

## TWENTY-EIGHTH DAY

**Monday, March 11, 2013**

The House of Representatives of the Twenty-Seventh Legislature of the State of Hawaii, Regular Session of 2013, convened at 12:05 o'clock p.m., with Vice Speaker Mizuno presiding.

The invocation was delivered by Reverend Blayne Higa of Pacific Buddhist Academy, after which the Roll was called showing all Members present with the exception of Representatives Rhoads and Souki, who were excused.

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

## INTRODUCTIONS

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

Representative Fale introduced the Chair of the Oahu Burial Council, Ms. Hinaleimoana Kalu.

Representative Har introduced former House of Representatives Communications Assistant, Ms. Thelma Dreyer; and Mr. Alan Takemoto, Community Affairs Manager, Monsanto.

Representative Tokioka, on behalf of the Kauai delegation, introduced Ms. Laurie Yoshida.

## ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 64) was announced by the Clerk and the following action taken:

H.R. No. 64, entitled: "HOUSE RESOLUTION RECOGNIZING THE OUTSTANDING ENTERTAINERS OF THE HAWAIIAN ROOM IN NEW YORK CITY," was offered by Representative Brower.

Representative Brower moved that H.R. No. 64 be adopted, seconded by Representative Cheape.

Representative Brower recognized the 75th anniversary of the opening of the Hawaiian Room, for bringing Hawaiian culture and practices to the world through performances of Hawaiian music and *hula*.

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

Ms. Leialoha Kaleikini;  
Ms. Manu Kanemura Bentley;  
Ms. Leonani Akau Hagen;  
Ms. TeMoana Makolo; and  
Ms. Kauai Virgeniza Santana.

Representative Cheape introduced guests seated in the gallery:

Mr. Keoni May;  
Ms. Maile Loo; and  
Ms. Linda Dela Cruz.

Representative Cheape also recognized Ms. Tutasi Wilson, who could not be here today, and wished her a Happy 99th Birthday.

The motion was put to vote by the Chair and carried, and H.R. No. 64 was adopted, with Representatives Rhoads and Souki being excused.

The following resolution (H.R. No. 65) was announced by the Clerk and the following action taken:

H.R. No. 65, entitled: "HOUSE RESOLUTION COMMENDING JIM LALLY AND PROJECT WAIALEALE'S COMMUNITY COLLEGE SCHOLARSHIP PROGRAM," was jointly offered by Representatives Ward and Kawakami.

Representative Ward moved that H.R. No. 65 be adopted, seconded by Representative Kawakami.

Representative Ward honored and commended Project Waialeale's Community College Scholarship Program for giving underprivileged students the opportunity to go to College.

Representative Ward introduced and recognized the honoree seated on the Floor of the House:

Mr. James "Jim" P. Lally, founder of the Waialeale Project.

Representative Ward then introduced friends and supporters seated on the Floor of the House:

Mr. Bert Kobayashi;  
Ms. Naomi Lowe; and  
Mr. Paul Lowe.

Representative Kawakami thanked Mr. Lally and the Scholarship Program for creating bridges to strengthen and empower the youth of Kauai.

Representative Morikawa recognized the Waialeale Scholarship Program, and thanked them for their work in sending a young man from Kauai to Community College, motivating him during an awful time in his life and assuring him a bright future.

Representative Tokioka reflected on the comments of the previous speakers and thanked Mr. Lally on behalf of all the children that he has touched on Kauai.

The motion was put to vote by the Chair and carried, and H.R. No. 65 was adopted, with Representatives Rhoads and Souki being excused.

At 12:32 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:45 o'clock p.m.

## REPORTS OF STANDING COMMITTEES

At this time, the Chair stated:

"Members, please note the 48-hour notice for Standing Committee Reports Numbers 925 and 926 as listed on pages 1 and 2."

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 925) recommending that H.B. No. 222, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 925 on H.B. No. 222, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 222, HD 2, were made available to the Members of the House.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 926) recommending that H.B. No. 197, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 926 on H.B. No. 197, HD 2, was deferred and in accordance with Article III,

Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 197, HD 2, were made available to the Members of the House.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 927) recommending that S.B. No. 1174, SD 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 1174, SD 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE OPERATIONS OF THE OFFICE OF THE LIEUTENANT GOVERNOR," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Rhoads and Souki being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 928) recommending that H.B. No. 200, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 200, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Rhoads and Souki being excused.

### INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 59 through 63) and concurrent resolutions (H.C.R. Nos. 74 through 81) were referred to Printing and further action was deferred:

H.R. No. 59, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SUPPORT THE CREATION OF FOREIGN LANGUAGE IMMERSION CLASSES IN PUBLIC ELEMENTARY SCHOOLS," was offered by Representative Takumi.

H.R. No. 60, entitled: "HOUSE RESOLUTION REQUESTING THE EXECUTIVE OFFICE ON AGING TO CONTINUE ITS RESEARCH OF THE TIMEBANKING CONCEPT FOR HAWAII'S RESPITE SYSTEM," was offered by Representative Takayama.

H.R. No. 61, entitled: "HOUSE RESOLUTION EXPRESSING SUPPORT FOR THE HAWAII STATE HISTORIC PRESERVATION PLAN," was jointly offered by Representatives Evans, Aquino, Coffman, Hanohano, Lowen, Tsuji, Woodson and Nakashima.

H.R. No. 62, entitled: "HOUSE RESOLUTION URGING THE BOARD OF TRUSTEES OF THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND TO PAY THE TRICARE RESERVE SELECT PREMIUM FOR ELIGIBLE STATE AND COUNTY EMPLOYEES WHO ARE MEMBERS OF THE NATIONAL GUARD AND RESERVES WHO DECLINE HEALTH INSURANCE COVERAGE THROUGH THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND AND INSTEAD OPT FOR HEALTH INSURANCE COVERAGE THROUGH TRICARE RESERVE SELECT," was jointly offered by Representatives Belatti, Cabanilla, Carroll, Cheape, Jordan, Morikawa, Oshiro, Takayama, Woodson, Wooley, Brower and Evans.

H.R. No. 63, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DESIGNATE AND NAME THE WAIAKEA HIGH SCHOOL TRACK AND FIELD FACILITY AS THE KEN YAMASE MEMORIAL TRACK AND FIELD FACILITY," was offered by Representative Tsuji.

H.C.R. No. 74, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO MAINTAIN, MONITOR, AND ENFORCE ANTI-BULLYING, ANTI-CYBERBULLYING, ANTI-HARASSMENT, AND ANTI-DISCRIMINATION POLICIES AND PROCEDURES TO PROTECT PUBLIC AND CHARTER SCHOOL STUDENTS," was offered by Representative Takumi.

H.C.R. No. 75, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SUPPORT THE CREATION OF FOREIGN LANGUAGE IMMERSION CLASSES IN PUBLIC ELEMENTARY SCHOOLS," was offered by Representative Takumi.

H.C.R. No. 76, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EXECUTIVE OFFICE ON AGING TO CONTINUE ITS RESEARCH OF THE TIMEBANKING CONCEPT FOR HAWAII'S RESPITE SYSTEM," was offered by Representative Takayama.

H.C.R. No. 77, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING THE LEGISLATURE'S SUPPORT FOR THE HAWAII STATE HISTORIC PRESERVATION PLAN," was jointly offered by Representatives Evans, Coffman, Hanohano, Lowen, Tsuji, Woodson and Nakashima.

H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE PUBLIC CHARTER SCHOOL COMMISSION TO CONVENE A TASK FORCE TO STUDY ISSUES RELATING TO FEDERAL FUNDING FOR PUBLIC CHARTER SCHOOLS," was jointly offered by Representatives Evans, Aquino, Coffman, Hanohano, Lowen, Tsuji, Woodson and Nakashima.

H.C.R. No. 79, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CHAIRPERSON OF THE BOARD OF AGRICULTURE TO CONVENE A TASK FORCE ON FISH LABELING," was jointly offered by Representatives Evans, Aquino, Carroll, Hanohano, Lee, Lowen, Mizuno, Morikawa, Woodson, Wooley and Tsuji.

H.C.R. No. 80, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO SUBMIT A REPORT TO THE LEGISLATURE ON ACTIONS TAKEN IN RESPONSE TO THE FINDINGS AND RECOMMENDATIONS CONTAINED IN THE AUDITOR'S REPORT NOS. 01-09 AND 06-04, RELATING TO THE DIVISION OF BOATING AND OCEAN RECREATION," was jointly offered by Representatives Evans, Aquino, Coffman, Hanohano, Lee, Lowen, Woodson, Nakashima and Tsuji.

H.C.R. No. 81, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF TRUSTEES OF THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND TO PAY THE TRICARE RESERVE SELECT PREMIUM FOR ELIGIBLE STATE AND COUNTY EMPLOYEES WHO ARE MEMBERS OF THE NATIONAL GUARD AND RESERVES WHO DECLINE HEALTH INSURANCE COVERAGE THROUGH THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND AND INSTEAD OPT FOR HEALTH INSURANCE COVERAGE THROUGH TRICARE RESERVE SELECT," was jointly offered by Representatives Belatti, Brower, Cabanilla, Carroll, Cheape, Jordan, Morikawa, Takayama, Woodson, Wooley, Evans and Oshiro.

### ANNOUNCEMENTS

Representative Awana: "Mr. Speaker, today is March 11, marking the second anniversary of the earthquake and tsunami catastrophe that took place off the coast of Tohoku, often referred to as Higashi Nihon Daishinsai. Impacted prefectures were Miyagi, Iwate and Fukushima. Mr. Speaker, at the appropriate time I'd like to request a moment of silence in honor of those impacted by this event, those who have passed which is estimated at 19,000, those who are still missing, and 300,000 individuals

and families who remain displaced and continue to reside in shelters to this day.

"At a memorial ceremony held earlier today, Emperor Akihito stated, 'I pray that the peaceful lives of those affected can resume as soon as possible.' Mr. Speaker, I'm sure that this Body echoes the Emperor's sentiments as well. Again, I'd like to ask at the appropriate time if we can have a moment of silence for this."

At this time, the Members of the House of Representatives stood for a moment of silence in honor of the victims of the 2011 Tohoku Earthquake and Tsunami, Higashi Nihon Daishinsai.

- 492, SD2 Jointly to the Committee on Health and the Committee on Higher Education, then to the Committee on Finance
- 652, SD2 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
- 708, SD2 Jointly to the Committee on Water & Land and the Committee on Agriculture, then to the Committee on Finance
- 1074, SD2 Committee on Health, then to the Committee on Finance
- 1124, SD1 Committee on Health, then to the Committee on Finance
- 1240, SD2 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

**COMMITTEE ASSIGNMENTS**

The following measures were referred to committee by the Speaker:

<u>H.R.</u> <u>Nos.</u>	<u>Referred to:</u>
41	Committee on Health, then to the Committee on Consumer Protection & Commerce
42	Committee on Finance
43	Committee on Education
44	Committee on Public Safety, then to the Committee on Judiciary
45	Jointly to the Committee on Economic Development & Business and the Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce

<u>H.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>
55	Committee on Health, then to the Committee on Consumer Protection & Commerce
56	Committee on Finance
57	Committee on Education
58	Committee on Public Safety, then to the Committee on Judiciary
59	Jointly to the Committee on Economic Development & Business and the Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce

**COMMITTEE REASSIGNMENTS**

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

<u>S.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
310, SD2	Jointly to the Committee on Health and the Committee on Public Safety, then to the Committee on Judiciary
328, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
332, SD1	Committee on Labor & Public Employment, then to the Committee on Finance

**ADJOURNMENT**

At 12:49 o'clock p.m., on motion by Representative Awana, seconded by Representative Fukumoto and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, March 12, 2013. (Representatives Rhoads and Souki were excused.)