

SEVENTH DAY

Tuesday, January 28, 2014

The House of Representatives of the Twenty-Seventh Legislature of the State of Hawaii, Regular Session of 2014, convened at 12:07 o'clock p.m., with Vice Speaker Mizuno presiding.

The invocation was delivered by Representative Romy M. Cachola, after which the Roll was called showing all Members present with the exception of Representatives McKelvey, Souki and Takai, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 108 through 132) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 108, dated December 26, 2013, reporting that the executive branch re-employed one retirant in a labor shortage or difficult-to-fill position in the 2013 calendar year, prepared by the Department of Human Resources Development pursuant to Section 88-9(f), HRS.

Gov. Msg. No. 109, dated December 23, 2013, transmitting the State Council on Mental Health's Annual Report on Implementation of the State Plan, prepared by the Department of Health pursuant to Section 334-10(E), HRS.

Gov. Msg. No. 110, dated December 23, 2013, transmitting a Report on the Primary Care Incentive Program, prepared by the Department of Health pursuant to Section 321-1.5(6), HRS.

Gov. Msg. No. 111, dated December 23, 2013, transmitting the Annual Evaluation Report on Elder Programs, prepared by the Department of Health, Executive Office on Aging, pursuant to Section 349-5(b)(2), HRS.

Gov. Msg. No. 112, dated December 23, 2013, transmitting the Annual Report on the Activities Under the Neurotrauma Special Fund, prepared by the Department of Health pursuant to Chapter 321H-4, HRS.

Gov. Msg. No. 113, dated December 23, 2013, transmitting the Report on the Expenditure of All Funds for the Comprehensive Breast and Cervical Cancer Control Program, prepared by the Department of Human Services and the Department of Health pursuant to Act 52, Section 4, SLH 2008.

Gov. Msg. No. 114, dated December 23, 2013, transmitting the report on Research of the Time Banking Concept for Hawaii's Respite System, prepared by the Department of Health, Executive Office on Aging, pursuant to HCR 76 and SR 77 (2013).

Gov. Msg. No. 115, dated December 23, 2013, transmitting the Stroke Task Force Initial Report, prepared by the Department of Health pursuant to SCR 155, SD 1 (2013).

Gov. Msg. No. 116, dated December 26, 2013, transmitting Report on the Expenditure and Use of Funds and Performance Outcomes for the Funds Appropriated to Assist in the Development of the Hawaii Health Information Exchange, prepared by the Department of Health pursuant to Act 134, SLH 2013.

Gov. Msg. No. 117, dated December 26, 2013, transmitting a Report Relating to the State Water Pollution Control Revolving Fund, prepared by the Department of Health pursuant to Section 342D-82, HRS.

Gov. Msg. No. 118, dated December 26, 2013, transmitting the report on Mobility Management, prepared by the Task Force on Mobility Management, Department of Health, Executive Office on Aging, pursuant to Act 214, Section 6, SLH 2013.

Gov. Msg. No. 119, dated December 30, 2013, transmitting a report on the Motion Picture, Digital Media and Film Production Income Tax Credit, prepared by the Department of Business, Economic Development, and Tourism pursuant to Act 89, SLH 2009.

Gov. Msg. No. 120, dated December 30, 2013, transmitting the State of Hawaii Offices in Taiwan and Beijing Annual Report, prepared by the Department of Business, Economic Development, and Tourism pursuant to Section 201-84, HRS.

Gov. Msg. No. 121, dated December 30, 2013, transmitting the report on Options for the Establishment of a Koreatown in the City and County of Honolulu, prepared by the Office of Planning, and the Department of Business, Economic Development, and Tourism, pursuant to HCR 169 (2012).

Gov. Msg. No. 122, dated December 30, 2013, transmitting the Hawaii Targeted and Emerging Industries 2013 Update Report, prepared by the Department of Business, Economic Development and Tourism pursuant to Section 201-19(b), HRS.

Gov. Msg. No. 123, dated December 30, 2013, transmitting Working Group Findings and Recommendations on Time and Cost of Shipping Goods To and From Molokai, Lanai, and Hana, Maui Report, prepared by the Department of Business, Economic Development, and Tourism pursuant to HCR 204, HD 1, SD 1 (2013).

Gov. Msg. No. 124, dated December 30, 2013, transmitting the Department of the Attorney General's Annual Report on the Antitrust Trust Fund, pursuant to Section 28-13(d), HRS.

Gov. Msg. No. 125, dated December 30, 2013, transmitting the Department of the Attorney General's Report on the Implementation of the Labor Trafficking Laws, pursuant to Act 146, SLH 2011.

Gov. Msg. No. 126, dated December 30, 2013, transmitting the Department of the Attorney General's Annual Report on Recommendations for Denial of Claims for Legislative Relief, pursuant to Section 37-77, HRS.

Gov. Msg. No. 127, dated December 30, 2013, transmitting the Department of the Attorney General's Report on Creating an Efficient Tracking Method for Deoxyribonucleic Acid (DNA) Rape Kits, pursuant to HCR 99, HD 1 (2012).

Gov. Msg. No. 128, dated December 30, 2013, transmitting the Department of the Attorney General's Annual Report on Litigation Deposits Trust Fund Transactions and Collections Made on Behalf of Other Departments and Agencies, pursuant to Section 28-16, HRS.

Gov. Msg. No. 129, dated December 30, 2013, transmitting the Department of the Attorney General's Annual Report on the Number of Pen Register Orders and Orders for Trap and Trace Devices Applied for by Law Enforcement Agencies of the State, pursuant to Section 803-47(c), HRS.

Gov. Msg. No. 130, dated December 30, 2013, transmitting the Department of the Attorney General's Report on the Use of the Hawaii Omnibus Criminal Forfeiture Act, pursuant to Section 712A-16(6), HRS.

Gov. Msg. No. 131, dated December 30, 2013, transmitting the Department of the Attorney General's Annual Report on the Tobacco Enforcement Special Fund, pursuant to Section 28-15(d), HRS.

Gov. Msg. No. 132, dated December 30, 2013, transmitting the Department of the Attorney General's Annual Report on the Goals and Objectives of the Department of the Attorney General, pursuant to Act 100, SLH 1999, as amended by Act 154, SLH 2005.

INTRODUCTIONS

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

Representative Belatti introduced her friends and constituents, Mr. John Kimmell and Mr. Willy Shum.

Representative Fale introduced his staff, Ms. Rosalie Vaka from Fiji, and Ms. Isimeli Ravia from Tonga.

Vice Speaker Mizuno introduced his staff, Mr. Charles St. Sure and Ms. Christine Fehn.

ORDER OF THE DAY**INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)**

The following resolution (H.R. No. 10) was announced by the Clerk and the following action taken:

H.R. No. 10, entitled: "HOUSE RESOLUTION COMMENDING, HONORING, AND CONGRATULATING SHANE VICTORINO FOR A DECADE OF BASEBALL EXCELLENCE, ACCOMPLISHED COMMUNITY LEADERSHIP, AND FOR SELFLESSLY GIVING BACK TO THE COMMUNITY THROUGH THE SHANE VICTORINO FOUNDATION," was offered by Representative Woodson.

Representative Woodson moved that H.R. No. 10 be adopted, seconded by Representative Ing.

Representative Woodson recognized Mr. Shane Victorino for his outstanding accomplishments in baseball and sports, thanked him for his contribution to the community through the Shane Victorino Foundation, and acknowledged honorees seated on the Floor of the House:

Mr. Shane Victorino;
Mrs. Jocelyn Victorino, mother; and
Mr. Michael Victorino, father.

Representative Ing congratulated Mr. Shane Victorino on his dedication and determination both on and off the field as a role model for youth, and thanked him for his charitable contributions, commitment to fans, leadership in communities, and unwavering dedication to improve the lives of children across the country.

Representative Yamane thanked Mr. Shane Victorino and his family for the batting cages in Waipio Gentry on behalf of the Foundation.

Vice Speaker Mizuno recognized his classmate, Mr. Keith Amemiya, who was seated on the Floor of the House.

The motion was put to vote by the Chair and carried, and H.R. No. 10 was adopted, with Representatives McKelvey, Souki and Takai being excused.

At 12:30 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:47 o'clock p.m.

LATE INTRODUCTIONS

The following late introduction was made to the Members of the House:

Representative Creagan introduced Mr. David Case, Secretary, Hawaii Farmers Union United.

REPORTS OF STANDING COMMITTEES

Representatives Hanohano and Evans, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 6-14) recommending that H.B. No. 1556, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committees be adopted, and that H.B. No. 1556, HD 1 pass Second Reading and be referred to the Committee on Finance.

Representative Jordan 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 Committees was adopted and H.B. No. 1556, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE OVERSIGHT OF PAPAHANAU MOKUAKEA," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, Brower, McKelvey, Souki and Takai being excused.

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 7-14) recommending that H.B. No. 2104, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and H.B. No. 2104, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, Brower, McKelvey, Souki and Takai being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 8-14) recommending that H.B. No. 614 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and H.B. No. 614, entitled: "A BILL FOR AN ACT RELATING TO GAMBLING," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Belatti, Brower, McKelvey, Souki and Takai being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 9-14) recommending that H.B. No. 525, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 9-14 on H.B. No. 525, HD 1, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 525, HD 1, were made available to the Members of the House.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 9) was referred to Printing and further action was deferred:

H.R. No. 9, entitled: "HOUSE RESOLUTION URGING THE ADMINISTRATION OF THE UNITED STATES TO STRENGTHEN ITS EFFORTS TO FACILITATE A POLITICAL SETTLEMENT TO THE ARMENIA-AZERBAIJAN NAGORNO-KARABAKH CONFLICT," was jointly offered by Representatives Cabanilla and Takai.

ANNOUNCEMENTS

Representative Ing: "Mr. Speaker, we just honored a very accomplished 33 year old. But there is another one here today that I think should be

recognized. Our most camera shy Representative, Chris Lee. Happy Birthday. I wore this outfit in honor of his favorite book, 50 Shades of Grey."

Representative Carroll: "Thank you, Mr. Speaker. I have an announcement for our House Committee on Human Services. We have decision-making after session in Room 329 on the 9:30 a.m. agenda."

Representative Ward: "Mr. Speaker, on behalf of Representative McKelvey who couldn't make it today, as Co-Chair, The Aerospace Caucus will be meeting tomorrow. This is the newly formed Aerospace Caucus as of last week. We will be endorsing our three top bills. I wanted you to know, Mr. Speaker, that I think there are almost as many as the marijuana bill introductions. There's 12 UAV bills that we're going to look at. The incentive is to get into this cutting-edge technology caucus, because this is the future. What we've got here as an incentive also is pizza. So it's pizza and unidentified flying objects tomorrow. Thank you."

Representative Hanohano: "This evening from 5:30 to 7:30, we have the second *E Kama'ilio Kako* series. The topic is *Ka le'ale'a o na ohana*, governance of the family. And the presentation is by Lilikalā Kame'eiehiwa and Keali'i Gora. So everybody is welcome to participate and come and learn something. Thank you. *Mahalo*."

COMMITTEE REASSIGNMENTS

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

H.B.

Nos.

Re-referred to:

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| 1710 | Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance |
| 2090 | Jointly to the Committee on Economic Development & Business and the Committee on Agriculture, then to the Committee on Consumer Protection & Commerce |

ADJOURNMENT

At 12:51 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, Wednesday, January 29, 2014. (Representatives Belatti, Brower, McKelvey, Souki and Takai were excused.)