

FIFTY-SIXTH DAY

Wednesday, April 26, 2017

The House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2017, convened at 11:38 o'clock a.m., with Speaker Souki presiding.

The invocation was delivered by Kahu Curt Pa'alua Kekuna of Kawaiahao Church, after which the Roll was called showing all Members present with the exception of Representative Har, who was excused.

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

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 8) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 8, dated April 21, 2017, informing the House that an arbitration award was issued for the Hawaii Firefighters Association (HFFA) concerning Collective Bargaining Unit 11 (Firefighters) on April 17, 2017, and transmitting a proposed S.B. No. 923, SD 1, HD 1, CD 1, to fund the award.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 709 and 710) were received and announced by the Clerk:

Sen. Com. No. 709, dated April 25, 2017, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 625, Nishihara, Chair; Wakai/Baker/English, Co-Chairs;
HD 3, SD 2 Galuteria

Sen. Com. No. 710, dated April 25, 2017, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 655, Nishihara, Chair; Keith-Agaran, Co-Chair;
SD 2, HD 2 Wakai

INTRODUCTIONS

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

Representative Quinlan introduced Kahuku High School's Boys' Varsity Basketball Team, HHSAA Division I State Champions: Kekaula Kaniho, Samuta Avea, Jessiya Villa, Kesi Ah-Hoy, Taimona Wright, Ethan Christiansen, Ethan Erickson, Marques Damuni, Mark Vioria, KJ Macatiag, Ra Elkington, Stennett Alapa, Codie Sauvao, Robbie Sauvao and Kaluna Nihipali; Coaches, JJ Wright, David Teo and Robbie Mitchell; and Head Coach, Brandyn Akana.

At 11:47 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:04 o'clock p.m.

ORDER OF THE DAY

REPORTS OF CONFERENCE COMMITTEES

Representatives Belatti and Hashem, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House

in S.B. No. 194, HD 2, presented a report (Conf. Com. Rep. No. 2) recommending that S.B. No. 194, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 2 and S.B. No. 194, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TUBERCULOSIS TESTING," was deferred for a period of 48 hours.

Representative Takumi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 832, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 3) recommending that H.B. No. 832, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 3 and H.B. No. 832, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred for a period of 48 hours.

FINAL READING

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

H.B. No. 91, HD 1, (SD 1)
H.B. No. 605, HD 1, (SD 1)
H.B. No. 912, HD 2, (SD 1)
H.B. No. 1027, HD 1 (SD 2)
H.B. No. 1028, HD 2 (SD 1)
H.B. No. 1182, HD 1, (SD 2)
H.B. No. 1309, HD 1, (SD 1)

The Chair addressed the Clerk who announced that the record of votes for the appropriate measures had been received which indicated that the requisite number of House conferees appointed had agreed to the amendments made by the Senate, and had cast affirmative votes to report said measures to the floor for final disposition.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Ward and carried, the rules were suspended for the purpose of considering certain House Bills for Final Reading by consent calendar. (Representative Har was excused.)

FINAL READING

H.B. No. 91, HD 1, SD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 91, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 50 ayes, with Representative Har being excused.

H.B. No. 605, HD 1, SD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 605, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER," passed Final Reading by a vote of 50 ayes, with Representative Har being excused.

H.B. No. 912, HD 2, SD 1:

Representative Saiki moved H.B. No. 912, HD 2, SD 1 pass Final Reading, seconded by Representative Evans.

Representative Say 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 H.B. No. 912, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING," passed Final Reading by a vote of 50 ayes, with Representative Say voting aye with reservations, and with Representative Har being excused.

H.B. No. 1027, HD 1, SD 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1027, HD 1, on the following showing of Ayes and Noes:

Ayes, 2 (Takumi and San Buenaventura). Noes, none. Excused, 1 (Ward).

Representative Saiki moved that H.B. No. 1027, HD 1, SD 2 pass Final Reading, seconded by Representative Evans.

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

"Mr. Speaker, request a ruling on a potential conflict. I work for a nonprofit," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and H.B. No. 1027, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS," passed Final Reading by a vote of 50 ayes, with Representative Har being excused.

H.B. No. 1028, HD 2, SD 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1028, HD 2, on the following showing of Ayes and Noes:

Ayes, 3 (Takumi, San Buenaventura and Ward). Noes, none. Excused, 1 (Fukumoto).

Representative Saiki moved that H.B. No. 1028, HD 2, SD 1 pass Final Reading, seconded by Representative Evans.

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

"Mr. Speaker, request a ruling on a potential conflict. I work for a nonprofit," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and H.B. No. 1028, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE ORGANIZATIONS," passed Final Reading by a vote of 50 ayes, with Representative Har being excused.

H.B. No. 1182, HD 1, SD 2:

Representative Saiki moved that H.B. No. 1182, HD 1, SD 2 pass Final Reading, seconded by Representative Evans.

Representative Say 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 H.B. No. 1182, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Final Reading by a vote of 50 ayes, with Representative Say voting aye with reservations, and with Representative Har being excused.

H.B. No. 1309, HD 1, SD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 1309, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS," passed Final Reading by a vote of 50 ayes, with Representative Har being excused.

At 12:08 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 91, HD 1, SD 1
 H.B. No. 605, HD 1, SD 1
 H.B. No. 912, HD 2, SD 1
 H.B. No. 1027, HD 1, SD 2
 H.B. No. 1028, HD 2, SD 1
 H.B. No. 1182, HD 1, SD 2
 H.B. No. 1309, HD 1, SD 1

ADJOURNMENT

At 12:09 o'clock a.m., on motion by Representative Evans, seconded by Representative Ward and carried, the House of Representatives adjourned until 6:30 o'clock p.m. tomorrow, Thursday, April 27, 2017. (Representative Har was excused.)

HOUSE COMMUNICATIONS

House Communication dated April 26, 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 this day agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 91, HD 1, SD 1
 H.B. No. 605, HD 1, SD 1
 H.B. No. 912, HD 2, SD 1
 H.B. No. 1027, HD 1, SD 2
 H.B. No. 1028, HD 2, SD 1
 H.B. No. 1182, HD 1, SD 2
 H.B. No. 1309, HD 1, SD 1