

TWENTY-EIGHTH DAY

Monday, March 13, 2017

The House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2017, convened at 12:10 o'clock p.m., with Vice Speaker Mizuno presiding.

The invocation was delivered by Representative Bob McDermott, after which the Roll was called showing all Members present with the exception of Representative Ichiyama, who was excused.

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

At 12:14 o'clock p.m., Representative Saiki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:20 o'clock p.m.

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 304, and 313 through 315) were received by the Clerk and were placed on file:

Dept. Com. No. 304, from the University of Hawaii System, dated February 7, 2017, transmitting a Report on Filling of Temporary Unbudgeted Positions, pursuant to Act 119, Section 128, SLH 2015.

Dept. Com. No. 313, from the University of Hawaii System, dated February 15, 2017, transmitting a Report on Filling of Temporary Unbudgeted Positions, pursuant to Act 119, Section 128, SLH 2015.

Dept. Com. No. 314, from the University of Hawaii System, dated February 17, 2017, transmitting the Report on Security Breach at the University of Hawaii, Kapiolani Community College, pursuant to Section 487N-4, HRS.

Dept. Com. No. 315, from the University of Hawaii System, dated February 22, 2017, transmitting a Report on Filling of Temporary Unbudgeted Positions, pursuant to Act 119, Section 128, SLH 2015.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1092) recommending that H.B. No. 335, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1092 on H.B. No. 335, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 335, HD 2, were made available to the Members of the House.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1093) recommending that H.B. No. 100, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 100, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Ichiyama, Souki and Tokioka being excused.

At this time, the Chair stated:

"Members, we're going to be taking a recess, we will be reconvening at 1:30 p.m."

At 12:21 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:44 o'clock p.m.

At 1:44 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:52 o'clock p.m.

SUPPLEMENTAL CALENDAR #1

INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 138) was announced by the Clerk and the following action taken:

H.R. No. 138, entitled: "HOUSE RESOLUTION RELATING TO THE CAUCUS LEADERS AND THE COMMITTEE ASSIGNMENTS OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-NINTH LEGISLATURE," was jointly offered by Representatives Saiki and Evans.

Representative Saiki moved that H.R. No. 138 be adopted, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'm rising against the resolution, and I'd like to explain why. Mr. Speaker, it's been my privilege to be in the House of Representatives for a number of years. During a lot of that time, I had the privilege of serving on the Consumer Protection & Commerce Committee under the Chair from Maui.

"I found him to be very fair, first of all, very well-educated as to the measures that came before our committee. While I didn't always agree with him, I found him to be very fair to the different competing interests that come before that committee. That committee really covers the economic portion of our state. The committee members deal with so many of the issues that affect the businesses and labor within our community.

"I thought he did a very measured, intelligent, good job, and I felt comfortable enough with his leadership on that committee when we were selecting from our small little base of minority members in here, we only were able to cover a very small number of committees with more than one member, and I found myself comfortable enough to feel that our economy was in good hands with the Maui Chair as the head of that committee, so I selected to be on the Judiciary Committee, nothing against the Chair of Judiciary, but because of my legal background as an attorney, and my involvement with so many of those issues from our women's caucus perspective as well.

"I am sorry to see this change, Mr. Speaker, and I needed to speak out and share my experience with the Chair, the existing Chair of Consumer Protection & Commerce. I would have liked to have him continue. Thank you."

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

"I rise in opposition. Thank you, Mr. Speaker. First and foremost, as a former member of the Committee on Consumer Protection & Commerce, I would like to adopt the words of the previous speaker. I do believe that the Chair of CPC, also the Representative from Lahaina, has done a very good job as the CPC Chair. He's very fair, he's very balanced, and he's done a very good job as the Chair of CPC.

"But I also rise in opposition for another reason, Mr. Speaker, and these are clearly selfish reasons. Currently I serve as the Vice Chair of the Committee on Education, it's truly been an honor to serve as the Vice Chair under someone who I think is probably the most well-versed chair in this House of Representatives with respect to education.

"And while it is time for everybody to move on at some point, it's been an honor to serve under the current Chair of Education, who will now be moving on. For those reasons, Mr. Speaker, I stand in opposition. Thank you."

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

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and H.R. No. 138 was adopted, with Representatives Choy, Har, Kong, McDermott, Say, Thielen, Tokioka, Tupola and Ward voting no, and with Representatives Ichiyama, McKelvey, Oshiro and Quinlan being excused.

ANNOUNCEMENTS

Representative Onishi, for the Committee on Tourism, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measure on Tuesday, March 14, 2017, at 9:30 a.m. in Conference Room 429, and the Chair "so ordered."

S.B. No. 1084, SD 2, Relating to the Hawaii Tourism Authority.

Representative Ing, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measures on Tuesday, March 14, 2017, at 10:00 a.m. in Conference Room 312, and the Chair "so ordered."

S.B. No. 849, SD 2, Relating to the Hawaiian Homes Commission Act; S.B. No. 992, SD 2, Relating to Vessels Aground; S.B. No. 848, SD 2, Relating to Higher Education; S.B. No. 1294, SD 1, Relating to Native Hawaiian Higher Education; S.B. No. 961, Relating to the Hawaiian Homes Commission; S.B. No. 1240, SD 2, Relating to Aquatic Life; and S.B. No. 560, SD 1, Relating to Hawaiian Language.

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R.
Nos.

Referred to:

45 Jointly to the Committee on Agriculture and the Committee on Education, then to the Committee on Finance

46 Jointly to the Committee on Agriculture and the Committee on Water & Land, then to the Committee on Finance

47 Committee on Intrastate Commerce, then to the Committee on Consumer Protection & Commerce

48 Committee on Finance

49 Jointly to the Committee on Tourism and the Committee on Economic Development & Business, then to the Committee on Finance

50 Committee on Higher Education, then to the Committee on Finance

51 Jointly to the Committee on Economic Development & Business and the Committee on Labor & Public Employment, then to the Committee on Finance

52 Jointly to the Committee on Economic Development & Business and the Committee on Labor & Public Employment, then to the Committee on Finance

53 Jointly to the Committee on Health and the Committee on Water & Land, then to the Committee on Education

54 Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance

55 Committee on Ocean, Marine Resources, & Hawaiian Affairs, then jointly to the Committee on Health and the Committee on Consumer Protection & Commerce

56 Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Judiciary

57 Committee on Health, then to the Committee on Higher Education

58 Committee on Human Services, then to the Committee on Finance

59 Committee on Water & Land, then to the Committee on Finance

60 Committee on Transportation, then to the Committee on Finance

61 Committee on Transportation, then to the Committee on Finance

62 Committee on Judiciary

63 Committee on Housing, then to the Committee on Finance

64 Committee on Judiciary

65 Committee on Consumer Protection & Commerce, then to the Committee on Finance

66 Committee on Energy & Environmental Protection, then to the Committee on Finance

67 Committee on Energy & Environmental Protection, then to the Committee on Finance

68 Committee on Housing, then to the Committee on Judiciary

69 Committee on Transportation, then to the Committee on Finance

70 Committee on Judiciary, then to the Committee on Finance

71 Committee on Water & Land, then to the Committee on Finance

72 Committee on Finance

73	Committee on Human Services, then to the Committee on Finance	98	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Tourism
74	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	99	Committee on Water & Land, then to the Committee on Finance
75	Committee on Labor & Public Employment, then to the Committee on Finance	100	Committee on Judiciary, then to the Committee on Finance
76	Committee on Judiciary	101	Committee on Transportation, then to the Committee on Finance
77	Committee on Public Safety, then to the Committee on Finance	102	Committee on Water & Land, then to the Committee on Finance
		103	Committee on Transportation, then to the Committee on Finance
		104	Committee on Judiciary
		105	Committee on Labor & Public Employment, then to the Committee on Finance
		106	Jointly to the Committee on Ocean, Marine Resources, & Hawaiian Affairs and the Committee on Water & Land, then to the Committee on Finance
		107	Committee on Consumer Protection & Commerce, then to the Committee on Finance
		108	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Finance
		109	Committee on Housing, then to the Committee on Finance
		110	Committee on Judiciary
		111	Committee on Consumer Protection & Commerce, then to the Committee on Finance
		112	Committee on Energy & Environmental Protection, then to the Committee on Finance
		113	Committee on Energy & Environmental Protection, then to the Committee on Finance
		114	Committee on Housing, then to the Committee on Judiciary
		115	Committee on Transportation, then to the Committee on Finance
		116	Committee on Judiciary, then to the Committee on Finance
		117	Committee on Water & Land, then to the Committee on Finance
		118	Committee on Energy & Environmental Protection, then to the Committee on Finance
		119	Committee on Health, then to the Committee on Labor & Public Employment
		120	Committee on Agriculture, then to the Committee on Economic Development & Business
		121	Committee on Transportation, then to the Committee on Finance
		122	Committee on Transportation, then to the Committee on Finance
		123	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
		124	Committee on Labor & Public Employment, then to the Committee on Finance
		125	Committee on Judiciary
		126	Committee on Public Safety, then to the Committee on Finance

H.C.R.
Nos.

Referred to:

81	Committee on Education, then to the Committee on Finance
82	Jointly to the Committee on Ocean, Marine Resources, & Hawaiian Affairs and the Committee on Water & Land, then to the Committee on Finance
83	Jointly to the Committee on Agriculture and the Committee on Education, then to the Committee on Finance
84	Jointly to the Committee on Agriculture and the Committee on Water & Land, then to the Committee on Finance
85	Committee on Intrastate Commerce, then to the Committee on Consumer Protection & Commerce
86	Committee on Finance
87	Jointly to the Committee on Tourism and the Committee on Economic Development & Business, then to the Committee on Finance
88	Committee on Higher Education, then to the Committee on Finance
89	Jointly to the Committee on Economic Development & Business and the Committee on Labor & Public Employment, then to the Committee on Finance
90	Jointly to the Committee on Economic Development & Business and the Committee on Labor & Public Employment, then to the Committee on Finance
91	Jointly to the Committee on Health and the Committee on Water & Land, then to the Committee on Education
92	Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance
93	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then jointly to the Committee on Health and the Committee on Consumer Protection & Commerce
94	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Judiciary
95	Committee on Health, then to the Committee on Higher Education
96	Committee on Human Services, then to the Committee on Finance
97	Jointly to the Committee on Ocean, Marine Resources, & Hawaiian Affairs and the Committee on Water & Land, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

<u>S.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
49, SD1	Committee on Education, then jointly to the Committee on Labor & Public Employment and the Committee on Economic Development & Business, then to the Committee on Finance
298, SD1	Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Economic Development & Business, then to the Committee on Finance
640, SD2	Committee on Agriculture, then to the Committee on Water & Land, then to the Committee on Finance

ADJOURNMENT

At 1:59 o'clock p.m., on motion by Representative Evans, seconded by Representative Ward and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, March 14, 2017. (Representatives Ichiyama, McKelvey, Oshiro and Quinlan were excused.)