

**HAWAII STATE
HOUSE OF REPRESENTATIVES**

REGULAR SESSION OF 2009

***ROUGH DRAFT
JOURNAL***

**TWENTY-THIRD DAY
FEBRUARY 25, 2009**

OFFICE OF THE CHIEF CLERK



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TWENTY-THIRD DAY

Wednesday, February 25, 2009

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2009, convened at 12:06 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Pono Shim, followed by Representatives Berg and Finnegan who closed in song, after which the Roll was called showing all members present with the exception of Representative Takai, who was excused.

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

INTRODUCTIONS

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

Representative Carroll introduced members of the Royal Order of Kamehameha, Kapuawaiwa Chapter.

Representative Evans introduced the members of the Army Noncommissioned Officer Corps from Schofield and Fort Shafter.

Representative Shimabukuro introduced renowned singer and songwriter, Professor Jon Osorio.

Representative Har introduced her good friend and Kapolei community member, Auntie Homelani Schaedel.

Representative Berg introduced Ms. Elizabeth Riley, a member of the Hawaii Kai Neighborhood Board; and constituent Ms. Ann Marie Kirk.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.R.</u> <u>Nos.</u>	<u>Referred to:</u>
62	Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, then to the Committee on Finance
63	Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, then to the Committee on Finance
64	Committee on Transportation, then to the Committee on Finance
65	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources
67	Committee on Public Safety, then to the Committee on Judiciary
68	Jointly to the Committee on Education and the Committee on Health, then to the Committee on Judiciary
69	Committee on Education, then to the Committee on Finance

<u>H.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>
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76	Committee on Education, then to the Committee on Finance
77	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Transportation, then to the Committee on Finance
78	Committee on Water, Land, & Ocean Resources, then to the Committee on Hawaiian Affairs
79	Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
80	Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, then to the Committee on Finance
81	Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Judiciary, then to the Committee on Finance
82	Committee on Transportation, then to the Committee on Finance
83	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources
84	Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
86	Jointly to the Committee on Education and the Committee on Health, then to the Committee on Judiciary
87	Committee on Education, then to the Committee on Finance
88	Committee on Agriculture, then to the Committee on Finance

<u>S.B.</u> <u>Nos.</u>	<u>Referred to:</u>
34, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
35, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
55, SD1	Committee on Consumer Protection & Commerce
62, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
426	Committee on Health, then to the Committee on Consumer Protection & Commerce
639, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
695, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
714, SD1	Committee on Transportation, then to the Committee on Judiciary
777, SD1	Committee on Health, then to the Committee on Education, then to the Committee on Finance

- 823, Committee on Labor & Public Employment, then to the
SD1 Committee on Economic Revitalization, Business, & Military
Affairs
- 878, Committee on Consumer Protection & Commerce, then to the
SD1 Committee on Finance
- 1677, Committee on Hawaiian Affairs, then jointly to the Committee
SD1 on Water, Land, & Ocean Resources and the Committee on
Judiciary, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B. Nos.

Re-referred to:

- 145, Committee on Transportation, then to the Committee on
HD1 Finance
- 963, Committee on Tourism, Culture, & International Affairs, then
HD1 to the Committee on Finance
- 1171 Committee on Finance

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATION)

The following resolution (H.R. No. 70) was announced by the Clerk and the following action taken:

H.R. No. 70, entitled: "HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING KAPOLEI HIGH SCHOOL GIRLS VOLLEYBALL TEAM AND THEIR COACHES FOR CLAIMING THE 2008 OIA GIRLS VOLLEYBALL WHITE CONFERENCE CHAMPIONSHIP," was offered by Representative Har.

Representative Har moved that H.R. No. 70 be adopted, seconded by Representative Awana.

Representative Har congratulated the Kapolei High School Girls Volleyball Team, the 2008 OIA Division II, White Conference Champions and introduced the following team members seated on the floor of the House:

Seniors: Kirsten Otsuka, Tehani Kaaihui, Marie Nataniela and Courtney Seminavage;
Juniors: Emily Patacsil, Luana Scheer, Vanessa Banogan and Gabriella Matuatia; and
Head coach, Ms. Naidah Gamurot and assistant coach, Ms. Darlene Kamai.

Representative Har then acknowledged the following players who were not in attendance, Carmen Lalau, Losa Foki and Milovale Lafitaga.

Representative Har also introduced team supporters sitting in the gallery, Ms. Relana Whitney, Mr. Michael Gamurot, Ms. Stephanie Kahai and Ms. Maureen Otsuka.

The motion was put to vote by the Chair and carried, and H.R. No. 70 was adopted with Representative Takai being excused.

At this time, the Chair announced:

"Members of the House, distinguished guests, before going on, let us send our best wishes to the young lady, Ms. Courtney Seminavage, who is a player of the Kapolei High School team. She felt faint and passed out, but she is fine, and in healthy condition with the care of our EMS workers.

She was taken to the Queens Hospital. So for the team and coaches, she's in good hands. Thank you all for your patience."

The following resolution (H.R. No. 71) was announced by the Clerk and the following action taken:

H.R. No. 71, entitled: "HOUSE RESOLUTION PROCLAIMING 2009 AS THE YEAR OF THE ARMY NONCOMMISSIONED OFFICER CORPS OF THE UNITED STATES ARMY," was jointly offered by Representatives Evans, Awana, Belatti, Brower, Ching, Finnegan, Hanohano, Herkes, Ito, Karamatsu, Marumoto, McKelvey, Mizuno, B. Oshiro, M. Oshiro, Pine, Say, Shimabukuro, Thielen, Tsuji, Ward, Yamashita, Aquino, Berg, Bertram, Cabanilla, Carroll, Chang, Chong, Choy, Coffman, Har, Keith-Agaran, C. Lee, M. Lee, Luke, Magaoay, Manahan, Morita, Nakashima, Nishimoto, Rhoads, Sagum, Saiki, Souki, Takumi, Tokioka, Wakai, Wooley and Yamane.

Representative Evans moved that H.R. No. 71 be adopted, seconded by Representative McKelvey.

Representative Evans recognized the role of the noncommissioned officers and commended them for their contributions to the United States Army and the people of our nation.

Representative McKelvey introduced the following honorees seated on the floor of the House:

Lt. General Benjamin R. Mixon, Commanding General, U.S. Army Pacific;
Command Sgt. Major Joseph Zettlemoyer, Command Sgt. Major, U.S. Army Pacific;
Master Sgt. Barbara Rubio, Congressional Army Liaison;
Sgt. Dean Rudolph, who recently helped chase and apprehend burglary suspects; and
Brig. Gen. Gary M. Ishikawa, Deputy Adjutant General, State of Hawaii, Department of Defense.

Representative Cabanilla also recognized the Army NCOs and recited the U.S. Army NCO Creed.

Representative Ward further commended and thanked the noncommissioned officers.

The motion was put to vote by the Chair and carried, and H.R. No. 71 was adopted with Representatives M. Oshiro and Takai being excused.

At 12:40 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:34 o'clock p.m.

LATE INTRODUCTIONS

Representative Berg introduced Dr. Jon Osorio and Professor Lilikala Kame'eiehiwa from the Kamakakuokalani Center for Hawaiian Studies.

Representative Shimabukuro introduced Kupuna Frenchy DeSoto of Waianae.

Representative Ito introduced friends from Kaneohe, Rocky and Jerry Kaluhiwa.

UNFINISHED BUSINESS

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 627) recommending that H.B. No. 539, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Karamatsu moved that notwithstanding the recommendations contained in Standing Committee Report No. 627, that H.B. No. 539, HD 1, be recommitted to the Committee on Judiciary, seconded by Representative Ito.

Representative Thielen rose to speak in support of the motion to recommit, stating:

"Thank you, Mr. Speaker. I strongly support that motion to recommit, and I believe I sent out to everyone in the House of Representatives, the link to the daily cost article. I'm glad that we will now not have to continue to be the laughing stock of the nation, and probably of the world. Thank you."

At 1:37 o'clock p.m. Representative Souki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:38 o'clock p.m.

Representative Marumoto rose to speak in support of the motion to recommit, stating:

"Thank you. I speak in favor of the motion to recommit this particular campaign spending bill, House Bill 539. I believe that it would add a lot more money to the campaign equation, and it's not a good time now to try to raise more money from corporations, when the economy is poor ..."

The Chair addressed Representative Marumoto, stating:

"Representative Marumoto, the motion before this Body is a motion to recommit. We're not talking about the measure before us, so this is limited debate."

Representative Marumoto continued, stating:

"Thank you, Mr. Speaker. It's very important that we recommit the bill at this time, because the matter is still pending before the courts, it's being ..."

Speaker Say: "Representative Marumoto, you're out of order at this time. The motion is to recommit the measure. If you want to debate the motion, then debate the motion of recommitment."

Representative Marumoto: "Thank you, yes. I'm strongly in favor because it's premature. Thank you."

Representative Ward rose to speak in support of the motion to recommit, stating:

"Mr. Speaker, in favor. And would only say that discretion is the better part of valor, and that discretion has been exercised by your recommitment. Thank you."

Representative Belatti rose to speak in support of the motion to recommit, stating:

"Mr. Speaker, thank you. I would like to stand in favor of the motion to recommit, and I would like to thank leadership and the Chair of Judiciary on this matter. I think in light of today's invocation, in light of the significance of this day, that this body has chosen to put the people before power and greed by this motion to recommit. So I thank the leadership, humbly."

Representative McKelvey rose to speak in support of the motion to recommit, stating:

"Thank you. Just in support and I just want to thank the Chair of Judiciary. I know it's been a tough job, but he's trying his best to address the situation. So, I just applaud him, and support him. Thank you very much."

The motion was put to vote by the Chair and carried, and H.B. No. 539, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS," was recommitted to the Committee on Judiciary, with Representative Takai being excused.

The Chair then announced:

"Thank you very much. This particular measure is being recommitted to the Committee on Judiciary for further discussion."

STANDING COMMITTEE REPORTS

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 630) recommending that H.R. No. 35, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 35, entitled: "HOUSE RESOLUTION DECLARING APRIL AS CHILD ABUSE PREVENTION MONTH," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 631) recommending that H.C.R. No. 44, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 44, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING APRIL AS CHILD ABUSE PREVENTION MONTH," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 632) recommending that H.R. No. 37, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 37, entitled: "HOUSE RESOLUTION URGING CONGRESS TO PROTECT FUNDING AND MAINTAIN PROGRAMS, LAWS, REGULATIONS, AND POLICIES THAT ASSIST VICTIMS OF DOMESTIC VIOLENCE," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 633) recommending that H.C.R. No. 46, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 46, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO PROTECT FUNDING AND MAINTAIN PROGRAMS, LAWS, REGULATIONS, AND POLICIES THAT ASSIST VICTIMS OF DOMESTIC VIOLENCE," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 634) recommending that H.R. No. 32, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 32, HD 1, entitled: "HOUSE RESOLUTION RECOGNIZING OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 635) recommending that H.C.R. No. 38, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R.

No. 38, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 636) recommending that H.R. No. 9, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 9, entitled: "HOUSE RESOLUTION URGING FAITH-BASED ORGANIZATIONS TO NETWORK AND COOPERATE TO SUPPORT FOSTER FAMILIES IN HAWAII," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 637) recommending that H.C.R. No. 5, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 5, entitled: "HOUSE CONCURRENT RESOLUTION URGING FAITH-BASED ORGANIZATIONS TO NETWORK AND COOPERATE TO SUPPORT FOSTER FAMILIES IN HAWAII," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 638) recommending that H.R. No. 29, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 29, entitled: "HOUSE RESOLUTION SUPPORTING INTERNATIONAL WHITE RIBBON CAMPAIGNS TO END MEN'S VIOLENCE AGAINST WOMEN AND ENCOURAGING THE ESTABLISHMENT OF A WHITE RIBBON CAMPAIGN ORGANIZATION IN HAWAII," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 639) recommending that H.C.R. No. 32, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 32, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING INTERNATIONAL WHITE RIBBON CAMPAIGNS TO END MEN'S VIOLENCE AGAINST WOMEN AND ENCOURAGING THE ESTABLISHMENT OF A WHITE RIBBON CAMPAIGN ORGANIZATION IN HAWAII," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 640) recommending that H.R. No. 33, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 33, entitled: "HOUSE RESOLUTION RECOGNIZING THE MONTH OF MAY AS "FOSTER CARE AWARENESS MONTH", A TIME TO EDUCATE THE PUBLIC ABOUT THE VARIOUS COMPONENTS OF FOSTER CARE, INCLUDING FOSTER PARENTS, CHILDREN, AND FAMILIES," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 641) recommending that H.C.R. No. 39, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 39, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE MONTH OF MAY AS "FOSTER CARE

AWARENESS MONTH", A TIME TO EDUCATE THE PUBLIC ABOUT THE VARIOUS COMPONENTS OF FOSTER CARE, INCLUDING FOSTER PARENTS, CHILDREN, AND FAMILIES," was adopted, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 642), recommending that H.R. No. 31, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 31, entitled: "HOUSE RESOLUTION REQUESTING RELIGIOUS AND FAITH-BASED ORGANIZATIONS TO SERVE AS SAFE HAVENS FOR VICTIMS OF DOMESTIC VIOLENCE," was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 643), recommending that H.C.R. No. 37, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 37, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING RELIGIOUS AND FAITH-BASED ORGANIZATIONS TO SERVE AS SAFE HAVENS FOR VICTIMS OF DOMESTIC VIOLENCE," was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 644) recommending that H.B. No. 1175, as amended in HD 1, be recommitted to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1175, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was recommitted to the Committee on Finance, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 645) recommending that H.B. No. 1184, as amended in HD 1, be recommitted to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1184, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," was recommitted to the Committee on Finance, with Representative Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 646) recommending that H.B. No. 1185, as amended in HD 1, be recommitted to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1185, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," was recommitted to the Committee on Finance, with Representative Takai being excused.

Representatives Morita and Cabanilla, for the Committee on Energy & Environmental Protection and the Committee on Housing presented a report (Stand. Com. Rep. No. 647) recommending that H.B. No. 1273, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1273, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, I rise in opposition, with a few remarks on Stand. Com. Rep. No. 647. Mr. Speaker, let me first begin by saying this is a good bill, but I don't think it's very good policy that's in the bill.

"We need to protect our environment, but I'm not sure that this is the best method to begin with, or to put it in the front of the chronology to do that. And, for historical purposes, we should know that, Mr. Speaker, this bill was vetoed twice. One by the Governor, and secondly, and this is where it comes to my community, by my community, very vigorously, for three reasons.

"The first reason, Mr. Speaker, why they vetoed it was because of the aesthetics. The Commodore and the Mauna Luan, and all those beautiful Hawaii Kai condos, just couldn't imagine, or envision laundry hanging out on the *lanai*, which has a beautiful view of Maunaloa Bay.

"The second reason is properties values, which is a direct result of that. For some of us who have been to Hong Kong, and other parts of the world, you know that laundry hanging in or around and in front of property doesn't enhance it, it distracts from its value.

"And thirdly, and most importantly, and this is what I really speak for my community for. There is irreparable damage that some of the retrofitting of clotheslines would cost. Some of the structural integrity of the building, particularly the condo people came very strong and very clear; when you drill into the side of a condo, which is reinforced concrete, and this spalling effect takes place. Then the moisture gets into the rebar, the rebar then oxidizes, the oxidization basically weakens the structure of the building.

"So they said, 'Look, we've got so many things that we can do before that.' In fact, one of the things that, Mr. Speaker, I would hope would get a hearing here is HB 1836, which mandates solar on every roof. We haven't got even that far, and now we're saying, 'All of you community associations, all of you homeowners associations, break those contracts with those who sold it,' which by the way, is why the Governor vetoed this bill, and now we're starting out with this as the high priority for renewable energy.

"I just think it's a bit of a misplaced priority. It will eventually be needed, but right now, it's not something that I believe either the Governor wants, or, at least for sure, my community doesn't want. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. In support. For the edification of the Members, especially the Member from Hawaii Kai, this bill is limited to single family residences and townhouses."

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

"Thank you, Mr. Speaker. Please not my reservations on this measure and I will reserve comment until Third Reading."

Representative Ching 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1273, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was placed on the calendar for Third Reading with Representative Ward voting no, and with Representative Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 648) recommending that H.B. No. 365, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 365, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was placed on the calendar for Third Reading, with Representative Takai being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended consider certain House bills for Third Reading by consent calendar. (Representative Takai was excused.)

THIRD READING

H.B. No. 1639:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1639, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 1475:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1475, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

H.B. No. 595:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 595, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Third Reading by a vote of 50 ayes, with Representative Takai being excused.

At 1:46 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1639
H.B. No. 1475
H.B. No. 595

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 67 through 69) and concurrent resolutions (H.C.R. Nos. 86 through 89) were referred to Printing and further action was deferred:

H.R. No. 67, entitled: "HOUSE RESOLUTION REQUESTING STATE AND LOCAL LAW ENFORCEMENT OFFICERS TO ABIDE BY STATE LAWS RELATING TO THE MEDICAL USE OF MARIJUANA," was jointly offered by Representatives Bertram, Hanohano, Karamatsu, Thielen and Keith-Agaran.

H.R. No. 68, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF EDUCATION TO PROVIDE A COMPREHENSIVE REPORT OF POST FELIX CONSENT DECREE CHILD AND ADOLESCENT MENTAL HEALTH SERVICES AND FUNDING," was jointly offered by Representatives Mizuno, Brower, Carroll, Finnegan, Nishimoto, Shimabukuro, Ward, Yamane, Belatti and Bertram.

ADJOURNMENT

H.R. No. 69, entitled: "HOUSE RESOLUTION RECOGNIZING AUGUST 2009 AS JAN KEN PO MONTH IN HAWAII AND URGING THE ORGANIZATION OF A STATEWIDE GRAND JAN KEN PO TOURNAMENT DURING THE MONTH TO RAISE FUNDS TO BENEFIT HAWAII'S PUBLIC SCHOOLS," was jointly offered by Representatives Mizuno, Brower, Manahan, Awana, Hanohano and Takumi.

H.C.R. No. 86, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF EDUCATION TO PROVIDE A COMPREHENSIVE REPORT OF POST FELIX CONSENT DECREE CHILD AND ADOLESCENT MENTAL HEALTH SERVICES AND FUNDING," was jointly offered by Representatives Mizuno, Brower, Carroll, Finnegan, Nishimoto, Shimabukuro, Ward, Yamane and Belatti.

H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AUGUST 2009 AS JAN KEN PO MONTH IN HAWAII AND URGING THE ORGANIZATION OF A STATEWIDE GRAND JAN KEN PO TOURNAMENT DURING THE MONTH TO RAISE FUNDS TO BENEFIT HAWAII'S PUBLIC SCHOOLS," was jointly offered by Representatives Mizuno, Brower, Manahan, Awana, Hanohano and Takumi.

H.C.R. No. 88, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO CONDUCT A STUDY ON THE FEASIBILITY OF RESTRUCTURING HAWAIIAN COMMERCIAL AND SUGAR COMPANY ON MAUI TO OPERATE AN INDUSTRIAL HEMP PLANTATION," was jointly offered by Representatives Bertram, McKelvey and Thielen.

H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE HOOKAKOO CORPORATION REPORT ON THE PROGRESS AND IMPACTS OF THE MODELS FOR EXPANDED LEARNING TIME BEING PILOTED BY THE HOOKAKOO CORPORATION'S PARTNER CONVERSION CHARTER SCHOOLS," was jointly offered by Representatives Takumi and Berg.

ANNOUNCEMENTS

At 1:47 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:49 o'clock p.m.

Speaker Say: "Members of the House, at this time, the Chair would like to refer Senate Bill 1677, SD 1, Relating to Lands Controlled by the State to the Committee on Hawaiian Affairs, Water, Land & Ocean Resources/Judiciary, and Finance. This is following the same referral process as far as our House bills.

"Does everyone understand that? It's being referred to the Committee on Hawaiian Affairs as the first Committee, to hold a separate hearing by itself. Then the Water, Land & Ocean Committee/Judiciary Committee, another referral by itself. Then the Finance Committee, by itself. And that has been the process in the House Bills that we have here in this Chamber.

"At this time, Representative Carroll, would you like to share with the Members of the House that this particular measure is going to be scheduled for a hearing?"

Representative Carroll: "Thank you, Mr. Speaker. As you all know, I'm leaving tonight for Washington D.C., and just to make the announcement, we will be filing the hearing notice today. We were just waiting for the referral, so that the Senate Bill can be heard in the Hawaiian Affairs Committee, next week Wednesday, at 9:30 a.m., in RRoom 329. Thank you very much."

At 1:51 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 Thursday, March 5, 2009. (Representative Takai was excused.)