

ELEVENTH DAY

Friday, February 4, 2011

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2011, convened at 12:06 o'clock p.m., with Vice Speaker Manahan presiding.

The ecumenical invocation was delivered by Representative Denny Coffman, after which the Roll was called showing all Members present.

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

INTRODUCTIONS

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

Representative Rhoads introduced a leader in the Chinatown community and Downtown Neighborhood Board member, Mr. Stanford Yuen.

Representative Cabanilla introduced Rear Admiral Dixon R. Smith, Commander, Navy Region Hawaii, and his wife, Mrs. Kiki Smith.

Representative Cabanilla also recognized Mr. Stanford Yuen, and commended him for his dedication to the Chinatown community and thanked him for his many years of service to the federal government and the US Navy.

Representatives Pine thanked Mr. Yuen, Rear Admiral Dixon and Mrs. Dixon for all they do for military families.

Representative Ching also thanked Mr. Yuen and the military community.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representatives Chang and Hanohano, for the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 30) recommending that H.B. No. 397, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 397, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed Second Reading and was referred to the Committee on Judiciary, with Representative Cabanilla being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 31) recommending that H.B. No. 1081, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1081, HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. Mr. Speaker, I originally voted with reservations on this measure because I was concerned about whether or not this bill would allow an industrial park to be used for a landfill. I received a response which satisfied my concern and I am now voting up.

"I would like to just read into the Journal the response from Russell Y. Tsuji, Administrator, Department of Land and Natural Resources, and I

quote, 'Since landfills are a county function, DLNR does not have any intention of leasing lands under the industrial parks statute for landfill operations.' Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1081, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL PARKS ON PUBLIC LANDS," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representative Cabanilla being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 32) recommending that H.B. No. 1255, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1255, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Higher Education, with Representative Cabanilla being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 33) recommending that H.B. No. 956, as amended in HD 1, pass Second Reading and be referred to the Committee on Tourism.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 956, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Tourism, with Representative Cabanilla being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 34) recommending that H.B. No. 26, as amended in HD 1, pass Second Reading and 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.B. No. 26, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFANT AND TODDLER CHILD CARE CENTERS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Cabanilla being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 35) recommending that H.B. No. 94, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 94, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE PROGRAMS," passed Second Reading and was referred to the Committee on Legislative Management, with Representative Cabanilla being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 36) recommending that H.B. No. 684, as amended in HD 1, pass Second Reading and 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.B. No. 684, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Cabanilla being excused.

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

726, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 726, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"With reservations on this, Mr. Speaker, and a couple comments. What this bill does is it gives children in the foster care system the option to remain under the jurisdiction of the Family Court system even after the age of 18, until they turn 21. I really appreciate the intent of the bill. I think in listening to the testimony what concerned me more was that while the intent was to make sure that our foster children are prepared for the transition to adulthood, we in fact are extending it even further.

"And so that tells something to me, that perhaps we're not focusing on the correct issue and that we need to do a better job preparing our foster children at an even earlier age. I'm happy that this bill does kind of move it back a little bit, two years, but I really hope that we can prepare them by 18, because at 18, they can go off to war and fight for their country. They can make that decision and we should allow them to make other decisions for themselves as well."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 726, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CHILDREN," passed Second Reading and was referred to the Committee on Judiciary, with Representative Cabanilla being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 38) recommending that H.B. No. 290, as amended in HD 1, pass Second Reading and 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.B. No. 290, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Judiciary, with Representative Cabanilla being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 39) recommending that H.B. No. 1176, as amended in HD 1, be recommitted to the Committee on Energy & Environmental Protection.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1176, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TRANSMISSION CABLE," was recommitted to the Committee on Energy & Environmental Protection, with Representative Cabanilla being excused.

ANNOUNCEMENTS

Representative Cabanilla: "Thank you, Mr. Speaker. Today is a very special day for the Filipino Caucus. We're going to have picture taking right after this session. And briefly I would like to explain to you what these outfits are made of, or what they're for. It's the equivalent of a formal attire for the Filipinos. It's something that we wear during weddings, and for the Filipino Congress this is the attire. This is formal attire for them. It's made of pineapple fiber so there's some correlation with Hawaii.

"The other announcement I would like to make is that we're cancelling the Filipino Caucus meeting today because there's no update. Thank you."

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following concurrent resolution (H.C.R. No. 35) was referred to Printing and further action was deferred:

H.C.R. No. 35, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE LEGISLATURE CONVENE AN INFORMATIONAL PUBLIC HEARING TO EVALUATE THE FEASIBILITY OF ESTABLISHING NEW AND SEPARATE BARGAINING UNITS FOR HAWAII HEALTH SYSTEMS CORPORATION EMPLOYEES AND ALLOWING THE CORPORATION TO ENTER INTO ITS OWN COLLECTIVE BARGAINING AGREEMENTS WITH THESE UNITS," was offered by Representative Say.

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.R.</u> <u>No.</u>	<u>Referred to:</u>
29	Committee on Education, then to the Committee on Legislative Management, then to the Committee on Finance

<u>H.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>
34	Committee on Education, then to the Committee on Legislative Management, then to the Committee on Finance
35	Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following measure was re-referred to committee by the Speaker:

<u>H.B.</u> <u>No.</u>	<u>Re-referred to:</u>
1176, HD1	Jointly to the Committee on Energy & Environmental Protection and the Committee on Consumer Protection & Commerce, then to the Committee on Finance

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 Monday, February 7, 2011.