SECOND DAY

Tuesday, August 29, 2017

The Senate of the Twenty-Ninth Legislature of the State of Hawai'i, Special Session of 2017, convened at 9:43 a.m. with the President in the Chair.

The Roll was called showing all Senators present with the exception of Senator Taniguchi who was excused.

The President announced that he had read and approved the Journal of the First Day.

At this time, Senator Gabbard welcomed cadets from the Hawai'i National Guard Youth Challenge Academy, who were present in the gallery with Damian Miller.

Senator Galuteria introduced the Honorable Kirk Caldwell, Mayor of the City and County of Honolulu, who was seated in the gallery with his chief of staff, Gary Kurokawa.

STANDING COMMITTEE REPORTS

Senators Tokuda and Dela Cruz, for the Committee on Labor and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 1) recommending that S.B. No. 2 pass Second Reading and be placed on the calendar for Third Reading.

Senators Tokuda and Dela Cruz, for the Committee on Labor and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 2) recommending that S.B. No. 3 pass Second Reading and be placed on the calendar for Third Reading.

Senator Dela Cruz, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3) recommending that S.B. No. 4 pass Second Reading and be placed on the calendar for Third Reading.

Senator Espero moved that Stand. Com. Rep. Nos. 1, 2, and 3 be adopted, seconded by Senator English.

At 9:45 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:49 a.m.

The Chair announced:

"During the recess, there was a request to have Stand. Com. Rep. Nos. 1 and 2 voted on first, then to have Stand. Com. Rep. No. 3 voted on separately."

Senator Espero then moved that the previous motion be amended.

The Chair clarified:

"So, the amendment will remove Stand. Com. Rep. No. 3 from the motion to approve. Senator English?"

Senator English seconded the motion.

The motion was put by the Chair and carried, the joint report of the Committees was adopted and S.B. No. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, August 30, 2017.

The motion was put by the Chair and carried, the joint report of the Committees was adopted and S.B. No. 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, August 30, 2017.

Senator Espero then moved that Stand. Com. Rep. No. 3 be adopted, seconded by Senator English.

Senator Thielen rose to speak in opposition to the motion as follows:

[REMARKS]

The Chair having so ordered, the article is identified as "**ATTACHMENT A**" to the Journal of this day.

Senator Ruderman rose to request a Roll Call vote, and the Chair so ordered.

Senator English rose to speak on a point of information as follows:

[REMARKS]

The Chair responded in the affirmative.

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 3 was adopted and S.B. No 4, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, August 30, 2017, Roll Call vote having been requested, on the following showing of Ayes and Noes:

Ayes, 17.   Noes, 7 (Green, Harimoto, Inouye, Kahele, Riviere, Ruderman, Thielen.) Excused, 1 (Taniguchi).

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 58 to 61) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 58, informing the Senate that on August 25, 2017, the Governor withdrew the nomination of REG BAKER to the Small Business Regulatory Review Board, under Gov. Msg. No. 39 dated August 23, 2017, from consideration by the Senate, was placed on file.

In accordance with Gov. Msg. No. 58, the nomination listed under Gov. Msg. No. 39 was returned.

Gov. Msg. No. 59, submitting for consideration and confirmation as Chairperson and Representative of the Public of the Hawai'i Labor Relations Board, the nomination of MARCUS OSHIRO, term to expire June 30, 2018, was referred to the Committee on Labor.

Gov. Msg. No. 60, submitting for consideration and confirmation as Chairperson and Representative of the Public of the Hawai'i Labor Relations Board, the nomination of MARCUS OSHIRO, term to expire June 30, 2024, was referred to the Committee on Labor.

Gov. Msg. No. 61, submitting for consideration and confirmation to the Hawai'i Sister State Committee, the nomination of JEAN ROLLES, term to expire June 30, 2020, was referred to the Committee on Judiciary.

Senator Tokuda, Chair of the Committee on Labor, requested a waiver of the notice requirement pursuant to Senate Rule 21 for Gov. Msg. Nos. 59 and 60.

Senator Tokuda noted:

[REMARKS]

The Chair granted the waiver.

Senator Tokuda announced that the Committee on Labor would be holding a public hearing on Gov. Msg. Nos. 59 and 60 on Thursday, August 31, 2017, at 2:45 p.m. in Conference Room 225.

Senator Rhoads, Vice Chair of the Committee on Judiciary, requested a waiver of the notice requirement pursuant to Senate Rule 21 for Gov. Msg. No. 61.

Senator Rhoads noted:

"Mr. President, I request a waiver of the notice requirement pursuant to Senate Rule 21 in order to hold a hearing on G.M. No. 61, which we also just received from the governor this morning."

The Chair granted the waiver.

Senator Rhoads announced that the Committee on Judiciary would be holding a public hearing on Gov. Msg. No. 61 on Thursday, August 31, 2017, at 11:30 a.m. in Conference Room No. 016.

Senator Baker reminded the members of the Committee on Commerce, Consumer Protection, and Health that hearings on gubernatorial nominees to boards and commissions would take place at 10:00 a.m. and 1:30 p.m. in Conference Room 229.

ADJOURNMENT

At 9:56 a.m., on motion by Senator Espero, seconded by Senator English and carried, the Senate adjourned until 9:30 a.m., Wednesday, August 30, 2017.