

FIFTY-FIFTH DAY

Tuesday, April 26, 2011

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2011, convened at 11:36 o'clock a.m., with Vice Speaker Manahan presiding, after which the Roll was called showing all Members present with the exception of Representatives Cabanilla, Carroll and Herkes, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 1109 through 1116) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 1109, informing the House that on April 25, 2011, the following bill was signed into law:

S.B. No. 704, SD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY." (ACT 009)

Gov. Msg. No. 1110, informing the House that on April 25, 2011, the following bill was signed into law:

S.B. No. 1346, SD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE PORTFOLIO STANDARDS." (ACT 010)

Gov. Msg. No. 1111, informing the House that on April 25, 2011, the following bill was signed into law:

S.B. No. 124, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE." (ACT 011)

Gov. Msg. No. 1112, informing the House that on April 25, 2011, the following bill was signed into law:

S.B. No. 27, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE INSURANCE." (ACT 012)

Gov. Msg. No. 1113, informing the House that on April 25, 2011, the following bill was signed into law:

S.B. No. 35, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT." (ACT 013)

Gov. Msg. No. 1114, informing the House that on April 25, 2011, the following bill was signed into law:

H.B. No. 1622, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION." (ACT 014)

Gov. Msg. No. 1115, informing the House that on April 25, 2011, the following bill was signed into law:

S.B. No. 1273, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE." (ACT 015)

Gov. Msg. No. 1116, informing the House that on April 25, 2011, the following bill was signed into law:

H.B. No. 1087, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY." (ACT 016)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 664 through 669) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 664, transmitting H.C.R. No. 85, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DETERMINE WHETHER LANDS ALONG THE WAIPIO PENINSULA AND WAIPAHU SHORELINES ARE ACCRETED LANDS AND THEREFORE STATE PROPERTY FOR PROSPECTIVE USE AS A STATE PARK," which was adopted by the Senate on April 25, 2011.

Sen. Com. No. 665, transmitting H.C.R. No. 100, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO LOCATE LAND SUITABLE TO CONSTRUCT A MOTORSPORTS CENTER ON THE ISLAND OF OAHU," which was adopted by the Senate on April 25, 2011.

Sen. Com. No. 666, transmitting H.C.R. No. 167, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO CONVENE A WORKING GROUP TO EXAMINE THE FEDERAL 2008 FARM BILL AMENDMENT TO THE RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT," which was adopted by the Senate on April 25, 2011.

Sen. Com. No. 667, transmitting H.C.R. No. 173, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH MOANALUA GARDENS FOUNDATION TO EXECUTE A MEMORANDUM OF UNDERSTANDING FOR THE USE OF KAMANANUI (MOANALUA) VALLEY FOR EDUCATIONAL AND CULTURAL PURPOSES," which was adopted by the Senate on April 25, 2011.

Sen. Com. No. 668, dated April 25, 2011, informing the House that the Senate has on April 21, 2011, reconsidered its action taken on April 14, 2011, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 1293, HD 2

Sen. Com. No. 669, dated April 25, 2011, informing the House that the following bill has this day passed Final Reading:

S.B. No. 98, SD 2, HD 1, CD 1

DEPARTMENTAL COMMUNICATIONS

The following departmental communication (Dept. Com. No. 86) was received by the Clerk and was placed on file:

Dept. Com. No. 86, received on April 25, 2011, from the University of Hawaii at Manoa College of Social Sciences Public Policy Center, transmitting a report from the Long Term Care Commission as required by Act 224, SLH 2008, amended by Act 24, SLH 2010.

ORDER OF THE DAY

At this time the Chair announced:

"Members, all measures under the Reports of Standing Committees, and Final Reading will be deferred one legislative day."

REPORTS OF STANDING COMMITTEES

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 1751), recommending that H.R. No. 197, as amended in HD 1, be referred to the Committee on Water, Land, & Ocean Resources.

By unanimous consent, action was deferred one legislative day.

Representatives Hanohano and Wooley, for the Committee on Hawaiian Affairs and the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 1752) recommending that S.C.R. No. 55, SD 1, be adopted.

By unanimous consent, action was deferred one legislative day.

FINAL READING**H.B. No. 299, HD 1, SD 1:**

By unanimous consent, action was deferred one legislative day.

H.B. No. 519, HD 1, SD 2:

By unanimous consent, action was deferred one legislative day.

RECESS

Representative Evans moved that the House stand in Recess for the purpose of convening in Joint Session in the House Chamber at 12:00 noon, and reconvene for regular session at 11:30 o'clock a.m. tomorrow, seconded by Representative Pine and carried. (Representatives Cabanilla, Carroll and Herkes were excused.)

At 11:40 o'clock a.m., the Chair declared a recess and the House of Representatives stood in recess, subject to the call of the Chair, and in accordance with House Concurrent Resolution No. 319, met in Joint Session with the Senate, for the Address of the Consul General of Japan in Honolulu.

JOINT SESSION

The Joint Session of the House of Representatives and the Senate of the Twenty-Sixth Legislature was called to order at 12:00 o'clock noon by the Honorable Calvin K.Y. Say, Speaker of the House.

The Speaker addressed the Joint Session as follows:

"The Fourth Joint Session of the 26th Legislature of the State of Hawaii is now called to order. Distinguished guests in attendance, residents of Hawaii and family and friends in Japan, the Members of the Hawaii State Senate and the Hawaii State House of Representatives assemble today in a very special Joint Session to receive the remarks of the Honorable Yoshihiko Kamo, Consul General of Japan in Hawaii.

"On March 11, 2011, America's great friend, the majestic Country of Japan, experienced a natural disaster of epic proportion. The earthquake off the eastern coast of Japan, and the tsunami of epic magnitude which followed caused casualties and devastation to the people and land dear to Hawaii. Many of us have close ancestral ties, and a deep cultural appreciation for the people of Japan. And as Americans we all acknowledge that Japan has been a most steadfast ally of the United States for the past 60 years.

"Today we will receive a message from Consul General Yoshihiko Kamo about recovery and restoration efforts in Japan by holding a rare Joint Session. To do so, we publicly display Hawaii's profound sympathy and support for Japan and its people.

"Before receiving the Consul General's message I would like to recognize our special guests."

At this time, the Speaker introduced the following special guests:

The Honorable Neil Abercrombie, Governor of the State of Hawaii;

The Honorable Brian Schatz, Lieutenant Governor of the State of Hawaii;

The Honorable Mark E. Recktenwald, Chief Justice of the Hawaii Supreme Court; and

Mrs. Etsuko Kamo, wife of Consul General Kamo.

The Speaker then asked the House Sergeant-at-Arms to escort the Honorable Yoshihiko Kamo to the rostrum, where he was presented with lei by Senator Donna Kim on behalf of the Senate, and Representative Karen Awana on behalf of the House.

The Speaker then presented to the Members of the Twenty-Sixth Legislature and the audience, the Honorable Yoshihiko Kamo, Consul General of Japan in Honolulu.

The Consul General addressed the Members, guests and audience as follows:

"Speaker Say, President Tsutsui, Governor Abercrombie, Lieutenant Governor Schatz, Chief Justice Recktenwald, Senators, Representatives, ladies and gentlemen. It is indeed my honor and privilege to be invited to this Joint Session of the two houses of the 26th Legislature of the State of Hawaii, Regular Session of 2011, and to be given a chance to address the distinguished assembly, an update of the aftermath of the greatest Japan earthquake.

"First of all, as the Representative of the Japanese government in Hawaii, I would like to express my deepest appreciation for the sympathy and support that the people of Hawaii so generously accorded to us. I am very pleased to say that your thoughts and prayers have much encouraged us and reminded us how lucky and privileged we are to be bonded with the people of Hawaii.

"More than a month has passed since the outbreak of the disaster. Mr. Naoto Kan, Prime Minister of Japan, recently issued a statement entitled, 'Japan: the Road to Recovery and Rebirth.' In this statement he has given an update of the aftermath of the disaster and expressed his determination to bring recovery and reconstruction to Japan. So let me share his message with you by directly quoting from the text of his statement in full:

"At 14:46 on March 11, Japan was hit by one of the most powerful earthquakes in recorded history. We are now making all-out efforts to restore livelihoods and recover from the series of tragedies that followed the Great East Japan Earthquake. The disaster left more than 27,000 people dead or missing, including foreign citizens.

Since March 11, Japan has been strongly supported by the international community and our friends around the world. On behalf of the Japanese people, I would like to express my sincerest gratitude for the outpouring of support and solidarity we have received from over 130 countries, nearly 40 international organizations, numerous NGOs, and countless individuals from all parts of the world. The Japanese people deeply appreciate the *kizuna*, a Japanese word for 'bonds of friendship,' that has been shown to us by friends around the world. Through this hardship, we have also come to truly understand the meaning of, 'a friend in need is a friend indeed.'

Immediately after the earthquake struck, the U.S., our most important friend and ally, has provided swift cooperation. President Obama kindly called me to convey his strong commitment, confirming that the United States stands ready to provide all-out support to the Japanese people during this time of great difficulty. He also reaffirmed that the friendship

and alliance between our nations is unshakable. So many Japanese citizens, including myself, were enormously encouraged by these remarks. From an early stage in the response efforts, U.S. forces have diligently performed relief activities on multiple fronts as part of 'Operation Tomodachi,' named after the Japanese word for 'friendship.'

The cordial attitude that Americans have demonstrated towards us and this operation has deeply touched the hearts and minds of the Japanese. Support has come from not only the government but also NGOs and countless individuals, in various forms of humanitarian assistance, search-and-rescue missions, and charity events and fundraising. We have also received the full support of the U.S. in responding to the accidents at the Fukushima Daiichi nuclear power plant, from providing equipment and other material assistance such as fire trucks and special protective suits, to dispatching nuclear experts and radiation-control teams.

I wish to express our sincere thanks for all the sympathy and assistance the American people have extended to us.

That Japan has experienced nuclear accidents at the Fukushima Daiichi plant, whose severity was assessed as most serious based on an international scale, is extremely regrettable and something I take very seriously. Bringing the situation at the plant under control at the earliest possible date is currently my top priority. I have been working at the forefront of efforts to tackle this troubling situation. Leading a unified effort by the government, I have mobilized all available resources to combat the risks posed by the plant, based on three principles: first, give the highest priority to the safety and health of all citizens, in particular those residents living close to the plant; second, conduct thorough risk management; and, third, plan for all possible scenarios so that we are fully prepared to respond to any future situations. For example, we continue to make the utmost efforts to address the issue of outflow of radioactive water into the ocean from the plant.

In addition, the government has taken every possible measure to ensure the safety of all food and other products, based on strict scientific criteria. We have taken highly precautionary measures so that the safety of all Japanese food and products that reached the market has been and will continue to be ensured. In order to ensure domestic and foreign consumer confidence in the safety of Japanese food and products, my administration will redouble its efforts to maintain transparency and keep everyone informed of our progress in the complex and evolving circumstances at the Fukushima Daiichi plant.

I pledge that the Japanese government will promptly and thoroughly verify the cause of this incident as well as share information and lessons learned with the rest of the world in order to prevent such accidents from occurring in the future. Through such a process, we will proactively contribute to global debate to ensure the safety of nuclear power generation. Meanwhile, from a comprehensive energy policy perspective, we must squarely tackle a two-pronged challenge: responding to rising global energy demand and striving to reduce greenhouse gas emissions to combat global warming. Through the rebirth of Japan I would like to present a clear vision to the world that includes the aggressive promotion of clean energy that may contribute to solving global energy issues.

The Great East Japan Earthquake and the resulting tsunami are the worst natural disasters that Japan has faced since the end of the Second World War. Reconstruction of the devastated Tohoku region will not be easy. However, I believe that this difficult period will provide us with a precious window of opportunity to secure the 'Rebirth of Japan.' The government will dedicate itself to demonstrating to the world its ability to establish the most sophisticated reconstruction plans for East Japan, based on three principles: first, create a regional society that is highly resistant to natural disasters; second, establish a social system that allows people to live in harmony with the global environment; and third, build a compassionate society that cares about people, in particular, the vulnerable.

The Japanese people rose from the ashes of the Second World War using our fundamental strength to secure a remarkable recovery and the

country's present prosperity. I have not a single doubt that Japan will overcome this crisis, recover from the aftermath of the disaster, emerge stronger than ever, and establish a more vibrant and better Japan for future generations.

I believe that the best way for Japan to reciprocate the strong *kizuna* and cordial friendship extended to us by the international community is to continue our contribution to the development of the international community. To that end, I will work to the best of my ability to realize a forward-looking reconstruction that gives people bright hopes for the future. I would wholeheartedly appreciate your continued support and cooperation. Arigato."

"Ladies and gentlemen, I know that all of us deserve breaking up for a nice lunch by this time, but please allow me to continue another 5 minutes so that I can get my own words out to you.

"The Great East Japan Earthquake brought to Japan the unprecedented triple woes of earthquake, tsunami, and nuclear disaster. Amid this calamity I was touched by the two unlikely stories of human dignity and compassion.

"First, I marveled at the resilience of the people of the stricken Northeast Japan. They remain calm and composed and ultimately responded to the crisis helping each other and caring for the weaker instead of fighting for survival in time of extreme difficulty. These reticent, decent and enduring men and women quietly attested what human dignity and tolerance could accomplish even in extreme circumstances. I'm most obliged to them for doing us proud to be Japanese.

"Second, I was touched by the generous offers of support and assistance from the international community. As Prime Minister Kan pointed out, the United States was a principle rescuer, coming to us first and helping us most. The Pacific Command played a key role in organizing Operation Tomodachi, which mobilized the 20,000 military personnel and 20 vessels per day for helping Japan. The collaboration between U.S. forces and Japan's self-defense forces in responding to the disaster has further strengthened the U.S.-Japan alliance.

"The government and people of Hawaii showed their sympathy and support from the very beginning as well. On March 11, the day following the earthquake, Governor Abercrombie and Lieutenant Governor Schatz visited me at the Japanese Consulate and conveyed their condolences. We opened the condolence book at the Consulate from March 16 to March 25; many people including Senators and Representatives came and signed the book.

"Lieutenant Governor Schatz took the initiative in establishing the statewide fundraiser called 'Aloha for Japan.' Apart from the 'Aloha for Japan,' many other fundraising events in support of Japan are being held in Hawaii. This gushing of sympathy and support for Japan may derive from the history of the close relationship between Hawaii and Japan. The day sparked from more than 125 years ago. It is my pleasure to note that during this past month, you have made us local Japanese deeply impressed by your kindness and thoughtfulness. I will take it as my important job to let as many Japanese as possible know how much the people of Hawaii helped and cared about us.

"The strong bonds between Hawaii and Japan explain for our genuine yearning and attachment to Hawaii. I want to tell you that Japanese tourists will be back soon. The great earthquake and tsunami made many Japanese refrain from having fun to show condolence and solidarity with the victims. With more than 500,000 cancellations, Japan's domestic tourism suffered a heavy blow. Accordingly, there has emerged a growing apprehension that excessive self-restraint does more harm than good to the stricken area as it slows down the economy. Hawaii's appeal to Japanese tourists remains unchanged. Nature, people, history, safety, cleanliness and proximity all contribute to luring Japanese to Hawaii. You can count on our loyalty.

"What is more serious is a sharp drop of foreign visitors to Japan, which can be ascribed primarily to the concerns for potential exposure to radioactive substances while in Japan. Some of you may be surprised to

hear this, but Japan is not a small country. Radioactive contamination is largely an on-site and near-site issue. A large part of Japan escapes from contamination that poses general threat to the public health. World Health Organization, International Civilized Aviation Organization, and International Maritime Organization have made objective assessments that general travel restriction to Japan is not needed. Going to Japan is not prohibited by any laws. Whether it is Hokkaido or Kyushu, Tokyo or Kyoto, we are eagerly awaiting you in Japan and opportunities to reciprocate the hospitality.

"My dear Hawaii friends, I believe that Japan is blessed with new hope and future. She is endowed with virulent talent to overcome this hardship. Prime Minister Kan states that Japan aims at an innovative reconstruction rather than a mere recovery, by introducing new ideas and credible means. He set up a wise man's group to garner all available expertise and ideas from home and abroad to help map out concrete plans for reconstruction. Japan is responsible for rebuilding her nation steadily and innovatively as she has been so generously accorded with support from Hawaii and the rest of the world. The task we are undertaking is certainly challenging but we are ready to do whatever it takes with all our resolve and commitment. May our friendship with the people of Hawaii continue to guide us to a new hope and future. Thank you, Hawaii. Aloha."

The President then rose and stated:

"On behalf of the House and Senate we would like to thank the Honorable Yoshihiko Kamo for joining us today and providing us with an update on the aftermath of the great tragedies that have recently occurred in Japan.

"With many ties to Japan, our residents are deeply moved by the devastation and the suffering that the Japanese people have endured. Together we mourn the loss of life, search for answers to the missing, and offer our sympathies and support to the survivors. The resiliency and determination of the people of Japan, as well as the citizens of the world, will be necessary in rebuilding and the restoration efforts that are to come. We will continue to offer our thoughts and prayers to all those affected. Thank you again, for your presence here today.

"There being no further business, I now declare the Joint Session adjourned."

At 12:24 o'clock p.m., President Tsutsui declared the Joint Session of the House of Representatives and the Senate of the Twenty-Sixth Legislature adjourned.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Wednesday, April 27, 2011.