee on Health and the Committee on Labor & Public Employment with Representatives Har and Herkes being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 25) recommending that H.B. No. 1528, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1528, HD 1, 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 Har and Herkes being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 26) recommending that H.B. No. 1081, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1081, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Har and Herkes being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 27) recommending that H.B. No. 1193, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1193, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Har and Herkes being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 28) recommending that H.B. No. 100, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 100, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Herkes being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 29) recommending that H.B. No. 928, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 928, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Herkes being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 30) recommending that H.B. No. 102, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee

was adopted and H.B. No. 102, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Har and Herkes being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 31) recommending that H.B. No. 55, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 55, entitled: "A BILL FOR AN ACT RELATING TO YOUTH SUICIDE PREVENTION," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Herkes being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 32) recommending that H.B. No. 223, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 223, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE SERVICES," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Har and Herkes being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 33) recommending that H.B. No. 861, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 861, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Har and Herkes being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 34) recommending that H.B. No. 5, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 5, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Herkes being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 35) recommending that H.B. No. 1947, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1947, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PLAN FOR AND TO HOST THE INTERNATIONAL INDIGENOUS HEALTH CONFERENCE, "HEALING OUR SPIRIT WORLDWIDE" IN HAWAII," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Har and Herkes being excused.

The Chair then addressed Representative Awana, stating:

"Representative Awana, what is the motion before this body at this point in time? These particular two measures are up for Third Reading which we'll be addressing next week Monday because it is on your desk for the 48-hour notice."

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 36) recommending that H.B. No. 21, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 21, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har and Herkes being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 37) recommending that H.B. No. 25, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 25, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER LICENSING," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har and Herkes being excused.

#### ANNOUNCEMENTS

Representative Caldwell: "Mr. Speaker, I am requesting a short Chair's meeting in the Majority Caucus Room immediately after adjournment. Thank you."

Speaker Say: "Today being Aloha Friday, for all of you, if you look on pages A to U, there are the respective public hearing notices that you will be attending for your Committee hearings. Right now, it's 12:35. Let's get out by 12:36 so we can all have lunch."

#### ADJOURNMENT

At 12:35 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, February 5, 2007. (Representatives Har and Herkes were excused.)