

FORTY-FIRST DAY

Friday, March 31, 2017

The House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2017, convened at 12:03 o'clock p.m., with Speaker Souki presiding.

The invocation was delivered by Pastor Diane Martinson of St. Peter's Episcopal Church, after which the Roll was called showing all Members present with the exception of Representatives Aquino, Creagan, Ing, McKelvey, Thielen and Tupola, who were excused.

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

SENATE COMMUNICATIONS

The following communication from the Senate (Sen. Com. No. 395) was received and announced by the Clerk:

Sen. Com. No. 395, transmitting S.C.R. No. 77, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A BONA FIDE AGRICULTURAL PRODUCER TASK FORCE TO CREATE A DEFINITION FOR THE TERM "BONA FIDE AGRICULTURAL PRODUCER", which was adopted by the Senate on March 30, 2017.

INTRODUCTIONS

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

Representative San Buenaventura introduced Hawaii Supreme Court Associate Justices: Michael Wilson and Sabrina McKenna; former Associate Justice: Simeon Acoba; and Mr. and Mrs. David and Amy Monk.

Representative Luke introduced her classmate, Mrs. Patsy Saiki, wife of Representative Scott Saiki.

Representative Todd introduced from UH Hilo's Daniel K. Inouye College of Pharmacy: students, Wilson Datario, Athena Borhauer, Cindy Khamphaphanh and Mari Cid; Dean Carolyn Ma; Assistant Professor, Dr. Wesley Sumida; and his uncle, Mr. Gerald De Mello.

Representatives Takumi and Cullen introduced Dr. Amy Agbayani, who retired from UH Manoa as Assistant Vice Chancellor for Student Diversity and Director of Student Equity, Excellence and Diversity; her family and friends, Gus, Aleli and Lina; from UH Manoa: Dr. Doris Ching, Regent Acoba, Regent Tagorda, and faculty, staff and students; Patsy Mink PAC and other women advocates; Hawaii Friends of Civil Rights and civil rights advocates; Filipino community groups; and Associate Justices Sabrina McKenna and Michael Wilson.

Representative Gates introduced Mr. Leon Florendo, Counselor, Leeward Community College.

Representative Ward introduced Ms. Lyn Anzai, East-West Center.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 155) was announced by the Clerk and the following action taken:

H.R. No. 155, entitled: "HOUSE RESOLUTION RECOGNIZING KALANI PE'A – GRAMMY® AWARD WINNING SINGER, SONGWRITER, PRODUCER; AUTHOR AND ILLUSTRATOR; AND EDUCATOR FOR ALL HIS ACCOMPLISHMENTS, ACCOLADES,

AND EFFORTS TO PERPETUATE THE HAWAIIAN CULTURE," was jointly offered by Representatives Todd, Creagan, DeCoite, Evans, Gates, Holt, McKelvey, Nakashima, Onishi, Quinlan, San Buenaventura, Souki, Woodson, Yamashita and Lowen.

Representative Todd moved that H.R. No. 155 be adopted, seconded by Representative Holt.

Representative Todd honored Kalani Pea for being the first Native Hawaiian artist to win a Grammy Award in the Best Regional Roots Music Album category for his debut album *E Walea*, commended him for being an asset to his culture and a credit to his family and hometown of Hilo, and introduced honorees who were seated on the Floor of the House:

Mr. Kalani Pea, Grammy Award Winner;
Mr. Allan Cool, Manager;
Ms. Pua Leonard, mother;
Mr. Arthur Pea, father; and
Ms. Noelani Sugata, friend.

Representative Holt honored Kalani for his work in perpetuating the Hawaiian culture, shared how he has gained worldwide recognition for his talent and music, congratulated him on his Grammy Award, and thanked him for being an inspiring role model for our *keiki*.

The motion was put to vote by the Chair and carried, and H.R. No. 155 was adopted, with Representatives Aquino, Creagan, Har, Ing, McKelvey, Thielen and Tupola being excused.

The following resolution (H.R. No. 156) was announced by the Clerk and the following action taken:

H.R. No. 156, entitled: "HOUSE RESOLUTION COMMENDATION OF YUKIO YOSHIKAWA AND MCKINLEY CAR WASH," was jointly offered by Representatives Ward, Brower, Kobayashi, Kong, Mizuno, Nishimoto, Saiki, Say, Takayama and Tupola.

Representative Ward moved that H.R. No. 156 be adopted, seconded by Representative Brower.

Representative Ward honored Yukio Yoshikawa for founding the oldest and greatest car wash in the State of Hawaii in 1963, recognized him as a job creator and role model for his employees, and introduced honoree who was seated on the Floor of the House:

Mr. Yukio Yoshikawa, Founder, McKinley Car Wash.

Representative Brower shared McKinley Car Wash's motto, "sparkle, shine, smile, repeat," read glowing testimonials from customers and employees, reminisced about how he enjoyed going there as a child, and introduced honorees who were seated on the Floor of the House:

Mrs. Lillian Yoshikawa, wife;
Mr. Max Yoshikawa, son;
Mrs. Donna Gordon, daughter;
Mrs. Gayle Humphreys, daughter; and
Mr. and Mrs. Craig and Karen Yoshikawa, son and daughter-in-law, who were seated in the gallery.

Representative McDermott highlighted the economic opportunities provided by McKinley Car Wash.

Representative Matsumoto thanked the honorees for their service to the community.

The motion was put to vote by the Chair and carried, and H.R. No. 156 was adopted, with Representatives Aquino, Creagan, Har, Ing, McKelvey, Thielen and Tupola being excused.

Speaker Souki recognized Senate President Ronald Kouchi, who was seated in the gallery.

At 12:32 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:43 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Ward and carried, the rules were suspended for the purpose of considering certain Senate Bills for Third Reading by consent calendar. (Representatives Aquino, Creagan, Har, Ing, Keohokalole, McDermott, McKelvey, Thielen and Tupola were excused.)

REPORTS OF STANDING COMMITTEES

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1549) recommending that S.B. No. 584, SD 1, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 584, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES," passed Third Reading by a vote of 43 ayes, with Representatives Aquino, Creagan, Har, Ing, McDermott, McKelvey, Thielen and Tupola being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1550) recommending that S.B. No. 392, SD 1, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 392, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 43 ayes, with Representatives Aquino, Creagan, Har, Ing, McDermott, McKelvey, Thielen and Tupola being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1551) recommending that S.B. No. 609, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 609, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ATTESTATION ENGAGEMENTS," passed Third Reading by a vote of 43 ayes, with Representatives Aquino, Creagan, Har, Ing, McDermott, McKelvey, Thielen and Tupola being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1552) recommending that S.B. No. 185, SD 2, HD 1 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 185, SD 2, HD 1 pass Third Reading, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 185, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE PROVIDERS," passed Third Reading by a vote of 42 ayes to 1 no, with Representative Say voting no, and with Representatives Aquino, Creagan, Har, Ing, McDermott, McKelvey, Thielen and Tupola being excused.

At 12:45 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 584, SD 1, HD 1
S.B. No. 392, SD 1, HD 1
S.B. No. 609, HD 1
S.B. No. 185, SD 2, HD 1

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1553) recommending that S.B. No. 119, SD 1, 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 S.B. No. 119, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT OF RENT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Aquino, Creagan, Har, Ing, McDermott, McKelvey, Thielen and Tupola being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1554) recommending that S.B. No. 1264, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1554 on S.B. No. 1264, SD 1, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1264, SD 1, HD 2, were made available to the Members of the House.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1555) recommending that S.B. No. 611, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1555 on S.B. No. 611, SD 1, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 611, SD 1, HD 2, were made available to the Members of the House.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1556) recommending that S.B. No. 514, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1556 on S.B. No. 514, SD 1, HD 1, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 514, SD 1, HD 1, were made available to the Members of the House.

ADJOURNMENT

At 12:47 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 Monday, April 3, 2017. (Representatives Aquino, Creagan, Har, Ing, McDermott, McKelvey, Thielen and Tupola were excused.)