

## FORTY-THIRD DAY

Tuesday, April 4, 2017

The House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2017, convened at 12:05 o'clock p.m., with Speaker Souki presiding.

The invocation was delivered by Ms. Kauai Lucas of the Office of Representative Gregg Takayama, after which the Roll was called showing all Members present with the exception of Representative Quinlan, who was excused.

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

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 401 through 409) were received and announced by the Clerk:

Sen. Com. No. 401, transmitting H.B. No. 91, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on April 3, 2017.

Sen. Com. No. 402, transmitting H.B. No. 144, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MITIGATION OF HAZARDOUS SITUATIONS STATEWIDE," which passed Third Reading in the Senate on April 3, 2017.

Sen. Com. No. 403, transmitting H.B. No. 192, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HOMEOWNERS' ASSOCIATIONS," which passed Third Reading in the Senate on April 3, 2017.

Sen. Com. No. 404, transmitting H.B. No. 239, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on April 3, 2017.

Sen. Com. No. 405, transmitting H.B. No. 561, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," which passed Third Reading in the Senate on April 3, 2017.

Sen. Com. No. 406, transmitting H.B. No. 563, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," which passed Third Reading in the Senate on April 3, 2017.

Sen. Com. No. 407, transmitting H.B. No. 917, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on April 3, 2017.

Sen. Com. No. 408, transmitting H.B. No. 1182, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on April 3, 2017.

Sen. Com. No. 409, transmitting H.B. No. 1262, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER TOUR OPERATORS," which passed Third Reading in the Senate on April 3, 2017.

Representative Saiki moved to disagree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried: (Representative Quinlan was excused.)

H.B. No. 91, HD 1, (SD 1)  
H.B. No. 144, HD 1, (SD 1)  
H.B. No. 192, HD 2, (SD 1)  
H.B. No. 239, HD 2, (SD 1)  
H.B. No. 561, HD 2, (SD 1)  
H.B. No. 563, HD 1, (SD 1)  
H.B. No. 917, HD 1, (SD 1)  
H.B. No. 1182, HD 1, (SD 2)  
H.B. No. 1262, HD 2, (SD 1)

## INTRODUCTIONS

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

Representative Gates introduced his staff: Venus Delos Santos, Thomas Baldwin, Ed Burke and Benjamin Gates.

Representative Saiki introduced his friend and community advocate, Mr. James Koshiba.

## ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 159) was announced by the Clerk and the following action taken:

H.R. No. 159, entitled: "HOUSE RESOLUTION CONGRATULATING THE 2016 HAWAII HEALTHCARE HEROES FOR THE OUTSTANDING AND EXEMPLARY CARE THEY HAVE DELIVERED TO PATIENTS AND THEIR LOVED ONES ACROSS THE STATE," was jointly offered by Representatives Belatti, Fukumoto, Har, Kobayashi, Morikawa, Nakashima, Nishimoto, Oshiro, Saiki and Todd.

Representative Belatti moved that H.R. No. 159 be adopted, seconded by Representative Kobayashi.

Representative Belatti recognized the Healthcare Association of Hawaii for creating the Healthcare Heroes Award to recognize outstanding medical professionals, and recognized guests who were seated in the gallery:

Mr. Andrew Garrett, Associate Vice President, Healthcare Association of Hawaii; and  
Family Members, Co-workers and Staff of honorees.

Representative Fukumoto commended Ms. Bickel for providing high quality care to the residents of Hawaii for the past two decades, and introduced honoree who was seated on the Floor of the House:

Ms. Pixie Bickel, Mammogram Technician, Queen's Medical Center.

Representative Saiki recognized and thanked Dr. Kane for his passion of restoring the quality of life of his patients for the past 40 years, and introduced honoree who was seated on the Floor of the House:

Dr. Thomas Kane, Medical Director, Queen's Medical Center;  
Founder and Director, Kane Orthopedic Institute.

Representative Nakashima commended Ms. Marquette for her dedication to the health of her community for the past 23 years, and introduced honoree who was seated on the Floor of the House:

Ms. Catherine Marquette, Family Nurse Practitioner, Hamakua-Kohala Health Center.

Representative Kobayashi thanked Dr. Okazaki for helping patients navigate a cancer diagnosis and providing the best care he can, and introduced honoree who was seated on the Floor of the House:

Dr. Ian Okazaki, Oncologist, Straub Hospital.

Representative Nishimoto recognized Ms. Ouchi as someone who treats her patients like family, and introduced honoree who was seated on the Floor of the House:

Ms. Phung Le Ouchi, Staff Nurse, Hi'olani Care Center at Kahala Nui, who was represented by Ms. Laurie Callies.

The motion was put to vote by the Chair and carried, and H.R. No. 159 was adopted, with Representative Quinlan being excused.

The following resolution (H.R. No. 160) was announced by the Clerk and the following action taken:

H.R. No. 160, entitled: "HOUSE RESOLUTION CONGRATULATING THREE HAWAIIAN CULTURE PRACTITIONERS WHO HAVE BROUGHT SIGNIFICANCE TO THE STATE OF HAWAII BY PERPETUATING AND PRACTICING IDEOLOGIES INSPIRED BY THE LAND, THE SEA, AND BY THE ACADEMIC INSTITUTIONS UPON WHICH THE STATE WAS BUILT," was jointly offered by Representatives Gates, Holt, Keohokalole, Nakamura and Todd.

Representative Gates moved that H.R. No. 160 be adopted, seconded by Representative Holt.

Representative Gates honored Hawaii's outstanding leaders who have selflessly dedicated their heart and soul to advocating for Hawaii's most vulnerable populations, recognized Ms. Borge for her strength and compassion providing food, shelter, and establishing a model community of mentorship, guidance and moral support for those living under similar circumstances throughout the State of Hawaii, and introduced honoree who was seated on the Floor of the House:

Ms. Twinkle Borge, Site Coordinator, Pu'uuhonua O Waianae Village.

Representative Gates also recognized guests who were seated in the gallery:

Mr. Adam Fuiava;  
Ms. Junko Iaela;  
Ms. Rohani Castro;  
Mr. James Koshiba; and  
Senator Maile Shimabukuro.

Representative Holt recognized Mr. Kapoi as an outstanding state and community leader who captures the spirit of Hawaii through his film and photography, providing for the next generation a clear idea of the richness of Hawaii's tradition, history and identity, and introduced honoree who was seated on the Floor of the House:

Mr. Sam Kapoi, Crewmember, Hōkūle'a.

Representative Gates honored Mr. Kila for dedicating his life to serving generations of students in various roles as a teacher, administrator and community advocate, helping to foster the growth of young minds in the State of Hawaii by grounding them in local traditions, and introduced honorees who were seated on the Floor of the House:

Mr. Glenn Kila, Program Director, Koa Ike Foundation; and  
Mrs. Kim Anh Hila, his wife.

Representative Tupola thanked Sam Kapoi for all that he does for the language, culture and people, Uncle Glenn for serving on the neighborhood board and continually caring about the community, and Auntie Twinkle for all she does for the children.

The motion was put to vote by the Chair and carried, and H.R. No. 160 was adopted, with Representative Quinlan being excused.

At 12:33 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:42 o'clock p.m.

#### REPORTS OF STANDING COMMITTEES

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1562) recommending that S.B. No. 1227, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1562 on S.B. No. 1227, 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. 1227, HD 2, were made available to the Members of the House.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1563) recommending that S.B. No. 420, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1563 on S.B. No. 420, 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. 420, SD 1, HD 1, were made available to the Members of the House.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1564) recommending that S.B. No. 655, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1564 on S.B. No. 655, SD 2, 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. 655, SD 2, HD 2, were made available to the Members of the House.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1565) recommending that S.B. No. 1171, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1565 on S.B. No. 1171, 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. 1171, SD 1, HD 1, were made available to the Members of the House.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1566) recommending that S.B. No. 174, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1566 on S.B. No. 174, SD 2, 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. 174, SD 2, HD 2, were made available to the Members of the House.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1567) recommending that S.B. No. 895, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1567 on S.B. No. 895, 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. 895, 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. 1568) recommending that S.B. No. 1150, SD 2, HD 2, as amended in HD 3, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1568 on S.B. No. 1150, SD 2, HD 3, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1150, SD 2, HD 3, 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. 1569) recommending that S.B. No. 513, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1569 on S.B. No. 513, 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. 513, SD 1, HD 2, were made available to the Members of the House.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1570) recommending that S.B. No. 314, 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. 314, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ARBITRATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Gates and Quinlan being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1571) recommending that S.B. No. 322, 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. 322, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COURT JURISDICTION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Gates and Quinlan being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1572) recommending that S.B. No. 478, 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. 478, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Gates and Quinlan being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1573) recommending that S.B. No. 572, 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. 572, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Gates and Quinlan being excused.

#### 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 Gates and Quinlan were excused.)

#### REPORTS OF STANDING COMMITTEES

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1574) recommending that S.B. No. 947, SD 2, 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. 947, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CITATIONS FOR BEAUTY CULTURE VIOLATIONS," passed Third Reading by a vote of 50 ayes, with Representative Quinlan being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1575) recommending that S.B. No. 305, SD 1, HD 1 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 305, SD 1, HD 1 pass Third Reading, seconded by Representative Evans.

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

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in opposition to SB 305, SD 1, HD 1, RELATING TO MEDICAL MARIJUANA DISPENSARIES. This bill amends Section 329D-7 of the Hawaii Revised Statutes to codify the required time for retention of video security recordings of medical marijuana licensees by reducing the one-year retention period to 45 days. I am in opposition to this measure, based on the testimony of the Department of Health.

"The Department of Health has specific concerns with reducing the retention period for video security recordings from one year to 45 days. Maintaining longer video records protects against fraud, theft and other criminal activity. Right now, it is not clear how these problems will manifest in production centers and retail dispensaries because dispensaries have yet to open. Maintaining a yearlong video record gives the Department the resources to address any potential issues.

"If changes do need to be made to the retention period of video records, the Department of Health currently has the capability to amend its administrative rules to change the retention period. If the retention period is codified in the Hawaii Revised Statutes, it removes that flexibility from the Department.

"For these reasons, Mr. Speaker, I stand in opposition to SB 305, SD 1, HD 1."

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

"Mr. Speaker, with reservations for me. As we start these medical marijuana dispensaries, I think it is very important that we be careful and prudent, because of course this is a brand new enterprise.

"I think that current policy would have the video recordings kept for one year. This proposal, HD 1, would have the video recordings kept for 45 days. There's a big compromise between 45 days and 365 days. I think it would be prudent for us to err on the safe side and keep these videos as long as possible, especially since Department of Health hopes to use these video recordings as an inspection tool, not just for security. Thank you."

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

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

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

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

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

Representative Cachola rose and asked that the Clerk record an aye vote with reservations 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. 305, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA DISPENSARIES," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Cachola, DeCoite, Kobayashi, Oshiro, Tokioka and Ward voting aye with reservations, with Representatives Har and Tupola voting no, and with Representative Quinlan being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1576) recommending that S.B. No. 786, 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. 786, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA," passed Third Reading by a vote of 50 ayes, with Representative Quinlan being excused.

At 12:49 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 947, SD 2, HD 1  
S.B. No. 305, SD 1, HD 1  
S.B. No. 786, SD 1, HD 1

### ANNOUNCEMENTS

Representative Lowen, for the Committee on Energy & Environmental Protection, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measure on Wednesday, April 5, 2017, at 11:29 a.m. in Conference Room 325, and the Chair "so ordered."

H.C.R. No. 120, HD 1, Requesting the Office of Environmental Quality Control Apply Consistent Standards to All Applicants and Agencies, Follow Statutory Intent of the Legislature, Update Legislators on Guidance Documents and Interpretations and Support the Environmental Council's Efforts to Update Hawaii Administrative Rules Chapter 11-200.

Representative Takumi, for the Committee on Consumer Protection & Commerce, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measure on Wednesday, April 5, 2017, at 2:00 p.m. in Conference Room 329, and the Chair "so ordered."

S.B. No. 1201, SD 2, HD 2, Relating to Technology.

Representative Kong: "Just a reminder for everyone that we have a fellowship luncheon following session today in Conference Room 437. Even if you did not RSVP, you're still welcome to join us. Thank you, Mr. Speaker."

Speaker Souki: "I'd like to say to the ladies, you look very nice in your red caps, and your pictures you've been taken, and it's a good reminder for equal pay, and certainly the representatives should become very cognizant about it, the male representatives, I'm sure. Thank you very much."

Representative Evans: "Thank you, Mr. Speaker. I want to offer a few words on Equal Pay Day. First of all, I want to thank the Representative from Kailua who, her and her daughter, I believe, got these hats for the women in our chamber. And so, women, if you want, I'm going to put my hat on before I give my talk, if anyone wants to join me. Alright, got my hat on."

"Okay. So, thank you. So, it's 2017. It's the 24th year of women and men standing together to end the gender pay gap. Today, April 4, 2017, marks Equal Pay Day, a symbolic day when American women's pay catches up to the amount an American man was paid by December 31st in the previous year.

"I stand with millions of women across America to fight for fairness in our wages. On June 10, 1963, President John F. Kennedy signed the Equal Pay Act into law, which prohibits sex-based wage discrimination between

men and women who perform jobs that require equal skill, effort and responsibility.

"In 2015, women in the United States made 80 cents to every dollar a man made, a 20% difference. Today we stand together to say, no more. No more to pay disparity for women who have higher education than men do. No more retaliation towards women who take time off for caring for their loved ones. No more devaluation of a woman's work. No more preconceived ideas, biases and assumptions on a woman's leadership abilities. And no more to gender inequality.

"Colleagues, we must work together to end the gender pay gap by acknowledging gender diversity, and identifying goals and pathways that move our nation to equal pay for work of equal value. Please join me and the millions of women and men across the United States in saying no more to gender pay inequality."

Representative Thielen: "Thank you so much, Mr. Speaker. I wholly endorse the words of the Majority Floor Leader, and I appreciate her continually speaking out in favor of pay equality."

"I'm wearing a banner that says, 'votes for women.' That happened 100 years ago. So we have the vote, but we don't have pay equality. We're a long way from that, and in fact in some ways we're going backward, which is really frightening for us.

"It turns out that the United States is 45th in the world for pay equality. We're behind New Zealand, Bolivia, Moldova, Rwanda, among a lot of other countries. Forty-fifth in the world. This is the United States of America.

"And we're wearing our equality hats today to say, no more, no more. As my daughter said on the Senate Floor today, this means that her daughters, my granddaughters, will not see pay equality in their working lifetime, because we are so far behind, and we won't catch up for so many years.

"And it means that over a lifetime, a working woman will earn anywhere from \$800,000 to \$2 million less than her male co-worker. They are doing, in many cases, the same job, no different, but the woman is paid less.

"So what does that do about poverty? In our community, Mr. Speaker, and you as a former social worker on Maui, you know that very well, that the women, almost one in seven women in the United States live below the poverty line. Of these, almost half live in extreme poverty. It's something that we can change within our state, within our legislature, by taking certain actions to make sure that measures that we pass, such as allowing co-workers to know what another co-worker is earning, measures like this that will even the playing field. Because when you look at the man over there and he says, hey, I'm earning \$60,000 a year for doing this job, and the woman is over here doing the exact same job, earning \$40,000, they need to know that. They need to be able to negotiate with the employer for equal pay, for pay parity.

"It turns out, Mr. Speaker, that we will improve our economy, we'll reduce social burdens incurred by discriminatory pay practices, if we work toward pay equality. We won the vote 100 years ago, Mr. Speaker. And I know you're glad for that, that we're there now, voting and speaking out. We won the vote 100 years ago. We can't let it take a half a century, or even more, to reach pay equality.

"And we all have a responsibility. Some of us, I know, take that very seriously, and I believe there's something up on a Facebook post by one of our male colleagues in support of pay equality, and I appreciate his doing that. And I believe it's from the, sort of partially into Ewa area, someone could correct me, but he's on the other side of the aisle.

"And, Mr. Speaker, thank you, and I want to thank all of the women in the body for wearing their equality hats, and I think that this march will go on. Thank you."

**ADJOURNMENT**

At 12:57 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, Wednesday, April 5, 2017. (Representative Quinlan was excused.)

**HOUSE COMMUNICATIONS**

House Communication dated April 4, 2017, 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 disagreed to the amendments made by the Senate to the following measures:

H.B. No. 91, HD 1, SD 1  
H.B. No. 144, HD 1, SD 1  
H.B. No. 192, HD 2, SD 1  
H.B. No. 239, HD 2, SD 1  
H.B. No. 561, HD 2, SD 1  
H.B. No. 563, HD 1, SD 1  
H.B. No. 917, HD 1, SD 1  
H.B. No. 1182, HD 1, SD 2  
H.B. No. 1262, HD 2, SD 1

**29th LEGISLATURE, REGULAR SESSION OF 2017  
JOINT HOUSE and SENATE  
COMMITTEES ON CONFERENCE PROCEDURES**

The Senate and the House have agreed to the following special procedures for all 2017 Regular Session Committees on Conference. These Conference procedures shall be effective from 8:00 a.m. on Monday, April 17, 2017, until 12:00 midnight on Friday, April 28, 2017.

**1. Definitions**

For purposes of these procedures:

"Chairs" refers to all of the designated chairs and co-chairs of a Conference Committee.

"Conference Committee" refers to the conference of the House Committee and the Senate Committee assigned by their respective chamber to resolve the differences between the House and the Senate over a particular measure.

"Lead chair" refers to the chair of the House Committee or the Senate Committee who is listed first on the Action Sheets, as provided by the respective chamber.

"Lead committee staff" refers to the staff of the lead Chair from the chamber from which the measure in conference originated.

"Managers" refers to all members of the House and Senate assigned to a Conference Committee.

**2. Conference Committee Scope and Amendments**

The authority of the Conference Committee shall be limited to resolving differences between the Senate and House drafts of a measure. Accordingly:

- a. With the exception of the Executive Budget, the Judiciary Budget, and the Budget of the Office of Hawaiian Affairs, a Conference Committee shall not amend a measure by inserting any unrelated or new subject matter.
- b. To assure the integrity of individual measures, the merging of two or more distinct but related measures into one encompassing measure shall not be allowed.

**3. Conference Committee Meeting Times and Places**

Conference Committee deliberations shall take place only between the hours of 8:00 a.m. and 12:00 midnight.

A Conference Committee shall meet in the conference room assigned or reserved, pursuant to the Room Scheduling Procedures and Guidelines and Room Assignment Schedule, as attached.

**4. Initial Public-Meeting Notice**

The signatures of all chairs shall be obtained before the notice of an initial meeting is posted or distributed. Prior to offering the initial meeting notice for signatures, the chairs shall consult with one another on the information to be included in the notice. Lead chairs from both houses are encouraged to sign meeting notices first, before distributing them to other chairs to sign.

Chairs shall provide at least 24 hours public notice of the first meeting of the Conference Committee and are strongly encouraged to provide more than 24 hours notice if at all possible. Written notices shall be submitted to the Senate Chief Clerk and the House Sergeant-at-Arms for official postings on the Legislature's website and Capitol bulletin boards. The lead committee staff shall post the notice adjacent to the door of the assigned conference room at the time of the meeting.

**5. Notice of Subsequent Meetings**

- a. If agreement is not reached at a duly noticed meeting but the lead chairs of both chambers agree to meet again before midnight on the same day, the lead chairs of both chambers shall publicly announce at the meeting the time and place at which the Conference Committee will reconvene. Written notice of the reconvening of the Conference

Committee on the same day is not required to be distributed. However, written notice containing information on the subsequent meeting shall be submitted to the Senate Chief Clerk and the House Sergeant-at-Arms for official posting as soon as possible. The lead committee staff shall post the notice adjacent to the door of the assigned conference room at the time of the meeting.

- b. If agreement is not reached at a duly noticed meeting but the lead chairs of both chambers agree to meet on another day, the lead chairs of both chambers shall publicly announce at the meeting the date(s), time(s), and place of the subsequent meeting(s), and submit written notice to the Senate Chief Clerk and the House Sergeant-at-Arms for official posting. The lead committee staff shall post the notice adjacent to the door of the assigned conference room at the time of the meeting.
- c. If agreement is not reached at a duly noticed meeting and the date(s), time(s), and place of future meetings are not publicly announced at that noticed meeting, chairs shall ensure that a written meeting notice, signed by the lead chairs of their respective chamber, is submitted to the Senate Chief Clerk and the House Sergeant-at-Arms for official posting at least 24 hours in advance of the next meeting of the Conference Committee.

**6. Attendance at Meetings**

- a. To convene the initial conference committee meeting only the lead House and Senate chair must be present. All other conference committee managers, especially any co-chair, should attempt to be present.
- b. Once a conference has been opened, reconvening of any subsequent meeting of a conference committee shall require the following:
 

For the Senate, the lead chair or co-chair must be present.

For the House, the lead chair must be present.

All other conference committee managers, especially any co-chair, should attempt to be present at the convening of and during each meeting.
- c. For decision-making at a meeting, a quorum must be present. "A quorum shall be a majority of the House Committee managers and a majority of the Senate Committee managers, and shall include the lead House and Senate chair and majority of the chairs of the Conference Committee for their respective chamber." See Section 9.a of the "Procedures." The lead House and Senate chair of the conference committee must be part of this quorum.
- d. For a measure with fiscal implications, approval must be given by the chair representing the House Finance Committee and Senate Ways and Means Committee during the decision-making on the measure.

**7. Conference Discussion**

Except as authorized by the respective chairs, only the respective chairs may speak during conference. All other managers or other authorized persons shall be recognized by their respective chairs before speaking on any issue.

**8. Decorum in Conference Committee Meetings and Courtesy to the Public and to the Managers**

- a. Managers shall respect the differing views of other managers and conduct themselves in a courteous manner.
- b. Chairs shall ensure that meetings convene and reconvene at scheduled times. If none of the chairs of one of the Committees are present within 15 minutes of the scheduled meeting time, the chairs of the other Committee shall have the names of the absent chairs pagged through the State Capitol public address system.
- c. If none of the absent chairs are present within 30 minutes of the scheduled meeting time, the chairs present shall inform the managers and members of public present that the Conference Committee cannot be convened or reconvened, and that, pursuant to 5c of these Committees on Conference Procedures, a 24-hour advance notice



**29th LEGISLATURE, REGULAR SESSION OF 2017  
JOINT HOUSE and SENATE  
COMMITTEES ON CONFERENCE  
CONFERENCE ROOM SCHEDULING  
PROCEDURES AND GUIDELINES**

The following conference room scheduling procedures and guidelines shall apply to all Senate and House conference rooms beginning 8:00 a.m. on Monday, April 17, 2017, until 12:00 midnight on Friday, April 28, 2017.

Priority for the use of conference rooms will be given in the following order:

- First Priority: Standing Committee Bill Hearings
- Second Priority: Conference Committee Meetings
- Third Priority: Committee Hearings on Resolutions and Governor's Messages

**Reserving a Conference Room:**

**House Conference Rooms** (Rooms 309, 312, 325, 329, or 423). If your committee is designated to use one of the House conference rooms, please reserve the room by contacting the House Sergeant-at-Arms office at 586-6500.

**Senate Conference Rooms** (Room 016, 224, 225, or 229). If your committee is designated to use one of the Senate conference rooms, please reserve the room by contacting the Senate Sergeant-at-Arms office at 586-6725.

Conference committees assigned to use a specific conference room will be given priority in using that room for conference committee meetings. (See attached Room Assignment Schedule)

All conference room assignments must be made by the respective Sergeant-at-Arms offices. Committees should not allocate the use of their assigned conference room to another committee without first contacting the House or Senate Sergeant-at-Arms office.

**Coordinating the Use of Assigned Conference Rooms:**

For those committees sharing conference rooms with other committees, it is recommended that you meet with respective committee chairs to formulate a basic timetable for sharing the room. Please do not reserve a block of specific times until a timetable has been agreed to.

If you have reserved a specific block of time which you no longer plan to use, please notify the respective Sergeant-at-Arms office as soon as possible to allow use by another committee.

If your committee needs to meet and your assigned room has already been reserved or is in use by another committee, please contact the House and Senate Sergeant-at-Arms to arrange for the temporary use of an available conference room.

Conference committees are encouraged to give as much advanced public notice for meetings as is possible. Please be aware that lower priority room usage may be postponed or relocated as we approach the deadline to complete conference committee meetings.

Exceptions to the Conference Room Scheduling Procedures and Guidelines may be made only with the advanced written approval of both the Senate President and the Speaker of the House.

/s/ Ronald D. Kouchi  
Ronald D. Kouchi  
President of the Senate

/s/ Joseph M. Souki  
Joseph M. Souki  
Speaker of the House of Representatives

4/4/17  
Date

4/4/2017  
Date

**29th LEGISLATURE, REGULAR SESSION OF 2017  
JOINT HOUSE and SENATE  
COMMITTEES ON CONFERENCE  
ROOM ASSIGNMENT SCHEDULE**

SENATE	HOUSE	CONF ROOM
CPH	CPC, HLT	016
AEN, WTL	AGR, WAL	224
TRE, HWN	TRN, EEP, OMH	225
HMS, HOU	HUS, HSG	229
WAM, GVO	FIN, LMG	309
PSM, IAA	PBS, VMI	312
JDL	JUD, LAB	325
EDU, HRE	EDN, HED	329
ETT	EDB, TOU, IAC	423

/s/ Ronald D. Kouchi  
Ronald D. Kouchi  
President of the Senate

/s/ Joseph M. Souki  
Joseph M. Souki  
Speaker of the House of Representatives

4/4/17  
Date

4/4/2017  
Date