

TWENTY-SECOND DAY

Tuesday, February 20, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Associate Pastor Brandon Consalvi of Southshore Christian Fellowship, after which the Roll was called showing all members present with the exception of Representatives Bertram, Cabanilla, Caldwell, Carroll, Karamatsu, McKelvey, Sagum, Takamine and Thielen, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 270 through 272) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 270, dated February 14, 2007, transmitting the Hawaii State Public Library System's amended Annual Report for fiscal year ending June 30, 2006.

Gov. Msg. No. 271, dated February 14, 2007, transmitting the Department of Public Safety's (PSD) response to HCR 130, H.D. 1, 2006, which required the PSD to conduct a security audit of the Hawaii Youth Correctional Facility (HYCF).

Gov. Msg. No. 272, dated February 15, 2007, transmitting the Report on Number of Exempt Positions Converted to Civil Service Positions During the Previous Twelve Months.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 30) was received and announced by the Clerk:

Sen. Com. No. 30, transmitting S.B. No. 14, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on February 16, 2007.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bill passed First Reading by title and further action was deferred: (Representatives Bertram, Cabanilla, Caldwell, Carroll, Karamatsu, McKelvey, Sagum, Takamine and Thielen were excused.)

S.B. No. 14, SD 1

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

S.B.
Nos.**Referred to:**

155, SD1	Committee on Judiciary
605, SD1	Jointly to the Committee on Education and the Committee on Labor & Public Employment

945 Committee on Judiciary

COMMITTEE REASSIGNMENTS

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

H.B.
Nos.**Re-referred to:**

110, HD1	Committee on Finance
202, HD1	Committee on Higher Education, then to the Committee on Finance
203	Committee on Human Services & Housing, then to the Committee on Finance
747	Committee on Judiciary
1270, HD1	Committee on Economic Development & Business Concerns, then to the Committee on Finance
1336	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
1658	Committee on Finance
1677, HD1	Committee on Public Safety & Military Affairs, then to the Committee on Finance
1800	Committee on Judiciary

STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 753) recommending that H.B. No. 1138, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Waters and carried, the report of the Committee was adopted and H.B. No. 1138, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Second Reading and was placed on the calendar for Third Reading with Representatives Bertram, Cabanilla, Caldwell, Carroll, Karamatsu, McKelvey, Sagum, Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 754) recommending that H.B. No. 1423, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Waters and carried, the report of the Committee was adopted and H.B. No. 1423, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE (HOV) LANES," passed Second Reading and was placed on the calendar for Third Reading with Representatives Bertram, Cabanilla, Caldwell, Carroll, Karamatsu, McKelvey, Sagum, Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 755) recommending that H.B. No. 1427, pass Second Reading and be placed on the calendar for Third Reading.

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

adopted and H.B. No. 1427, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was placed on the calendar for Third Reading with Representatives Bertram, Cabanilla, Caldwell, Carroll, Karamatsu, McKelvey, Sagum, Takamine and Thielen being excused.

At 12:11 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:13 o'clock p.m.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 756) recommending that H.B. No. 1376, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Waters and carried, the report of the Committee was adopted and H.B. No. 1376, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM-CONTAMINATED SOIL," passed Second Reading and was placed on the calendar for Third Reading with Representatives Bertram, Cabanilla, Caldwell, Carroll, Karamatsu, McKelvey, Sagum, Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 757) recommending that H.B. No. 310, as amended in HD 1, be adopted, passed, and recommitted to the Committee on Economic Development & Business Concerns for further consideration.

On motion by Representative B. Oshiro, seconded by Representative Waters and carried, the report of the Committee was adopted and H.B. No. 310, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was adopted, passed, and recommitted to the Committee on Economic Development & Business Concerns for further consideration with Representatives Bertram, Cabanilla, Caldwell, Carroll, Karamatsu, McKelvey, Sagum, Takamine and Thielen being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representatives Bertram, Cabanilla, Caldwell, Carroll, Karamatsu, McKelvey, Sagum, Takamine and Thielen were excused.)

The Chair then stated:

"Representative Manahan, what is the motion before this body?"

Representative Manahan rose, stating:

"The motion before the body is to suspend the rules."

THIRD READING

H.B. No. 389, HD 1:

Representative B. Oshiro moved that H.B. No. 389, HD 1, pass Third Reading, seconded by Representative Waters.

Representative M. Oshiro rose to speak in support of the measure, stating:

"I stand in strong support of this rock-solid measure. Mr. Speaker, we passed a Senate bill last year. Unfortunately, it didn't make it

through. I hope this year it does. It received support from even the Governor and the Lieutenant Governor last year, Mr. Speaker, so I hope this makes it all the way through."

The motion was put to vote by the Chair and carried, and H.B. No. 389, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Third Reading by a vote of 42 ayes, with Representatives Bertram, Cabanilla, Caldwell, Carroll, Karamatsu, McKelvey, Sagum, Takamine and Thielen being excused.

At 12:17 o'clock p.m., the Chair noted that H.B. No. 389, HD 1, passed Third Reading.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following concurrent resolutions (H.C.R. Nos. 45 and 46) were referred to Printing and further action was deferred:

H.C.R. No. 45, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW ON THE REGULATION OF BAIL AGENTS," was offered by Representative Herkes.

H.C.R. No. 46, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW ON THE REGISTRATION OF PROVIDERS OF DEBT-MANAGEMENT SERVICES," was offered by Representative Herkes.

ANNOUNCEMENTS

Representative Tokioka: "Thank you, Mr. Speaker. It gives us both a great honor and privilege to acknowledge one of our colleagues, whose birthday is today. So, at this time Representative Hanohano."

Representative Hanohano: "Our colleague is Representative Karen Awana from District 44, Nanakuli. Today is her *hau'oli lā hānau*."

Speaker Say: "Representative Awana, would you like to disclose your age? Sweet sixteen?"

Representative Awana: "Forty-one. Thank you, Mr. Speaker."

Representative Herkes for the Committee on Consumer Protection & Commerce requested a waiver of the 48-hour advanced notice requirement to hear HB No. 96 Relating to Government, on Wednesday, February 21st for decision making at 2:00 p.m. in Conference Room 325, and the Chair "so ordered."

Speaker Say: "For Members of the House, if you turn to your Order of the Day, pages A through E, those are the hearing notices of your respective Committees that you do sit on."

ADJOURNMENT

At 12:19 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 tomorrow, Wednesday, February 21, 2007. (Representatives Bertram, Cabanilla, Caldwell, Carroll, Karamatsu, McKelvey, Sagum, Takamine and Thielen were excused.)