

THIRTY-THIRD DAY

Monday, March 17, 2014

The House of Representatives of the Twenty-Seventh Legislature of the State of Hawaii, Regular Session of 2014, convened at 12:04 o'clock p.m., with Vice Speaker Mizuno presiding.

The invocation was delivered by Reverend Alan Urasaki of Honpa Hongwanji Mission of Hawaii, after which the Roll was called showing all Members present with the exception of Representatives Ing, Takai and Tsuji, who were excused.

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

INTRODUCTIONS

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

Representative Oshiro introduced Mr. Duane Kurisu, Mr. Mike McCartney and Mr. George Kam.

Representative Nishimoto, on behalf of Representatives Say, Kobayashi, Saiki and himself, introduced student government students from Kaimuki High School, and their advisor, Ms. Holly Honbo.

Representative Matsumoto introduced students with the Center for Tomorrow's Leaders, and Ms. Katie Chang.

Representative Takumi, on behalf of Representative Takayama and himself, introduced third graders from Pearl City Elementary School: Liah McKee and her dad Brian McKee, Celeste Aquinaldo and her mom Sonia Aquinaldo, Johanna Reid and her mom Rita Reid; and their teacher, Mr. Russell Minobe.

Representative Ward introduced Superintendent Kathryn Matayoshi.

Representative Souki introduced former Visitor Services Coordinator with the Capitol Public Information Office, Ms. Lolita Rosen.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 204) was announced by the Clerk and the following action taken:

H.R. No. 204, entitled: "HOUSE RESOLUTION CONGRATULATING MATTHEW LAWRENCE AS THE 2014 HAWAII STATE TEACHER OF THE YEAR, TERESA CRAMER AS THE 2014 CENTRAL OAHU DISTRICT TEACHER OF THE YEAR, TERRA WIGHT AS THE 2014 LEEWARD OAHU DISTRICT TEACHER OF THE YEAR, DAYNA HIRONAKA AS THE 2014 WINDWARD OAHU DISTRICT TEACHER OF THE YEAR, ELIZABETH TIMBAL AS THE 2014 HAWAII DISTRICT TEACHER OF THE YEAR, ANTHONY WILLIAMS AS THE 2014 MAUI DISTRICT TEACHER OF THE YEAR, AND JUSTIN YAMAGATA AS THE 2014 KAUAI DISTRICT TEACHER OF THE YEAR," was offered by Representative Takumi.

Representative Takumi moved that H.R. No. 204 be adopted, seconded by Representative Ohno.

Representative Takumi commended the exemplary educators in Hawaii, and introduced the following honoree seated on the Floor of the House:

Mr. Matthew Lawrence, 2014 Hawaii State Teacher of the Year, from Waikiki Elementary School. He was accompanied by his wife, Mrs.

Jessika Lawrence, and daughter, Lily Ann Lawrence, who were seated in the gallery.

Representative Ohno recognized and introduced additional honorees who were seated on the Floor of the House:

Mrs. Teresa Cramer, 2014 Central District Teacher of the Year, from Hale Kula Elementary School. She was accompanied by her daughter, Tess Cramer, who was seated in the gallery;

Mrs. Dayna Hironaka, 2014 Windward District Teacher of the Year, from Kahaluu Elementary School. She was accompanied by her husband, Mr. Ryan Hironaka, and children, Kaleb and Mia Hironaka, who were seated in the gallery; and

Mr. Anthony Williams, 2014 Maui District Teacher of the Year, from Paia Elementary School. He was accompanied by his wife, Mrs. Nanette Williams, and Ms. Chihiro Ikezawa, who were seated in the gallery.

Representative Ohno also recognized honorees who were unable to attend:

Ms. Terra Wright, 2014 Leeward District Teacher of the Year, from Nanakuli High and Intermediate School;

Ms. Elizabeth Timball, 2014 Hawaii District Teacher of the Year, from Keaau High School; and

Mr. Justin Yamagata, 2014 Kauai District Teacher of the Year, from Waimea Canyon Middle School.

Representative Ward recognized the importance of teachers and their role in shaping our society and thanked them for their work.

The motion was put to vote by the Chair and carried, and H.R. No. 204 was adopted, with Representatives Ing, Saiki and Takai being excused.

The following resolution (H.R. No. 205) was announced by the Clerk and the following action taken:

H.R. No. 205, entitled: "HOUSE RESOLUTION RECOGNIZING BROTHER NOLAND FOR A LIFETIME ACHIEVEMENTS AND HIS IMPACT ON ISLAND MUSIC," was jointly offered by Representatives Tokioka, Hanohano, Kawakami, Nishimoto and Oshiro.

Representative Tokioka moved that H.R. No. 205 be adopted, seconded by Representative Oshiro.

Representative Oshiro recognized Hawaiian Music and its role in Hawaiian culture, and honored Brother Noland's part as a music innovator who captures the essence of Hawaii in his songs, credited with the birth of Hawaiian Music.

Representative Kawakami highlighted the many achievements, awards and volunteer work of Brother Noland, thanked him for his music and wished him continued success in the future.

Representative Tokioka then introduced honorees seated on the Floor of the House:

Brother Noland Conjugacion;
Aunt Emma Ako, his mother;
Pomai Weigert, his daughter;
Aunt Laurie Walser;
Kapua Lee; and
Aunt Elaine Ako Spencer.

Representative Tokioka also recognized the many friends and family of Brother Noland who were here to support him:

Band/Assistants: Jennifer La, Alex Martin, Donnie Martin, Jr., Fred Li, Pi'i Miguel, Blayne Asing, Steve Bader, Sam Bader, Paula Jepas, Vergel Jepas and Susan Susuki.

Family and Friends in the gallery: Greg Kam, Mike McCartney, Duane Kurisu, Moku Buchanan, Lori Buchanan, Joana Magno, Brenda Li, Tanya Li, Luke Rogers, Clark Spencer, Carol Spencer, Noe Burkett, Cora Fonseca, Mahea Fonseca, Wilma Hee, Ka'ili Heen, Kaipo Daniels, Gretchen Daniels, Freddie Gayagas, Rose Bader, Alexa Bader, Mele Coelho, Jennifer Yagodich, Frank Yagodich, Kalama 'Ohana, Greg Doi, Andrea Doi, Karen Sarsona, Kathryn Sarsona, and many others.

The motion was put to vote by the Chair and carried, and H.R. No. 205 was adopted, with Representatives Belatti, Ing, Kobayashi, Saiki and Takai being excused.

At this time, Brother Noland thanked his supporters and family, and he and his band members Fred Li, Vergel Jepas, Paula Jepas, Steve Bader, Sam Bader, Blayne Asing and Pi'i Miguel, performed for the House of Representatives, guests and audience the following songs:

Are You Native?;
Backfire;
Pua Lane;
Coconut Girl; and
Big Ship.

At 1:19 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:37 o'clock p.m.

REPORTS OF STANDING COMMITTEES

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 980-14) recommending that S.B. No. 2118, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Souki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2118, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, Fale, Ing, Lee, Saiki and Takai being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 981-14) recommending that S.B. No. 2629, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Souki moved that the report of the Committee be adopted, and that S.B. No. 2629, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Cabanilla.

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

"Mr. Speaker, I'm going to cast a no vote on this. I did vote for it in committee, I just need a little more clarity to make sure that this doesn't apply to a citizen. I've talked to my good friend the Judiciary Chair and I'm trying to figure it out, he'd been very helpful. But my concern is that the average citizen comes down and beats the pavement, goes door-to-door, and can easily spend five hours here in one afternoon, with one legislator, by the way.

"So I want to make sure that the citizen is not impacted by this, only the people who receive remuneration for their efforts, the classic lobbyists. Thank you, sir."

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

"Mr. Speaker, in support. Just to point out that the definition of 'lobbying' and 'lobbyist' is in 97-1, which this bill does not amend whatsoever. So the definition of 'lobbying' and 'lobbyist' is in 97-1, this bill amends 97-3, which has to do with the timing of the reports."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2629, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS," passed Second Reading and was referred to the Committee on Finance, with Representative McDermott voting no, and with Representatives Belatti, Fale, Ing, Lee, Saiki and Takai being excused.

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 982-14) recommending that S.B. No. 2839, SD 1 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Souki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2839, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, Fale, Ing, Lee, Saiki and Takai being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 983-14) recommending that S.B. No. 2349, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Souki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2349, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, Fale, Ing, Lee, Saiki and Takai being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 984-14) recommending that S.B. No. 2045, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Souki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2045, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLORECTAL CANCER SCREENING PILOT PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, Fale, Ing, Lee, Saiki and Takai being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 985-14) recommending that S.B. No. 2855, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Souki moved that the report of the Committee be adopted, and that S.B. No. 2855, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Cabanilla.

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

"Mahalo ho'omalua 'olelo. Ke ku nei au me ke kanalua loa. 'O kēia pila e hā'awi kala no na po'e o ka hui ku 'oko'a mai ka pu'u kala no ke aupuni 'o Hawaii nei. A'ohe pono kēia hana. Aia i hea ka pu'u kala no 'Amelika. No lakou kēia kuleana. 'Oia ku'u mau mana'o. Mahalo ho'omalua 'olelo.

"Thank you, Mr. Speaker. I rise with strong reservations. This bill appropriates money to the Compact of Free Association from the State of Hawaii's General Funds. This is not right. Where is American federal monies? This is their responsibility. These are my thoughts. Thank you, Mr. Speaker."

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

"Thank you. In support with reservations. Thank you, Mr. Speaker. I'm rising with reservations, being that it was through no fault of the COFA migrants to have to come to Hawaii and to the mainland United States to go ahead and move, through no fault of their own, again. Perhaps serious consideration needs to be made by the Health Committee or even with our congressionals to consider using Tripler or federally funded clinics and hospitals to offset, instead of having our states have to provide the funding for our COFA migrants. Thank you, Mr. Speaker."

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

"Mr. Speaker, in support. For a historical footnote to be accurate, it's really the fed's problem, it's their fault. The Compact of Free Association was to where we were to be reimbursed for educational, social, health and other things. It's only that they've never given the money. It's been an unfunded mandate. We spent \$100 to \$150 million on the immigrants, but we get like \$10 million back, Guam gets \$10 million back, and California gets \$10 million back. So \$30 million, probably, and close to \$500 million to \$1 billion dollars is being spent.

"But, Mr. Speaker, let us rest on this other historical fact. It was not of their choosing that they became the place where the atomic bomb was tested. It was not of their choosing. The politics of the Pacific had them, as they are in the Department of the Interior, and now with the Compact of Free Association, that was not of their choosing.

"So, Mr. Speaker, I think we have to treat this with compassion, but with an international understanding bigger than just the dollar amount, that we're caught with the tab because the feds are passing the buck to us and we should be passing it up through the delegation to demand that we at least get reimbursed. Not with a profit or an administrative fee, but at least get reimbursed for what the State of Hawaii is doing for these fine people. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2855, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE DEVELOPMENTAL DISABILITIES DIVISION," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, Fale, Ing, Lee, Saiki and Takai being excused.

ANNOUNCEMENTS

Representative Ito, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measure on Wednesday, March 19, 2014, at 10:00 a.m. in Conference Room 312, and the Chair "so ordered."

H.C.R. No. 167, Establishing a Task Force to Plan and Coordinate the Celebration of the Fiftieth Anniversary of the State Foundation on Culture and the Arts.

Representative Choy: "Thank you, Mr. Speaker. I just want to remind everybody that tomorrow is Community College Day at the Capitol, and the events will be starting at 9 a.m. Should be a lot of fun. Thank you. I think they're going to take the entire Capitol."

Representative Ward: "Mr. Speaker, I just wanted to announce how refreshing it was for today's Floor Presentation, and special kudos should go to the sponsors Oshiro, Kawakami and Tokioka. Thank you."

Representative Tokioka: "Thank you, Mr. Speaker. I'd be remiss if I didn't say, on behalf of all of the introducers of the resolution, I know the Floor Presentation was long, Speaker Souki and Vice Speaker Mizuno, thank you for allowing Brother Noland to share his *aloha* and his music with all of us. Thank you very much."

COMMITTEE REASSIGNMENTS

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

<u>H.R.</u> <u>No.</u>	<u>Re-referred to:</u>
50	Committee on Finance
<u>H.C.R.</u> <u>No.</u>	<u>Re-referred to:</u>
73	Committee on Finance
<u>S.B.</u> <u>No.</u>	<u>Re-referred to:</u>
2902, SD1	Jointly to the Committee on Transportation and the Committee on Consumer Protection & Commerce, then to the Committee on Finance

ADJOURNMENT

At 1:45 o'clock p.m., on motion by Representative Cabanilla, seconded by Representative Fukumoto and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, March 18, 2014. (Representatives Belatti, Fale, Ing, Lee, Saiki and Takai were excused.)