

## EIGHTEENTH DAY

**Thursday, February 19, 2015**

The House of Representatives of the Twenty-Eighth Legislature of the State of Hawaii, Regular Session of 2015, convened at 12:12 o'clock p.m., with Vice Speaker Mizuno presiding.

The invocation was delivered by Representative Derek S.K. Kawakami, after which the Roll was called showing all Members present with the exception of Representatives Ing, LoPresti, Oshiro and Souki, who were excused.

On motion by Representative Evans, seconded by Representative Tupola and carried, reading of the Journal was dispensed with and the Journals of the Sixth, Seventh, Eighth and Ninth Days were approved. (Representatives Brower, Ing, LoPresti, Nishimoto, Oshiro and Souki were excused.)

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 7 and 8) were received and announced by the Clerk:

Sen. Com. No. 7, transmitting H.B. No. 930, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE OFFICE OF THE GOVERNOR," which passed Third Reading in the Senate on February 18, 2015.

Sen. Com. No. 8, transmitting H.B. No. 1465, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, THE OMBUDSMAN, AND THE ETHICS COMMISSION," which passed Third Reading in the Senate on February 18, 2015.

**KA HUA 'ŌLELO O KA LĀ  
HAWAIIAN WORD FOR THE DAY**

Representative Thielen presented *Ka Hua 'Ōlelo o Ka Lā*, the Hawaiian Word for the Day, as follows:

"Thank you, Mr. Speaker. Mr. Speaker, the Hawaiian Word for the Day today is *ahonui*. *Ahonui* means patience, patient, enduring, long-suffering, to tolerate. The literal meaning is great breath. *Ahonui* is a very special word. Being patient and tolerant is often a difficult thing to do, I know, but isn't it interesting how *ahonui* also means long-suffering as well as the literal meaning of great breath. *Ahonui* is a reminder that when we are faced with situations and people who have challenged our patience and tolerance, we must take a great breath and reflect upon why we're feeling impatient or intolerant. A deep breath, the *ha*, our breath of life, will remind us that we are all one, so we should be *ahonui* with others as well as ourselves. So, a deep breath, Mr. Speaker."

## INTRODUCTIONS

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

Representative Ito, on behalf of Representative Keohokalole and himself, introduced Ms. Bettyejo Harris, recipient of NAACP Lifetime Achievement Award for Distinguished Service; her husband, Dr. Ernest Harris, entomologist; Ms. Michelle Dewberry, Vice President of Alpha Kappa Alpha Sorority – Hawaii Chapter; and AKA sorority sisters: Ms. Sandi Sumbry, Ms. Erica Williams, Ms. Carolyn Williams, Ms. Barbara Mitchell, Ms. Pat Pole, Ms. LaJohnna White and Ms. Linda Mitchell.

Representative Woodson introduced Ka Ipu Kukui Fellows:

Ms. Lehia Apana - Haynes Publishing Group;  
Ms. Lauren Campbell - Pacific Whale Foundation;

Mr. Richard Carr - Habitat for Humanity Maui, Inc.;  
Ms. Irina Constantinescu - Brown and Caldwell;  
Ms. Arianna Feinberg - Aloha Natural Brokers;  
Ms. Kathleen Hagan - University of Hawaii Maui College;  
Ms. Amy Hodges - Maui Nui Marine Resource Council;  
Ms. Nikki Schroeder - Bank of Hawaii;  
Mr. Marc Takamori - County of Maui, Department of Transportation;  
Ms. Johanna Valente - First Wind, Kaheawa Wind Power;  
Mr. Sean Walsh - Bayada Home Health Care;  
Ms. Maria 'Kit' Katrina Zulueta - County of Maui, County Council; and  
Dr. Lori Tergawachi - Program Director, University of Hawaii Maui College.

Representative Lowen introduced retired teachers from Hawaii: Ms. Jo Ann Iwane, Ms. Niyati Brown and Mr. Gary Kaku.

Representative Tokioka introduced retired teachers from Kauai: Ms. Beverly Gotelli, Chiefess Kamakahelei School; and Mr. Chris Todd, Kauai High School.

Representative Saiki introduced Ms. Lynn DeCoite, new appointee to District 13; and staff Soana Tupua-Fanoga and Rebecca Bernal.

Representative Ward introduced Ms. Amy Agbayani.

Representative Yamashita introduced Mr. Troy Hashimoto, Chair, Maui County Democratic Party.

Representative Ohno introduced Mr. Raytan Vares, Chair, Oahu Young Democrats.

At 12:27 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:38 o'clock p.m.

## ORDER OF THE DAY

## REPORTS OF STANDING COMMITTEES

Representative Tsuji, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 352) recommending that H.B. No. 871, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 871, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BIOSECURITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Tsuji, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 353) recommending that H.B. No. 508, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 508, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 354) recommending that H.B. No. 544 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 544,

entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII CANCER CENTER," passed Second Reading and was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 355) recommending that H.B. No. 547, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 547, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 356) recommending that H.B. No. 158 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 158, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE COUNTY OF MAUI," passed Second Reading and was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 357) recommending that H.B. No. 903 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 903, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF THE ATTORNEY GENERAL," passed Second Reading and was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 358) recommending that H.B. No. 612, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 612, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 359) recommending that H.B. No. 791 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 791, entitled: "A BILL FOR AN ACT RELATING TO THE RETIREMENT OF JUDGES," was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 360) recommending that H.B. No. 827, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 827, HD 2, entitled: "A BILL FOR AN ACT RELATING TO A MIXED-USE RESIDENTIAL PROJECT," was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Yamane, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 361) recommending that H.B. No. 1156, as

amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1156, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARINE NATIONAL MONUMENTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Aquino, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 362) recommending that H.B. No. 562, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 562, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

Representative Har 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 H.B. No. 562, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CROSSWALKS," passed Second Reading and was referred to the Committee on Finance, with Representatives Har and Jordan voting aye with reservations, and with Representatives Oshiro and Souki being excused.

Representative Aquino, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 363) recommending that H.B. No. 1007 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1007, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Oshiro and Souki being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 364) recommending that H.B. No. 139 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 139, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST ANAERGIA INC.," passed Second Reading and was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 365) recommending that H.B. No. 1393, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1393, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representatives Lee and Yamane, for the Committee on Energy & Environmental Protection and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 366) recommending that H.B. No. 1453, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1453, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MOLOA'A WELL PROJECT ON THE ISLAND OF KAUAI," passed Second Reading and was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 367) recommending that H.B. No. 823, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 823, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL THEFT," was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 368) recommending that H.B. No. 1185 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1185, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 13, OF THE HAWAII CONSTITUTION, TO AMEND THE TIMING OF MATURATION FOR GENERAL OBLIGATION BONDS," passed Second Reading and was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 369) recommending that H.B. No. 775, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 775, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 370) recommending that H.B. No. 1029 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1029, entitled: "A BILL FOR AN ACT RELATING TO THE ENDANGERED SPECIES RECOVERY COMMITTEE," was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 371) recommending that H.B. No. 1039 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1039, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LOCAL AND IMMIGRANT FARMER EDUCATION PROGRAM," was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Hashem, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 372) recommending that H.B. No. 345, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 345, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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."

Representative Ward 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 H.B. No. 345, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representative Ward voting aye with reservations, with Representatives McDermott and Tupola voting no, and with Representatives Oshiro and Souki being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 373) recommending that H.B. No. 556, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 556, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII," was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 374) recommending that H.B. No. 1005, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1005, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE VETERANS TREATMENT COURT," was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Nishimoto, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 375) recommending that H.B. No. 1214 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1214, entitled: "A BILL FOR AN ACT RELATING TO THE STATE-COUNTY FUNCTIONS WORKING GROUP," passed Second Reading and was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 376) recommending that H.B. No. 1513, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1513, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 377) recommending that H.B. No. 801, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 801, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR SUNSTRONG LLC, A RENEWABLE ENERGY DEVELOPER SERVING THE GENERAL PUBLIC IN PROVIDING ELECTRIC ENERGY," passed Second Reading and was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 378) recommending that H.B. No. 141 pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 141 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

Representative Har 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.B. No. 141, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS," passed Second Reading and was referred to the Committee on Finance, with Representative Jordan voting aye with reservations, with Representative Har voting no, and with Representatives Oshiro and Souki being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 379) recommending that H.B. No. 683 pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 683 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Har 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 H.B. No. 683, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION," passed Second Reading and was referred to the Committee on Judiciary, with Representative Har voting aye with reservations, and with Representatives Oshiro and Souki being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 380) recommending that H.B. No. 697, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 697, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FACILITIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 381) recommending that H.B. No. 854, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 854, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CHARGES," was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 382) recommending that H.B. No. 1208, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1208, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SENIOR FARMERS' MARKET

NUTRITION PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 383) recommending that H.B. No. 1268, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1268, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Brower, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 384) recommending that H.B. No. 1258, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1258, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Oshiro and Souki being excused.

Representative Brower, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 385) recommending that H.B. No. 1259, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1259, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Oshiro and Souki being excused.

Representative Brower, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 386) recommending that H.B. No. 1327, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1327, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

Representative Har 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 H.B. No. 1327, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Second Reading and was referred to the Committee on Finance, with Representatives Har and Jordan voting aye with reservations, and with Representatives Oshiro and Souki being excused.

Representative Brower, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 387) recommending that H.B. No. 169, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 169, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

"Mr. Speaker, strong reservations, brief comment. Mr. Speaker, my strong reservation is because number one, it's a tax increase. But number two, which I think is the unkindest cut of all, if you are occupying your own time share, the one that you own, the one that you paid for, no matter where you're from or what you're doing, you have to pay that TAT tax as if you're a visitor, as if you're any other person off the street. I think that's unfair. The old notion of taxation without representation. These people occupying their own units, having to pay the 9.25% under this bill, up from 7.25%. And then they've got to pay the GE Tax on top of that, Mr. Speaker. I think this is overkill. I hope that some people will flag this saying, okay if you're going to raise it don't make them pay while they, the owners, are there. That's just not fair. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 169, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representative Ward voting aye with reservations, with Representative McDermott voting no, and with Representatives Oshiro and Souki being excused.

Representatives Takayama and Nakashima, for the Committee on Public Safety and the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 388) recommending that H.B. No. 449 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 449, entitled: "A BILL FOR AN ACT RELATING TO POLICE DEPARTMENTS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Oshiro and Souki being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 389) recommending that H.B. No. 1075, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1075, HD 2 be referred to the Committee on Finance, seconded by Representative Evans.

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

Representative Johanson rose in support of the measure with reservations and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Johanson's written remarks are as follows:

"Mr. Speaker, I rise with reservations on HB 1075, HD 1, which authorizes the Maui Regional System to enter into an agreement with a private entity to transition to one or more of its facilities into a new private Hawaii nonprofit corporation.

"While I believe that taking steps to put our hospitals on sounder financial footing is necessary, I am worried about the potential hybrid this bill will create. Under this bill, the State loses much of its control over the assets and still is obligated to subsidize the now private entity, both on the operational and capital expenditure side. Much is being done by the State to attract a private entity, but it begs the question of whether absent incredibly favorable conditions for the private partner, if the state taxpayer is ultimately getting the best end of this deal.

"I worry about continued subsidization of the new private entity by the taxpayer. I would like to see changes to the Maui Regional System that will help provide quality care to Maui residents, but not in ways that put the State and its taxpayers in an awkward fiscal position."

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

"Thank you, Mr. Speaker. Note my strong reservations on this bill. Thank you."

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

"Strong reservations."

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

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

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

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

"Mr. Speaker, reservations and a brief comment. My reservation is specifically relating to 323F-G regarding employment and the protection of the state workers currently at HHSC. Thank you."

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

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

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

Representative Aquino 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 H.B. No. 1075, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was referred to the Committee on Finance, with Representatives Aquino, Creagan, Cullen, Har, Johanson, Jordan, Kawakami, LoPresti, Lowen, Morikawa, Onishi and Yamane voting aye with reservations, and with Representatives Oshiro and Souki being excused.

## INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 16) and concurrent resolutions (H.C.R. Nos. 41 and 42) were referred to Printing and further action was deferred:

H.R. No. 16, entitled: "HOUSE RESOLUTION URGING THE DIRECTOR OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH THE COMMISSION FOR HAWAII'S FUTURE TO GUIDE AND PREPARE HAWAII FOR REDUCED MILITARY SPENDING," was jointly offered by Representatives Takumi, Aquino, Belatti, Brower, Choy, Creagan, Evans, Hashem, Ichiyama, Ing, Ito, Johanson, Jordan, Keohokalole, Lowen, Luke, Mizuno, Morikawa, Nakashima, Oshiro, Rhoads, Saiki, Say, Takayama, Tokioka, Tsuji, Onishi, San Buenaventura and Yamashita.

H.C.R. No. 41, entitled: "HOUSE CONCURRENT RESOLUTION URGING APPROPRIATE STATE AND COUNTY AGENCIES TO COLLABORATE TO ISSUE MULTI-DESIGNATION SPECIAL LICENSE PLATES TO PERSONS WHO QUALIFY FOR MORE THAN ONE SPECIAL LICENSE PLATE," was jointly offered by Representatives Lowen, Keohokalole, Lee, LoPresti and Yamane.

H.C.R. No. 42, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DIRECTOR OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH THE COMMISSION FOR HAWAII'S FUTURE TO GUIDE AND PREPARE HAWAII FOR REDUCED MILITARY SPENDING," was jointly offered by Representatives Takumi, Aquino, Belatti, Brower, Choy, Creagan, Evans, Hashem, Ichiyama, Ing, Ito, Johanson, Jordan, Keohokalole, Lowen, Luke, Mizuno, Morikawa, Nakashima, Oshiro, Rhoads, Saiki, Say, Takayama, Tokioka, Tsuji, Onishi, San Buenaventura and Yamashita.

#### ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, on behalf of your office and mine, a reminder to all that the Fellowship Luncheon is immediately following this session in Room 423. Lunch is provided, guest speaker is from Fiji. Thank you."

Representative Rhoads: "Thank you, Mr. Speaker. Just wanted to wish everyone Kung Hei Fat Choy. This is the first day of the Year of the Ram. *Mahalo* or *xie xie*."

At this time, the Chair stated:

"If there are no further announcements, the Chair would like to remind Committee Chairs that today is the first lateral filing deadline. For bills that need to move to their final committees, please file your committee reports and drafts with the Chief Clerk's Office by 9:00 p.m. this evening."

#### COMMITTEE ASSIGNMENTS

The following measure was referred to committee by the Speaker:

| <u>S.B.</u><br><u>No.</u> | <u>Referred to:</u>                                      |
|---------------------------|--|
| 1098,<br>SD1              | Committee on Education, then to the Committee on Finance |

#### COMMITTEE REASSIGNMENTS

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

| <u>H.B.</u><br><u>No.</u> | <u>Re-referred to:</u> |
|---------------------------|------------------------|
| 1375                      | Committee on Finance   |

#### ADJOURNMENT

At 12:47 o'clock p.m., on motion by Representative Evans, seconded by Representative Tupola and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 20, 2015. (Representatives Ito, Oshiro and Souki were excused.)