

SIXTH DAY**Friday, January 29, 2016**

The House of Representatives of the Twenty-Eighth Legislature of the State of Hawaii, Regular Session of 2016, convened at 12:05 o'clock p.m., with Vice Speaker Mizuno presiding.

The invocation was delivered by Pastor Russell Higa of Streams of Life Fellowship Manoa, after which the Roll was called showing all Members present with the exception of Representatives Ichiyama, Lee, McDermott, Souki and Woodson, who were excused.

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

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 220 through 227) were received by the Clerk and were placed on file:

Dept. Com. No. 220, from the Department of Education, dated January 11, 2016, transmitting the State Educational Facilities Repair and Maintenance Account Report 2015-2016, pursuant to Act 133, SLH 2012.

Dept. Com. No. 221, from the Department of Education, dated January 4, 2016, transmitting the Legislative Report Relating to Restraint and Seclusion, pursuant to Section 302A-1141, HRS.

Dept. Com. No. 222, from the Honolulu Police Department, dated January 5, 2016, transmitting the report concerning electric guns in the custody and control of the Honolulu Police Department and their use during the past year, pursuant to Section 134-16(d), HRS.

Dept. Com. No. 223, from the Hawaii County Police Department, dated January 6, 2016, transmitting the report concerning electric guns and their use during the past year, pursuant to Section 134-16(d), HRS.

Dept. Com. No. 224, from the Department of Agriculture, dated January 13, 2016, transmitting the Pesticide Use Revolving Fund Annual Report, pursuant to Act 154, SLH 2000.

Dept. Com. No. 225, from the Department of Agriculture, dated January 13, 2016, transmitting the Annual Report on the Agricultural Development and Foods Security Special Fund, pursuant to Act 73, SLH 2010.

Dept. Com. No. 226, from the University of Hawaii System, dated January 13, 2016, transmitting a report on Filling of Temporary Unbudgeted Positions, pursuant to Act 119, Section 128, SLH 2015.

Dept. Com. No. 227, from the Department of Business, Economic Development & Tourism, dated January 14, 2016, transmitting the Hawaii Greenhouse Gas Program Update, pursuant to Act 234, SLH 2007.

INTRODUCTIONS

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

Representative Keohokalole introduced former members of the New Zealand national men's rugby union team, All Blacks Legends: Mr. Frano Botica, Mr. Frank Bunce, Mr. Walter Little and Mr. Charles Riechelmann; Mr. Jake Hamstra, Policy Advisor, New Zealand Consulate General Office; Mr. Dallen Stanford, Program Director, Play Rugby USA; and Mr. Brandon Ahlo and Mr. Kaipo Sarkissian, Rugby for Good Hawaii.

Representative Belatti introduced Representative Tina Liebling, Minnesota House of Representatives.

Representative Keohokalole introduced his staff, Heather McVay, Nahelani Webster and Julia Peleiholani.

Representative Lowen introduced her constituent, Mr. Bo Kahui.

Representative Ing introduced his Office Manager, Poni Daines, and wished her a happy birthday; and his Legislative Aide, Wyatt Gordon.

Representative Pouha introduced his wife, Kieiki, and daughter, Hilina'i.

ORDER OF THE DAY**REPORTS OF STANDING COMMITTEES**

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1-16) recommending that H.B. No. 1166 pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1166 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative San Buenaventura rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I stand with reservations. I agree with the intent of this bill, but the idea behind moving an assault to a Class C felony is to require that the supplication, or to prevent the circulation. So, from the testimony, the concern was whether or not an inadvertent assault on the nose or the mouth would create a Class C felony. So my reservation is to the wording, it should be mouth and nose. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1166, entitled: "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY OR HOUSEHOLD MEMBERS," passed Second Reading and was referred to the Committee on Finance, with Representative San Buenaventura voting aye with reservations, and with Representatives Ichiyama, Lee, McDermott, Ohno, Souki and Woodson being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2-16) recommending that H.B. No. 237, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 237, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS TRAINING," passed Second Reading and was referred to the Committee on Finance, with Representatives Ichiyama, Lee, McDermott, Ohno, Souki and Woodson being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3-16) recommending that H.B. No. 1474, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1474, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was referred to the Committee on Finance, with Representatives Ichiyama, Lee, McDermott, Ohno, Souki and Woodson being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following concurrent resolution (H.C.R. No. 28) was referred to Printing and further action was deferred:

H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT HEEIA, KOOLAUPOKO, OAHU, FOR THE USE, CONSTRUCTION, MAINTENANCE, AND REPAIR OF THE EXISTING BOAT DOCK CONSTRUCTED THEREON," was offered by Representative Keohokalole.

ANNOUNCEMENTS

Representative Choy: "Thank you, Mr. Speaker. Did you know that there is a way to ensure that your brain stays young? Research out of Germany has shown that making art could delay or even negate age-related decline of certain brain functions. Picasso and Matisse produced work until they were 91 and 84 respectively, so there must be something to art that delays the aging of the brain. This is just one reason why every one of you should participate in this year's Art at the Capitol, which will be held on Friday, April 1st.

"This year, you, my fellow colleagues, will be the showcased artists. Legislators are being asked to create a self-portrait to be displayed at Art at the Capitol. The portraits will be displayed in the gallery here at the Capitol that evening, and the public will be encouraged to vote for their favorite portrait. This is a wonderful opportunity to tap into your inner Monet, encourage public participation at the Capitol, win a great prize for you and your staff, and maybe you'll get smarter and stay younger.

"So, please contact my office to sign up for this fun, free art class. If you can't draw anything, we're going to give you art classes, March 12th, 1:00 p.m. to 3:00 p.m. at the Hawaii State Art Museum. This is going to be a really fun thing, Art at the Capitol is a really great event that we do every single year. I encourage everybody to participate. I really want to wait and see what you guys draw as your self-portrait. Thank you, Mr. Speaker."

Representative Evans: "Mr. Speaker, we are asking the Majority Caucus to come to the Caucus Room immediately following floor session."

Representative Ward: "Mr. Speaker, my colleague, our colleague, Representative McDermott has asked me to personally announce that a death in the family has caused him to be a pallbearer. He regrets not being here today, but it's a family emergency. Thank you."

Vice Speaker Mizuno: "Thank you very much for the announcement. Prayers to our colleague Representative McDermott and his family and friends."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.B. Nos.</u>	<u>Referred to:</u>
2270	Committee on Agriculture, then to the Committee on Finance
2271	Committee on Agriculture, then to the Committee on Finance
2272	Committee on Agriculture, then to the Committee on Finance
2273	Committee on Water & Land, then to the Committee on Judiciary
2274	Committee on Agriculture, then to the Committee on Finance
2275	Committee on Agriculture, then to the Committee on Finance
2276	Committee on Public Safety, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2277	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Finance
2278	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2279	Committee on Judiciary, then to the Committee on Finance
2280	Committee on Judiciary, then to the Committee on Finance
2281	Committee on Judiciary
2282	Committee on Human Services, then to the Committee on Judiciary
2283	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
2284	Committee on Judiciary
2285	Committee on Judiciary, then to the Committee on Finance
2286	Committee on Labor & Public Employment, then to the Committee on Judiciary
2287	Committee on Water & Land, then to the Committee on Judiciary
2288	Committee on Economic Development & Business, then to the Committee on Finance
2289	Committee on Economic Development & Business, then to the Committee on Finance
2290	Committee on Economic Development & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2291	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
2292	Committee on Water & Land, then to the Committee on Judiciary
2293	Committee on Housing, then to the Committee on Finance
2294	Committee on Housing, then to the Committee on Finance
2295	Committee on Economic Development & Business
2296	Committee on Economic Development & Business
2297	Committee on Economic Development & Business, then to the Committee on Finance
2298	Committee on Economic Development & Business, then to the Committee on Finance
2299	Committee on Economic Development & Business, then to the Committee on Finance
2300	Committee on Economic Development & Business, then to the Committee on Finance
2301	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2302	Committee on Transportation, then to the Committee on Water & Land, then to the Committee on Finance

2303	Committee on Housing, then to the Committee on Water & Land, then to the Committee on Finance	2330	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2304	Committee on Housing, then to the Committee on Finance	2331	Committee on Health, then to the Committee on Consumer Protection & Commerce
2305	Committee on Housing, then to the Committee on Finance	2332	Committee on Health, then to the Committee on Consumer Protection & Commerce
2306	Committee on Labor & Public Employment, then to the Committee on Finance	2333	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
2307	Committee on Labor & Public Employment, then to the Committee on Finance	2334	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance
2308	Committee on Labor & Public Employment, then to the Committee on Finance	2335	Committee on Health, then to the Committee on Consumer Protection & Commerce
2309	Committee on Labor & Public Employment, then to the Committee on Finance	2336	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2310	Committee on Labor & Public Employment, then to the Committee on Finance	2337	Committee on Education, then to the Committee on Finance
2311	Committee on Labor & Public Employment, then to the Committee on Health, then to the Committee on Consumer Protection & Commerce	2338	Committee on Education, then to the Committee on Finance
2312	Committee on Labor & Public Employment, then to the Committee on Finance	2339	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2313	Committee on Labor & Public Employment, then to the Committee on Finance	2340	Committee on Human Services, then to the Committee on Judiciary
2314	Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance	2341	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
2315	Committee on Finance	2342	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
2316	Committee on Finance	2343	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary
2317	Committee on Finance	2344	Committee on Human Services, then to the Committee on Judiciary
2318	Committee on Labor & Public Employment, then to the Committee on Finance	2345	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary
2319	Committee on Consumer Protection & Commerce, then to the Committee on Finance	2346	Committee on Housing, then to the Committee on Labor & Public Employment, then to the Committee on Finance
2320	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary	2347	Jointly to the Committee on Water & Land and the Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2321	Committee on Consumer Protection & Commerce, then to the Committee on Finance	2348	Committee on Human Services, then to the Committee on Labor & Public Employment, then to the Committee on Finance
2322	Committee on Consumer Protection & Commerce	2349	Committee on Human Services, then to the Committee on Finance
2323	Committee on Consumer Protection & Commerce, then to the Committee on Finance	2350	Committee on Human Services, then to the Committee on Judiciary
2324	Committee on Consumer Protection & Commerce, then to the Committee on Finance	2351	Committee on Labor & Public Employment, then to the Committee on Finance
2325	Committee on Consumer Protection & Commerce, then to the Committee on Finance	2352	Committee on Labor & Public Employment, then to the Committee on Education, then to the Committee on Finance
2326	Committee on Consumer Protection & Commerce, then to the Committee on Finance	2353	Committee on Human Services, then to the Committee on Labor & Public Employment, then to the Committee on Finance
2327	Committee on Judiciary		
2328	Committee on Transportation, then to the Committee on Consumer Protection & Commerce		
2329	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary		

2354	Committee on Health, then to the Committee on Judiciary	2376	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water & Land, then to the Committee on Judiciary
2355	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	2377	Committee on Energy & Environmental Protection, then to the Committee on Judiciary
2356	Committee on Health, then to the Committee on Judiciary	2378	Committee on Water & Land, then to the Committee on Judiciary
2357	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance	2379	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Judiciary
2358	Committee on Human Services, then to the Committee on Education, then to the Committee on Finance	2380	Committee on Human Services, then to the Committee on Education, then to the Committee on Finance
2359	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance	2381	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance
2360	Committee on Health, then to the Committee on Finance	2382	Committee on Economic Development & Business, then to the Committee on Finance
2361	Committee on Labor & Public Employment, then to the Committee on Finance	2383	Committee on Judiciary
2362	Committee on Labor & Public Employment, then to the Committee on Judiciary	2384	Committee on Public Safety, then to the Committee on Judiciary
2363	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2385	Committee on Public Safety, then to the Committee on Judiciary
2364	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2386	Committee on Health, then to the Committee on Judiciary
2365	Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2387	Committee on Public Safety, then to the Committee on Judiciary
2366	Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance	2388	Committee on Public Safety, then jointly to the Committee on Energy & Environmental Protection and the Committee on Water & Land, then to the Committee on Finance
2367	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce	2389	Committee on Public Safety, then to the Committee on Finance
2368	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2390	Jointly to the Committee on Labor & Public Employment and the Committee on Public Safety, then to the Committee on Judiciary
2369	Committee on Labor & Public Employment, then to the Committee on Human Services, then to the Committee on Finance	2391	Committee on Public Safety, then to the Committee on Judiciary
2370	Committee on Labor & Public Employment, then to the Committee on Health, then to the Committee on Finance	2392	Committee on Finance
2371	Committee on Water & Land, then to the Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Finance	2393	Committee on Finance
2372	Committee on Economic Development & Business, then to the Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Finance	2394	Committee on Finance
2373	Committee on Water & Land, then to the Committee on Finance	2395	Committee on Judiciary, then to the Committee on Finance
2374	Committee on Water & Land, then to the Committee on Judiciary	2396	Committee on Finance
2375	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Finance	2397	Committee on Judiciary, then to the Committee on Finance
		2398	Committee on Finance
		2399	Committee on Economic Development & Business, then to the Committee on Finance
		2400	Committee on Transportation, then to the Committee on Finance
		2401	Committee on Transportation, then to the Committee on Finance
		2402	Committee on Transportation, then to the Committee on Finance

- 2403 Committee on Transportation, then to the Committee on Finance
- 2404 Committee on Transportation, then to the Committee on Finance
- 2405 Committee on Transportation, then to the Committee on Finance
- 2406 Committee on Transportation, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
- 2407 Committee on Transportation, then to the Committee on Water & Land, then to the Committee on Finance
- 2408 Committee on Transportation, then to the Committee on Water & Land, then to the Committee on Finance
- 2409 Committee on Transportation, then to the Committee on Finance
- 2410 Committee on Higher Education, then to the Committee on Finance
- 2411 Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance
- 2412 Committee on Higher Education, then to the Committee on Finance
- 2413 Committee on Higher Education, then to the Committee on Finance
- 2414 Committee on Higher Education, then to the Committee on Finance
- 2720 Committee on Finance

ADJOURNMENT

At 12:19 o'clock p.m., on motion by Representative Evans, seconded by Representative Pouha and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, February 1, 2016. (Representatives Ichiyama, Lee, McDermott, Ohno, Souki and Woodson were excused.)

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

- | <u>H.B.</u> | <u>Re-referred to:</u> |
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| <u>Nos.</u> | |
| 1531 | Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance |
| 1767 | Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance |
| 1787 | Jointly to the Committee on Human Services and the Committee on Education, then to the Committee on Legislative Management, then to the Committee on Finance |
| 1857 | Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Finance |
| 1861 | Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Finance |
| 1987 | Jointly to the Committee on Human Services and the Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance |