

## FIFTY-FOURTH DAY

**Monday, April 27, 2015**

The House of Representatives of the Twenty-Eighth Legislature of the State of Hawaii, Regular Session of 2015, convened at 11:38 o'clock a.m. with Speaker Souki presiding.

The invocation was delivered by Ms. Rebecca Bernal of Representative Lynn DeCoite's Office, after which the Roll was called showing all Members present with the exception of Representatives DeCoite and Evans, who were excused.

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

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 662 through 673) were received and announced by the Clerk:

Sen. Com. No. 662, transmitting H.C.R. No. 68, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIVISION OF AQUATIC RESOURCES AND DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT TO COLLABORATE WITH FEDERAL PARTNER AGENCIES TO PROTECT IMPORTANT STATE MARINE RESOURCES," which was adopted by the Senate on April 24, 2015.

Sen. Com. No. 663, transmitting H.C.R. No. 97, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF HEALTH ASSURE THAT ANY SUBSTANTIAL LAND DISCHARGE OF WASTEWATER, OCCURRING BY INJECTION WELL OR OTHER MEANS, IS IN ALL CASES, ADEQUATELY REVIEWED AND PERMITTED," which was adopted by the Senate on April 24, 2015.

Sen. Com. No. 664, transmitting H.C.R. No. 130, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH ROYAL HAWAIIAN GOLF CLUB TO DEVELOP A PLAN FOR THE MANAGEMENT AND MAINTENANCE OF OLD GOVERNMENT ROAD," which was adopted by the Senate on April 24, 2015.

Sen. Com. No. 665, transmitting H.C.R. No. 191, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING THE JAPANESE WOMEN'S SOCIETY FOUNDATION FOR CREATING THE "ADOPT-A-MOM" PROGRAM AND ENCOURAGING ALL FAMILIES AND AGENCIES WORKING WITH THE ELDERLY OF HAWAII TO PLACE "ADOPT-A-MOM" DAY ON THEIR CALENDARS, AS THE THIRD SUNDAY OF MAY, IN OBSERVANCE OF THE ELDERLY WOMEN OF HAWAII WHO DESERVE TO BE CHERISHED AND APPRECIATED FOR THE INVALUABLE ROLE THEY PLAY AS THE MOTHERS OF OUR KEIKI O KA AINA," which was adopted by the Senate on April 24, 2015.

Sen. Com. No. 666, transmitting H.C.R. No. 86, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONSIDER DEVELOPING PERMITTING PROVISIONS TO REQUIRE THAT EMPLOYEES OF WATERSPORT EXCURSION COMPANIES WHO TAKE CUSTOMERS ON WATERSPORT EXCURSIONS ARE TRAINED IN BASIC SAFETY MEASURES," which was adopted by the Senate on April 24, 2015.

Sen. Com. No. 667, transmitting H.C.R. No. 119, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT OF RECOMMENDATIONS TO STOP THE DECLINE AND REPLENISH THE SUPPLY OF LIMU AND REEF FISH IN CERTAIN AREAS OF THE EWA COAST OF OAHU," which was adopted by the Senate on April 24, 2015.

Sen. Com. No. 668, transmitting H.C.R. No. 145, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A FAMILY CAREGIVERS WORKING GROUP TO EXAMINE AND ASSESS LEGISLATION RELATING TO THE ROLE OF CAREGIVERS OF PATIENTS DISCHARGED FROM HOSPITALS," which was adopted by the Senate on April 24, 2015.

Sen. Com. No. 669, transmitting H.C.R. No. 189, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BROADBAND ASSISTANCE ADVISORY COUNCIL TO CREATE A MASTER PLAN OF PROVIDING UNIVERSAL HIGH SPEED BROADBAND ACCESS IN RESORT AREAS AND OTHER AREAS OF IMPORTANCE THROUGHOUT HAWAII, INCLUDING BUT NOT LIMITED TO HONOLULU INTERNATIONAL AIRPORT AND HAWAII PUBLIC SCHOOLS," which was adopted by the Senate on April 24, 2015.

Sen. Com. No. 670, transmitting H.C.R. No. 204, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE PROCUREMENT ADMINISTRATOR TO COLLECT INFORMATION ON EACH OF THE INDIVIDUAL PROCUREMENT JURISDICTIONS," which was adopted by the Senate on April 24, 2015.

Sen. Com. No. 671, transmitting H.C.R. No. 217, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO CONVENE A TASK FORCE TO EXAMINE ESTABLISHING HAWAIIAN LANGUAGE RESOURCES FOR THE STATE OF HAWAII JUDICIARY," which was adopted by the Senate on April 24, 2015.

Sen. Com. No. 672, dated April 24, 2015, 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 Bill:

H.B. No. 770,	Baker, Chair; Espero, Co-Chair;
HD 1, SD 1	Slom

Sen. Com. No. 673, dated April 24, 2015, informing the House that the Senate has on April 23, 2015, reconsidered its action taken on April 16, 2015, 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. 1030, SD 1, HD 2
S.B. No. 1133, SD 1, HD 1
S.B. No. 1136, HD 1

## INTRODUCTIONS

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

Representative LoPresti introduced students from Ewa Elementary School; chaperones; and teachers: Ms. Kyra Yoshimoto, Ms. Aiko Gagarin, Ms. Jeri Iwasaki, Ms. Colleen Parlee, Ms. Luran Dignam, Ms. Sherilynn Coquio, Ms. Shirley Kon, Ms. Cecilia Pantohan, Ms. Andrin, Ms. Kierstin Shimazu and Ms. Vieta.

Representative Ward introduced Ms. Suzanne Frazer and Mr. Dean Otsuki, Co-Founders, Beach Environmental Awareness Campaign Hawaii.

At 11:45 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:54 o'clock a.m.

**ORDER OF THE DAY****UNFINISHED BUSINESS****H.B. No. 1075, HD 2, SD 2:**

At this time, the Chair stated:

"Members, on April 20th, 2015, this Chamber gave notice to agree to the amendments proposed by the Senate to House Bill Number 1075, House Draft 2. Further deliberations on this measure have been requested, so a motion to reconsider this Body's prior notice to agree to the Senate amendment is necessary."

**SUSPENSION OF RULES**

On motion by Representative Saiki, seconded by Representative Mizuno and carried, the rules were suspended to reconsider action taken on April 20, 2015 to H.B. No. 1075, HD 2, (SD 2). (Representatives DeCoite and Evans were excused.)

**RECONSIDERATION OF ACTION TAKEN**

Representative Saiki moved to reconsider action previously taken on April 20, 2015, on H.B. No. 1075, HD 2, (SD 2), to reconsider and give notice of intent to agree to the amendments made by the Senate, seconded by Representative Mizuno.

Representative Ward rose, stating:

"Mr. Speaker, point of information, please."

At 11:56 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:57 o'clock a.m.

At this time, the Chair stated:

"So again, this was a technical motion to change the original motion to allow us to agree with the Senate. This will in fact put it into Conference as we move along."

The motion was put to vote by the Chair and carried, and the House reconsidered its action previously taken on April 20, 2015, on H.B. 1075, HD 2, (SD 2), to reconsider and give notice of intent to agree to the amendments made by the Senate. (Representatives DeCoite and Evans were excused.)

The Chair then stated:

"Again, further deliberations on this measure during the Session by the appointed House and Senate conferees may now be scheduled. Conferees on the part of the House are as follows. Representative Belatti, Nakashima, Luke, Co-Chairs, and Representatives Yamashita and Thielen, Members. Thank you."

At 11:59 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:59 o'clock a.m.

**REPORTS OF STANDING COMMITTEES**

Representative Ito, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 1684) recommending that S.C.R. No. 57, SD 1, HD 1 be adopted.

On motion by Representative Saiki, seconded by Representative Mizuno and carried, the report of the Committee was adopted and S.C.R. No. 57, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION EXPANDING THE TASK FORCE STUDY OF THE EFFECTS OF THE JANUARY 2014 FUEL TANK LEAK AT THE RED HILL UNDERGROUND FUEL STORAGE FACILITY, ESTABLISHED UNDER SENATE CONCURRENT RESOLUTION NO. 73, H.D. 1, REGULAR SESSION OF 2014, TO INCLUDE AN ADDITIONAL TWENTY-SIX UNDERGROUND FUEL STORAGE TANKS IN THE STATE OWNED BY THE UNITED STATES MILITARY," was adopted, with Representatives DeCoite and Evans being excused.

Representatives Belatti and Morikawa, for the Committee on Health and the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1685) recommending that S.C.R. No. 107, SD 1, as amended in HD 1, be adopted.

On motion by Representative Saiki, seconded by Representative Mizuno and carried, the report of the Committees was adopted and S.C.R. No. 107, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A LEGISLATIVE FAMILY CAREGIVERS WORKING GROUP TO EXAMINE AND ASSESS ISSUES RELATING TO THE ROLE OF CAREGIVERS OF PATIENTS DISCHARGED FROM HOSPITALS," was adopted, with Representatives DeCoite and Evans being excused.

**REPORTS OF CONFERENCE COMMITTEES**

Representatives Nakashima and Rhoads, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 952, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 1) recommending that H.B. No. 952, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 1 and H.B. No. 952, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND HOURS ON PUBLIC WORKS LAW," was deferred for a period of 48 hours.

**FINAL READING**

At this time, the Chair stated:

"Members, House Bill Numbers 354 and 525, deferred one day."

**H.B. No. 354, HD 2, SD 1:**

By unanimous consent, action was deferred one legislative day.

**H.B. No. 525, HD 2, SD 2:**

By unanimous consent, action was deferred one legislative day.

**SUSPENSION OF RULES**

On motion by Representative Saiki, seconded by Representative Mizuno and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House Bills. (Representatives DeCoite, Evans and Tokioka were excused.)

**RECONSIDERATION OF ACTION TAKEN**

Representative Saiki moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following

House Bills, seconded by Representative Mizuno and carried: (Representatives DeCoite, Evans and Tokioka were excused.)

H.B. No. 268, HD 2, (SD 1)  
H.B. No. 1007, HD 1, (SD 2)

the Senate on April 9, 2015, and gives its notice of intent to agree to the following House Bill:

H.B. No. 1007, HD 1, SD 2

### ANNOUNCEMENTS

#### COMMITTEE REASSIGNMENTS

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

**S.B.**

**No.      Re-referred to:**

717,      Committee on Energy & Environmental Protection, then to the  
SD2,      Committee on Transportation, then to the Committee on  
HD1      Consumer Protection & Commerce

### ADJOURNMENT

At 12:03 o'clock p.m., on motion by Representative Mizuno, seconded by Representative Tupola and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Tuesday, April 28, 2015. (Representatives DeCoite, Evans and Tokioka were excused.)

### HOUSE COMMUNICATIONS

House Communication dated April 27, 2015, 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 reconsidered its action taken in giving intent to agree to the amendments made by the Senate on April 20, 2015 and that the Speaker has this day appointed Conferees on the part of the House to the following House Bill:

H.B. No. 1075,      Belatti/Nakashima/Luke, Co-Chrs.;  
HD 2, SD 2      Yamashita, Thielen

House Communication dated April 27, 2015, 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 House to the following Senate Bills:

S.B. No. 717,      Lee/Aquino/McKelvey, Co-Chrs.;  
SD 2, HD 1      Nakashima, Thielen

S.B. No. 756,      McKelvey/Woodson/Rhoads, Co-Chrs.;  
SD 1, HD 2      Yamane, McDermott

House Communication dated April 27, 2015, 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 measure:

H.B. No. 393,      Discharged all House Conferees.  
HD 2, SD 2

House Communication dated April 27, 2015, 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 reconsidered its action taken in disagreeing to the amendments made by the Senate on April 8, 2015, and gives its notice of intent to agree to the following House Bill:

H.B. No. 268, HD 2, SD 1

House Communication dated April 27, 2015, 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 reconsidered its action taken in disagreeing to the amendments made by