

## FIFTY-SEVENTH DAY

Thursday, April 28, 2016

The House of Representatives of the Twenty-Eighth Legislature of the State of Hawaii, Regular Session of 2016, convened at 6:38 o'clock p.m., with Vice Speaker Mizuno presiding.

The invocation was delivered by Mr. Adrian K. Tam, Legislative Aide to Speaker Emeritus Calvin Say, after which the Roll was called showing all Members present.

On motion by Representative Evans, seconded by Representative Pouha and carried, reading of the Journal was dispensed with and the Journals of the Forty-Sixth, Forty-Seventh and Forty-Eighth Days were approved. (Representative Oshiro was excused.)

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 1126 and 1127) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 1126, informing the House that on April 27, 2016, the following bill was signed into law:

H.B. No. 939, entitled: "A BILL FOR AN ACT RELATING TO AMENDING IDENTITY OF REGISTRANT'S PARENT ON A BIRTH CERTIFICATE." (ACT 026)

Gov. Msg. No. 1127, informing the House that on April 27, 2016, the following bill was signed into law:

H.B. No. 2416, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY." (ACT 027)

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 706 and 707) were received and announced by the Clerk:

Sen. Com. No. 706, dated April 27, 2016, informing the House that the following bill has this day passed Final Reading:

H.B. No. 2362, HD 2, SD 1, CD 1

Sen. Com. No. 707, dated April 27, 2016, informing the House that the Senate has on April 26, 2016, reconsidered its action taken on April 14, 2016, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 2878, SD 1, HD 1

## DEPARTMENTAL COMMUNICATIONS

The following departmental communication (Dept. Com. No. 338) was received by the Clerk and was placed on file:

Dept. Com. No. 338, from the Office of the Auditor, dated April 18, 2016, transmitting the 2015 Annual Report, pursuant to Section 23-9, HRS.

## INTRODUCTIONS

The following introduction was made to the Members of the House:

Representative Say introduced Adrian Tam's parents, Joannie Hsieh and David Tam; and grandmother, Ming Mei Lin.

At 6:44 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 7:03 o'clock p.m.

## ORDER OF THE DAY

## SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pouha and carried, the rules were suspended for the purpose of considering certain House and Senate Bills for Final Reading by consent calendar.

## UNFINISHED BUSINESS

## Conf. Com. Rep. No. 2-16 and S.B. No. 2121, SD 1, HD 1, CD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2121, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Fukumoto Chang and Ing voting no.

## Conf. Com. Rep. No. 3-16 and H.B. No. 2350, HD 2, SD 1, CD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2350, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CHILDREN," passed Final Reading by a vote of 48 ayes to 3 noes, with Representatives McDermott, Tupola and Ward voting no.

## Conf. Com. Rep. No. 4-16 and H.B. No. 2343, HD 2, SD 1, CD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2343, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REQUIREMENTS FOR CHILD CARE PROVIDERS," passed Final Reading by a vote of 51 ayes.

## Conf. Com. Rep. No. 5-16 and S.B. No. 2395, SD 1, HD 2, CD 1:

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2395, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. In strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2395, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TELEHEALTH," passed Final Reading by a vote of 51 ayes.

## Conf. Com. Rep. No. 6-16 and S.B. No. 2583, HD 1, CD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2583, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPOSTING TOILETS," passed Final Reading by a vote of 51 ayes.

## Conf. Com. Rep. No. 7-16 and H.B. No. 2501, HD 2, SD 2, CD 1:

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2501, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Souki rose to disclose a potential conflict of interest, stating:

"Mr. Speaker and Members, I wish to declare that I have a potential conflict of interest. I'm a stockholder with A&B," and the Chair ruled, "no conflict."

Representative Say rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I also have interest in A&B stocks, as far as my overall financial plan," and the Chair ruled, "no conflict."

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

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

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

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

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

"Thank you, Mr. Speaker. Strong opposition. I'd like to have entered into the Journal my comments from third reading, I believe it was March 8th. Thank you. And I only have a few things to say. *E ola i ka wai*, Mr. Speaker. *E ola i ka wai. E ho'o puhemo i ka wai. Mahalo*," and the Chair "so ordered." (By reference only.)

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

"Strong reservations."

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

"I did submit a no slip, but I would like to vote with strong reservations."

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

Representative DeCoite's written remarks are as follows:

"There are many conflicting stories that have made many of us confused about this bill. DLNR and CWRM have impacted all farmers and ranchers in the process. The people of East Maui have waited patiently and far too long for justice to be served. Because of lack of attention to this matter, many have been put at risk at the sake of your department. Though a task force has been created, I don't have much faith in your process. I would expect while we are waiting for the inflow streams, we should have the capabilities to restore water effective immediately. Take that into consideration and do what is right. We need to make sure that the agency that created the task force will move forward and be *pono*. *Pono*, in setting policy and criteria to make sure that this is a fair process without prolonging it unnecessarily. I will continue to advocate and make sure that things are *pono* for all."

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

Representative Matsumoto's written remarks are as follows:

"I rise in opposition.

"The purpose of this bill is to address a water rights lease during the application process, but legal experts in environmental issues and water rights have weighed in and parties cannot agree on what the ramifications of this bill are. When asked whether this bill will affect revocable permits other than Alexander & Baldwin, the Attorney General stated, "The answer is there will be no immediate effect either way."

"The language in the bill discusses only an application for a lease, and thus we cannot be certain that this will affect the farmers and ranchers with revocable permits. Again, the Attorney General sees no immediate effect.

"What we do know is that our water must be conserved and protected under our Constitution. It is our constitutional mandate to 'promote the development and utilization of [water] in a manner consistent with [its] conservation and in furtherance of the self-sufficiency of the State.'

"We are mandated by the Constitution to enact laws to protect our water. The court holds the responsibility to interpret the laws we pass.

"While this bill intends to address current issues in the leasing process, it also appears to create an environment in which the judicial process is minimized. The courts have ruled on and continue to look at the complicated water and land issues of our islands. It may prove short-sighted to legislate for a particular situation and bypass the judicial branch.

"I would like to add a caveat to my previous statement. Coming from a small family farm background, I understand firsthand how many of the decisions made in this body sometimes inadvertently hurt farmers, either by passing or killing legislation. If this bill fails and the farmers and ranchers that provide food sustainability to our state become collateral damage, I commit to being at the front of the line to find a solution.

"However, in this case, it is my understanding this bill won't affect those with current permits; thus we must act in the best interest of our land and precious resources."

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

"In support. In the nature of the discussion, written comments."

Representative Yamane's written remarks are as follows:

"Thank you, Mr. Speaker, I rise in support of HB 2501, Relating to Water Rights. The purpose of this bill is to temporarily provide the authority to the BLNR to issue a 'holdover' of a previously authorized lease during the pending status of an application for lease renewal for the next three years.

"Mr. Speaker, the recent judicial ruling of *Carmichael et. al. vs. Board of Land and Natural Resources*, created a very serious situation for agriculture and water use throughout the State as well as question the validity of the BLNR's use of water and land revocable permits. Furthermore, in her ruling, Judge Nishimura opined that although HRS Sections 171-10 and 171-55 authorize 'temporary' use of public lands, BLNR's previous issuance of a 'holdover' was inconsistent with HRS Chapter 171.

"To address this ruling, the Attorney General's Department explains that, 'this bill, if passed would allow the BLNR to authorize the holdover of the revocable permit until the contested case is decided'. The opinion continues, that 'under the current law, the situation that required the Board of Land and Natural Resources to place the revocable permits into holdover status is still capable of occurring in the future. The Legislature has the opportunity to address this situation by passing the proposed legislation.'

"Maui's situation is unique since these are presently the only revocable permits in 'holdover' status right now.

"However, as of December of 2015, nine other water revocable permits can be supported by this bill's issuance of a 'holdover' status, including:

- Hawai'i Island's Electric Light Company's hydroelectric plants;

- Ka'u Agricultural Water Cooperative District's supporting local farmers and ranchers; and
- Kaua'i Island Utility Cooperative's hydroelectric plants to supply electricity to Kaua'i residents.

"Mr. Speaker, earlier this year Hawaiian Commercial & Sugar Company announced the closure of Maui's only sugar plantation operations. For over 130 years, this sugar plantation thrived as a major employer and economic driver for the Island of Maui.

"This closure has had a very real impact on peoples' lives, as over 650 people have lost their jobs. Hawaii's Department of Labor and Industrial Relations and Maui's Office of Workforce Development Division have been working with the affected HC&S workers. To assist these workers, the U.S. Department of Labor awarded over \$2 million to the State of Hawaii to provide case management services, retaining, relocation support, and supportive services to assist HC&S workers to return to gainful employment.

"Mr. Speaker, if it was not for the water provided by East Maui over the past 130 years, 36,000 acres of Central Maui land would not have thrived as agricultural land.

"Maui, like the rest of our state, is facing drastic change with the closure of the Hawaiian Commercial & Sugar Company. This is the end of an era for Hawaii's history. Our history is rich in agricultural production. We must decide whether our intent as a legislature is to keep these 36,000 acres of Central Maui land as agricultural land.

"We know, however, that we need water for our agriculture to thrive. If we do not continue to share water from East Maui to Central Maui, we risk losing this vast agricultural production area for our state.

"The owner of these 36,000 acres announced their intent to keep these lands under an agricultural designation to produce diversified agriculture.

"The vision for this diversified agriculture includes: biofuel crops to support our state's clean energy goals, irrigated pastures for local ranchers, food crops, and an agricultural park available to community farmers.

"In order to support this diversified agriculture, the Department of Agriculture predicts the need to use 3,500 gallons of water, per acre, per day. Using this calculation, all 36,000 acres will require a total of 126 million gallons of water per day to sustain diversified agriculture across Maui's Central plain.

"The water shared by East Maui can sustain this substantial yield for diversified agricultural production in Central Maui.

"Members, according to the Land Use Commission, 75% of these agricultural lands – over 27,000 acres – of Central and Upcountry Maui lands are classified Important Agricultural Lands pursuant to HRS Section 205-44.

"By declaring these 27,000 acres as Important Agricultural Lands, there is a compelling state interest in conserving the State's agricultural land resource base and assuring the long-term availability of these agricultural lands for future use to: conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency, and to assure the availability of agricultural self-sufficiency.

"Members, without a 'sufficient supply of water' as explained HRS Section 205-50, we as a state risk losing the designation of these 27,000 acres of Important Agricultural Lands.

"This bill is only a temporary resolution in sharing Maui's water. However, the landowner pledged to fully and permanently restore water to seven East Maui streams forever.

"Presently, the Commission on Water Resource Management is again reviewing the State's recommendation to increase and restore an additional 18 million gallons of water per day to 10 of the East Maui streams, which will provide the necessary water for *kalo* farmers in East Maui.

"Finally, this bill will require that the 'holdover' permits be renewed annually for only three consecutive, one-year holdover permits. We have ensured through this bill that the holdover must be consistent with the State's public trust doctrine. We are requiring annual reports to be submitted by the DLNR to the Legislature for the next four years, and plan to repeal this bill in 2019.

"To further assist the DLNR, we as a legislature have also added two positions to expedite lease applications in the state budget. We have also budgeted \$1.5 million for a U.S.G.S. study on streams throughout the State. Members, the state budget further finances another \$1.5 million to the Department of Agriculture and an additional \$3 million to the Department of Land and Natural Resources for the plans, design and construction for irrigation and the improvement of water delivery systems in East Maui.

"Members, this legislation will address what will happen if and when these circumstances occur again on all islands. This bill, if passed, will allow the Board of Land and Natural Resources for the next three years the ability to resolve applications to continue a previously authorized water use in order to prevent its abrupt cessation and the resulting negative social and economic impacts that would threaten our communities.

"Members, this is only a temporary measure to address the problem caused by a lack of action and extensive litigation in the past. Let us be a forward-thinking legislature, let us protect our *'āina*, and support the preservation of our agricultural lands."

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

"Thank you, Mr. Speaker. A no vote, please. And permission to enter my comments from the last reading of the bill. Thank you," and the Chair "so ordered." (By reference only.)

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

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

"In opposition. I was with reservations before, changing to opposition now over some of the facts that have been revealed. I have some comments too, briefly.

"In a previous speech, I detailed some false claims made this session about water availability, claims repeated throughout session about statistics on gallons per day. How much can be pumped, how much water is brackish and so on. I believe that the facts, when they're all laid out, it's clear that this bill represents a choice between decimating local *kalo* farmers and slightly cutting into a corporation's bottom line.

"But to understand this, or any natural resource issue in Hawaii, we need to understand our history. Centuries ago, my ancient Hawaiian ancestors understood that naturally flowing water wasn't something you could simply own. You could borrow it from the *'āina* to use as you needed for your family's subsistence as a steward of a balanced ecosystem. That principle was not just for some but for all, it went all the way to the top level. Even the chiefs or king could not own the streams. Rather, they exercised control as trustees of a public resource.

"Now, that changed in the plantation era, where a small group of wealthy businessmen diverted water without consent from *kalo* farmers across our state. It decimated Hawaiian families, it desecrated sacred waterfalls, and it terminated small Hawaiian farms, all for the sole benefit of just five wealthy missionary families. That spurred lawsuits that persisted, well, until today.

"Now, no one here will argue against the notion that the Big Five may have acted immorally or exploitative at that time. Looking back at history, we recognize the wrongs that were done. But our question here tonight is, do we have the courage to correct this injustice right here on the House Floor?"

"I've been challenged, Mr. Speaker, by industry folks saying, Kaniela, you need to understand that too many struggling working people, too many Hawaiians rely on the plantation to make a living. So I answered respectfully, you need to understand that is the problem.

"I believe local people are ready for self-determination. Many will say that we cannot make it on our own, that we must continue to fall in the rank and file and be thankful for what we are handed under the table. But that's not what I see when I look at Hawaiians and working families. Graduating from universities and starting businesses in record numbers, creating jobs and industry, preserving miles of pristine agricultural land, making waves both at home, nationally and abroad. I believe that we have the capacity, the education, the foresight to take our futures, our local economy, into our own hands, the citizens right here in Hawaii, without relying on mainland-owned corporations. Let the end of the plantation era signal the end of the plantation mentality.

"You see, I was born and raised and come from seven generations on Maui. I come from a working family, I worked in the pineapple fields as a teenager to help my widowed mom with family bills. So I understand the struggles of plantation workers. I would not be here today if not for Maui's plantation history.

"But more than ever before, Maui is at a crucial crossroads. And the people we serve have privileged us with a tremendous power to make decisions like these that will shape the next seven generations.

"Growing up, my father would drive my older brother and I to the beach in Kihei every Sunday after church in Upcountry. He'd point out across the vista of sugar and he'd have us say a prayer of thanks for the island we were blessed to be born on. But he would tell us that within our lifetime, all the sugar will be gone and we'll have the duty to decide what comes next.

"Today we decide, do we want that future to remain in the hands of the Big Five, or do we wish to give the people of Maui a chance to determine their own future.

"This battle isn't unique to Hawaii, it's not just happening now. A similar battle took place in Arizona where a small group of organizers, activists led by John Muir, decided that this is a great canyon we're looking at and I wish this was preserved in perpetuity.

"Now, the biggest interests at the time, the local politicians, they were beholden to industry, and the idea was, absolutely not. It took the federal government, Teddy Roosevelt, to come in and declare the Grand Canyon a national monument. Now, history is kind to these folks. When we think about the next generation before the next election..."

Representative Say rose to yield his time, and the Chair "so ordered."

Representative Ing continued, stating:

"Thank you, Speaker Emeritus. So let us have the courage in our hearts and the distance in our eyes like Teddy Roosevelt. Because today not a single Arizonian, not an industry person, not an environmentalist, thinks that was a bad decision, to preserve the Grand Canyon.

"It used to be the case before national parks, which have a parallel to our public trust doctrine, that the only time you can have wilderness preserved is when a wealthy nobleman decides to issue a decree. I think what makes America unique in our national park system, we're the first to do it, is that we don't have to rely on a rich nobleman. National parks, and in Hawaii our public trust doctrine, is an example of what democracy looks like at its best, when it's working.

"This session I've been hugged and kissed by elders from my home island of Maui, thanking me for standing for our water. My cheeks are soaked with the tears of my *kūpuna*, and I long to wash these tears away under waterfalls that will be regained from the stone into which they have withered.

"Many of you know that water in Hawaii means *wai*. And Hawaii without *wai* is just *ha'i*, which means broken. If we make a decision today against our courts, against the will of our people, for the sole benefit of a corporate plantation, we will reveal that our democracy is broken. Mr. Speaker, let's restore our streams. Thank you."

Representative Tsuji rose in support of 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:

"Your Committee on Agriculture frequently hears testimony attesting to the goal of increasing amounts of locally grown food. To achieve this, the Legislature introduced several bills this year which took different approaches to help our farmers. In addition, the Governor's priorities for agriculture include 'double local food production by 2020, and develop water and energy resources to support this effort.' Reliable water access is a recurring theme between the legislative and executive branches of government, because it is essential to successful ag ventures.

"Unfortunately, our state continues to experience meager rainfall. In February, a hydrologist at the National Weather Service reported that the worst drought impacts in the State were found on the leeward sides of Maui and the Big Island. In March, NWS declared severe drought for Hawaii Island, and said it will likely spread and intensify through the summer.

"It has been mentioned that there are a number of revocable permit holders in the Big Island's Kau region. Their ventures range from growing coffee to raising cattle. The drought has kept the coffee largely dormant, and ranchers have started to haul water and provide supplements for livestock. The Kau cooperative is pursuing longer term leases, but it takes time. This bill would ease concerns that their current revocable permits would be invalidated. This measure will calm the uncertainty for Kau's group – and others statewide – whose operations may be in jeopardy and provide temporary relief for RP holders.

"Fruits and vegetables, livestock, horticulture; these crops need water. The crop growers are the ones helping to decrease our dependence on imports and to reach food sustainability. Therefore, the policies we make should safeguard dependable water access to aid their endeavors while longer lease terms are pending."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2501, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER RIGHTS," passed Final Reading by a vote of 41 ayes to 10 noes, with Representatives Creagan, San Buenaventura, Say, Takumi, Thielen, Ward and Woodson voting aye with reservations, and with Representatives DeCoite, Ing, Jordan, Keohokalole, LoPresti, Lowen, Matsumoto, McKelvey, Pouha and Tupola voting no.

At 7:18 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2121, SD 1, HD 1, CD 1  
 H.B. No. 2350, HD 2, SD 1, CD 1  
 H.B. No. 2343, HD 2, SD 1, CD 1  
 S.B. No. 2395, SD 1, HD 2, CD 1  
 S.B. No. 2583, HD 1, CD 1  
 H.B. No. 2501, HD 2, SD 2, CD 1

#### REPORTS OF CONFERENCE COMMITTEES

Representatives Tsuji, Yamane and DeCoite, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2788, HD 1, presented a report (Conf. Com. Rep. No. 12-16) recommending that S.B. No. 2788, HD 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. 12-16 and S.B. No. 2788,

HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOLOKAI IRRIGATION SYSTEM WATER USERS ADVISORY BOARD," was deferred for a period of 48 hours.

Representative Rhoads, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1517, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 13-16) recommending that H.B. No. 1517, HD 1, 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. 13-16 and H.B. No. 1517, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," was deferred for a period of 48 hours.

Representative Rhoads, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1668, SD 1, presented a report (Conf. Com. Rep. No. 14-16) recommending that H.B. No. 1668, 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. 14-16 and H.B. No. 1668, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF A DOG IN JUDICIAL PROCEEDINGS," was deferred for a period of 48 hours.

Representatives Belatti and Johanson, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2317, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 15-16) recommending that S.B. No. 2317, SD 2, HD 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. 15-16 and S.B. No. 2317, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

Representatives Belatti, Morikawa and Kobayashi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2330, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 16-16) recommending that S.B. No. 2330, SD 2, HD 2, 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. 16-16 and S.B. No. 2330, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOSPITAL SUSTAINABILITY PROGRAM," was deferred for a period of 48 hours.

Representatives Belatti, Morikawa and Luke, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2560, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 17-16) recommending that S.B. No. 2560, SD 2, HD 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. 17-16 and S.B. No. 2560, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was deferred for a period of 48 hours.

Representatives McKelvey and Johanson, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2671, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 18-16) recommending that S.B. No. 2671, SD 1, HD 2, 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. 18-16 and S.B. No. 2671, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERINARY TECHNICIANS," was deferred for a period of 48 hours.

Representatives Belatti, Morikawa and Kobayashi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2213, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 19-16) recommending that S.B. No. 2213, SD 2, HD 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. 19-16 and S.B. No. 2213, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NURSING FACILITY SUSTAINABILITY PROGRAM," was deferred for a period of 48 hours.

Representatives McKelvey and Johanson, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2910, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 20-16) recommending that S.B. No. 2910, SD 2, HD 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. 20-16 and S.B. No. 2910, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE COMMISSIONERS OF DEEDS," was deferred for a period of 48 hours.

Representatives Kawakami and Johanson, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3110, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 21-16) recommending that S.B. No. 3110, SD 1, HD 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. 21-16 and S.B. No. 3110, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was deferred for a period of 48 hours.

Representatives Kawakami and Johanson, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3109, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 22-16) recommending that S.B. No. 3109, SD 1, HD 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. 22-16 and S.B. No. 3109, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MANUFACTURING," was deferred for a period of 48 hours.

Representatives Belatti, Takumi and Johanson, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2476, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 23-16) recommending that S.B. No. 2476, SD 2, HD 2, 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. 23-16 and S.B. No. 2476, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

Representatives Belatti, McKelvey and Tokioka, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2672, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 24-16) recommending that S.B. No. 2672, SD 1, HD 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. 24-16 and S.B. No. 2672, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," was deferred for a period of 48 hours.

Representatives Takayama and Yamashita, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2389, HD 1, SD 1, presented a report

(Conf. Com. Rep. No. 25-16) recommending that H.B. No. 2389, HD 1, 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. 25-16 and H.B. No. 2389, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL REIMBURSEMENT MAXIMIZATION SPECIAL FUND," was deferred for a period of 48 hours.

Representatives Morikawa and Kobayashi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1943, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 26-16) recommending that H.B. No. 1943, HD 1, 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. 26-16 and H.B. No. 1943, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," was deferred for a period of 48 hours.

Representatives Morikawa 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. 900, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 27-16) recommending that H.B. No. 900, 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. 27-16 and H.B. No. 900, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE FRAUD," was deferred for a period of 48 hours.

Representatives Hashem and Luke, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2566, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 28-16) recommending that S.B. No. 2566, SD 1, HD 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. 28-16 and S.B. No. 2566, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred for a period of 48 hours.

Representatives Belatti, Rhoads and DeCoite, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 911, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 29-16) recommending that S.B. No. 911, SD 2, HD 2, 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. 29-16 and S.B. No. 911, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LATEX," was deferred for a period of 48 hours.

Representative Luke, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1702, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 30-16) recommending that H.B. No. 1702, HD 1, 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. 30-16 and H.B. No. 1702, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Representatives Morikawa and Kobayashi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2093, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 31-16) recommending that H.B. No. 2093, HD 1, SD 2, 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. 31-16 and H.B. No. 2093, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR GOODWILL INDUSTRIES OF HAWAII, INC.," was deferred for a period of 48 hours.

Representatives Morikawa 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. 2340, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 32-16) recommending that H.B. No. 2340, HD 1, SD 2, 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. 32-16 and H.B. No. 2340, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORDS CHECKS UNDER THE CHILD PROTECTIVE ACT," was deferred for a period of 48 hours.

Representatives Kawakami and Lowen, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1684, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 33-16) recommending that H.B. No. 1684, 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. 33-16 and H.B. No. 1684, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," was deferred for a period of 48 hours.

Representatives Belatti, McKelvey, Rhoads and Luke, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2392, SD 2, HD 3, presented a report (Conf. Com. Rep. No. 34-16) recommending that S.B. No. 2392, SD 2, HD 3, 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. 34-16 and S.B. No. 2392, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OPIOID ANTAGONISTS," was deferred for a period of 48 hours.

Representatives Belatti, Woodson and Lowen, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2233, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 35-16) recommending that H.B. No. 2233, 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. 35-16 and H.B. No. 2233, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE PROFESSIONALS," was deferred for a period of 48 hours.

Representatives Belatti and Cullen, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1852, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 36-16) recommending that H.B. No. 1852, HD 1, 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. 36-16 and H.B. No. 1852, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION," was deferred for a period of 48 hours.

Representatives Belatti, Rhoads and Cullen, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1111, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 37-16) recommending that H.B. No. 1111, 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. 37-16 and H.B. No. 1111,

HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDS OF THE HAWAII HEALTH SYSTEMS CORPORATION," was deferred for a period of 48 hours.

Representative Rhoads, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1561, SD 1, presented a report (Conf. Com. Rep. No. 38-16) recommending that H.B. No. 1561, 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. 38-16 and H.B. No. 1561, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT," was deferred for a period of 48 hours.

Representatives Ito, Nakashima and Nishimoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1807, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 39-16) recommending that H.B. No. 1807, 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. 39-16 and H.B. No. 1807, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY SERVICE," was deferred for a period of 48 hours.

Representatives Belatti, McKelvey, Rhoads and Cachola, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1756, HD 3, SD 2, presented a report (Conf. Com. Rep. No. 40-16) recommending that H.B. No. 1756, HD 3, SD 2, 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. 40-16 and H.B. No. 1756, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING," was deferred for a period of 48 hours.

Representatives Takayama and Yamashita, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2630, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 41-16) recommending that S.B. No. 2630, SD 1, HD 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. 41-16 and S.B. No. 2630, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was deferred for a period of 48 hours.

#### FINAL READING

Representative Saiki moved to agree to the amendments made by the Senate to the following House Bill, seconded by Representative Evans and carried:

H.B. No. 2204, HD 1, (SD 1)

#### H.B. No. 2204, HD 1, SD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 2204, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 51 ayes.

At 7:19 o'clock p.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 2204, HD 1, SD 1

#### SUSPENSION OF RULES

On motion by Representative Saiki, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to a certain House Bill.

#### 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 Bill, seconded by Representative Evans and carried:

H.B. No. 2169, HD 2, (SD 1)

#### 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 Evans:

H.C.R. No. 127, HD 1, (SD 1)

At 7:21 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 7:22 o'clock p.m.

The motion was put to vote by the Chair and carried, and the House agreed to the amendments made by the Senate to the noted House Concurrent Resolution. (Representative Say was excused.)

#### H.C.R. No. 127, HD 1, SD 1:

Representative Saiki moved that H.C.R. No. 127, HD 1, SD 1 be Adopted, seconded by Representative Evans.

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

"Mr. Speaker, I rise in opposition against this one. I don't see any positive benefit for legalizing drugs. Thank you."

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

"Mr. Speaker, a no vote and a few comments. Mr. Speaker, it's interesting when we said we are going to do medical marijuana and some people said, well, you're setting up a retail system just so you didn't get a slippery slope and legalize it. And everybody who were the proponents said, oh no, no, that's not the case. What do we got here? We've got the case formalizing the study to legalize marijuana, which the proponents said they were not going to do.

"I think this is a bit of a switch and bait. It's a bit of a deception. And if in effect what people said in three to five years there was going to be legalization of marijuana, this is part of the slippery slope and greasing the slicks to make it so. For those reasons, Mr. Speaker, this is not good policy. Thank you."

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

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

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

"In support. I'd like to ask that my words from the third reading on this measure in the House be incorporated again," and the Chair "so ordered." (By reference only.)

Representative Keohokalole continued, stating:

"Just a brief comment. The whole purpose of this resolution was to study the way the system works in Portugal. And I'd just like to note that Portugal instituted a decriminalization system, not a legalization system, 15 years ago. So that's more than enough time to determine whether the thing was good or not. The radical elements of the Portuguese Legislature don't try and repeal the bill every three months. And seven years ago, a conservative Washington D.C. think tank did a comprehensive study of the policy and determined that it was, quote, a resounding success. Thank you."

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

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

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

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

"Thank you, Mr. Speaker. In support with brief comments. I'm not necessarily in favor of decriminalizing drugs, but I do think that it's worth looking at, because there's a lot of information floating out there and this is just a working group, so I think it's worth studying. Thank you."

Representative Pouha rose in support of the measure with reservations and asked that the remarks of Representative Fukumoto Chang be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Tupola rose to respond, stating:

"Brief comment, I just wanted to say that I did read through the study that was done by the think tank and so I think we should take into consideration South America vs. U.S., as far as peer reviewed research. I read through what they came through as far as the longevity of when you decriminalize, that it doesn't have long term effects. Seven years is a long time, but in the lifespan of a year I still feel like it's still new. So I know it's just a study and it's just getting together, but we should take that into consideration. I lived in South America. Things are different, so let's just consider the big picture. Thank you."

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

"Very briefly, in support. Decriminalization is great for while we're going to study this, it's great for mass incarceration, for reducing people that don't need to be locked up. But I think it doesn't go far enough. If you really want to outprice the black market and be able to regulate these things, so people like my friends who are smoking weed at 12-years-old and their dealer happened to lace their weed with meth and they became addicted to meth and ended up in prison, the whole shebang. If you want to get rid of that, you're going to have to legalize and regulate. So, hopefully that's part of the discussion as well. Thank you."

Representative Keohokalole rose to respond, stating:

"I'd just like to correct the record. The study was done in Portugal, which is in Western Europe. Thank you."

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

"Mr. Speaker and Members, strong support, and I wish to adopt the words from the Representative from Kihei," and the Chair "so ordered." (By reference only.)

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

"Thank you. In strong support, and would like to adopt the words of the Representative from the windward side as if they were my own," and the Chair "so ordered." (By reference only.)

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

"In strong support. I'd also like to point out that very conservative politicians and commentators like William F. Buckley back in the '80s have pushed for decriminalization and legalization before. So it's about time we study it. Thank you very much."

Representative Fukumoto Chang rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Fukumoto Chang's written remarks are as follows:

"Mr. Speaker, I once again rise in support of HCR 127, HD 1, SD 1. Advocates have stated that decriminalizing the possession of illegal drugs will release low-level drug offenders from incarceration, thus reducing overcrowded jail and prison populations. As such, they have pushed decriminalization laws both in Hawaii and nationwide. However, I am concerned that enacting policy like this without understanding its wide-ranging impact is unwise. Therefore, I believe it is imperative that a study on the effects of decriminalizing illegal drugs is conducted before any policy measures are undertaken. I have concerns with decriminalization, and I expect a study will caution against further legislative action. For this reason, I rise in support of HCR 127, HD 1, SD 1. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.C.R. No. 127, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE POTENTIAL IMPACT ON ADMINISTRATIVE AND JUDICIAL SYSTEMS OF STATE GOVERNMENT OF DECRIMINALIZING THE ILLEGAL POSSESSION OF DRUGS FOR PERSONAL USE IN HAWAII," was Adopted, with Representative Say being excused.

## ANNOUNCEMENTS

Representative Tokioka: "This is a very special day for the Chair of the Veterans, Military, & International Affairs, & Culture and the Arts Committee. Today is Ken Ito's birthday, so can we all give him a round of applause? Happy Birthday, Chair."

## OPEN JOURNAL

At this time, Representative Evans moved to keep the Journal open until 12:00 o'clock midnight this legislative day for the purpose of receiving Conference Committee Reports and accompanying drafts, seconded by Representative Pouha and carried. (Representative Say was excused.)

## RECESS

At 7:30 o'clock p.m., on motion by Representative Evans, seconded by Representative Pouha and carried, the House of Representatives stood in recess until 6:30 o'clock p.m. tomorrow, Friday, April 29, 2016. (Representative Say was excused.)



**SUPPLEMENTAL CALENDAR #1**

**REPORTS OF CONFERENCE COMMITTEES**

In accordance with the motion made, the following Conference Committee Reports (Conf. Com. Rep. Nos. 42 through 70) were received by the Clerk prior to 12:00 o'clock midnight this legislative day:

Representatives Belatti, McKelvey and LoPresti, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2319, SD 1, HD 3, presented a report (Conf. Com. Rep. No. 42-16) recommending that S.B. No. 2319, SD 1, HD 3, 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. 42-16 and S.B. No. 2319, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Representatives Takumi, Belatti and Cullen, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2387, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 43-16) recommending that S.B. No. 2387, SD 2, HD 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. 43-16 and S.B. No. 2387, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICAL EXAMINATIONS," was deferred for a period of 48 hours.

Representatives Nakashima and McKelvey, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2896, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 44-16) recommending that S.B. No. 2896, SD 1, HD 2, 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. 44-16 and S.B. No. 2896, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PREVENTION OF UNFAIR LABOR PRACTICES," was deferred for a period of 48 hours.

Representatives Brower and McKelvey, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2673, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 45-16) recommending that S.B. No. 2673, SD 2, HD 2, 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. 45-16 and S.B. No. 2673, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES," was deferred for a period of 48 hours.

Representatives McKelvey and Rhoads, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2408, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 46-16) recommending that S.B. No. 2408, SD 1, HD 2, 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. 46-16 and S.B. No. 2408, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PARTITION OF HEIRS PROPERTY," was deferred for a period of 48 hours.

Representative Aquino, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2375, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 47-16) recommending that S.B. No. 2375, SD 1, HD 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. 47-16 and S.B. No. 2375,

SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred for a period of 48 hours.

Representatives Ing, Yamane and Lowen, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2034, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 48-16) recommending that H.B. No. 2034, HD 1, SD 2, 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. 48-16 and H.B. No. 2034, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE KAHŌ'OLAWĒ ISLAND RESERVE COMMISSION," was deferred for a period of 48 hours.

Representatives Ing, Ito and Lowen, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2277, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 49-16) recommending that H.B. No. 2277, HD 1, 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. 49-16 and H.B. No. 2277, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE KING KAMEHAMEHA CELEBRATION COMMISSION," was deferred for a period of 48 hours.

Representatives Lee, Yamane, Tsuji and McKelvey, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2077, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 50-16) recommending that H.B. No. 2077, HD 2, SD 2, 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. 50-16 and H.B. No. 2077, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HYDROELECTRIC POWER," was deferred for a period of 48 hours.

Representatives Lee and Lowen, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2231, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 51-16) recommending that H.B. No. 2231, HD 1, 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. 51-16 and H.B. No. 2231, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY COOPERATIVES," was deferred for a period of 48 hours.

Representatives Aquino 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. 32, SD 2, presented a report (Conf. Com. Rep. No. 52-16) recommending that H.B. No. 32, SD 2, 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. 52-16 and H.B. No. 32, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CROSSWALK SAFETY," was deferred for a period of 48 hours.

Representatives Aquino 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. 901, SD 1, presented a report (Conf. Com. Rep. No. 53-16) recommending that H.B. No. 901, 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. 53-16 and H.B. No. 901, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT VEHICLES," was deferred for a period of 48 hours.

Representatives Aquino, Woodson and McKelvey, for the Committee on Conference on the disagreeing vote of the House to the amendments

proposed by the Senate in H.B. No. 1011, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 54-16) recommending that H.B. No. 1011, HD 1, SD 2, 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. 54-16 and H.B. No. 1011, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," was deferred for a period of 48 hours.

Representatives Aquino 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. 1747, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 55-16) recommending that H.B. No. 1747, HD 1, 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. 55-16 and H.B. No. 1747, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was deferred for a period of 48 hours.

Representatives Hashem and Jordan, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2305, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 56-16) recommending that H.B. No. 2305, HD 1, 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. 56-16 and H.B. No. 2305, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DWELLING UNIT REVOLVING FUND," was deferred for a period of 48 hours.

Representatives Nakashima and McKelvey, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2017, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 57-16) recommending that H.B. No. 2017, HD 1, SD 2, 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. 57-16 and H.B. No. 2017, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION TREATMENT PLANS," was deferred for a period of 48 hours.

Representatives Nakashima and Keohokalole, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2018, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 58-16) recommending that H.B. No. 2018, HD 1, 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. 58-16 and H.B. No. 2018, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT PROCESSES AND SERVICES," was deferred for a period of 48 hours.

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. 1739, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 59-16) recommending that H.B. No. 1739, 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. 59-16 and H.B. No. 1739, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," was deferred for a period of 48 hours.

Representatives McKelvey 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. 1578, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 60-16) recommending that H.B. No. 1578, 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. 60-16 and H.B. No. 1578, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT," was deferred for a period of 48 hours.

Representatives Yamane, Lee and Cullen, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2030, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 61-16) recommending that H.B. No. 2030, HD 1, SD 2, 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. 61-16 and H.B. No. 2030, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO POLLUTION," was deferred for a period of 48 hours.

Representatives Yamane, Rhoads and Cullen, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2036, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 62-16) recommending that H.B. No. 2036, HD 1, SD 2, 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. 62-16 and H.B. No. 2036, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION DISTRICTS," was deferred for a period of 48 hours.

Representatives Yamane and Onishi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2675, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 63-16) recommending that H.B. No. 2675, HD 1, SD 2, 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. 63-16 and H.B. No. 2675, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RAPID OHIA DEATH," was deferred for a period of 48 hours.

Representatives Yamane 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. 2604, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 64-16) recommending that H.B. No. 2604, HD 1, 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. 64-16 and H.B. No. 2604, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ACQUISITION OF REAL PROPERTY," was deferred for a period of 48 hours.

Representative Rhoads, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1726, SD 1, presented a report (Conf. Com. Rep. No. 65-16) recommending that H.B. No. 1726, 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. 65-16 and H.B. No. 1726, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MURDER," was deferred for a period of 48 hours.

Representatives Rhoads and Luke, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2279, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 66-16) recommending that H.B. No. 2279, HD 2, SD 2, 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. 66-16 and H.B. No. 2279, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," was deferred for a period of 48 hours.

Representatives Rhoads and Yamane, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1581, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 67-16) recommending that H.B. No. 1581, HD 2, SD 2, 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. 67-16 and H.B. No. 1581, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO JUDICIAL PROCEEDINGS," was deferred for a period of 48 hours.

Representatives Belatti and McKelvey, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 254, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 68-16) recommending that H.B. No. 254, 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. 68-16 and H.B. No. 254, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINES," was deferred for a period of 48 hours.

Representatives Belatti 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. 2632, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 69-16) recommending that H.B. No. 2632, HD 2, SD 2, 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. 69-16 and H.B. No. 2632, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," was deferred for a period of 48 hours.

Representatives Takayama 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. 2391, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 70-16) recommending that H.B. No. 2391, HD 2, SD 2, 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. 70-16 and H.B. No. 2391, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELEASE OF CERTAIN MISDEMEANANTS," was deferred for a period of 48 hours.

#### ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 6:30 o'clock p.m. tomorrow, Friday, April 29, 2016.

#### HOUSE COMMUNICATIONS

House Communication dated April 28, 2016, 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 7, 2016, and gives its notice of intent to agree to the following House Bill:

H.B. No. 2169, HD 2, SD 1

House Communication dated April 28, 2016, 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 this day agreed to the amendments made by the Senate and passed the following House Bill on Final Reading:

H.B. No. 2204, HD 1, SD 1

House Communication dated April 28, 2016, 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 this day passed the following bills on Final Reading:

H.B. No. 2343, HD 2, SD 1, CD 1  
 H.B. No. 2350, HD 2, SD 1, CD 1  
 H.B. No. 2501, HD 2, SD 2, CD 1  
 S.B. No. 2121, SD 1, HD 1, CD 1  
 S.B. No. 2395, SD 1, HD 2, CD 1  
 S.B. No. 2583, HD 1, CD 1

House Communication dated April 28, 2016, 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. 127, HD 1, SD 1