

**THE
TWENTY-SEVENTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 2013
JOURNAL OF THE HOUSE**

FIRST DAY

Wednesday, January 16, 2013

In accordance with the provisions of Section 10 of Article III of the Constitution of the State of Hawaii, the House of Representatives of the Twenty-Seventh Legislature of the State of Hawaii, Regular Session of 2013, convened at 10:06 o'clock a.m.

The Honorable Mark M. Nakashima, being the Representative who was elected from the First Representative District of the State of Hawaii, called the House to order at 10:06 o'clock a.m.

The Members of the House, guests and audience rose for the singing of the National Anthem followed by *Hawaii Pono'i*, which was led by Hawaii Air National Guard Master Sergeant Galen Ho. Thereafter the Pledge of Allegiance was led by Mr. Walt Kaneakua of Senator Inouye's staff, and Mr. Ralph Fujii of the 442nd Regimental Combat Team.

The invocation was then delivered by Reverend Richard Matsushita.

INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 1) was read by the Temporary Clerk and was disposed of as follows:

H.R. No. 1, entitled: "HOUSE RESOLUTION ELECTING THE TEMPORARY CHAIR OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-SEVENTH LEGISLATURE," was jointly offered by Representatives Saiki and Johanson.

On motion by Representative Saiki, seconded by Representative Johanson and carried, H.R. No. 1 was adopted, with Representative Rhoads being excused.

Representative Nakashima then stated:

"Members of the House of Representatives of the Twenty-Seventh State Legislature, thank you. I am honored to serve as your Temporary Chair this morning. Thank you. Let us commence with the Order of the Day."

The Temporary Chair appointed Mr. Brian Takeshita as Temporary Clerk of the House of Representatives.

The Temporary Chair then called upon Representative Mizuno for the report of the Committee on Credentials.

SPECIAL COMMITTEE REPORTS

Representative Mizuno, for the Committee on Credentials, presented a report (Spec. Com. Rep. No. 1) as follows:

"Your Committee on Credentials begs leave to report that it has thoroughly considered the matter of the seating of the members elect of the House of Representatives of the Twenty-seventh Legislature of the State of Hawaii, Regular Session of 2013, and finds that, based on the certificates of election issued by the Office of Elections (attached), and the Message from the Executive Chambers issued by the Governor on January 15, 2013, relating to an appointment to fill the remaining term of Gilbert S.C. Keith Agaran in the Ninth District (attached), the members elect and the member

appointed are duly qualified to sit as members of the House of Representatives as follows:

- First District: Mark M. Nakashima
- Second District: Clift Tsuji
- Third District: Richard H.K. Onishi
- Fourth District: Faye P. Hanohano
- Fifth District: Denny Coffman
- Sixth District: Nicole E. Lowen
- Seventh District: Cindy Evans
- Eighth District: Joseph M. Souki
- Ninth District: Justin H. Woodson
- Tenth District: Angus L.K. McKelvey
- Eleventh District: Kaniela Ing
- Twelfth District: Kyle T. Yamashita
- Thirteenth District: Mele Carroll
- Fourteenth District: Derek S.K. Kawakami
- Fifteenth District: James Kunane Tokioka
- Sixteenth District: Dee Morikawa
- Seventeenth District: Gene Ward
- Eighteenth District: Mark J. Hashem
- Nineteenth District: Bertrand Kobayashi
- Twentieth District: Calvin K.Y. Say
- Twenty-First District: Scott Y. Nishimoto
- Twenty-Second District: Tom Brower
- Twenty-Third District: Isaac W. Choy
- Twenty-Fourth District: Della Au Belatti
- Twenty-Fifth District: Sylvia Luke
- Twenty-Sixth District: Scott K. Saiki
- Twenty-Seventh District: Takashi Ohno
- Twenty-Eighth District: John M. Mizuno
- Twenty-Ninth District: Karl Rhoads

- Thirtieth District: Romy M. Cachola
- Thirty-First District: Aaron Ling Johanson
- Thirty-Second District: Linda Ichiyama
- Thirty-Third District: K. Mark Takai
- Thirty-Fourth District: Gregg Takayama
- Thirty-Fifth District: Roy M. Takumi
- Thirty-Sixth District: Beth Fukumoto
- Thirty-Seventh District: Ryan I. Yamane
- Thirty-Eight District: Henry J.C. Aquino
- Thirty-Ninth District: Ty J.K. Cullen
- Fortieth District: Bob McDermott
- Forty-First District: Rida T.R. Cabanilla
- Forty-Second District: Sharon E. Har
- Forty-Third District: Karen Awana
- Forty-Fourth District: Jo Jordan
- Forty-Fifth District: Lauren Kealohilani Cheape
- Forty-Sixth District: Marcus R. Oshiro
- Forty-Seventh District: Richard Lee Fale
- Forty-Eighth District: Jessica Wooley
- Forty-Ninth District: Ken Ito
- Fiftieth District: Cynthia Thielen
- Fifty-First District: Chris Lee"



The report was submitted by Representatives Mizuno, Johanson and Saiki, with the following Certificates of Election attached:





[Note: Gilbert S.C. Keith-Agaran was elected to the House of Representatives, Ninth District, certified by the Office of Elections, later appointed to the Senate, effective January 7, 2013.]





EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

January 10, 2013

The Honorable Donna Mercado Kim, Senate President Elect
and Members of the Senate
Twenty-Seventh State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear ~~Senator~~ President Elect Kim and Members of the Senate,

As of January 7, 2013, I have appointed Gilbert Samuel Coloma Keith-Agaran to be and to serve as the Senator from the 5th Senate District until the election of the person duly elected to fill the vacancy left by Senator Tsutsui's succession to Lieutenant Governor at the 2014 general election.

Aloha
Neil Abercrombie
NEIL ABERCROMBIE
Governor, State of Hawai'i

cc: The Honorable Calvin K.Y. Say, House Speaker



EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

January 15, 2013

The Honorable Calvin K.Y. Say, Speaker
Twenty-Seventh State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

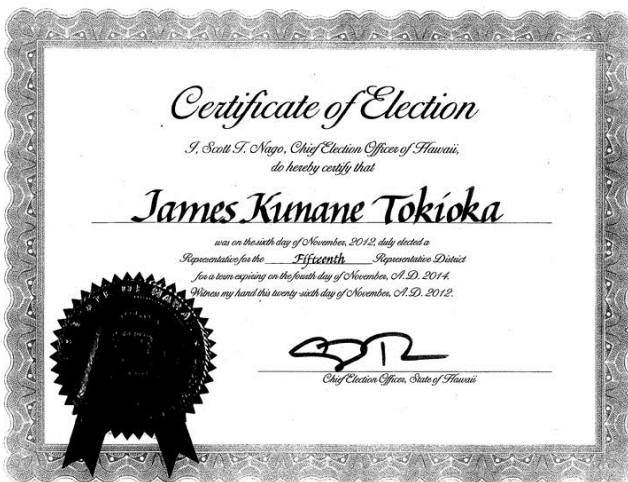
Dear ~~Sirs and Mesdames~~ *Mr. Speaker*,

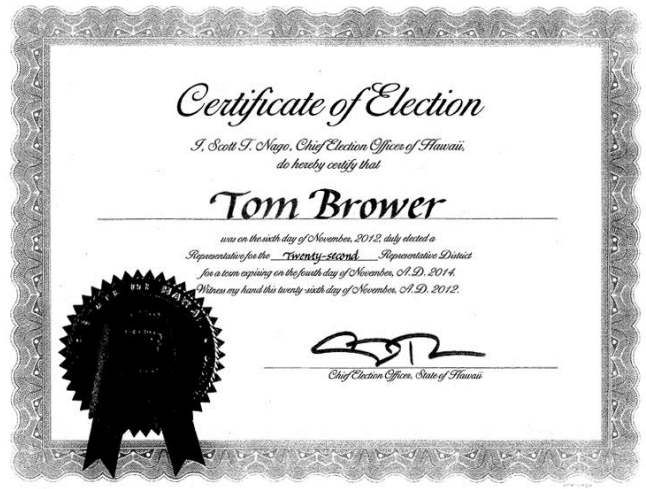
As of January 15, 2013, I have appointed Justin Howard Woodson to fill the vacancy left by Representative Keith-Agaran's appointment to the Senate, and to be and to serve as the Representative from the 9th District of the House of Representatives for the remainder of Representative Keith-Agaran's unexpired term.

Aloha
Neil Abercrombie
NEIL ABERCROMBIE
Governor, State of Hawai'i

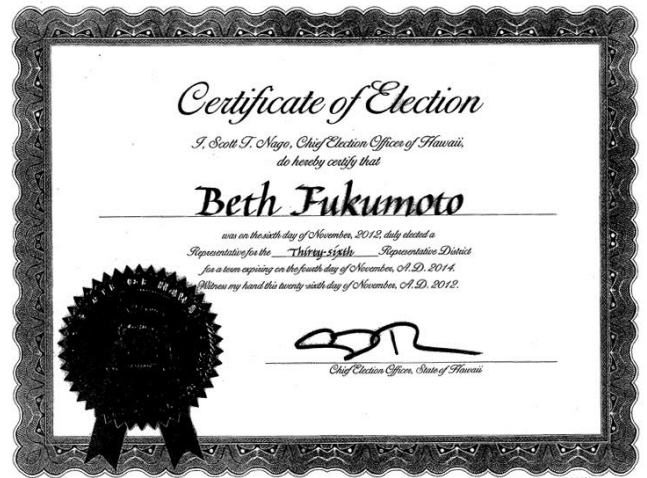
cc: The Honorable Donna Mercado Kim, Senate President Elect

















The Temporary Chair directed the Temporary Clerk to call the Roll, which being done disclosed that the following Members were present: Representatives Henry J.C. Aquino, Karen Awana, Della Au Belatti, Tom Brower, Rida T.R. Cabanilla, Romy M. Cachola, Mele Carroll, Lauren Kealohilani Cheape, Isaac W. Choy, Denny Coffman, Ty J.K. Cullen, Cindy Evans, Richard Lee Fale, Beth Fukumoto, Faye P. Hanohano, Sharon E. Har, Mark J. Hashem, Linda Ichiyama, Kaniela Ing, Ken Ito, Aaron Ling Johanson, Jo Jordan, Derek S.K. Kawakami, Bertrand Kobayashi, Chris Lee, Nicole E. Lowen, Sylvia Luke, Bob McDermott, Angus L.K. McKelvey, John M. Mizuno, Dee Morikawa, Mark M. Nakashima, Scott Y. Nishimoto, Takashi Ohno, Richard H.K. Onishi, Marcus R. Oshiro, Scott K. Saiki, Calvin K.Y. Say, Joseph M. Souki, K. Mark Takai, Gregg Takayama, Roy M. Takumi, Cynthia Thielen, James Kunane Tokioka, Clift Tsuji, Gene Ward, Justin H. Woodson, Jessica Wooley, Ryan I. Yamane, Kyle T. Yamashita, a total of fifty.

At 10:20 o'clock a.m., the Temporary Chair declared a recess, subject to the call of the Chair.

At this time, the Members of the House, their guests and audience were entertained by the McKinley High School JROTC Drill team, and the McKinley High School Chorus, directed by Ms. Natasha Taketa.

The House of Representatives reconvened at 10:39 o'clock a.m.

The Temporary Chair then appointed the Sergeant-at-Arms to escort the Honorable Mark E. Recktenwald, Chief Justice of the State of Hawaii, to the rostrum and requested that he administer the Oath of Office to the Members of the House.

OATH OF OFFICE

The Honorable Mark E. Recktenwald, Chief Justice of the State of Hawaii, called upon the Members of the House of Representatives who had been elected to serve in the Twenty-Seventh Legislature of the State of Hawaii to rise, and the Oath of Office was administered in accordance with the provisions of the Constitution of the State of Hawaii, to the following Members of the House:

FIRST DISTRICT:
 Mark M. Nakashima

SECOND DISTRICT:
 Clift Tsuji

THIRD DISTRICT:
 Richard H.K. Onishi

FOURTH DISTRICT:
 Faye P. Hanohano

FIFTH DISTRICT:
 Denny Coffman

SIXTH DISTRICT:
 Nicole E. Lowen

SEVENTH DISTRICT:
 Cindy Evans

EIGHTH DISTRICT:
 Joseph M. Souki

NINTH DISTRICT:
 Justin H. Woodson

TENTH DISTRICT:
 Angus L.K. McKelvey



On motion by Representative Mizuno, seconded by Representative Johanson and carried, the report of the Committee was adopted, with Representative Rhoads being excused.

ELEVENTH DISTRICT:

Kaniela Ing

TWELFTH DISTRICT:

Kyle T. Yamashita

THIRTEENTH DISTRICT:

Mele Carroll

FOURTEENTH DISTRICT:

Derek S.K. Kawakami

FIFTEENTH DISTRICT:

James Kunane Tokioka

SIXTEENTH DISTRICT:

Dee Morikawa

SEVENTEENTH DISTRICT:

Gene Ward

EIGHTEENTH DISTRICT:

Mark J. Hashem

NINETEENTH DISTRICT:

Bertrand Kobayashi

TWENTIETH DISTRICT:

Calvin K.Y. Say

TWENTY-FIRST DISTRICT:

Scott Y. Nishimoto

TWENTY-SECOND DISTRICT:

Tom Brower

TWENTY-THIRD DISTRICT:

Isaac W. Choy

TWENTY-FOURTH DISTRICT:

Della Au Belatti

TWENTY-FIFTH DISTRICT:

Sylvia Luke

TWENTY-SIXTH DISTRICT:

Scott K. Saiki

TWENTY-SEVENTH DISTRICT:

Takashi Ohno

TWENTY-EIGHTH DISTRICT:

John M. Mizuno

THIRTIETH DISTRICT:

Romy M. Cachola

THIRTY-FIRST DISTRICT:

Aaron Ling Johanson

THIRTY-SECOND DISTRICT:

Linda Ichiyama

THIRTY-THIRD DISTRICT:

K. Mark Takai

THIRTY-FOURTH DISTRICT:

Gregg Takayama

THIRTY-FIFTH DISTRICT:

Roy M. Takumi

THIRTY-SIXTH DISTRICT:

Beth Fukumoto

THIRTY-SEVENTH DISTRICT:

Ryan I. Yamane

THIRTY-EIGHTH DISTRICT:

Henry J.C. Aquino

THIRTY-NINTH DISTRICT:

Ty J.K. Cullen

FORTIETH DISTRICT:

Bob McDermott

FORTY-FIRST DISTRICT:

Rida T.R. Cabanilla

FORTY-SECOND DISTRICT:

Sharon E. Har

FORTY-THIRD DISTRICT:

Karen Awana

FORTY-FOURTH DISTRICT:

Jo Jordan

FORTY-FIFTH DISTRICT:

Lauren Kealohilani Cheape

FORTY-SIXTH DISTRICT:

Marcus R. Oshiro

FORTY-SEVENTH DISTRICT:

Richard Lee Fale

FORTY-EIGHTH DISTRICT:

Jessica Wooley

FORTY-NINTH DISTRICT:

Ken Ito

FIFTIETH DISTRICT:

Cynthia Thielen

FIFTY-FIRST DISTRICT:

Chris Lee

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 2 and 3) were read by the Temporary Clerk and were disposed of as follows:

H.R. No. 2, entitled: "HOUSE RESOLUTION ELECTING THE SPEAKER AND VICE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-SEVENTH LEGISLATURE," was jointly offered by Representatives Saiki and Johanson.

Representative Saiki moved that H.R. No. 2 be adopted, seconded by Representative Johanson.

At this time, Representative Say offered Floor Amendment No. 1, amending H.R. No. 2, as follows:

"SECTION 1. House Resolution No. 2 (ELECTING THE SPEAKER AND VICE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-SEVENTH LEGISLATURE) is amended to read as follows:

"BE IT RESOLVED by the House of Representatives of the Twenty-seventh Legislature of the State of Hawaii, Regular Session of 2013, that the Honorable MARCUS R. OSHIRO, Representative from the FORTY-

SIXTH DISTRICT, and the Honorable JOHN M. MIZUNO, Representative from the TWENTY-EIGHTH DISTRICT, be elected as Speaker and Vice Speaker, respectively, of the House of Representatives of the Twenty-seventh Legislature of the State of Hawaii."

Representative Say moved that Floor Amendment No. 1 be adopted, seconded by Representative Ito.

Representative Say rose to speak in support of the proposed Floor Amendment, stating:

"Mr. Speaker, I have some written comments in strong support of this particular Floor Amendment and I will not read it in respect to the Members of the House and the audience who are here for our ceremony.

"But I would like to state for the record that there are 17 other Members who would like to submit written comments in strong support of this particular Floor Amendment and with the indulgence of the Members of the House and the audience, these are the names that will be given the opportunity, with your approval, Mr. Speaker.

"Representative Marcus Oshiro, Representative Henry Aquino, Representative Rida Cabanilla, Representative Isaac Choy, Representative Ty Cullen, Representative Sharon Har, Representative Mark Hashem, Representative Denny Coffman, Representative Derek Kawakami, Representative Linda Ichiyama, Representative Ken Ito, Representative Jo Jordan, Representative Gregg Takayama, Representative Jimmy Tokioka, Representative Clift Tsuji, Representative Ryan Yamane and Representative Kyle Yamashita.

"Will they be able to submit written commitments in support of the resolution? Because this particular resolution or Floor Amendment will be a voice vote at this point in time, so their names will be recognized in the House Journal. Will that be permitted?"

The Temporary Chair then stated:

"Thank you. At this time, the Chair will allow any Members who wish to insert written comments to do so by 4:30 p.m. on Friday."

Representative Say continued to speak in support of the proposed Floor Amendment, stating:

"Thank you very much. So, I'm in strong support of the Floor Amendment at this point in time, with written comments."

Representative Say's written remarks are as follows:

"Mr. Speaker, I rise in support of the Floor Amendment to House Resolution No. 2.

"I support Marcus Oshiro for Speaker of the House of Representatives. He is qualified because of his education, experience and dedication to the State of Hawaii. He is an attorney who has worked in the public and private sectors. He has served in the House for 18 years. During those years, he has served as the Vice Speaker, Majority Leader, Majority Floor Leader, Finance Committee Chair and Labor Committee Chair. This varied experience gives him a complete understanding and appreciation of the policy, procedural, administrative, political, and human issues involved in generating good legislation in the House for the people of Hawaii.

"President Obama now uses the words 'responsible' and 'balanced' in reference to the necessary solution to the U.S. government budget crisis.

"Being 'responsible' and 'balanced' is nothing new to Marcus. Those were his guiding principles in guiding the House and Legislature through the budgetary, fiscal and economic problems during the Great Recession.

"I urge everyone to support Marcus. Thank you."

Representative Kawakami's written remarks in support of the proposed Floor Amendment are as follows:

"Mr. Speaker, I rise in strong support for the amendment offered to House Resolution 2. Mr. Speaker, Chair Oshiro has been a great friend, mentor, guidance counselor at times, and most importantly, a great leader. He has managed to guide us through some of the most challenging economic times the state, the nation, and the world has seen since the Great Depression. He has shown us that the right choices are often not popular and because of this fact, tremendous bravery is required. Chair Oshiro has displayed such bravery, oftentimes taking the hit in order to protect his colleagues.

"As the Chair of the Finance Committee on which I have had the honor to serve with him, Chair Oshiro displayed what I call 'Wahiawa work ethic,' the work ethic characteristic of old plantation towns, of those that toiled the pineapple fields with the intent and determination to make sacrifices today, to benefit those that come tomorrow. Chair Oshiro truly displays this same work ethic and intent that those who came before us had. The grit, toughness, conviction to truly stand up for what is right, yet he has the compassion to be fair and the ability to listen to other people and hear their concerns. He truly led by example, showing up before everyone and always he was last to leave.

"He has tremendous patience with his colleagues. I liken him to the kid at the beach standing with his friends at the edge of a cliff staring down at the sea, wrapping his arms around his friends and asking them, 'Let's see who can hold their breath the longest' as they plunge themselves into the ocean. Slowly by slowly, one by one, we run out of breath swimming to the surface, gasping for air, but there he sits, patiently, outlasting everyone. To those on the outside, this metaphor may not make sense, but for those who have served with him recently, they will understand. Mr. Speaker, it is an honor to stand side by side with Chair Oshiro to support him as our candidate for Speaker of the House. *Mahalo nui loa.*"

Representative Jordan's written remarks in support of the proposed Floor Amendment are as follows:

"I stand in strong support of HR 2, FA 1 (Floor Amendment), Electing the Speaker and Vice Speaker for the House of Representatives of the Twenty-Seventh Legislature, as presented by Representative Calvin Say of the 20th District.

"Over the past two years I have worked with, learned from and come to understand the commitment that the good Representative of Wahiawa, Whitmore Village and Launani Valley brings to this body. With his many years as a Representative in this House, having held multiple positions within this organization, including under the leadership of both former Speakers Calvin Say and Joe Souki, and representing our state and Legislative Body on a national level with the Council of State Governments - WEST. I believe he holds the best knowledge, talent, compassion and courage to guide the House of Representatives forward into a new era.

"To paraphrase Martin Luther King, Jr., 'the true measure of a person is not how the person behaves in moments of comfort and convenience, but how the person stands at times of controversy and challenges.' This truly describes Representative Marcus Oshiro, to have personal and political courage, to simply do what is right, what is in the best interest of the majority party and the greater good for the majority body and the State of Hawaii. I have been a witness to the true character of this great Representative, especially during the last six weeks of this leadership organization process.

"So with this in mind, I will vote with courage, vote with conviction, and vote for the common good in strong support of this measure."

At 10:44 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:46 o'clock a.m.

The motion that Floor Amendment No. 1, amending H.R. No. 2, entitled: "HOUSE RESOLUTION ELECTING THE SPEAKER AND VICE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE

TWENTY-SEVENTH LEGISLATURE," be adopted, was put to vote by the Chair and upon a voice vote, failed to carry, with Representative Rhoads being excused.

(Main Motion)

Representative Say rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

At 10:47 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:49 o'clock a.m.

At this time, the Temporary Chair stated:

"Members, for clarification, we are back on the Main Motion, House Resolution Number 2. At this time, the Chair will allow any Members wishing to insert written comments on House Resolution Number 2, to do so by 4:30 p.m. on Friday."

Representative Coffman rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Coffman's written remarks are as follows:

"I am voting nay for this resolution appointing Rep. Joe Souki as our House Speaker. Selecting the Speaker of the House is a privilege of the majority party. It should be decided in caucus with all of the members of the majority party. Rep. Souki chose not to discuss the matter with all of his fellow Democrats until after his actions had been finalized. Instead of working with his fellow Democrats, he chose to gain a majority vote by making an organizational agreement with the minority party; an action that I believe weakens the majority party and will hurt the legislative process. His action to gain the Speakership does not reflect the attributes that I believe are necessary to be Speaker of the House of Representatives."

Representative Jordan rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Jordan's written remarks are as follows:

"I stand in strong opposition to HR 2, Electing the Speaker and Vice Speaker for the House of Representatives of the Twenty-Seventh Legislature. We are present today for a test of true courage and will, with the vote on this measure before us. My opposition to HR 2 is the test of my strength with my commitment to the majority of this body, the Democratic Party, its constitution and bylaws. *A wise man* once said: 'Be thankful for each new challenge because it will build your strength and character.' Solving challenges requires 'confidence' in oneself and each other. But first we must have 'confidence' in our ability to build upon a foundation in our commitment to our majority party, the Democratic Party of which I boast membership and loyalty to.

"I appreciate the tremendous uncertainty and pressure we are under and know how hard it is to maintain one's public and private composure. But what we need is the courage to stick to the constitution of our Democratic Party, because as time fades we will only be remembered for very few things, such as if you can speak to the people's hope and then get the legislative work done, bottom-line, the job done. To do that you will need to seek out the humble, the thoughtful, and above all the doers, the people in this Body who want to get work done and are not afraid to take a risk, true allies. Never be afraid to take a risk, your constituents have put their faith in you.

"Just short of two years ago on January 20th, 2011 I first walked onto this Floor as a new appointee. My breath taken away by the sense of responsibility, honor and duty to the institution and the people we serve. I pledged on that day that I would execute my duties and responsibilities with fairness consistent with the Hawaii State Constitution and the State Statutes. I continued that same mindset thru this past election cycle and was

affirmed by the majority vote to continue my work. Putting my faith in that vote before you today.

"Mr. Chair, my hope upon being elected was that the leadership of this House would be based on the principles of compromise, fairness and respect. Instead I am disturbed by a culture where the politics of retribution and punishment are the practice and protecting our elected positions and public image is more important than the public good.

"One of the main considerations I took into my decision making on this important vote in opposition of this resolution is the Speaker's decision to garner the necessary votes required to serve as Speaker from the seven members of the minority party along with the promise of three Vice-Chairmanships and capital improvement project money for their districts over majority members.

"To add insult, the Speaker boldly announced that this leadership organization was complete with the vote of the minority members to the press on November 21st, a little more than two weeks after the General Election that brought in newly elected Representatives, and before even extending the courtesy of holding a caucus meeting with members of the majority party. He then remained steadfast in those commitments thru last week's first Majority Members' Caucus and till today on this Floor. All this was not based on the principles of compromise, fairness and respect. Especially going against the principles of our majority Democratic Party values, this is not how you bring unity to the Majority Caucus.

"As this Speaker has done, I too will remain steadfast in my commitment to my Democratic values of this majority, and stand in opposition to this measure."

Representative Ichiyama rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The Temporary Chair then stated:

"Members, if you are rising to submit written comments, the Chair has already provided that written comments can be made up to 4:30 p.m. on Friday."

Representative Kawakami rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Tokioka rose in support of the measure with reservations and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Tokioka's written remarks are as follows:

"*Mahalo* Mr. Speaker, for allowing me to submit written comments with strong reservations to House Resolution 2, establishing the Speaker of the House.

"Please refer to my written comments submitted on behalf of House Resolution 4. Those comments share my concerns with House Resolution 2.

"*Mahalo* again for allowing me to submit written comments with strong reservations."

Representative Cabanilla rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ito rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

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

"Mr. Speaker, in strong support, with written comments."

Representative Brower's written remarks are as follows:

"All House Members had an opportunity to play a role and make a choice on the organization of the House.

"Everyone made a decision and we have the results on Opening Day. Everyone should feel responsible for their choices and be positive about the future of the legislative session this year.

"I'm optimistic that everyone will act sensibly."

Representative Takayama rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

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

"Thank you, Mr. Chair. I rise in opposition. Thank you, Mr. Chairman. Mr. Chairman, before I get started, first of all may I request permission to enter additional written comments into the Journal? Thank you. In addition, Mr. Chairman, there was an article published this morning in the *Star Advertiser* authored by Derrick DePledge, I would also request that that article be entered into the House Journal as I believe that some quotes in that article should be memorialized on this historical day. Thank you, Mr. Speaker.

"First and foremost before I begin, Mr. Chairman and to the Members, particularly the freshman members, Representatives Cachola, Cheape, Fale, Fukumoto, Ing, Kobayashi, Lowen, McDermott, Ohno, Onishi, and Takayama. From the bottom of my heart with all of my sincerity, with every breath that I breathe, I apologize for having to do this right now. Unfortunately however Members, your newly elected Speaker has left us with no other choice but to speak now.

"And I am inspired by the words of a colleague who made a speech six years ago. And I quote, 'Mr. Chair, my place on this Floor is here and I refuse to be intimidated from using my voice and exercising my right to vote.' Accordingly, Mr. Speaker, I feel compelled to speak. And so I will do it very quickly, as you all know I speak very quickly.

"But that being said, over the past few months, we as politicians are able to rationalize everything that we do. In every vote that we take and every decision that we make, we sit there and we justify everything that we do. We feel that there is a reason to do it, whether it's in the name of our constituents, whether it's the name of our positions. We do things because we feel compelled that it's the right thing to do.

"Mr. Chairman, the crux though, in my opinion, of this House Resolution, the underlying crux deals with themes of revenge, vindication, retribution, punishment. These are not themes I feel that we as politicians, as leaders of our respective communities, should be facilitating. And accordingly, Mr. Speaker, I would ask that the Members of this Body reconsider the decision of House Resolution Number 2.

"I believe that as we move forward, we do not want to expound these principles of revenge, retribution, vengeance. These are not good principles. And if you even look at the seating chart right now, Mr. Chairman, some would argue that the placement of Speaker Say, where he is sitting, falls right into those principles. I, as a Member of this Body, will not condone that. As a Christian, I cannot condone that.

"And therefore, Mr. Speaker, there are other Members, and I don't profess to be speaking on behalf of my colleagues, but I do know there are Members of this Body who were afraid to speak. And therefore, Mr. Chairman, I speak on behalf of those who feel they cannot speak today. Members, again, to the members of this audience, I apologize, and again to the freshman I apologize on behalf of your new Speaker, as well as myself for having to make these comments, but quite frankly we were given no choice but to have our voices heard now and so for that we can proceed and I pray that these comments moving forward, these resonating thoughts of revenge, retribution, vengeance, vindictiveness and punitivity, do not proceed as we move forward in this session. Thank you."

Representative Har's written remarks are as follows:

"Mr. Chairman: I rise in opposition to House Resolution 2.

"Before I begin, I would like to request that I receive permission to enter additional written comments into the Journal along with a copy of the *Star Advertiser* article dated January 16, 2013, authored by Derrick DePledge.

"First and foremost Mr. Chairman, to our freshmen Representatives:

"Representatives: Cachola, Cheape, Fale, Fukumoto, Ing, Kobayashi, Lowen, McDermott, Ohno, Onishi and Takayama: from the bottom of my heart and with all of my being, I apologize to you and your families for having to make this speech at this time. Unfortunately however, your newly elected Speaker left us with no other choice.

"When asked to postpone the vote on this resolution in order to give Members an opportunity to express our concerns and in a manner that would not abate from the ceremonies, he outright refused to do so. So on behalf of your newly elected Speaker and myself, I apologize for having to make this speech now. But in that same vein, I am inspired by the words of one of my colleagues who spoke six years ago in opposition to a similar resolution and I quote, 'Mr. Chair, my place is on this Floor and I refuse to be intimidated from using my voice and exercising my right to vote.'

"Mr. Chair, as Members of this Body, we find ways to justify all of the positions we take. Whether it's in the name of doing it for our constituents or doing it in the name of what we believe is right – we, as politicians, take votes and make the decisions we make because we can rationalize and justify our actions.

"But the reason I am in opposition is because the underlying crux of this resolution is based on revenge, vindication, retribution and punishment. As politicians and leaders of this community, these are not principles we should condone nor perpetuate.

"One might argue that the seating of Speaker Say in the Chamber is being done under thoughts of revenge, retribution, vengeance and punishment.

"And Mr. Chair, I don't profess to speak on behalf of my colleagues but I can tell you this, I do know that many of my colleagues did want to speak in opposition to this resolution but for fear of retribution, refused to speak up.

"As revenge, vengeance, retribution are not ideas I can condone as a Member of this Body, or as a Christian, I must do what I think is right. As a colleague just wrote to me this morning, 'what's right is right, even if nobody is doing it, and what's wrong is wrong, even if everyone is doing it.' Accordingly, Mr. Chair, I must do what is right and respectfully vote no.

"Thank you."

Representative Har also submitted the following *Honolulu Star-Advertiser* article:

Dissidents reign as session opens

Members of a House faction, long on the outs, seize control

By Derrick DePledge

POSTED: 01:30 a.m. HST, Jan 16, 2013

For the cadre of state House Democrats whose opposition to Speaker Calvin Say long left them on the political margins, their exile ends today.

When the new session of the Legislature opens, veteran Rep. Joseph Souki will take the gavel from Say on the strength of a dissident faction that has sought to remove Say for the past eight years.

The internal feud unfolded mostly away from public view and was stoked by personalities as much as principle. Several of the dissidents have cloaked the struggle as a victory for progressive change, but their partnership with Souki – who as speaker in the 1990s ran the House just as rigidly as Say – and their alliance with minority Republicans suggest more of a pragmatic compromise.

"The House is the training ground for future political leaders of our state, and I felt like it was important for the House to reflect generational changes," said Rep. Scott Saiki (D, Downtown-Kakaako-McCully), a leading dissident who will be Souki's majority leader. "And we weren't giving all of the members the opportunity to advance in that way."

The leadership dispute is an example of how alliances within a chamber dominated by one political party can form and change over time. Saiki and Rep. Sylvia Luke (D, Punchbowl-Pauoa-Nuuanu), a leading dissident who will become chairwoman of the powerful House Finance Committee, were among the Democrats who had turned to Say to help oust Souki as speaker after the 1998 elections.

Luke was a vice speaker under Say, and Saiki was Say's majority leader, until their relationships disintegrated in part about how long Say planned to remain in charge of the House. According to lawmakers familiar with what happened, Saiki and Luke thought Say would lead the House for six years, but when it became obvious that Say did not plan to step aside, challenges to his rule surfaced when Democrats would organize to choose their leadership and committee assignments after every election cycle.

Dissidents complained that the more conservative Say did not involve enough lawmakers in public policy decisions or provide adequate opportunities for younger lawmakers to develop.

But many credit Say's tactical discipline and institutional knowledge – he has been in the House since 1976 – for often giving the House the edge over the Senate in private negotiations on legislation. Others also believe Say, a small businessman, held firm against broad-based tax increases when the state was scrambling for new revenue during the recession.

When the leadership dispute did go public, it was often unpleasant.

After the 2006 elections, Say's allies stripped Rep. Dwight Takamine of his chairmanship of the Finance Committee after he was slow to commit to Say. Dissidents said that Takamine was asked to mediate by U.S. Sen. Daniel Inouye and was never part of their faction, but some of Say's allies insisted that "there needed to be heads on stakes" as a warning. Inouye wrote Takamine a letter of apology, explaining that his request had made the situation worse, "with more, not less blood, on the floor."

Takamine, out of power in the House, ran for and was elected to the state Senate and was eventually chosen by Gov. Neil Abercrombie as director of the state Department of Labor and Industrial Relations.

On opening day of the 2007 session, Saiki, Luke and newly elected Rep. Della Au Belatti (D, Moiliili-Makiki-Tantalus) spoke against the resolution electing Say as speaker. While colleagues were not surprised that Saiki and Luke would publicly object, Belatti's comments were seen as particularly intemperate, the equivalent of insulting the boss on the first day of work.

"It has been whispered about me that I should learn to act like a freshman, that I should know my place," Belatti said that day in the House chamber after apologizing to the guests attending what is traditionally a day of ceremony and celebration. "Mister Chair, my place is on this floor, and I refuse to be intimidated from using my voice and exercising my right to vote."

Say was re-elected speaker that year by a 48-3 vote, with only Saiki, Luke and Belatti in dissent.

Several other lawmakers – like Belatti – have spent their entire time in the House in exile, frozen out of key policy decisions. Rep. Chris Lee (D, Kailua-Lanikai-Waimanalo) sided with the dissidents after he was elected in 2008.

"When I came in, I felt there were a group of folks who were pushing, to me, the same goals that I had, which was generally a better government to address some of our hardest issues, even it means difficult political

consequences. To have those discussions," he said. "With them I saw eye to eye, and support that kind of change."

Lee, who will become the Chairman of the Energy & Environmental Protection Committee under Souki, said he does not regret his choice.

"I wasn't going to let any sort of political wrangling or anything like that get in the way of my broader goal in the long term, which is pretty significant change for the state. And I think this is an important step in that direction," he said.

Two years ago, when dissidents took the leadership fight to opening day, several criticized Say for his willingness to use Republican votes to hold power if necessary. House Republicans supported Say, citing his opposition to a general excise tax increase, and were quietly promised greater staff equity and an extra seat on the Finance Committee by Say's allies.

Saiki predicted at the time that some Democrats would break from Say if he had to organize with Republicans to keep control. "It will be difficult to govern with a bipartisan organization," he cautioned.

This year the Republicans backed Souki and dissidents in return for three committee vice chairmanships, including the Finance Committee, giving Souki the leverage he needed to remove Say after his record 14 years in control. Souki, however, now has a majority with Democrats alone after Abercrombie appointed Justin Woodson on Tuesday to fill a vacant Maui House seat.

Saiki said Republicans have newer, younger members in their caucus who share some common ground with Democrats. "I think that there's common ground between the Democrats and Republicans on some issues, such as environmental issues," he said. "I think that we can work together to advance some good policy."

On Tuesday, Souki and Say finally swapped offices, with Souki moving into the spacious speaker's corner suite on the fourth floor of the state Capitol and Say slipping into Souki's old office two doors down the hall. Say (D, Palolo-St. Louis Heights-Kaimuki) plans to offer an amendment today to the resolution electing Souki as speaker, giving his loyalists the chance to vote on the record for his chosen successor, Rep. Marcus Oshiro, as speaker.

The resolution on committee assignments, which includes the three Republican vice chairmanships, could also show the divisions that remain among Democrats.

"I'm at peace with myself," Say said Tuesday, adding that he had no hard feelings against the dissidents. "It's been a great 14 years. Who would have thought I would be here for 14 years?"

At 10:55 o'clock a.m., Representative Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:56 o'clock a.m.

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

"Mr. Chair, I rise in support of House Resolution Number 2. And I just wanted to start off by saying that as a Member who was previously assigned to the seat where the Speaker Emeritus is sitting, I have to say that it's not really an act of vengeance or retribution, because it's actually the best seat in the Chamber.

"I support House Resolution Number 2, which proposes to elect Representative Souki and Representative Mizuno as the Speaker and Vice Speaker respectively of the House of Representatives. This resolution represents change. And I know that change is sometimes difficult to contend with. I would submit however that in this context, change is positive. Because with the new Speakership, we will usher in a new generation with new perspectives.

"And in light of our honor of Senator Inouye this morning, I wanted to use a quote from him about change. And this is what he said. 'Change and challenge should not deter us now. We have long been a party of change and challenge. The need for new ideas and improved institutions should not deter us now. We have long been a party of new ideas.' Again, Mr. Speaker, I support House Resolution Number 2."

Representative Oshiro rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Oshiro's written remarks are as follows:

"I Support Genuine and Authentic Bipartisanship"

"First, let me set the record straight.

"Let there be no doubt that I support genuine and authentic bipartisanship and the practice of working across the political aisle on common policy grounds. I believe my 18 year record in the House clearly demonstrates my willingness and more importantly, my ability to work and gain bipartisan agreement and joint accomplishments in many areas.

"For instance, I did so in winning support for and passage of a measure to enact Hawaii's Family Leave Act, fight crime, set long term renewable energy policies, reform education, protect our vulnerable seniors and youngsters, as well as support the preservation of lands of important agricultural and cultural value in my immediate neighborhood. It is not unusual, in this House, to have a seventy-five or eighty percent or higher affirmative vote on the hundreds of measure. I believe the House Journals substantiates this fact.

"Even in my two stints as the Democratic Caucus Majority Leader (2000-2002 and 2004-2006), there have been many occasions of bipartisan agreement and support. And, these instances, were done whether the Republican Caucus was comprised of seven (7) or seventeen (17) members. And, under both a Republican and Democrat Governor. I also most recently served over several years as the Incoming Chair, and immediate past Chair of the Council of State Governments-WEST (CSG-WEST), leading and working with Democrats and Republicans from Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, as well as the Pacific Islands of American Samoa, the Commonwealth of Northern Mariana Islands, and Guam. And I currently serve on the Council of State Government's Legal Task Force comprised of members from both 'red' and 'blue' states.

"More recently, I share credit with other members of the Republican Caucus in all six (6) balanced-budget measures approved over my 6-year tenure as the House Finance Chair. Certainly, the Executive Biennial Budget and working with the Republican Governor Linda Lingle is testament to my appreciation of true and honest bipartisanship.

"In 2012, all Republicans voted in support of the Supplemental Budget Act -- an achievement I take great pride in. That is true and honest bipartisanship on a major piece of legislation that requires compromise and reconciliation. In my humble opinion, I believe that many of my current and former Republican colleagues, would concur with my assessment. So, clearly, let there be no doubt that I have and I know how to work in a bipartisan manner for the common good. As our most beloved and respected Governor Burns would say, 'Let the record speak for itself.' Yes, Mr. Speaker, let the record speak for itself.

"The 'Buying and Selling' of the Speaker"

"Mr. Speaker, this coalition with seven (7) Republicans is not genuine and authentic bipartisanship. It is nothing to boast about. Nothing to brag about. Nothing for the *Star Advertiser* Editors to laud over. And, nothing to praise or applaud. To the contrary, giving the three (3) Republican members three (3) Vice Chair positions in exchange for their three (3) votes is a clear example of 'quid pro quo' or 'this, for that'. It is the epitome of 'buying votes' but instead of silver or gold, precious emeralds or rubies, trinkets or beads, the currency for this transaction is the priceless and rare

committee leadership positions and rank in the Hawaii State House of Representatives' hierarchy.

"In other words, metaphorically speaking of course, instead of you 'buying' each of their individual votes, for let's say, \$2,000, or \$4,000, or \$6,000, the three (3) Republicans, 'sold' their individual votes on House Resolution No. 4, to 'buy' the Vice Chair positions on the Environment and Energy, Economic Development, and Finance Committees. In my humble opinion, again metaphorically speaking, my colleagues from Wailuku and Kalihi got a 'steal' or bargain when you consider there is only one (1) Committee Vice Chair for all 51 members.

"This grand bargain is even more egregious when you consider that the seven (7) Republicans comprise about one-sixth (6th) of the entire Body or that the ratio of Republicans to Democrats is one (1) to seven (7). Obviously, someone got the better end of the deal but it is certainly not the members of our own caucus.

"The House Democrats, all 44 of them, got shortchanged. The Freshman Democrats should be especially aggrieved. For according to custom and practice, these three (3) Vice Chair assignments were theirs for asking. And, never before in the history of the House of Representatives has a 'sophomore' Republican member -- without any prior service on the Finance Committee -- been given the Vice Chair authority and responsibility for that important body.

"Furthermore, and to add insult to injury is, again metaphorically speaking, 'buying' the four (4) Freshman Republican votes, is a 'steal' at \$50,000 for each of the votes or \$200,000 in General Obligation Bond ('G.O.') Funds. I liken it to using a credit card for the purchase of services. But, here it is even better for the Speaker since there is no 'interest' to pay and no 'principle'. For here, the Speaker's purchase of the four (4) votes comes from the state's coffers. It is akin to receiving services using your friend's credit card -- you get the services while she pays the monthly bills. It reminds me of the old television *MASTERCARD* ads. 'One Republican Freshman Vote for Speaker: \$50,000. Four Freshman Republican Votes for Speaker: \$200,000. No Debt or Interest to Pay: Priceless.'

"Finally, Mr. Speaker, lest colleagues think or I inadvertently suggest that I leave blameless the seven (7) Republicans who are necessary parties to these contacts, which I do not, I leave this thought with you from Exodus 3:28:

'Do not accept a bribe, for a bribe blinds those who see and twists the words of the righteous.'

"Apples and Oranges"

"Mr. Speaker, in all these amazing acquisitions of individual Republican votes and those of the Republican Caucus, you have displayed incredible focus to achieve the Speakership at any cost. You have even persuaded a majority of the Democrats to side with you suggesting that a prior Speaker or his supporters have done the same. But, even now, I challenge you to provide me the proof, the facts, and the specific evidence upon which you make your case. For I have not seen one single document or know of any particular instance as concrete and substantial as the 'buying' of the seven (7) Republican votes through the barter of both Vice Chair positions and G.O. bonds authorizations.

"As you know, there is some public discussion and even speculation of a past agreement from the House organization in 2010. But, you also know, as past Finance Chair, that such allocation of G.O. bonds in various districts could arise for a number of reasons. The G.O. bonds in a particular district could be part of a 'lump sum' Repair and Maintenance allocation or Electrical upgrade or Americans with Disability Act ('ADA') remediation or whole school renovation, or DOE or BOE 'matrix' prioritization. The G.O. bonds in a particular district could also be the result of collective and individual actions of the Senate. As such, it is grossly misleading and incorrect to attribute any allocation of G.O. bonds to various House Districts upon one individual or Chamber, as evidence of any quid pro quo or agreement. You of all members, should know that it is an absurd hypothesis.

"But, while I strongly maintain there is no truth of any nexus between any perceived past Republican and Democrat contract and conduct, for the reasons covered above, and that the fallacy pertaining to past G.O. bond funding and Capitol Improvement Project ('CIP') appropriations is an absurdity and proffers not one iota of evidence of anything relevant to this discussion, let say, for the sake of argument that they be true. Compare the two: three (3) Vice Chair positions – Committees on Energy & Environmental Protection, Economic Development & Business Concerns, and Finance and \$50,000.00 G.O. bond authorizations to only four Freshman Republican members versus additional.

"Mr. Speaker, ask yourself: 'Do two wrongs make a right?' And, then, ask yourself: 'Am I comparing apples to oranges?' Your answers will reveal as much about yourself and as what we can expect for ourselves.

"Can't Give Away What You Don't Have"

"Finally, Mr. Speaker much has been said about 'keeping ones word' or 'a promise made, is a promise kept.' I wholeheartedly agree, as most would. Keeping ones promises to one another is the stuff we learn in kindergarten. It is fundamental in our public and private lives. It is the principal of contracts. But, as any good Catholic Priest knows, '*Nemo potest dare quod non habet.*' (You cannot give what you don't have).

"As a lawyer, most of my civil practice has been in the area of contracts. Whether it is the sale of goods, or sale of services, or sale of real property, they all share the common pattern of a buyer and a seller. Likewise, in most instances, an offer is made and an acceptance follows. One promises to do something and in exchange the other does something. A 'benefit' goes from one party to the other and a 'burden' is incurred by the other party. Each one is expected to perform and receive his or her promise in due course. These are the basic elements of a contract.

"Mr. Speaker, this is essentially what you and the Representative from the District 31 (Moanalua, Red Hill, Foster Village, Aiea, Fort Shafter, Moanalua Gardens, Aliamanu, and Lower Pearlridge) have; a 'contract votes for Speaker.' But, unlike the illustrations above, I did not offer anything to the Representative from District 31, nor accept anything from the Representative from District 31, nor give my assent to the Representative from District 31. I am not a party to the contract. Hence, I am not bound to the promises. And, for this reason, I do not and will not condone what you did. For what you are doing violates the fundamental principles of the common law. Additionally, by your actions this day you have rammed down upon each colleague's head your 'burden' so that you may enjoy the 'benefit' of its terms. Not only do I find your disregard of the exploitation of each man's vote repugnant, but more so distasteful, since it did not have to be.

"Indeed, this is the tragedy of this scene today. Especially when you have forty-four (44) Democrats in your caucus. How disappointing and tragic a figure you are Mr. Speaker. A tragedy like Shakespeare's *King Lear*. That you have forsaken your most loyal and trusted colleagues for your earthy crown of glory and regalia prove Shakespeare's genius and observations that '*the art of our necessities is strange. That can make vile things precious.*'

"Final Thoughts and Hope"

"Mr. Speaker, I hope and pray that your tenure as Speaker will be profitable and a blessing upon this august Body and legislative institution. I hope that it bears a good harvest for the Democratic Party of Hawaii and the traditions from which you and I are beneficiaries. I hope that my worst fears are merely dark shadows at night or passing clouds in the day. That you and your leadership team will overcome the resistance of the change you seek and find favor and good fortune in the course you have set for years to come.

"I hope to be proven wrong and even labeled disloyal to this House and the Democratic Party of Hawaii if that be the price to pay for your successful tenure as Speaker. For at the end of the day, it only matters that our individual and collective actions be a blessing and not a curse upon the people we are sworn to serve within the tenets of our Federal and State Constitutions. That is my ultimate hope. That future generations of leaders

will say, 'the Maui Speaker was a great speaker and under him Hawaii did well.'

"In closing, Mr. Speaker, please know that I have given all my intellectual and emotional energies to affecting a different outcome using the power of persuasion and not brute force to change the hearts and minds of our Democratic Caucus. That I have failed in this endeavor and perhaps ended my political career may it still be of some value and useful to the House Democratic Caucus and you, my dear colleague. That my efforts not be in vain but lead to a better Democratic Party of Hawaii. . . a better House Democratic Caucus, and a better House of Representatives. These institutions that we have spent our lives promoting and protecting through the years.

"Mr. Speaker, many years ago, my college girlfriend gave me hand written calligraphy of an excerpt of a famous political quote to encourage and inspire me during a rough patch in college. So uplifting and thoughtful, as well as beautifully written, that I, to this day, hold it among my most valuable possessions. It reads as follows and is apropos in describing the brave men and woman who will be casting a no vote on this instant resolution:

'Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring, those ripples build a current that can sweep down the mightiest walls of oppression and resistance. Few are willing to brave the disapproval of their fellows, the censure of their colleagues, the wrath of their society. . .

'Moral courage is a rarer commodity than bravery in battle or great intelligence. Yet it is the one essential, vital quality for those who seek to change a world that yields most painfully to change. And I believe that in this generation those with the courage to enter the moral conflict will find themselves with companions in every corner of the globe.' (Robert F. Kennedy, 1966).

"Thank you very much."

Representative Choy rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Choy's written remarks are as follows:

"Mr. Chair, first of all, let me congratulate Representative Joseph Souki for winning the election for Speaker of the House of Representatives for the 27th Legislature, 2013 Regular Session.

"As in all political elections, there is an element of strategy. My vote in opposition is not about personalities, or my lack of respect for the Speaker-elect, but the weakness of his strategy and the price paid to win his election, in my humble opinion. In simpler terms, he 'gave away the store' to win the election. I would think that with his years of being a politician, he would have been wiser in timing and leverage in using the Republicans. If the ploy was to use the Republicans to influence the weaker minds within our party, I would have hoped that other methods could have been deployed.

"Finally, the conclusion would have to be that in the end, he won. However, the meaning of winning is far from being defined, and the price for glory is yet to be paid. History will be our judge.

"I sincerely wish the new Speaker well in this new paradigm.

"Thank you, Mr. Chair."

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

"Thank you, Mr. Speaker, just rising in strong support."

Representative Hashem rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ing's written remarks in support of the measure are as follows:

"I stand for my first time on the Floor to commend Speaker Calvin Say for his 19 years of dedicated service as Speaker to the people of Hawaii and his 35 plus years of service as a State Representative. I am a freshman legislator who made a decision to run for office in late 2011, at the age of 22 years old. Naturally, when I first announced my candidacy, very few people thought I had any chance of winning. Out of those who did, at least half of them shared my last name and grew up in the same house that I had.

"However, I knew in my *na'au*, that I could win this because of stories that my late father used to tell me--stories of an underdog, stories of a young Calvin Say working as a bus boy while campaigning, stories of someone who walked miles a day in the sun knocking on thousands of doors to win an election as a young, working-class, local, and rooted candidate for public office. In my own campaign, Speaker Say's story was a source of hope. At 5:00 p.m., after working a 5:00 a.m. - 1:00 p.m. day at Four Seasons as a runner and campaigning door-to-door for four hours subsequently, I thought of Speaker Say enduring his evening shifts for the energy I needed to stride one more hour to sunset. It was this extra push that won me the election, with the margin I did, against an incumbent. In fact, I would not have run for office if not for Speaker Say, so I would not be standing here in front of you all now on the opening day of the 27th Legislature.

"I am making my decision to support Representative Souki for Speaker because I see today as an opportunity to empower my neighbor island constituents, to facilitate a more collaborative environment among lawmakers, and to usher in a new era of progressive public policy. Let it be on record that I continue to see Speaker Say as a role model and that he has undoubtedly inspired a whole new generation of public servants. *Mahalo* Speaker Say; I am honored to be working alongside you, your supporters, and all other of my fellow House Members this session."

The motion was put to vote by the Chair and carried, and H.R. No. 2, entitled: "HOUSE RESOLUTION ELECTING THE SPEAKER AND VICE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-SEVENTH LEGISLATURE," was adopted, with Representatives Cabanilla, Choy, Coffman, Har, Ito, Jordan and Oshiro voting no, and with Representative Rhoads being excused.

The Temporary Chair appointed Representatives Saiki, Awana, Johanson and Fukumoto to escort the newly elected Speaker to the rostrum.

The Temporary Chair then presented to the Members of the House and audience, the Honorable Joseph M. Souki, Speaker of the House of Representatives of the Twenty-Seventh Legislature, and presented him with the gavel.

Speaker Joseph M. Souki assumed the rostrum and addressed the Body, stating:

"Well, thank you very much. Members of the House, all of you, I wish to thank you for your vote of confidence and support. I pledge to you that I will execute my duties and responsibilities with fairness, consistent with Hawaii's Constitution and Statutes. Again, Members, thank you very much for your support and I look forward to working with all of you this session."

The Chair then appointed Representatives Saiki and Johanson to escort the Honorable John M. Mizuno to the rostrum.

The Chair then stated:

"Members and guests, I present to you the Vice Speaker, John Mizuno."

H.R. No. 3, entitled: "HOUSE RESOLUTION ELECTING THE OFFICERS OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-SEVENTH LEGISLATURE," was jointly offered by Representatives Saiki and Johanson.

On motion by Representative Saiki, seconded by Representative Johanson and carried, H.R. No. 3 was adopted, with Representative Rhoads being excused.

Thereafter, the Speaker administered the Oath of Office to the officers named.

INTRODUCTION OF RESOLUTIONS

The following resolution and concurrent resolutions (H.R. No. 4, and H.C.R. Nos. 1 and 2) were read by the Clerk and were disposed of as follows:

H.R. No. 4, entitled: "HOUSE RESOLUTION ACKNOWLEDGING AND RECOGNIZING THE CAUCUS LEADERS AND NAMING THE CHAIRS, VICE CHAIRS, AND MEMBERS OF THE STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-SEVENTH LEGISLATURE," acknowledging and recognizing the Caucus Leaders and naming the Chairs, Vice Chairs, and members of the Standing Committees of the House of Representatives of the Twenty-Seventh Legislature, as listed below, was jointly offered by Representatives Saiki and Johanson.

- | | |
|---------------------------|--|
| Majority Leader | Scott K. Saiki |
| Majority Floor Leader | Karen Awana |
| Majority Whips | Romy M. Cachola
Sharon E. Har
Ken Ito |
| Minority Leader | Aaron Ling Johanson |
| Minority Floor Leader | Beth Fukumoto |
| Assistant Minority Leader | Cynthia Thielen |
| Minority Whips | Lauren Kealohilani Cheape
Richard Lee Fale
Bob McDermott |
| Speaker Emeritus | Calvin K.Y. Say |
| Minority Leader Emeritus | Gene Ward |

EDUCATION

Education:

- | | |
|---------------------------|------------|
| Roy M. Takumi | Chair |
| Takashi Ohno | Vice Chair |
| Henry J.C. Aquino | |
| Isaac W. Choy | |
| Faye P. Hanohano | |
| Linda Ichiyama | |
| Mark M. Nakashima | |
| K. Mark Takai | |
| Lauren Kealohilani Cheape | |
| Richard Lee Fale | |

Higher Education:

- | | |
|----------------|------------|
| Isaac W. Choy | Chair |
| Linda Ichiyama | Vice Chair |

Henry J.C. Aquino
 Faye P. Hanohano
 Mark M. Nakashima
 Takashi Ohno
 K. Mark Takai
 Roy M. Takumi
 Lauren Kealohilani Cheape
 Richard Lee Fale

Cindy Evans
 Sharon E. Har
 Ken Ito
 Chris Lee
 Clift Tsuji
 Ryan I. Yamane
 Bob McDermott
 Cynthia Thielen

FISCAL & LEGISLATIVE MANAGEMENT

Finance:

Sylvia Luke	Chair
Scott Y. Nishimoto	Vice Chair
Aaron Ling Johanson	Vice Chair

Ty J.K. Cullen
 Mark J. Hashem
 Kaniela Ing
 Jo Jordan
 Bertrand Kobayashi
 Nicole E. Lowen
 Dee Morikawa
 Richard H.K. Onishi
 Gregg Takayama
 James Kunane Tokioka
 Justin H. Woodson
 Kyle T. Yamashita
 Beth Fukumoto
 Gene Ward

Legislative Management:

Scott Y. Nishimoto	Chair
John M. Mizuno	Vice Chair

Karen Awana
 Romy M. Cachola
 Angus L.K. McKelvey
 Scott K. Saiki
 Aaron Ling Johanson

JUSTICE & CONSUMER PROTECTION

Judiciary:

Karl Rhoads	Chair
Sharon E. Har	Vice Chair

Della Au Belatti
 Tom Brower
 Rida T.R. Cabanilla
 Mele Carroll
 Ken Ito
 Derek S.K. Kawakami
 Chris Lee
 Clift Tsuji
 Jessica Wooley
 Bob McDermott
 Cynthia Thielen

Consumer Protection & Commerce:

Angus L.K. McKelvey	Chair
Derek S.K. Kawakami	Vice Chair

Della Au Belatti
 Tom Brower
 Rida T.R. Cabanilla
 Romy M. Cachola
 Mele Carroll

HUMAN SERVICES

Health:

Della Au Belatti	Chair
Dee Morikawa	Vice Chair

Rida T.R. Cabanilla
 Mele Carroll
 Jo Jordan
 Bertrand Kobayashi
 Justin H. Woodson
 Beth Fukumoto

Housing:

Rida T.R. Cabanilla	Chair
Justin H. Woodson	Vice Chair

Della Au Belatti
 Mele Carroll
 Jo Jordan
 Bertrand Kobayashi
 Dee Morikawa
 Lauren Kealohilani Cheape

Human Services:

Mele Carroll	Chair
Bertrand Kobayashi	Vice Chair

Della Au Belatti
 Rida T.R. Cabanilla
 Jo Jordan
 Dee Morikawa
 Justin H. Woodson
 Lauren Kealohilani Cheape

PHYSICAL RESOURCES

Energy & Environmental Protection:

Chris Lee	Chair
Cynthia Thielen	Vice Chair

Denny Coffman
 Ty J.K. Cullen
 Cindy Evans
 Faye P. Hanohano
 Derek S.K. Kawakami
 Nicole E. Lowen
 Richard Lee Fale

Ocean, Marine Resources, & Hawaiian Affairs:

Faye P. Hanohano	Chair
Ty J.K. Cullen	Vice Chair

Denny Coffman
 Cindy Evans
 Derek S.K. Kawakami
 Chris Lee

Nicole E. Lowen
Richard Lee Fale

Lauren Kealohilani Cheape
Gene Ward

Water & Land:

Cindy Evans Chair
Nicole E. Lowen Vice Chair

Denny Coffman
Ty J.K. Cullen
Faye P. Hanohano
Derek S.K. Kawakami
Chris Lee
Richard Lee Fale
Cynthia Thielen

Tourism:

Tom Brower Chair
Romy M. Cachola Vice Chair

Isaac W. Choy
Takashi Ohno
Richard H.K. Onishi
Gregg Takayama
James Kunane Tokioka
Clift Tsuji
Gene Ward

GOVERNMENT RESOURCES & PUBLIC SAFETY

Transportation:

Ryan I. Yamane Chair
Linda Ichiyama Vice Chair

Henry J.C. Aquino
Mark J. Hashem
Kaniela Ing
Mark M. Nakashima
Roy M. Takumi
Kyle T. Yamashita
Beth Fukumoto

Economic Development & Business:

Clift Tsuji Chair
Gene Ward Vice Chair

Tom Brower
Romy M. Cachola
Isaac W. Choy
Takashi Ohno
Richard H.K. Onishi
Gregg Takayama
James Kunane Tokioka

Labor & Public Employment:

Mark M. Nakashima Chair
Mark J. Hashem Vice Chair

Henry J.C. Aquino
Linda Ichiyama
Kaniela Ing
Roy M. Takumi
Ryan I. Yamane
Kyle T. Yamashita
Aaron Ling Johanson

Veterans, Military, & International Affairs, & Culture And The Arts:

K. Mark Takai Chair
Ken Ito Vice Chair

Tom Brower
Romy M. Cachola
Isaac W. Choy
Takashi Ohno
Richard H.K. Onishi
Gregg Takayama
Clift Tsuji
Bob McDermott

Public Safety:

Henry J.C. Aquino Chair
Kaniela Ing Vice Chair

Mark J. Hashem
Linda Ichiyama
Mark M. Nakashima
Roy M. Takumi
Ryan I. Yamane
Kyle T. Yamashita
Bob McDermott

H.R. No. 4 further states that:

"BE IT FURTHER RESOLVED that if any member of a Standing Committee is called to active duty in the military and is deployed and unavailable to participate in committee activities, then for that period of unavailability, the member shall not be considered a member of that Standing Committee."

Representative Saiki moved that H.R. No. 4 be adopted, seconded by Representative Johanson.

At 11:05 o'clock a.m., Representative Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:14 o'clock a.m.

ECONOMIC DEVELOPMENT

Agriculture:

Jessica Wooley Chair
Richard H.K. Onishi Vice Chair

Tom Brower
Romy M. Cachola
Isaac W. Choy
Takashi Ohno
Gregg Takayama
James Kunane Tokioka
Clift Tsuji

At this time, the Chair stated:

"At this time, the Chair will allow the Members who wish to insert written comments to do so by 4:30 p.m. There has been a request for a roll call, so all those who wish to vote for a roll call, please raise your hand. Clerk, can you check if they have the required numbers."

The Clerk then stated:

"Yes, Mr. Speaker, they have the required number for a roll call vote."

Representative Oshiro rose, stating:

"Mr. Speaker, point of clarification. For the written comments is it 4:30 p.m. this day or 4:30 p.m. Friday?"

Speaker Souki then stated:

"4:30 p.m. Friday."

At 11:17 o'clock a.m., Representative Saiki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:18 o'clock a.m.

At this time, the Chair stated:

"House Resolution Number 4 will be providing for Caucus Leaders, House Standing Committees, Chairs, Vice Chairs and membership. So again, a roll call has been called, Mr. Clerk, will you please proceed with the roll."

Representative Saiki rose, stating:

"Mr. Speaker, I just would like to rise on a point of clarification. Just to clarify for the Members that the vote before us is on House Resolution Number 4, which appoints members of leadership and the Committee Chairs, Vice Chairs, and members. And to further clarify, this is a roll call vote. A vote in favor of the resolution is to approve the resolution, a vote against it would defeat it. Thank you very much."

Speaker Souki:

"Thank you very much, Mr. Majority Leader. It has been some years since I have been on this podium. The Chair stands corrected, thank you very much. As you proceed with the roll call, ayes will be in favor, nay would be opposed to House Resolution Number 4."

At 11:19 o'clock a.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:20 o'clock a.m.

Representative Oshiro rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Say rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Say's written remarks are as follows:

"Mr. Speaker, I rise in opposition to House Resolution No. 4. As presently drafted, this measure would assign minority members as Vice Chairs to the Committees on Energy & Environmental Protection, Economic Development & Business, and Finance.

"At the outset, let me state for the record that I have the utmost respect for my colleagues across the aisle and that my views should in no way be taken personally. Be that as it may, I strongly object to the assignment of minority members to the Vice Chair positions of Standing Committees.

"In our state, political parties have always stood for something. Whether it be Democrat, Republican, Libertarian, or Green, political parties have stood for basic principles, platforms, and ideals. They bring people together based on their beliefs, and they also help the electorate see what candidates for public office hold true.

"Last November, the People of this state elected 44 Democrats to this House. As such, the Democrats hold a 44 to 7 majority over the Republicans in this body. Yet for the first time ever, this House stands poised to organize by assigning minority members to Vice Chair positions.

"What I find the most objectionable is that fellow Democrats – colleagues who share the same basic philosophical and political beliefs as

the 'majority' – are being excluded from consideration for these very important positions.

"Take the Vice Chair of the Committee on Finance for example. Under this plan, my colleague from Aiea, who has but one term of office under his belt, would be assigned this very important position. Compare his experience and background to my colleague from Manoa, who has served this Body longer, and who is a certified public accountant and former Chair of the Tax Review Commission. Who can you honestly say is better qualified to handle this very important position?

"How about the Vice Chair of the Committee on Economic Development. While I have the utmost respect for my colleague from Hawaii Kai, don't you think our colleague from the other end of Hawaii Kai might have equally compelling insight since he is a small business owner. As with our colleague from Manoa, our colleague from Hawaii Kai was also excluded from consideration.

"And what about the Vice Chair of the Committee on Energy & Environmental Protection. To sit on the committee is proposed the former Chair of that committee, who before that also served as the Vice Chair for many years. There are not many people in the state with the institutional knowledge of this important area of law as he, but like our colleagues from Manoa and Hawaii Kai, he was also excluded from consideration.

"Mr. Speaker, I am a Democrat and I firmly believe that being a Democrat is supposed to mean something. That is why I cannot support any organizational plan that would forsake the experience and qualifications of fellow Democrats for expediencies sake.

"To do so goes against our dearest traditions and practice. To do so would be a great disservice to our state.

"I urge my fellow colleagues to oppose this measure. Thank you."

Representative Tokioka rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Tokioka's written remarks are as follows:

"*Mahalo* Mr. Speaker, for allowing me to submit written comments in opposition to House Resolution 4, establishing the leadership of the House Committees.

"I rise in very strong opposition to this resolution for the following reasons:

"It is my belief that amongst 44 Democrats we should not have to give a group of 7 Republicans the opportunity to empower the Minority Caucus at the detriment of our Democratic Majority Caucus. What we did is give power to three members of the minority party, taking away the opportunity for our members to hold those key positions.

"Mr. Speaker, please tell me what will happen when bills go to Conference and the Chairs, as in past sessions, have worked with their Vice Chairs to come up with the new drafts. Traditionally in those meetings have been the Chairs and their staff and the Vice Chairs and their staff. Going forward will we be letting the Minority Caucus know what our plans are, in advance, in these three key committees?

"My vote in opposition is to reflect my concerns of the impact of the new leadership organization on the future of the Democratic Party. It is one thing to reach across the aisle to work on policy for the betterment of the state and another to be organizing with the Minority Caucus in order to obtain leadership. I along with some of my colleagues have grave concerns that key leadership positions and the responsibilities that those entail were being given to the Minority Caucus. In effect, taking away the opportunities afforded to the majority members as voted in by their constituencies statewide.

"*Mahalo* again for allowing me to submit written comments in opposition."

Representative Ito rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Kawakami rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Kawakami's written remarks are as follows:

"Mr. Speaker, I respectfully rise in opposition to House Resolution 4. My opposition stems from my belief that the organization of committees and leadership were done outside the parameters of our Democratic Party. We have offered many opportunities for Democrats to be able to negotiate within our caucus. Our first candidate stepped down, our second candidate for Speaker stepped down and we even offered a compromise Speaker all with the condition that we go back to square one, and begin negotiating within our party. All offers were turned down. This event has been marketed as bipartisanship, but I don't see it that way. I can only hope that as we move forward, we will be able to heal as a party and that we have not been divided and conquered."

Representative Tsuji rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Tsuji's written remarks are as follows:

"My no vote represents my concern, as the proposed Chair of the Economic Development & Business Committee. The designated Vice Chair is a member of the minority party. I believe as the Committee Chair, I should strive to provide effective leadership and guidance. It concerns me that this effectiveness is diminished, should I be absent, because the Vice Chair is expected to assume the leadership role of the Chair and Committee."

Representative Har rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Chairman, I rise in opposition to House Resolution 4.

"Mr. Chair, I rise in opposition to this resolution for a multitude of reasons. First, under your newly elected speaker and his new allies, formerly known as the 'dissidents,' a deal was made to enter into a 'coalition' with the seven minority members in exchange for (1) three Vice-Chairmanships to the House Committees on Energy & Environmental Protection, Economic Development & Business, and Finance; and (2) guaranteed capital improvement projects funding in the amounts of \$30,000-\$50,000 for the four Republican freshmen. Under the guise of 'bipartisanship,' your newly elected speaker and his 'dissident' allies believe that their 'coalition' will serve the people of Hawaii. This is a bald-faced lie and demonstrates the delusion under which all members of the coalition are operating.

"Mr. Chair, bipartisanship is members of opposing parties reaching out across the aisle on issues to find consensus for the betterment of the people. It is a process which at its very crux fosters inclusion. What bipartisanship is NOT is the collusion of one group with another to the DETRIMENT of another group in the name of power. In this case, Mr. Chairman, your newly elected speaker and his dissident friends have colluded with the Republican Caucus under the guise of bipartisanship simply to gain power in the House, while excluding 18 members of the newly elected Speaker's own caucus. At the very core of the 'coalition' is the act of EXCLUSION, quite the opposite of what bipartisanship represents.

"Second, I oppose this resolution because the slate put together by the new leadership is an absolute abomination and direct attack against the people of the State of Hawaii. Mr. Chair, on November 6, 2012, the people of the State of Hawaii voted for 44 Democrats to represent their voices in the House of Representatives. This slate of Chairs and Vice Chairs flies in the face of what the people elected by giving disproportionate representation to the Republican membership. While the Democratic

members of the 'coalition' espouse that the Vice Chairs are 'in name only,' I take great umbrage to this cavalier attitude and explanation.

"By installing Republican Vice Chairs on the three committees, these Vice Chairs now out rank our Democratic members. For example, as a six-year member of this House, I have had the privilege of serving on the Finance Committee for all six years. Now, under this current line-up, the Republican Vice Chair of Finance, who has never served on the Finance Committee, now RANKS HIGHER than me because of his title as Vice Chair. So when the newly elected speaker and his dissident allies attempt to trivialize the installation of Republicans as Vice Chairs to three committees, I would submit that because of the disproportionate share of weight it provides to the minority members, the proposed committee line-up goes against the will of the people.

"The third reason I oppose this resolution is because members of the dissident faction, when they were not in power, often complained that the previous leadership failed to utilize 'all of the talent' in the House. Whether this was true or not, it is now clear that such complaints were hypocritical based on this proposed Chairmanship line-up. For example, as a land-use attorney, I have been privileged to serve as Vice Chair of the Committee on Water, Land, & Ocean Resources (WLO) for the past four years. Our newly elected speaker has in fact publicly stated that I should have been Chair of WLO because of my background in land use and because I am well-versed in chapters 171, 205A, etc. Yet, I was not named to serve as even a member on the WLO Committee.

"Another example rests with Rep. Choy. This Body knows that Rep. Choy, as a Certified Public Accountant, is well-versed in financial issues and has served as an asset to the Finance Committee for four years. And yet Rep. Choy was not asked to serve as a member of Finance. Finally, neither Speaker Say nor Rep. Oshiro are serving on any committees which is a travesty given their respective vast knowledge and institutional history of many of the Standing Committees. These examples clearly demonstrate that this new leadership has refused to recognize and utilize all of the talent in the House, and therefore I must oppose the resolution.

"Finally Mr. Chair, I oppose HR 4 because the so-called 'coalition,' has stripped our freshmen of two Vice-Chairmanships that were quite frankly, the 'birthright' of our Democratic freshmen, and which have now been given to senior members of the Republican Caucus, all in the name of power and greed. It is well-accepted that freshmen in the Majority Caucus receive Vice-Chairmanships because the majority uses those Vice-Chairmanships as training ground to teach and mentor our freshmen, with the hopes that our Vice-Chairmen will one day be elevated to Chairs. In this proposed line-up, the new leadership team has elevated two senior members of the Minority Caucus to Vice Chairs, all for what? The only way these members can be Chairs is if the voters of Hawaii vote the Republican Caucus in as the majority.

"So to have stripped our Democratic freshmen from their birthright simply in exchange for their Republican votes to support the newly elected speaker and his dissident allies, is both disheartening and disenfranchising. Moreover Mr. Chair, as the Republican freshmen were 'guaranteed' CIP and our own Democratic freshmen were not, I am perplexed as to whom the new leadership is really looking out for - - is it really 'bipartisanship' or truly power?

"For all of these reasons, I must respectfully vote in opposition to House Resolution 4.

"Thank you."

Representative Coffman's written remarks in opposition to the measure are as follows:

"I am voting nay for this resolution that appoints this legislative sessions Chairpersons and Vice Chairpersons. This resolution appoints three members of the minority party as Vice Chairs of three committees. This action will hurt our legislative process in the following manner:

"As a general rule, the majority party and minority party have different opinions and philosophical beliefs about policy. Discussions and bipartisan

compromise should occur on the Chamber Floor and not in the Chairs' office during a working discussion with the Vice Chair.

"During many of the hearings the Chair and Vice Chair are the only members at the hearing; they are the members expected to have the most knowledge about the legislation being processed by their committee. However, it is during Majority Caucus meetings that bills heard by committees are discussed. With the possible absence of the Chair who has a minority member Vice Chair, there will not be any member in the caucus to lead a discussion in regards to the bill.

"Vice Chairs should be members of the majority party that are expected to learn the subject matter of the assigned committee and be in a position to move into the Chair position in the future. It is highly unlikely that any member of the minority party will move into the Chairmanship of a committee in near future. With members of the minority party holding Vice Chair positions, we are not training our future majority party leaders. We weaken the legislative process."

Representative Fukumoto's written remarks in support of the measure are as follows:

"The coalition between Democrats and Republicans this year is historic and much-needed. We often hear about lower voter participation and voter apathy, especially amongst young people, but government leaders rarely do anything about it. I'm hopeful that what this Body decided to do today will encourage our disenfranchised citizens and show that there are still leaders in government who believe that people with different opinions can work together productively and that minority voices count. We may have very different opinions on issues, but those dialogues can forge stronger legislation and produce better ideas than we've seen in the past. We talk a lot about creating a different and brighter future for our children, but we can't do that if we continue to do things the way we've always done them.

"As we move forward, we must remember that we represent our constituents not our political parties. This measure today reflects what most of our communities want from their government – common sense, bipartisanship and teamwork."

Representative Johanson's written remarks in support of the measure are as follows:

"I rise in strong support of this resolution. The people of Hawaii are asking for common sense leaders who work to find common ground. Today...we in the House of Representatives have found that common ground. Despite our differences, we have come together as one Body and put aside our political differences to work for the common good of all of Hawaii. For the first time in the House of Representative's history, we have formed a coalition government involving leaders from both political parties.

"Speaker Joseph M. Souki has cast a vision for a House of Representatives where all fifty-one members' talents and passions have the potential to contribute to a better House. I believe that this vision will ultimately engender better government – a result that benefits everyone. Today is the beginning of a new chapter in Hawaii's story, a chapter involving a more collaborative and cooperative government that puts the interests of people above all else."

Representative Jordan's written remarks in opposition to the measure are as follows:

"I stand in strong opposition to HR 4, Acknowledging and Recognizing the Caucus Leaders and Naming the Chairs, Vice Chairs, and Members of the Standing Committees of the House of Representatives of the Twenty-Seventh Legislature. I cannot in good conscience support a resolution that provides for members of the minority party to serve as Vice Chairmanships of three Committees: Finance, Energy & Environmental Protection and Economic Development & Business, in exchange for their support of Speaker Joe Souki.

"While I oppose this resolution as a deeply committed member of the majority party, the Democratic Party, this unprecedented decision of

allowing minority members to serve as Vice Chairs is extremely troubling and should raise serious caution moving forward. This chips away at the foundation of the Constitution of the Democratic Party and tears at the fabric that holds it together and I cannot in good faith support this type of activity since it goes against my belief and commitment to the majority party, the Democratic Party of which I'm a loyal member.

"Today we have a good size freshman class and these new members will soon learn that survival in politics is a tricky business. Each of us should take a stand and don't worry so much about whether you win or lose. Don't be afraid to think big. Think beyond the current. Politics may indeed be local, but true achievement in politics comes from vision and courage. This is your House, this is your democratic House and this is how we operate in full and public discussion over issues brought before it. This truly is a tall order, but no one said in life it would be easy."

Roll call having been requested, the motion that H.R. No. 4, entitled: "HOUSE RESOLUTION ACKNOWLEDGING AND RECOGNIZING THE CAUCUS LEADERS AND NAMING THE CHAIRS, VICE CHAIRS, AND MEMBERS OF THE STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FIFTH LEGISLATURE," be adopted, was put to vote by the Chair and carried on the following show of ayes and noes:

Ayes, 30: Awana, Belatti, Brower, Cachola, Cheape, Evans, Fale, Fukumoto, Hanohano, Ing, Johanson, Kobayashi, Lee, Lowen, Luke, McDermott, McKelvey, Mizuno, Morikawa, Nakashima, Nishimoto, Ohno, Onishi, Saiki, Souki, Takai, Thielen, Ward, Woodson and Wooley.

Noes, 20: Aquino, Cabanilla, Carroll, Choy, Coffman, Cullen, Har, Hashem, Ichiyama, Ito, Jordan, Kawakami, Oshiro, Say, Takayama, Takumi, Tokioka, Tsuji, Yamane and Yamashita.

Excused, 1: Rhoads.

H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS DAYS FOR THE REGULAR SESSION OF 2013," was jointly offered by Representatives Saiki and Johanson.

On motion by Representative Saiki, seconded by Representative Johanson and carried, H.C.R. No. 1 was adopted, with Representative Rhoads being excused.

H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION," was jointly offered by Representatives Saiki and Johanson.

On motion by Representative Saiki, seconded by Representative Johanson and carried, H.C.R. No. 2 was adopted, with Representative Rhoads being excused.

At 11:28 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

At this time, the Members of the House, their guests and audience were entertained by Mr. Willie K.

The House of Representatives reconvened at 11:55 o'clock a.m.

At this time, the Speaker delivered his address, stating:

"Well how do you like the Maui boy? He's in the same district with me and I'm glad he doesn't run for the House, I'd be in trouble. Well Danny, this is for you.

"My fellow Members and all our guests, *aloha*, and welcome to the 2013 session. As you can see it started with a bang.

"Before I begin, I would like to take a moment to recognize some of our distinguished guests. I have the great pleasure to introduce all of them. First we have our senior Senator, I was pleased to work with him in the House years ago, Senator Schatz, please. And of course, our beloved Governor Abercrombie. Our newly appointed Lt. Governor, from Maui also, Tsutsui. Chief Justice Recktenwald. Chair Machado of OHA, from Molokai. And of course we have Senator Akaka and Mrs. Akaka here.

"Thank you very much. Former Governors, I'm proud to say that we have all of our Governor contingent here and we can begin with Governor Ariyoshi and Jean Ariyoshi. Thank you for attending. Thank you. Governor Waihee and Mrs. Lynn Waihee. Governor Ben Cayetano and Vicky Cayetano. Governor Lingle, thank you, I should say also from Maui. Thank you. And of course we have our local government, a former Member of the House and we're very proud of what he is doing, Mayor Caldwell for the City and County of Honolulu. Mayor Alan Arakawa and Mrs. Arakawa from Maui. Mayor Kenoi from the Hawaii Island. And a great pleasure to announce Council Chair Baisa, we both worked for the same agency many years ago. *Aloha*. And the Council Chair Furfaro from Kauai. And also there are those from the Consular Corps, welcome. And for members of our military that are over here, welcome.

"Before I go on, I would like to introduce my family. My godson, Jeffery Torres. My son Mark, and his lady friend and partner Janinne. My son-in-law, or former son-in-law but I still look at him as my son, Dutch. He's a great chef. And of course my daughter, Desiree. Thank you for being here. And my dear wife, Frances. She's getting to be a good politician by the way.

"I want to thank you all for being here to commemorate this momentous occasion with us. We are here today to chart a path forward for our state. With Hawaii's economy on the rise, construction stable, tourism up, and unemployment down, there is reason for cautious optimism.

"This is the moment we have been waiting for. Over the past few years, the state budget was cut by over two billion dollars. Meanwhile, wages dropped, health benefit costs rose, many people were forced out of work. The homeless population still grows – among them, war heroes, persons needing mental health services, families unable to pay their mortgage or rent.

"We have the chance now, to rebuild what the recession took away. We need to have investment in projects and programs throughout the state, which is critical. But to strengthen economic development and job growth, and to restore public services, we need to proceed intelligently. We need to roll up our sleeves and get to work.

"Members, if we want to restore the safety net, put people back to work, and provide the best education, including early childhood education, if we want to take care of people's health, take care of our *kupuna*, and make sure the state's health care system transitions into a new era of health care, smoothly and without undue delay. If we want to improve our roads, bridges, and transportation infrastructure to reduce traffic, improve the mobility of our residents, and enhance safety in every county. If we want clean energy that uses the best renewable energy resources, including our ocean and solar resources, if we want to be responsible stewards of Hawaii's natural resources and our native plants and animals, if we want to increase farming opportunities on agricultural land and the market for locally-grown products. If we want to support the tourism industry and promote the Hawaii product to the world. If we want to do all these things the people require, I know yes we do, we must enhance our revenue stream. We must put together a mix of strategies that will generate more state revenues equitably.

"One option may be to rethink tax credits. No, I'm not saying we should abandon all caution and fall for the marketing hype. Instead, let's learn from our experience and do our due diligence. The film industry claims a tax credit will generate \$350 million in revenues for the state. Should we turn our back on this? Let's give it a serious and thorough look first.

"But increasing revenue does not mean placing an unfair burden on those who can least afford it. Members, the top personal tax rate was down to 7-3/4 percent at one time and now it's up to 11 percent – the highest in the nation. It's time to look at rolling back the personal income tax burden for people with lower incomes and the middle class, at least incrementally, over the next few years.

"Members, I am humbled and honored to stand before you today. Over my 30 years here, I have seen many faces come and go. I have seen our communities prosper, struggle, and prosper again. But one thing that remains constant is the privilege and price of public service. All of us know what it's like to walk the district. We go door to door, we talk to our constituents, we ask them to entrust us with their vote and a seat in this Chamber.

"The price of this privilege is the responsibility each one of us has to conduct ourselves with compassion and dignity. Every day, as you walk down these halls and on this Floor, remember the hopes and dreams of the people of this state and do your best for them.

"Before I close, I would like to thank Speaker Calvin Say for his 14 years of leadership as Speaker of the House, and thank you Speaker for maintaining the fiscal solvency of this state over these past years. You were a good steward.

"I look forward to working with each and every one of you this session. Thank you very much, for the trust you have in me. For you a big *aloha*, and let's get to work. Thank you."

The Chair then recognized Representative Johanson, the Minority Leader, to deliver remarks on behalf of the Minority Caucus.

"Thank you, Mr. Speaker, for the privilege of addressing this Chamber filled with so many of our state's most distinguished leaders past, present, and future. I'm also honored today to address the people, the heart of Hawaii. People all across the country are speaking out and asking for more common sense leaders who work to find common ground. We, here in Hawaii, are answering that call starting today.

"With the cost of living rising, the effect of federal spending cuts uncertain, and the burden of unfunded liabilities looming large, we must have a common purpose. Improving the lives of our people is that common purpose. This Minority Caucus recognizes that we have a duty as elected Representatives to work collaboratively and constructively in finding solutions and achieving results that reflect the will of the people. Collective problems require collective solutions.

"Thus, where common ground and common cause can be found, your Minority Caucus will work hard to find it. However, where we cannot agree we will respectfully dissent. The upcoming session affords us great opportunity to answer the public's call to action.

"The Minority Caucus will advocate for legislation that addresses quality of life improvements, particularly affording greater protections to children, the elderly, and better caring for our veterans. Opportunity for all by guarding against cost of living increases on our most vulnerable populations and promoting small businesses. Accountability and transparency in government by reforming the local election process, addressing the PLDC, and encouraging greater public dialogue within the legislative process. On these issues and many more where common ground and common cause can be found, we will work hard to find it.

"On behalf of the Minority Caucus I would like to thank Speaker Say for his historic service to the State of Hawaii as Speaker of the House of Representatives. I would also like to thank Speaker Souki and wish him well as he leads this Body in the next chapter of the Legislature's history.

"Change brings a newness and a different perspective. Nowhere is this more apparent than in the Minority Caucus before you today. Four of our seven members are age 32 or younger and in this next generation of Minority Leaders there is a shared connection to much of Hawaii's story. In Minority Floor Leader, Beth Fukumoto, we have the granddaughter of a

state labor leader who ultimately led what would become the New York State AFL-CIO. We have a fourth generation farmer in Lauren Kealohilani Cheape, whose great-grandfather started the Petersons' Upland Farm in Wahiawa in 1910. A combat veteran who fought in Operation Enduring Freedom in Richard Lee Fale who grew up in the Kingdom of Tonga. And a former White House staffer whose great-grandparents immigrated to Hawaii from Okinawa as plantation laborers in your Minority Leader.

"Youth brings an energy and new ideas to the table, but it needs a strong foundation. Our caucus's foundation has been built by a diplomat and a champion of small business, a tireless environmental advocate, a veteran fighting for the rights of other veterans and the many generations of leaders who came before us.

"The Minority Caucus's diversity is reflective of the broader diversity that exists within our House of Representatives. It is this diversity coupled with a common purpose which enables us as public servants to fulfill our role and effectively answer the public's call to action. This call resonates across ideological and geographic boundaries. Starting today recognizing common cause and finding common ground we are all answering the call. *Mahalo* and best wishes for a successful 2013 legislative session. *Aloha*."

The Chair then recognized Representative Saiki, the Majority Leader, to deliver remarks on behalf of the Majority Caucus.

"Mr. Speaker, colleagues and guests, I would like to begin today with some acknowledgments. First, and I know I can say this on behalf of all of the Members, thank you to the residents of our respective communities who have given us the opportunity to represent them in the Legislature.

"Second, thank you to our families and friends, many of whom are seated with us today. They are the ones who stand by us and believe that we are always trying to do the right thing. They make more sacrifices than we do. We want to thank them for their support and presence in our lives.

"Third, and I don't mean to repeat, but there is a Member of our Democratic Caucus whom we would like to recognize. He is grounded and strives to teach House Members to be grounded themselves, to be responsible, and to be practical and philosophical. Thank you to Representative Calvin Say and his family for their service and sacrifice through the years."

Representative Say rose, stating:

"I am not retiring!"

Representative Saiki continued, stating:

"There is also another House Member whom I would like to thank. This Representative also serves with distinction and with steadfast allegiance to our democratic process. He has been a statesman and he has made our transition an orderly one, and I am not inferring that he's retiring. Thank you to Representative Marcus Oshiro.

"Mr. Speaker, we are all here because we have a common goal. We want to ensure that the State of Hawaii is and continues to be a place where we all live in safety, with dignity, and with fair opportunity. This is not a partisan concept – it is embraced by all.

"Every legislative session, thousands of students from elementary, middle and high schools throughout the state, visit the State Capitol. They usually tour the building and observe our House Floor session from the gallery. The House Members also meet with them and usually give them a mini civics lesson. There are two subjects that we discuss with students that I believe are pertinent today.

"The first subject is the symbolism of the State Capitol. The building itself represents a volcano that is surrounded by coconut trees and the ocean. Our House Chamber is decorated in earth tones with a sun lamp above us. In contrast, the Senate Chamber is shaded in ocean blue with a moon lamp. I have to say that it's more appropriate that earth colors are on our side because everyone agrees that the House is the more grounded

Body in the Legislature. But don't tell the Senate President I just said that, please. Because we have more Members and smaller districts, we have a constant check on the pulse of our community.

"The second subject that we discuss with students is the legislative process. We explain that the Legislature is an independent and co-equal branch of government, and that legislators pass laws. What we don't really explain is how the Legislature and legislators do their work. Maybe that's on purpose. Everyone knows the saying about the similarities between lawmaking and sausage making. But perhaps the lawmaking process doesn't have to always be that way.

"As we keep mindful of the memory of Senator Daniel K. Inouye, we should remember his qualities as a statesman who placed the bigger picture and the greater good ahead of personal politics. A colleague of his, Senator Rob Portman, a Republican from Ohio, recently said this of Senator Inouye:

'He was a counselor to younger members like me, a great listener, and a Senator who always put his nation and the people of Hawaii ahead of partisan politics and his own ambition.'

"Mr. Speaker, we should follow Senator Inouye's lead, for we know that the public wants us to work together to produce results. There are 51 Members in this Body. Each brings experience and perspective. Each Member must play a meaningful role in the Legislature. That is what we are all elected to do. Simply put and geographically speaking, our state is too small, and our challenges too complex, for there to be division within the people's House.

"Mr. Speaker, I would like to conclude by introducing the newest Members of our Democratic Caucus. As you mentioned earlier, it takes a lot for someone to be a candidate for public office, to put his or her name and reputation in a public arena, and to sign-wave every morning and afternoon for months.

"I would like to begin by introducing two of what I call our quasi-freshmen. First from District 19, former Representative, former Senator, and current State Representative, Bert Kobayashi. The other quasi-freshman is from District 30, former Representative, former Councilmember, and current Representative, Romy Cachola.

"We also have six new freshmen who take their work seriously and who want to make a difference. I want our freshmen to know that we senior Members of this Body will support them, serve as examples, and work to advance them as leaders. Beginning with the Big Island, District 3, Representative Richard Onishi. From District 6, Kona, Representative Nicole Lowen. From District 9, I think he's been appointed for 18 hours now, Representative Justin Woodson. From District 11, also on Maui, Kihei, Representative Kaniela Ing. From District 27, Nuanu, Representative Takashi Ohno. Finally, from District 34, Pearl City, Representative Gregg Takayama.

"Mr. Speaker, I know that this will be a productive legislative session that will produce good results for our state. Thank you very much."

INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 5) was read by the Clerk and was disposed of as follows:

H.R. No. 5, entitled: "HOUSE RESOLUTION SENDING MESSAGES THAT THE HOUSE OF REPRESENTATIVES OF THE TWENTY-SEVENTH LEGISLATURE HAS ASSEMBLED AND IS READY TO TRANSACT BUSINESS," was jointly offered by Representatives Saiki and Johanson.

On motion by Representative Saiki, seconded by Representative Johanson and carried, H.R. No. 5 was adopted, with Representative Rhoads being excused.

At this time, the Chair appointed the Sergeant-at-Arms to escort Reverend Blayne Higa to the rostrum.

Reverend Blayne Higa then offered the benediction.

ADJOURNMENT

At 12:30 o'clock p.m., on motion by Representative Saiki, seconded by Representative Johanson and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, January 17, 2013 (Representative Rhoads was excused.)