

## EIGHTH DAY

**Tuesday, January 30, 2018**

The House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2018, convened at 12:04 o'clock p.m., with Speaker Saiki presiding.

The invocation was delivered by Ms. Sheila Pacariem, after which the Roll was called showing all Members present with the exception of Representatives Fukumoto and Har, who were excused.

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

**DEPARTMENTAL COMMUNICATIONS**

The following departmental communications (Dept. Com. Nos. 265 through 315) were received by the Clerk and were placed on file:

Dept. Com. No. 265, from the Department of Accounting and General Services, dated December 27, 2017, transmitting the Report on the Implementation of the Recycling Pilot Program, pursuant to Act 217, SLH 2017.

Dept. Com. No. 266, from the University of Hawaii System, dated December 27, 2017, transmitting the Report on Revenues Used to Pay Principal and Interest from the Tuition and Fees Special Fund, pursuant to Act 124, Section 78.1, SLH 2016.

Dept. Com. No. 267, from the Public Utilities Commission, dated December 29, 2017, transmitting its Annual Report for Fiscal Year 2017, pursuant to Sections 269-5 and 269-33(c), HRS.

Dept. Com. No. 268, from the Department of Business, Economic Development & Tourism, dated December 20, 2017, transmitting the 2017 Small Business Regulatory Review Board Annual Report, pursuant to Section 201M-5(f), HRS.

Dept. Com. No. 269, from the Department of Labor and Industrial Relations, dated December 8, 2017, transmitting the Hoisting Machine Operators' Certification Revolving Fund Report, pursuant to Section 396-20, HRS.

Dept. Com. No. 270, from the Department of Labor and Industrial Relations, dated December 8, 2017, transmitting the Hoisting Machine Operators' Advisory Board Report, pursuant to Section 37-47, HRS.

Dept. Com. No. 271, from the Department of Labor and Industrial Relations, dated December 8, 2017, transmitting the Special Compensation Fund Program Report, pursuant to Section 37-47, HRS.

Dept. Com. No. 272, from the Department of Labor and Industrial Relations, dated December 8, 2017, transmitting the Special Compensation Fund for Temporary Disability Benefits Report, pursuant to Section 37-47, HRS.

Dept. Com. No. 273, from the Department of Labor and Industrial Relations, dated December 8, 2017, transmitting the Special Compensation Fund for Temporary Disability Benefits, pursuant to Section 37-47, HRS.

Dept. Com. No. 274, from the Department of Labor and Industrial Relations, dated December 8, 2017, transmitting the WIOA Implementation Activities Report, pursuant to Sections 37-47 and 37-52.5, HRS.

Dept. Com. No. 275, from the Department of Labor and Industrial Relations, dated December 8, 2017, transmitting the WIOA Implementation/Transition Activities Report, pursuant to Sections 37-47 and 37-52.5, HRS.

Dept. Com. No. 276, from the Office of Information Practices, dated December 27, 2017, transmitting its 2017 Annual Report, pursuant to Section 92F-42(7), HRS.

Dept. Com. No. 277, from the Honolulu Authority for Rapid Transportation (HART), dated December 18, 2017, transmitting its 2017 Annual Report, pursuant to Honolulu City Council Resolution 15-79 CD1.

Dept. Com. No. 278, from the Department of Budget and Finance, dated December 27, 2017, transmitting the report, Actuarial Asset and Liability Stress Test 2017, pursuant to Act 85, SLH 2017.

Dept. Com. No. 279, from the Department of Health, transmitting the Annual Report on the Receipt and Expenditures from the Trauma System Special Fund, pursuant to Section 321-22.5(g), HRS.

Dept. Com. No. 280, from the Honolulu Police Department, dated January 5, 2018, transmitting the report concerning electric guns in the custody and control of the Honolulu Police Department and their use during the past year, pursuant to Section 134-16(d), HRS.

Dept. Com. No. 281, from the Department of Education, dated January 5, 2018, transmitting the Report on Implementing Measures to Comply with the Behavior Analyst Licensure and Certification Requirements, pursuant to Act 107, SLH 2016.

Dept. Com. No. 282, from the Department of Transportation, dated January 9, 2018, transmitting the Transportation Improvement Special Fund Report, pursuant to Section 264-19(e), HRS.

Dept. Com. No. 283, from the Department of Transportation, dated January 9, 2018, transmitting the Safe Routes to School Report, pursuant to Section 291C-3, HRS.

Dept. Com. No. 284, from the Department of Transportation, dated January 9, 2018, transmitting the Bikeway Projects and Expenditures Report, pursuant to Section 264-18, HRS.

Dept. Com. No. 285, from the Department of Business, Economic Development & Tourism, dated January 9, 2018, transmitting the report, Feasibility of Establishing a Training and Mentoring Program for Qualified Prison Inmates, pursuant to Act 227, SLH 2016.

Dept. Com. No. 286, from the Department of Health, dated January 9, 2018, transmitting the report, requesting the Prevent Suicide Hawaii Taskforce to recommend a strategic plan to reduce suicides in Hawaii by at least twenty-five percent by 2025, pursuant to H.C.R. No. 66, HD1, SD1 (2016).

Dept. Com. No. 287, from the University of Hawaii System, dated January 9, 2018, transmitting a position report, pursuant to Act 49, Section 96, SLH 2017.

Dept. Com. No. 288, from the Department of Health, dated January 10, 2018, transmitting the Annual Report on Child Death Review and Maternal Mortality Review Activities, pursuant to Act 203, SLH 2016.

Dept. Com. No. 289, from the Department of Human Resources Development, dated January 10, 2018, transmitting the report, Revised State of Hawaii Executive Branch Workforce Profile, pursuant to Section 76-1.5, HRS.

Dept. Com. No. 290, from the Department of Agriculture, dated January 10, 2018, transmitting its Annual Report, pursuant to Act 100, SLH 1999.

Dept. Com. No. 291, from the Department of Agriculture, dated January 10, 2018, transmitting the Annual Report on Administratively Established Appropriations, pursuant to Act 178, SLH 2002.

Dept. Com. No. 292, from the Department of Agriculture, dated January 10, 2018, transmitting the Annual Report on the Agricultural Development and Food Security Special Fund, pursuant to Act 73, SLH 2010.

Dept. Com. No. 293, from the Department of Agriculture, dated January 10, 2018, transmitting the Annual Report on the Biosecurity Program, pursuant to Act 236, SLH 2008.

Dept. Com. No. 294, from the Department of Agriculture, dated January 10, 2018, transmitting the Report on All Moneys Deposited into and Disbursed from the Pesticide Use Revolving Fund, pursuant to Act 154, SLH 2000.

Dept. Com. No. 295, from the Department of Agriculture, dated January 10, 2018, transmitting the Report on the State's Progress Toward Meeting the Milestones and Objectives of the Important Agricultural Land Tax Credit Program, pursuant to Act 233, SLH 2008.

Dept. Com. No. 296, from the Department of Agriculture, dated January 10, 2018, transmitting the Report on the State's Progress Toward Meeting the Milestones and Objectives of the Energy Feedstock Program, pursuant to Act 159, SLH 2007.

Dept. Com. No. 297, from the Department of Agriculture, dated January 10, 2018, transmitting the Report on the Transfer of Agricultural Loan Monies, pursuant to Sections 155-14 and 219-4, HRS.

Dept. Com. No. 298, from the Department of Health, dated January 11, 2018, transmitting the Annual Report that Outlines the Status of Office of Health Care Assurance Special Fund, Including the Amounts of Moneys Deposited into and Expended from the Fund, and Sources of Receipts and Uses of Expenditures, pursuant to Section 321-1.4, HRS.

Dept. Com. No. 299, from the Department of Health, dated January 11, 2018, transmitting the Annual Report that Outlines the Status of Office of Health Care Assurance Dietitian Licensure Special Fund, Including the Amount of Moneys Deposited Into and Expended From the Fund, and Sources of Receipts and Uses of Expenditures, pursuant to Section 448B-10, HRS.

Dept. Com. No. 300, from the Department of Health, dated January 11, 2018, transmitting the Annual Report that Outlines the Status of Office of Health Care Assurance Aggregate Number of Announced and Unannounced Visits and Inspections Conducted on State Licensed or State Certified Care Facilities and the General Outcomes and Corrective Actions Taken by the Department, pursuant to Act 184, SLH 2016.

Dept. Com. No. 301, from the Department of Health, dated January 11, 2018, transmitting the Annual Report on the Authorization to Allow Two Private-Pay Individuals to Be Cared for in the Same Community Foster Family Home as Provided Under This Act Including its Impact on the Availability of Space for Medicaid Clients, pursuant to Act 30, SLH 2017.

Dept. Com. No. 302, from the Department of Budget and Finance, dated January 11, 2018, transmitting the report, Status of Employer Reporting of Information 2017, pursuant to Act 87, SLH 2015.

Dept. Com. No. 303, from the Department of Budget and Finance, dated January 11, 2018, transmitting the report, Direct Holdings in Sudan Scrutinized Companies 2017, pursuant to Act 192, SLH 2007.

Dept. Com. No. 304, from the Department of Budget and Finance, dated January 11, 2018, transmitting the report, Innovation Economy 2017, pursuant to Act 260, SLH 2007.

Dept. Com. No. 305, from the County of Maui's Department of Finance, dated January 11, 2017 [*sic*], transmitting its Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2017, with the Independent Auditors' Report, pursuant to Section 9-13, County Charter.

Dept. Com. No. 306, from the University of Hawaii System, dated January 12, 2018, transmitting the Annual Report on Campus Safety and Accountability, pursuant to Section 304A-120, HRS.

Dept. Com. No. 307, from the Office of the Auditor, dated January 18, 2018, transmitting the Financial Audit Report of the Hawaii Tourism Authority for the fiscal year ending June 30, 2017, pursuant to Article VII, Section 10 of the State Constitution, and as authorized by Chapter 23, HRS.

Dept. Com. No. 308, from the Department of Business, Economic Development & Tourism, dated January 11, 2018, transmitting the Hawaii Community Development Authority 2017 Annual Report, pursuant to Section 206E-19, HRS.

Dept. Com. No. 309, from the Department of Business, Economic Development & Tourism, dated January 16, 2018, transmitting the Housing Action Plan, pursuant to a grant awarded to the Hawaii Institute for Public Affairs from the Twenty-Eighth Legislature of the State of Hawaii.

Dept. Com. No. 310, from the Department of Business, Economic Development & Tourism, dated January 16, 2018, transmitting the Report on the 13th Festival of Pacific Arts, pursuant to Act 104, SLH 2017.

Dept. Com. No. 311, from the University of Hawaii System, dated January 17, 2018, transmitting a position report, pursuant to Act 49, Section 96, SLH 2017.

Dept. Com. No. 312, from the Office of the Auditor, dated January 19, 2018, transmitting the Financial and Compliance Audit of the Department of Transportation, Administration Division for the fiscal year ending June 30, 2017, pursuant to Article VII, Section 10 of the State Constitution, and as authorized by Chapter 23, HRS.

Dept. Com. No. 313, from the Department of the Attorney General, dated January 19, 2018, transmitting the 2017 Report of the Commission to Promote Uniform Legislation.

Dept. Com. No. 314, from the Department of Land and Natural Resources, dated January 22, 2018, transmitting the Ocean and Submerged Lands Leasing Report, pursuant to Act 176, Section 12, SLH 1999.

Dept. Com. No. 315, from the Office of the Auditor, dated January 24, 2018, transmitting Report No. 18-02, Sunrise Analysis: Regulation of Dental Assistants, pursuant to Act 84, SLH 2017.

## INTRODUCTIONS

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

Representative Tupola introduced Mr. and Mrs. DeMont and Rachel Connor of Hoomana Pono, LLC.

Representative McKelvey introduced students from the UH Manoa School of Social Work: Gaudy Amaya, Jennifer Hsu, Ruthie Diaz, Tani Kagesa, Diana Dinh, Daniel Wright-McCully, Carah Metcalf, Kehaulani Pelekai-Kahaluu and Courtney Riendeau; and their teacher, Ms. Sophia Kim.

Representative Keohokalole introduced Mr. Teddy Pa'ao'ao, advocate for Native Hawaiian issues.

## ORDER OF THE DAY

### REPORTS OF STANDING COMMITTEES

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 3-18) recommending that H.B. No. 1830, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1830, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY AT THE UNIVERSITY OF HAWAII," passed Second Reading

and was referred to the Committee on Higher Education, with Representatives Fukumoto and Har being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 4-18) recommending that H.B. No. 1805 pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1805, entitled: "A BILL FOR AN ACT RELATING TO ENERGY TRAINING," passed Second Reading and was referred to the Committee on Higher Education, with Representatives Fukumoto and Har being excused.

Representative Evans, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 5-18) recommending that H.B. No. 1623, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1623, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FRANCHISE INVESTMENT LAW," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Fukumoto and Har being excused.

Representative Evans, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 6-18) recommending that H.B. No. 1961, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 1961, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Morikawa.

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

"Mr. Speaker, a ruling on a potential conflict. My spouse works for a telecommunication company that does events with HTDC and, I imagine, a number of the other companies," and the Chair ruled, "no conflict."

Representative Ohno continued, stating:

"Thank you, Mr. Speaker. And may this ruling last for the duration of the session?" 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.B. No. 1961, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TECHNOLOGY DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Fukumoto and Har being excused.

Representative Evans, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 7-18) recommending that H.B. No. 1969, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1969, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD SUSTAINABILITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Fukumoto and Har being excused.

#### ANNOUNCEMENTS

Representative LoPresti: "Thank you, Mr. Speaker. I wanted to let members know that the Keiki Caucus resolutions are about ready for submission. I have them on my desk. Some of my colleagues may have

signed one and not the other, the HCR not the HR. If you want to come check them out, I'm going to hang out here after session. Thank you."

#### COMMITTEE REASSIGNMENTS

The following measure was re-referred to committee by the Speaker:

<u>H.B.</u>	<u>Re-referred to:</u>
<u>No.</u>	
1799	Committee on Finance

#### ADJOURNMENT

At 12:15 o'clock p.m., on motion by Representative Morikawa, seconded by Representative Ward and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, January 31, 2018. (Representatives Fukumoto and Har were excused.)