

## FORTY-FOURTH DAY

**Wednesday, April 5, 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 Vice Speaker Mizuno presiding.

The invocation was delivered by Ms. Sydnie Ito, a Junior at Punahou School, after which the Roll was called showing all Members present.

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

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 410 and 411) were received and announced by the Clerk:

Sen. Com. No. 410, transmitting S.C.R. No. 107, entitled: "SENATE CONCURRENT RESOLUTION DESIGNATING OCTOBER 13, 2017, AS METASTATIC BREAST CANCER AWARENESS DAY," which was adopted by the Senate on April 4, 2017.

Sen. Com. No. 411, transmitting S.C.R. No. 133, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DIRECTOR OF HEALTH ESTABLISH AND CONVENE A MEDICATION SYNCHRONIZATION WORKING GROUP TO EXPLORE AND PROPOSE LEGISLATION," which was adopted by the Senate on April 4, 2017.

## INTRODUCTIONS

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

Representative Evans introduced Mr. and Mrs. Steve and Ladonna Dingleline from Muncie, Indiana, who were celebrating their 50th wedding anniversary; their family: Mrs. And Mr. Vanessa Castagna and Doug Collins, Mr. and Mrs. Ken and TC Dingleline, Mr. and Mrs. Matt and Cindy Neal, Mrs. Lora Dingleline and Mrs. Michelle Oyler; and friend, Ms. Patty Meadow.

Representative Nakamura introduced her constituents: Ms. Felicia Cowden of Kilauea, KKCR Radio Host; and Ms. Gina Mello of Princeville.

## ORDER OF THE DAY

## 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 McKelvey and Tokioka were excused.)

## UNFINISHED BUSINESS

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1561) recommending that S.B. No. 505, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 505, SD 1, HD 2 pass Third Reading, seconded by Representative Evans.

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

Representative Say's written remarks are as follows:

"I rise in opposition to SB 505, SD 1, HD 2, Relating to Health. This measure has a lot of merit to its content. My reasoning for my 'No' vote is because there is no appropriation attached to this measure. The Department of Health recommended \$250,000 in implementing this new program within the Health Department. It is for this reason that I vote 'No.' Thank you very much."

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

"In support, with brief comments. The only request I make is, I understand that the seven-day limit initial prescription will be based upon an extension thereof, will be based upon unspecified circumstances, which I'm going to assume is Department of Health administrative rules.

"My request would be that the Department of Health take into account rural communities, communities where sometimes we do not get appointments with our doctors for less than two weeks. So that's a request. Thank you."

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

"Mr. Speaker, I stand with reservations. I got a hasty message which I could not follow up, but would note that there were comments either opposed or with grave concerns from the Hawaii Medical Association, the Hawaii American College of Emergency Physicians, the American College of OB/GYN, the Hawaii Society of Pain Physicians, and Queen's Medical Center.

"It seems that this bill sets up, among other things, a new procedure involving written informed consent, listing out nine points, everything from urine analysis down through possible psychological, psychiatric consultations.

"It also sets up new penalty rules, and I think that while the concerns are valid, that there seems to be an epidemic of opioid transgressions nationwide, some caution should be given to procedures as exacting as these before this law is passed. Thank you."

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

"Thank you, Mr. Speaker. With reservations, and I would like the words of the Representative from Kaimuki to be recorded as if they were my own," and the Chair "so ordered." (By reference only.)

Representative Kong continued, stating:

"And may I also add that, there are very many strict regulations that we already have to follow, as those already on opioids, and some of those restrictions, especially the one that states that we have to visit the doctor each month for a prescription, is going to place a very heavy burden upon those.

"You may not realize this, but those that are dependent upon opioids, as you go to the doctor's office, aren't really drug addicts. If you go, you're going to look, you're going to see that they're seniors, they're business workers, and these added requirements are going to place a heavy burden upon their lives. And these have been actually reported to the Health Chair, so they will take this to conference and will proceed from there, so just with reservations.

"But just to let you know, we even have to carry a daily journal of our health records. This is not a game that we play. It's not something that we wish to be on, or wish to not, we want to be better, but by placing these restrictions upon us, it just makes it very difficult to operate our lives, so we must be careful. It's not something that we want to continue on a daily basis, but it's something that we have to live with. Thank you, Mr. Speaker."

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

"Reservations, Mr. Speaker. Just brief comments. I'd like to incorporate the words by reference of the Representative of Kaimuki," and the Chair "so ordered." (By reference only.)

Representative McDermott continued, stating:

"I think that the practice of medicine should be left to the physicians, and not politicians. It's a well-intended measure, and there is a problem out there, particularly on the mainland, and I understand the intent behind this, but we're not doctors. Physicians and their patients, I think, can make the best call on this. Thank you."

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

"Thank you, Mr. Speaker. Reservations. I too, I understand and appreciate the intent, but I'd like to adopt the words of the Representative from Diamond Head/Kapahulu, and just want to stand in support of my friend from Aiea. Thank you," and the Chair "so ordered." (By reference only.)

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

"Thank you, Mr. Speaker. With reservations. I also want to support my colleague from Aiea, I thank him for his comments. But moreover, when we look through the testimony, because there was a lot of people in support of the intent but with a lot of suggesting amendments, I think we have to see what happens in conference committee and see how that goes down.

"But there was enough concern that perhaps more of this bill needed to be worked on to figure out even just the word between psychiatrists and psychologists, between advance nurse practitioners, anyways, a lot of the different suggestions are within the testimony, and I hope that some of those can be considered in the conference committee. *Mahalo.*"

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

"Mr. Speaker, with reservations and brief comments. We must know that we already have about 500-700 shortage of doctors. To come up with these intrusive and sometimes time consuming requirements is a disincentive on the part of healthcare providers to come up with not just treating their patient but a lot of paperwork and requirements.

"So we might end up having a lot more shortage of doctors. And hopefully as this bill goes through, that they should think about correcting some of these requirements that are required under this bill. And hopefully we will come up with a measure that is well-intended, and to more or less protect our clients and also be more or less in support of what doctors are doing. I already made my request for conflict of interest before, and I'd like to make sure that I had to say that again."

The Chair addressed Representative Cachola, stating:

"Correct. No conflict, Representative."

Representative San Buenaventura rose, stating:

"I'd just like to change my vote to reservations, based upon prior comments. Thank you."

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

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 Har 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 DeCoite rose and asked that the Clerk record an aye vote with reservations for her, 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. 505, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 50 ayes to 1 no, with Representatives Cachola, DeCoite, Har, Kobayashi, Kong, LoPresti, McDermott, Oshiro, San Buenaventura, Tokioka and Tupola voting aye with reservations, and with Representative Say voting no.

At 12:20 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 505, SD 1, HD 2

### REPORTS OF STANDING COMMITTEES

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1577) recommending that S.B. No. 103, SD 2 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. 103, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF EXCESS GENERAL FUNDS AUTHORIZED UNDER ARTICLE VII, SECTION 6, OF THE CONSTITUTION OF THE STATE OF HAWAII," passed Second Reading and was placed on the calendar for Third Reading.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1578) recommending that S.B. No. 939, SD 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. 939, SD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1579) recommending that S.B. No. 942 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. 942, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," passed Second Reading and was placed on the calendar for Third Reading.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1580) recommending that S.B. No. 1007, SD 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. 1007, SD 1, entitled: "A BILL FOR AN ACT RELATING TO WITHHOLDING TAX," passed Second Reading and was placed on the calendar for Third Reading.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1581) recommending that S.B. No. 100, SD 2, 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. 100, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1582) recommending that S.B. No. 102, 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. 102, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL FUNDING POLICY STUDY," passed Second Reading and was placed on the calendar for Third Reading.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1583) recommending that S.B. No. 407, 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. 407, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was placed on the calendar for Third Reading.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1584) recommending that S.B. No. 712, 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. 712, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE VARIANCE REPORT," passed Second Reading and was placed on the calendar for Third Reading.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1585) recommending that S.B. No. 713, 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. 713, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUDGET DOCUMENTS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1586) recommending that S.B. No. 719, 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. 719, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED MAINTENANCE," passed Second Reading and was placed on the calendar for Third Reading.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1587) recommending that S.B. No. 722, 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. 722, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EFFICIENCY MEASURES," passed Second Reading and was placed on the calendar for Third Reading.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1588) recommending that S.B. No. 724, 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. 724,

HD 1, entitled: "A BILL FOR AN ACT RELATING TO NON-DISCRETIONARY COSTS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1589) recommending that S.B. No. 941, 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. 941, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC FUNDS TRANSFERS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1590) recommending that S.B. No. 1002, 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. 1002, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE," passed Second Reading and was placed on the calendar for Third Reading.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1591) recommending that S.B. No. 1200, SD 2, 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. 1200, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENT," passed Second Reading and was placed on the calendar for Third Reading.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1592) recommending that H.C.R. No. 143 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 143, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DEVELOP A MASTER PLAN FOR THE HILO INTERNATIONAL AEROSPACE AND TECHNOLOGY PARK," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1593) recommending that H.C.R. No. 169 be adopted.

Representative Saiki moved that the report of the Committee be adopted, and that H.C.R. No. 169 be adopted, seconded by Representative Evans.

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

"Mr. Speaker, no vote and a brief comment, please. Mr. Speaker, this is a study for DBEDT to ascertain whether the property tax should be maintained at the county level and moved to the state level. As was the invocation today a great quote, probably the best inaugural speech ever, from John Kennedy. It said, never negotiate out of fear, but never fear to negotiate.

"To me this is a non-negotiation. The sacred cow of property taxes in the county, to be thought of, to be passed on to the State, to me is a waste of taxpayers' money, to do a study. For those reasons, Mr. Speaker, this is not a good use of taxpayers' money. Thank you."

Representative Thielen rose and asked that the Clerk record a no vote for her, 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 the report of the Committee was adopted and H.C.R. No. 169, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONVENE AN ECONOMIC DEVELOPMENT AND TAX REFORM WORKING GROUP TO STUDY, AMONG OTHER THINGS, THE ECONOMIC OUTCOME OF TRANSFERRING THE AUTHORITY TO TAX REAL PROPERTY BACK TO THE STATE AND ALLOCATING A PORTION OF GENERAL EXCISE TAX REVENUES TO THE COUNTIES," was adopted, with Representatives McDermott, Thielen, Tupola and Ward voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1594) recommending that H.C.R. No. 89 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONVENE A BASIC ECONOMIC SECURITY WORKING GROUP," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1595) recommending that H.R. No. 11 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 11, entitled: "HOUSE RESOLUTION REQUESTING ADDITIONAL FUNDING FOR EDUCATION FROM THE UNITED STATES DEPARTMENT OF EDUCATION," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1596) recommending that H.C.R. No. 28 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ADDITIONAL FUNDING FOR EDUCATION FROM THE UNITED STATES DEPARTMENT OF EDUCATION," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1597) recommending that H.R. No. 50 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 50, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A PHILIPPINES-HAWAII TOURISM COLLEGE STUDENT EXCHANGE PROGRAM COMPACT," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1598) recommending that H.C.R. No. 88 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 88, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A PHILIPPINES-HAWAII TOURISM COLLEGE STUDENT EXCHANGE PROGRAM COMPACT," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1599) recommending that H.C.R. No. 129 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 129,

entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A WORKING GROUP TO DEVELOP RECOMMENDATIONS TO INCREASE COLORECTAL CANCER SCREENING RATES IN THE STATE," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1600) recommending that H.C.R. No. 163 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 163, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING OCTOBER 13, 2017, AS METASTATIC BREAST CANCER AWARENESS DAY," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1601) recommending that H.R. No. 74, HD 1 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 74, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO EXAMINE ISSUES RELATED TO STATE-LICENSED AND STATE-CERTIFIED CARE HOMES," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1602) recommending that H.C.R. No. 123, HD 1 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 123, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO EXAMINE ISSUES RELATED TO STATE-LICENSED AND STATE-CERTIFIED CARE HOMES," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1603) recommending that H.C.R. No. 161 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 161, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A WORKING GROUP RELATING TO COMPLEX PATIENTS," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1604) recommending that H.C.R. No. 159 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 159, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING STATE DEPARTMENTS AND AGENCIES TO IMPLEMENT WORKSITE WELLNESS PROGRAMS," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1605) recommending that H.C.R. No. 7, HD 1 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 7, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES TO EXAMINE THE APPLICATION PROCESS FOR THE PRESCHOOL OPEN DOORS PROGRAM TO ENSURE ACCESSIBILITY FOR ALL WHO QUALIFY," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1606) recommending that H.R. No. 32 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 32, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES TO NOT CONSIDER CERTAIN BENEFITS UNDER TITLE II OF THE SOCIAL SECURITY ACT AS INCOME WHEN DETERMINING MEDICAID ELIGIBILITY," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1607) recommending that H.C.R. No. 65 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 65, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES TO NOT CONSIDER CERTAIN BENEFITS UNDER TITLE II OF THE SOCIAL SECURITY ACT AS INCOME WHEN DETERMINING MEDICAID ELIGIBILITY," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1608) recommending that H.R. No. 58 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 58, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUDGET AND FINANCE TO PROVIDE A STATUS REPORT ON THE HAWAII ABLE SAVINGS PROGRAM," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1609) recommending that H.C.R. No. 96 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUDGET AND FINANCE TO PROVIDE A STATUS REPORT ON THE HAWAII ABLE SAVINGS PROGRAM," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1610) recommending that H.R. No. 81, HD 1 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 81, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO ESTABLISH A WORKING GROUP TO STUDY FORENSIC LABORATORIES IN THE STATE," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1611) recommending that H.C.R. No. 131, HD 1 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 131, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO ESTABLISH A WORKING GROUP TO STUDY FORENSIC LABORATORIES IN THE STATE," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1612) recommending that H.C.R. No. 29 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 29, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONTRACTORS LICENSE BOARD TO EITHER ELIMINATE OR RECLASSIFY INTERIM SPECIALTY LICENSE," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1613) recommending that H.R. No. 67, HD 1 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 67, HD 1, entitled: "HOUSE RESOLUTION CALLING ON THE FEDERAL GOVERNMENT AND STATES TO LOWER COSTS FOR CONSUMERS, CREATE MORE JOBS, AND REDUCE THE IMPACTS OF CLIMATE CHANGE ON THE ECONOMY BY REPLACING FOSSIL FUELS WITH RENEWABLE ENERGY," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1614) recommending that H.C.R. No. 113, HD 1 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 113, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION CALLING ON THE FEDERAL GOVERNMENT AND STATES TO LOWER COSTS FOR CONSUMERS, CREATE MORE JOBS, AND REDUCE THE IMPACTS OF CLIMATE CHANGE ON THE ECONOMY BY REPLACING FOSSIL FUELS WITH RENEWABLE ENERGY," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1615) recommending that H.C.R. No. 105 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 105, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE VOCATIONAL REHABILITATION UNIT IN THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS, DISABILITY COMPENSATION UNIT," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1616) recommending that H.R. No. 122, HD 1 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 122, HD 1, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES ARMY CORPS OF ENGINEERS, THE DEPARTMENT OF LAND AND NATURAL RESOURCES, THE DEPARTMENT OF HEALTH, THE CITY AND COUNTY OF HONOLULU, AND THE UNIVERSITY OF HAWAII TO COLLABORATE TO CREATE A MECHANISM FOR GENERATING WATER CIRCULATION IN POKAI BAY ON LEEWARD OAHU," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1617) recommending that H.C.R. No. 194, HD 1 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 194, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES ARMY CORPS OF ENGINEERS, THE DEPARTMENT OF LAND AND NATURAL RESOURCES, THE DEPARTMENT OF HEALTH, THE CITY AND COUNTY OF HONOLULU, AND THE UNIVERSITY OF HAWAII TO COLLABORATE TO CREATE A MECHANISM FOR GENERATING WATER CIRCULATION IN POKAI BAY ON LEEWARD OAHU," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1618) recommending that H.C.R. No. 26 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 26, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE AMENDMENT OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KAILUA, KOOLAUPOKO, OAHU, FOR THE SEAWALL AND BOAT RAMP, AND FOR THE USE, REPAIR, AND MAINTENANCE OF THE

EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1619) recommending that H.C.R. No. 27 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 27, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE SUBMERGED LANDS AT WAIMANALO, KOOLAUPOKO, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING PIER, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1620) recommending that H.C.R. No. 60 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 60, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE AMENDMENT OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT MAUNALUA, HONOLULU, OAHU, FOR THE MAINTENANCE AND REPAIR OF PORTIONS OF THE EXISTING CHANNEL, CONCRETE SURGE BREAK OR BREAKWATER, SEAWALL, STEP, AND FILLED LAND, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1621) recommending that H.C.R. No. 78, HD 1 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 78, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE SUBMERGED LANDS AT KANEOHE, KOOLAUPOKO, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING PIER, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1622) recommending that H.C.R. No. 97 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 97, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT, COVERING A PORTION OF STATE SUBMERGED AND RECLAIMED (FILLED) LANDS AT KUAU, MAKAWAO, PAIA, MAUI, FOR ROCKWALL, REVETMENT STAIRWAY, AND LAWN MAINTENANCE PURPOSES," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1623) recommending that H.C.R. No. 106, HD 1 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 106, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PERFORMANCE AUDIT OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES' DIVISION OF BOATING AND OCEAN RECREATION," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1624) recommending that H.C.R. No. 152 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 152, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A FIFTY-FIVE YEAR TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIPOULI, KAWAIHAU, KAUAI, FOR A PORTION OF A SEAWALL AND FOR THE USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1625) recommending that H.R. No. 125 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 125, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO WORK IN CONJUNCTION WITH THE DEPARTMENTS OF TRANSPORTATION SERVICES AND EMERGENCY MANAGEMENT OF THE CITY AND COUNTY OF HONOLULU AND THE HONOLULU POLICE DEPARTMENT TO ANALYZE THE WAIANAE COAST EMERGENCY ACCESS ROAD SYSTEM AND WHETHER THESE ROADS CAN BE USED AS A SECONDARY ACCESS ROAD TO THE WAIANAE COAST ON A PERMANENT BASIS," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1626) recommending that H.C.R. No. 197 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 197, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO WORK IN CONJUNCTION WITH THE DEPARTMENTS OF TRANSPORTATION SERVICES AND EMERGENCY MANAGEMENT OF THE CITY AND COUNTY OF HONOLULU AND THE HONOLULU POLICE DEPARTMENT TO ANALYZE THE WAIANAE COAST EMERGENCY ACCESS ROAD SYSTEM AND WHETHER THESE ROADS CAN BE USED AS A SECONDARY ACCESS ROAD TO THE WAIANAE COAST ON A PERMANENT BASIS," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1627) recommending that H.R. No. 22 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 22, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DEPARTMENT OF TRANSPORTATION CONDUCT A STUDY ON THE NEED AND FEASIBILITY OF ESTABLISHING A GOVERNMENT-SUBSIDIZED FERRY SERVICE BETWEEN THE ISLANDS OF MAUI AND MOLOKAI," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1628) recommending that H.C.R. No. 47 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 47, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF TRANSPORTATION CONDUCT A STUDY ON THE NEED AND FEASIBILITY OF ESTABLISHING A GOVERNMENT-SUBSIDIZED FERRY SERVICE BETWEEN THE ISLANDS OF MAUI AND MOLOKAI," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1629) recommending that H.R. No. 34 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 34, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONSTRUCT A ROUNDABOUT AT THE INTERSECTION OF KAMEHAMEHA HIGHWAY AND KAHEKILI HIGHWAY IN KAHALU'U ON THE ISLAND OF OAHU," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1630) recommending that H.C.R. No. 67 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 67, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONSTRUCT A ROUNDABOUT AT THE INTERSECTION OF KAMEHAMEHA HIGHWAY AND KAHEKILI HIGHWAY IN KAHALU'U ON THE ISLAND OF OAHU," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1631) recommending that H.R. No. 37, HD 1 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 37, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND THE COUNTY OF HAWAII TO DETERMINE THE RIGHTFUL OWNER OF THE KING KAMEHAMEHA THE GREAT STATUE IN NORTH KOHALA," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1632) recommending that H.C.R. No. 71, HD 1 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 71, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND THE COUNTY OF HAWAII TO DETERMINE THE RIGHTFUL OWNER OF THE KING KAMEHAMEHA THE GREAT STATUE IN NORTH KOHALA," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1633) recommending that H.C.R. No. 80, HD 1 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 80, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH A WORKING GROUP TO STUDY THE POTENTIAL TRANSFER OF MANAGEMENT AND MAINTENANCE OF THE ROYAL MAUSOLEUM AT MAUNA 'ALA TO ONE OR MORE APPROPRIATE NONPROFIT ORGANIZATIONS," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1634) recommending that H.R. No. 15 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 15, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO ADOPT RULES TO REQUIRE THAT ANY ASSESSMENT OF PENALTY OR INTEREST ON TAXES BE ACCOMPANIED BY AN EXPLANATION, INCLUDING CALCULATIONS, OF HOW THE AMOUNT OF THE PENALTY OR INTEREST WAS DETERMINED," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1635) recommending that H.C.R. No. 31 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 31, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO ADOPT RULES TO REQUIRE THAT ANY ASSESSMENT OF PENALTY OR INTEREST ON TAXES BE ACCOMPANIED BY AN EXPLANATION, INCLUDING CALCULATIONS, OF HOW THE AMOUNT OF THE PENALTY OR INTEREST WAS DETERMINED," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1636) recommending that H.R. No. 99, as amended in HD 1, be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 99, HD 1, entitled: "HOUSE RESOLUTION RECOGNIZING APRIL 15 THROUGH APRIL 22, 2018, AS VOLUNTEER WEEK IN THE STATE OF HAWAII," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1637) recommending that H.C.R. No. 153, as amended in HD 1, be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 153, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING APRIL 15 THROUGH APRIL 22, 2018, AS VOLUNTEER WEEK IN THE STATE OF HAWAII," was adopted.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1638) recommending that H.R. No. 72, as amended in HD 1, be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 72, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO RENAME WEST LOCH COMMUNITY SHORELINE PARK IN EWA BEACH, OAHU, TO KAPAPAPUHI POINT PARK," was adopted.

Representative Takayama, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 1639) recommending that H.R. No. 126 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 126, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONVENE STAKEHOLDERS OF NATIVE HAWAIIAN-CULTURE-BASED HOOPONOPONO SERVICES," was adopted.

Representative Takayama, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 1640) recommending that H.C.R. No. 198 be adopted.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 198, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONVENE STAKEHOLDERS OF NATIVE HAWAIIAN-CULTURE-BASED HOOPONOPONO SERVICES," was adopted.

### THIRD READING

#### **S.B. No. 865, SD 1, HD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, S.B. No. 865, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Third Reading by a vote of 51 ayes.

#### **S.B. No. 627, SD 1, HD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, S.B. No. 627, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 51 ayes.

At 12:27 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 865, SD 1, HD 1  
S.B. No. 627, SD 1, HD 1

#### ANNOUNCEMENTS

Representative Nishimoto, for the Committee on Judiciary, 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 325, and the Chair "so ordered."

S.B. No. 562, SD 1, Relating to Tort Liability.

At this time, the Chair stated:

"The Chair would like to remind the committee chairs that today is first crossover filing deadline for House concurrent resolutions. Please file your committee reports and drafts with the Chief Clerk's Office by 6 p.m. this evening. Also, non-fiscal referral bills should be filed with the Chief Clerk's Office by 9 p.m. this evening."

#### ADJOURNMENT

At 12:28 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, Thursday, April 6, 2017.