

TWENTY-FIRST DAY

Tuesday, February 18, 2014

The Senate of the Twenty-Seventh Legislature of the State of Hawai'i, Regular Session of 2014, convened at 11:46 a.m. with the President in the Chair.

The Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Twentieth Day.

At this time, Senator Thielen introduced the Perry family – Connie, Mark, and their 9-year-old twins, Caroline and Marcus – who were endeavoring to visit all 50 state capitols and were concluding their journey with the Hawai'i State Capitol.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 34 and 35) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 34, returning S.B. No. 499, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on February 14, 2014, was placed on file.

By unanimous consent, action on S.B. No. 499, S.D. 1 (H.D. 2), entitled: "A BILL FOR AN ACT RELATING TO PARTITION OF HEIRS PROPERTY," was deferred until Wednesday, February 19, 2014.

Hse. Com. No. 35, informing the Senate that on February 14, 2014, the House gave notice of its intent to agree to the amendments proposed by the Senate to H.B. No. 2353 (S.D. 1), was placed on file.

STANDING COMMITTEE REPORTS

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2463) recommending that S.B. No. 2989, as amended in S.D. 1, be recommitted to the Committee on Hawaiian Affairs.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2989, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATIVE HAWAIIAN ROLL COMMISSION," was recommitted to the Committee on Hawaiian Affairs.

Senators Shimabukuro and Wakai, for the Committee on Hawaiian Affairs and the Committee on Technology and the Arts, presented a joint report (Stand. Com. Rep. No. 2464) recommending that S.B. No. 233 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 233, entitled: "A BILL FOR AN ACT RELATING TO QUEEN LILIUOKALANI," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 19, 2014.

ORDER OF THE DAY

THIRD READING

S.B. No. 2959, S.D. 1:

Senator Hee moved that S.B. No. 2959, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senator Slom rose to speak in opposition to the measure as follows:

"I think that we already have a good working nepotism law. I think that in efforts to add to that law that there were some problems that are created with this version of the bill. Among them, the inclusion of the word 'supervising' or 'supervision.' I think this has unintended consequences, particularly if we get into the situation with public school teachers and we have a public school teacher that may be, in some form, related in a distant way to the superintendent of education; it may require the removal of the superintendent of education.

"In addition to that, this may also set the state up for discrimination claims. One example would be if a female cousin that has no family socialization contact with the public employee but is highly qualified for a job applies and yet, a male, unqualified non-relative gets the job, or vice versa. What could happen in that case? So again, sometimes we overdo it in our search to try to fix something that's not broken. Thank you."

The motion was put by the Chair and carried, S.B. No. 2959, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEPOTISM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 2901, S.D. 1:

On motion by Senator English, seconded by Senator Dela Cruz and carried, S.B. No. 2901, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2890, S.D. 1:

On motion by Senator Ige, seconded by Senator Kidani and carried, S.B. No. 2890, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPLICATION OF THE INTERNAL REVENUE CODE TO HAWAII INCOME TAX LAW," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2410, S.D. 1:

On motion by Senator Ige, seconded by Senator Kidani and carried, S.B. No. 2410, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2153, S.D. 1:

On motion by Senator Ige, seconded by Senator Kidani and carried, S.B. No. 2153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT ACCOUNTABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2803, S.D. 1:

On motion by Senator Solomon, seconded by Senator Dela Cruz and carried, S.B. No. 2803, S.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO THRILL CRAFT OPERATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2461 (S.B. No. 1065, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 2461 was adopted and S.B. No. 1065, S.D. 1, entitled: “A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2462 (S.B. No. 2337, S.D. 1):

Senator Ige moved that Stand. Com. Rep. No. 2462 be adopted and S.B. No. 2337, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in support of the measure with reservations as follows:

“I think we should be cognizant of the concerns raised by the state budget director in saying that there may be a question in using general obligation bonds to fund private interest for the low-income housing. I don’t think anybody questions the intent, but it may be a situation where revenue bonds would be the more appropriate fiscal device. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2462 was adopted and S.B. No. 2337, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Slom, Solomon). Noes, none.

RE-REFERRAL OF A SENATE BILL

The Chair re-referred the following Senate bill that was introduced:

S.B. No.:	Re-referred to:
S.B. No. 112, S.D. 1	Jointly to the Committee on Economic Development, Government Operations and Housing, the Committee on Water and Land, the Committee on Agriculture, and the Committee on Ways and Means

At this time, Senator Ruderman rose to speak on a point of personal privilege as follows:

“Some of you may recall that we made a Senate certificate a few months ago for the 107th birthday of one of my constituents, Saramae Landers. We presented that to her at a wonderful celebration at the Palace Theater in Hilo. She passed away a couple days ago. We believe she may be the oldest person in the state, as far as we know. When she was born, Teddy Roosevelt was president. At her first election, Calvin Coolidge was elected.

“I had the honor of knowing Saramae and watching her dance many times as she loved the kachi-kachi music that my band plays. Most recently, at an awards ceremony for Maya Soetoro-Ng, President Obama’s sister, in Hilo, she laughed and danced and smiled at age 107.

“So, from President Teddy Roosevelt to President Obama, she had a rich, full life spanning a large part of our nation’s

history, and she was an icon of our community. Saramae Landers will be missed. Thank you.”

ADJOURNMENT

At 11:55 a.m., on motion by Senator Espero, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Wednesday, February 19, 2014.