

## FIFTY-SECOND DAY

**Wednesday, April 16, 2014**

The House of Representatives of the Twenty-Seventh Legislature of the State of Hawaii, Regular Session of 2014, convened at 11:44 o'clock a.m. with Vice Speaker Mizuno presiding.

The invocation was delivered by The Reverend Dr. Bert M. Sumikawa of Moiliili Hongwanji Mission, after which the Roll was called showing all Members present with the exception of Representatives Carroll and Wooley, who were excused.

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

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 679 through 682) were received and announced by the Clerk:

Sen. Com. No. 679, dated April 15, 2014, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 1943, HD 2, SD 2	Gabbard, Chair; Baker/Ige, Co-Chairs; Kouchi, Slom
H.B. No. 2052, HD 2, SD 2	Green, Chair; Hee, Co-Chair; Baker, Ihara, Slom
H.B. No. 2273, SD 2	Taniguchi, Chair; Baker/Keith-Agaran, Co-Chairs; Kidani, Slom
H.B. No. 2620, HD 1, SD 2	Taniguchi, Chair; Gabbard/Keith-Agaran, Co-Chairs; L. Thielen, Slom

Sen. Com. No. 680, dated April 15, 2014, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bill:

H.B. No. 2490, HD 2, SD 2	Senate Conferees Changed: Senator Chun Oakland discharged as Member; Added as Chair. Senator Espero discharged as Chair; Added as Co-Chair.
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Sen. Com. No. 681, dated April 15, 2014, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bills:

S.B. No. 1015, SD 1, HD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom
S.B. No. 2094, SD 1, HD 1	Hee, Chair; Wakai, Co-Chair; Slom
S.B. No. 2452, HD 2	Hee, Chair; Shimabukuro, Co-Chair; Slom
S.B. No. 2866, SD 1, HD 1	Green, Chair; Ige, Co-Chair; Ruderman
S.B. No. 3008, SD 1, HD 1	Gabbard, Chair; Chun Oakland, Co-Chair; Ihara
S.B. No. 3064, SD 2, HD 1	Green, Chair; Ige, Co-Chair; Baker, Ruderman, Slom

Sen. Com. No. 682, dated April 15, 2014, informing the House that the Senate has on April 14, 2014, reconsidered its action taken on April 10, 2014, in disagreeing to the amendments proposed by the House to the following Senate Bills and has moved to agree to the amendments, and that said bills have this day passed Final Reading:

S.B. No. 1249, SD 2, HD 1  
S.B. No. 2731, SD 2, HD 2

## INTRODUCTIONS

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

Representative Thielen introduced former Representative Colleen Meyer.

Representative Ito introduced members of the United Public Workers Local 646 AFL-CIO; Mr. Dayton Nakanelua, State Director; and Ms. Florence Kong Kee, Government Affairs Specialist.

Representative Woodson introduced UPW members from Maui; and Ms. Lahela Aiwohi, Maui Division Director.

Representative Takai introduced his staff, Ms. Cheryl Derby, formerly of The Arc in Hawaii.

Representative Cachola, on behalf of Representatives Rhoads, Mizuno and himself, introduced the Farrington High School Boys Basketball team, OIA Red Division I Boys Basketball Champions: Head Coach, Allan Silva; Assistant Coach, Len Scaduto; All-Stars Eastern Division Player of the Year and First Team, Jacob McEnroe; First Team, Isaiah Visoria; Second Team, Van Hugo; teammates, Mark Duldulao, Isaiah Smith, Jacob Yaplag, John Paul Raymundo, Jay-ar Francisco, Manly Williams, Bernard Dela Cruz, Ton Selga, Makana Correia, Tua Unutoa, Seu Luafatasaga, Francis Fepuleai, Jeric Mendoza, Paul Madamba and Mason Semisi; and family members, Randy McEnroe, Michelle Smith, Susie Pascua, Micah Visoria, Aleah Visoria and Jess Enos.

Representative Morikawa, on behalf of the Kauai delegation, introduced UPW members from Kauai: Edward, Richard, Billy, Angel, Allan, Roy, Manuel, Teresita, Virgie, Leilani, Leonora, Henry, Brycen, Tracey, Jay, George, Kalani, Gerald, Manuel, Henry and Antonio.

Representative Cachola introduced former Representative Dennis Arakaki.

Representative Onishi introduced UPW members from Hawaii Island; and his good friend and former member of Hawaii County Planning Commission, Mr. Eddie Alonzo.

Representative Takai introduced the UPW members from Oahu.

Representative McKelvey introduced his friend, UPW Maui member and son of Maui Councilwoman Baisa, Mr. Sherman Baisa.

Representative Kawakami, on behalf of the Kauai delegation, introduced his intern, Ms. Autumn Warnock of Kapaa.

Representative McDermott introduced his intern, Mr. Nathaniel Chang of Mililani.

Representative Cachola also recognized Mr. Dayton Nakanelua, State Director of UPW.

Representative Lee introduced his friend, Mr. Al Lewis of Waimanalo.

Representative Tokioka introduced Mr. James Wataru, UPW State President, and the plumber assigned to the State Capitol building.

**ORDER OF THE DAY**

**SUSPENSION OF RULES**

At this time, the Chair stated:

"Members, please note that Senate Concurrent Resolution 145, Senate Draft 1, has been re-referred solely to the Committee on Water & Land per Committee Referral Sheet 57. The Committee on Ocean, Marine Resources, & Hawaiian Affairs has waived its referral to this measure, and therefore it is appropriate for the House to consider action for adoption.

"Members, we are going to be going through a series of motions, the first will be a motion to suspend, the second one will be a motion to reconsider, the third will be the motion to adopt."

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the rules were suspended to reconsider action previously taken on S.C.R. No. 145, SD 1. (Representatives Kobayashi and Wooley were excused)

**RECONSIDERATION OF ACTION TAKEN**

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the House reconsidered its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 1679-14, recommending referral to the Committee on Ocean, Marine Resources, & Hawaiian Affairs. (Representatives Kobayashi and Wooley were excused.)

**UNFINISHED BUSINESS**

**S.C.R. No. 145, SD 1:**

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, S.C.R. No. 145, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO AFFIRM ITS COMMITMENT TO MAKE THE STATE THE LEAD IN THE CONSERVATION, MANAGEMENT, AND PROTECTION OF HAWAII'S NATURAL RESOURCES AND TO RESIST EFFORTS BY THE FEDERAL GOVERNMENT TO EXPAND FEDERAL JURISDICTION OVER HAWAII'S NATURAL RESOURCES IN THE DESIGNATION OF CRITICAL HABITATS, EXPANSION OF CURRENT CO-MANAGER RELATIONSHIPS, OR THE CREATION OF NEW CO-MANAGER RELATIONSHIPS," was adopted, with Representatives Kobayashi and Wooley being excused.

**REPORTS OF STANDING COMMITTEES**

Representatives Tsuji and Wooley, for the Committee on Economic Development & Business and the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1683-14) recommending that S.C.R. No. 69, SD 1 be adopted.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committees was adopted and S.C.R. No. 69, SD 1, entitled: "SENATE CONCURRENT RESOLUTION ENDORSING AND SUPPORTING THE ALOHA+ CHALLENGE," was adopted, with Representatives Kobayashi and Wooley being excused.

**DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK**

Representative Saiki moved to agree to the amendments made by the Senate to the following House Concurrent Resolution, seconded by

Representative Cabanilla and carried: (Representatives Kobayashi and Wooley were excused.)

H.C.R. No. 17, HD 1, (SD 1)

**H.C.R. No. 17, HD 1, SD 1:**

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, H.C.R. No. 17, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH DEVELOPMENTAL DISABILITIES DIVISION TO ESTABLISH A TASK FORCE TO REVIEW HAWAII'S STATUTORY DEFINITION OF "DEVELOPMENTAL DISABILITIES"," was Adopted, with Representatives Kobayashi and Wooley being excused.

**ANNOUNCEMENTS**

**COMMITTEE REASSIGNMENTS**

The following measure was re-referred to committee by the Speaker:

**S.C.R.**

<u>No.</u>	<u>Re-referred to:</u>
145,	Committee on Water & Land
SD1	

**ADJOURNMENT**

At 12:06 o'clock p.m., on motion by Representative Cabanilla, seconded by Representative Fukumoto and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Thursday, April 17, 2014. (Representatives Kobayashi and Wooley were excused.)

**HOUSE COMMUNICATIONS**

House Communication dated April 16, 2014, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 2371,	Carroll/Luke, Co-Chrs.;
HD 1, SD 1	Kobayashi, Woodson, Johanson

House Communication dated April 16, 2014, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measures:

H.B. No. 1280,	House Conferees Added: Representative Tsuji
HD 2, SD 1	added as member.
H.B. No. 1652,	House Conferees Added: Representative Tsuji
HD 1, SD 2	added as member.
H.B. No. 1737,	House Conferees Discharged: Representative Har
HD 1, SD 1	discharged as member.
H.B. No. 1966,	House Conferees Discharged: Representative Har
HD 1, SD 2	discharged as member.
H.B. No. 2038,	House Conferees Discharged: Representative Har
HD 1, SD 2	discharged as member.
H.B. No. 2169,	House Conferees Added: Representative Tsuji
HD 1, SD 1	added as member.

S.B. No. 2486, House Conferees Added: Representative Tsuji  
SD 1, HD 1 added as member.

S.B. No. 3092, House Conferees Added: Representative Tsuji  
SD 2, HD 1 added as member.

House Communication dated April 16, 2014, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has agreed to the amendments made by the Senate and has this day adopted the following House Concurrent Resolution:

H.C.R. No. 17, HD 1, SD 1