

TENTH DAY

Thursday, February 2, 2017

The House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2017, convened at 12:06 o'clock p.m., with Speaker Souki presiding.

The invocation was delivered by Ms. Tiare Akana of the House Chief Clerk's Office, after which the Roll was called showing all Members present with the exception of Representative Ing, who was excused.

On motion by Representative Evans, seconded by Representative Ward and carried, reading of the Journal was dispensed with and the Journals of the First, Second, Third, Fourth and Fifth Days were approved. (Representative Ing was excused.)

INTRODUCTIONS

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

Representative Johanson introduced members of the Society for Human Resource Management, Hawaii Chapter: Ludvig Simonsen, Mandy Woulfe, Kim Ripley, Diana Meran, Erik Wright, Victoria Daniels, Ryan Sanada, Landon Wong, Heather McVay, Kathleen Lee and Melissa Pavlicek.

Representative Oshiro introduced Mr. Jake Manegdeg, Democratic Party of Hawaii.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1) recommending that H.B. No. 520, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 520, HD 1 pass Second Reading and be referred to the Committee on Higher Education, seconded by Representative Evans.

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

"In opposition, Mr. Speaker. I understand this is just the first committee and the bill will be revised as it goes through the process, but for now my only comment is, you gotta be kidding me. Thank you, Mr. Speaker."

Representative LoPresti 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. 520, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII ATHLETICS," passed Second Reading and was referred to the Committee on Higher Education, with Representative LoPresti voting aye with reservations, with Representative Choy voting no, and with Representative Ing being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 2) recommending that H.B. No. 976, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 976, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was referred to the Committee on Higher Education, with Representative Ing being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 3) recommending that H.B. No. 208, 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. 208, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Judiciary, with Representative Ing being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 4) recommending that H.B. No. 978, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 978, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Ing being excused.

Representative Creagan, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 5) recommending that H.B. No. 96, as amended in HD 1, 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. 96, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I bet you were expecting that. I'm rising in support of the measure, Mr. Speaker, and a couple of things I would just like to note. This bill will allow Hawaii farmers to apply year-round to grow hemp, and that's what should be the case, since we have year-round growing cycles for industrial hemp. The law as it presently stands was adopted from Kentucky. Well, Kentucky has one growing season. So when they adopted that, they put in just the single growing season, that makes no sense. I'd like to note that it no longer has a monetary aspect to it, and I'm hoping that eventually Finance will waive off so it just needs to go to Judiciary to move forward.

"But the most wonderful news I have, Mr. Speaker, I was given this amazing gift. The frame is hemp from the Waimanalo hemp project. This, what you look at and you think it's wood, it's not, it's a hemp frame. The background is hemp paper, made from the hemp from the Waimanalo project. And the dried leaf is industrial hemp from the Waimanalo project. This is just an amazing gift, I am so awed by this. Any member that wants to see it after session is over, it will be here on my desk for you to come and to touch it and look at it. But this is what we have, and this is why this bill is so important to move forward. Grow hemp year-round, and participate in the 25,000 products and uses for this amazing crop. Thank you."

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

"Mr. Speaker, I rise in support. If I could have the words adopted by the previous speaker, without the award given to her, I'd really appreciate that in the Journal, please," and the Chair "so ordered." (By reference only.)

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

"I rise in support, Mr. Speaker. This is a good job creation bill for Hawaii's farmers, who are charged with increasing their output. This is one that is going to create jobs and hopefully a lot of income.

"As some of you know, I've probably evolved rather slowly on this particular bill, and I too would like the comments of my colleague from Kailua entered into the Journal, because this is important, and she has fought

probably six or seven sessions to get it to where it is today. So thanks to those who introduced it, and those who will pass it. Thank you, Mr. Speaker," and the Chair "so ordered." (By reference only.)

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

"Mr. Speaker, in strong support. I would like the words of the good speaker from Kailua entered in the record as if it were my own, except for the come touch it and look at it part. Also would like to note that there are agricultural entities that are negotiating to use the HC&S land for which this law can provide an extra agricultural activity to make them successful, so this is important in creating sustainability in the former sugar lands area. Thank you," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 96, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL HEMP," passed Second Reading and was referred to the Committee on Judiciary, with Representative Ing being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 6) recommending that H.B. No. 916, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 916, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOAN REPAYMENT FOR HEALTH CARE PROFESSIONALS," passed Second Reading and was referred to the Committee on Higher Education, with Representative Ing being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 7) recommending that H.B. No. 228, as amended in HD 1, pass Second Reading and be referred to the Committee on Agriculture.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 228, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE PLANTS," passed Second Reading and was referred to the Committee on Agriculture, with Representative Ing being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 8) recommending that H.B. No. 184, 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. 184, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed Second Reading and was referred to the Committee on Finance, with Representative Ing being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 9) recommending that H.B. No. 606, 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. 606, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ACCESS TO PRIVATE PROPERTY," passed Second Reading and was referred to the Committee on Judiciary, with Representative Ing being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 10) recommending that H.B. No. 749, as amended in HD 1, pass Second Reading and be referred to the Committee on Health.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 749, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," passed Second Reading and was referred to the Committee on Health, with Representative Ing being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 11) recommending that H.B. No. 347, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 347, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Ing being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 15) and concurrent resolution (H.C.R. No. 31) were referred to Printing and further action was deferred:

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 offered by Representative Souki.

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 offered by Representative Souki.

LATE INTRODUCTIONS

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

Representative Keohokalole introduced Mr. Kekoa McClellan.

Representative Tokioka introduced Ms. Stevette Santiago, Society for Human Resource Management, Hawaii Chapter.

Representative Thielen introduced fifth grade students from Kainalu Elementary School.

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, important breaking news. The Small Business Caucus that was scheduled to meet at 1:30 p.m. today in Room 423 is postponed by the request of Sherry Menor. The next time we're probably going to plan it for lunch, so people can have pizza and good business information. So the Small Business Caucus meeting this afternoon is canceled. Thank you for so many of you who have RSVP'd."

Speaker Souki: "My understanding, he's absent here now, but it's the birthday of the former Speaker, Speaker Emeritus Say. Let's all clap for him in absentia. We wish him a happy birthday."

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

<u>H.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
436	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Judiciary
437	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Judiciary
620	Committee on Water & Land, then to the Committee on Finance
622	Committee on Water & Land, then to the Committee on Finance
860	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Judiciary
1279	Committee on Higher Education, then to the Committee on Finance

ADJOURNMENT

At 12:23 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, Friday, February 3, 2017. (Representatives Ing and Say were excused.)