

THIRTY-SECOND DAY

Thursday, March 17, 2022

The House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2022, convened at 12:08 p.m., with Vice Speaker Mizuno presiding.

The invocation was delivered by Representative Nadine K. Nakamura, after which the Roll was called showing all members present.

On motion by Representative Morikawa, seconded by Representative Matsumoto and carried, reading of the Journal was dispensed with and the Journals of the Eighteenth, Nineteenth, Twentieth, Twenty-First, Twenty-Second, Twenty-Third, and Twenty-Fourth Days were approved. (Representative Nishimoto was excused.)

INTRODUCTIONS

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

Representative Takayama introduced his friends, Michael Radway and Stephanie Vardavas from Portland, Oregon; and his wife, Linda Chu Takayama.

Representative Wildberger introduced Malinda Martinez and John Fitzpatrick, teachers from Maui.

Representative Matsumoto introduced former Maine State Representative Andrew McLean, and his partner, Jacob Smith.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1034-22) recommending that S.B. No. 2056, SD 1 pass Second Reading and be referred to the Committee on Agriculture.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 2056, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SOIL CLASSIFICATIONS," passed Second Reading and was referred to the Committee on Agriculture.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1035-22) recommending that S.B. No. 1411, SD 2 pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 1411, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1036-22) recommending that S.B. No. 2799, SD 2 pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 2799, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE KAIWI COAST," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1037-22) recommending that S.B. No. 570, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 570, SD 1, HD 1 pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs, seconded by Representative Morikawa.

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

Representative Wildberger 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. 570, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs, with Representatives Kapela and Wildberger voting aye with reservations.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1038-22) recommending that S.B. No. 3251, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Agriculture.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 3251, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING GUIDES," passed Second Reading and was referred to the Committee on Agriculture.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1039-22) recommending that S.B. No. 2764, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 2764, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Onishi, for the Committee on Labor & Tourism, presented a report (Stand. Com. Rep. No. 1040-22) recommending that S.B. No. 2644, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 2644, SD 2, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

Representative Kapela 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 S.B. No. 2644, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICAL CONTRACTORS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Kapela voting no.

Representative Onishi, for the Committee on Labor & Tourism, presented a report (Stand. Com. Rep. No. 1041-22) recommending that S.B. No. 3128, SD 2 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 S.B. No. 3128, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ADEQUATE RESERVE FUND," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Onishi, for the Committee on Labor & Tourism, presented a report (Stand. Com. Rep. No. 1042-22) recommending that S.B. No. 3142, SD 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 S.B. No. 3142, SD 1, entitled: "A BILL FOR AN ACT RELATING TO

THE WORKERS' COMPENSATION LAW," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Onishi, for the Committee on Labor & Tourism, presented a report (Stand. Com. Rep. No. 1043-22) recommending that S.B. No. 3126, SD 2, 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 S.B. No. 3126, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOILER AND ELEVATOR SAFETY LAW," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1044-22) recommending that S.B. No. 3298, SD 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 S.B. No. 3298, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SHOOTING FACILITIES," passed Second Reading and was referred to the Committee on Finance.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1045-22) recommending that S.B. No. 3379, SD 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 S.B. No. 3379, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BIOSECURITY," passed Second Reading and was referred to the Committee on Finance.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1046-22) recommending that S.B. No. 3134, SD 2 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 S.B. No. 3134, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PAYMENT OF DEBT SERVICE ON THE TURTLE BAY REIMBURSABLE GENERAL OBLIGATION BONDS," passed Second Reading and was referred to the Committee on Finance.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1047-22) recommending that S.B. No. 3377, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 3377, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL ACTIVITIES ON BEACHES," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1048-22) recommending that S.B. No. 3192, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Tourism.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 3192, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NATURAL RESOURCE MANAGEMENT," passed Second Reading and was referred to the Committee on Labor & Tourism.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1049-22) recommending that S.B. No. 2070, SD 1 pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 2070, SD 1 pass Second Reading and be referred to the

Committee on Judiciary & Hawaiian Affairs, seconded by Representative Morikawa.

Representative Wildberger 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. 2070, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE HAWAIIAN LEGACY REFORESTATION INITIATIVE TO RESTORE HAWAII'S FORESTS AND NATURAL RESOURCES," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs, with Representative Wildberger voting aye with reservations.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1050-22) recommending that S.B. No. 2612, SD 2 pass Second Reading and be referred to the Committee on Education.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 2612, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL SUSTAINABILITY," passed Second Reading and was referred to the Committee on Education.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1051-22) recommending that S.B. No. 3195, SD 2 pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 3195, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1052-22) recommending that S.B. No. 3229, SD 2 pass Second Reading and be referred to the Committee on Higher Education & Technology.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 3229, SD 2, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ROYALTIES," passed Second Reading and was referred to the Committee on Higher Education & Technology.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1053-22) recommending that S.B. No. 2998, SD 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 S.B. No. 2998, SD 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1054-22) recommending that S.B. No. 2290, SD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 2290, SD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. With reservations, and if anybody can show me a microbead, I'd really like to see it."

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

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

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

"In support, Mr. Speaker. And if you want to see a microbead, you can look around in our oceans and there's plenty of them. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2290, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MICROBEADS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Matsumoto, Okimoto, and Tokioka voting aye with reservations.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1055-22) recommending that S.B. No. 2662, SD 2 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 2662, SD 2 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

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

"With reservations. I just want to note that my concern is related to the possible perception of this favoring one particular contractor or deconstruction company. So, that's the basis. Thank you."

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

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

Representative Okimoto rose and asked that the Clerk record a no vote 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."

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

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

Representative McKelvey 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 S.B. No. 2662, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CONSTRUCTION WASTE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Kapela, Matsumoto, McKelvey, Perruso, and Tam voting aye with reservations, and with Representatives Har, Okimoto, and Tokioka voting no.

Representatives Lowen and Quinlan, for the Committee on Energy & Environmental Protection and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1056-22) recommending that S.B. No. 2478, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Belatti moved that the report of the Committees be adopted, and that S.B. No. 2478, SD 2, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

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

Representative Tokioka 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 Committees was adopted and S.B. No. 2478, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Tokioka and Wildberger voting aye with reservations.

Representative Woodson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1057-22) recommending that S.B. No. 2822, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Health, Human Services, & Homelessness.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 2822, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ASTHMA," passed Second Reading and was referred to the Committee on Health, Human Services, & Homelessness.

Representative Woodson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1058-22) recommending that S.B. No. 2189, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 2189, HD 1 pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs, seconded by Representative Morikawa.

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

"Mr. Speaker, I'm going to be voting no on this. I am concerned about the purpose of this measure, and I think that it is in conflict with earlier legislation that we passed. So, when we move to make the Board of Education an appointed body, we did so with the idea in mind that the governor could be held and should be held responsible for the actions of the board. So, if we move this measure, it actually conflicts with that intention, because then the new chair of the Board of Education could be elected by people who had been appointed by a previous governor, because they have overlapping terms. So, I just wanted to point that out to the body and maybe I am in need of more clarification, but that's my sense of the issue right now."

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

"Reservations. I just want to say, that was a really good point. So, thanks."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2189, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs, with Representative LoPresti voting aye with reservations, and with Representative Perruso voting no.

Representative Woodson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1059-22) recommending that S.B. No. 2824, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 2824, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Woodson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1060-22) recommending that S.B. No. 3090, SD 1, 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 S.B. No. 3090, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING

TO FEDERAL INDIRECT OVERHEAD REIMBURSEMENTS," passed Second Reading and was referred to the Committee on Finance.

Representative Woodson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1061-22) recommending that S.B. No. 3098, SD 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 S.B. No. 3098, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR LEAD ABATEMENT," passed Second Reading and was referred to the Committee on Finance.

ANNOUNCEMENTS

Representative Quinlan, for the Committee on Economic Development, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measure on Friday, March 18, 2022, at 10:30 a.m. in Conference Room 312, and the Chair "so ordered."

S.B. No. 3143, Relating to Conformity to the Internal Revenue Code.

Representative Quinlan: "So, today is St. Patrick's Day. And about 200 years ago, my ancestors got on a ship, they left Ireland, and they travelled across the world to Australia. Please don't ask me why they were on the ship, we don't have to speculate about that. But even though it has been literally centuries since my family has lived in Ireland, we're still very proud of our culture, our heritage, and our lineage. So, to that effect, I'd like to invite all the members who wish to attend to come up to the Rotunda and take a picture with me and the Irish flag, which we will be transmitting to the Irish Senate. And afterwards, there will be Shepherd's pie and refreshments in my office, and I don't know what my room number is. Oh yeah, and I forgot to wear green, so sorry about that too. Thank you."

Representative McKelvey, for the Committee on Government Reform, requested a waiver of the 48-hour advanced notice requirement for the purpose of reconsideration of prior decision making on the following measure on Friday, March 18, 2022, at 10:00 a.m. in Conference Room 309, and the Chair "so ordered."

S.B. No. 3373, SD 2, Relating to Public Procurement.

Representative McKelvey: "Also, around the same time, my ancestors too left Ireland and headed to Australia and were probably on the same ship. So, I'm sure we have plenty of tales to tell, don't we lad?"

Representative Belatti: "Thank you, Mr. Speaker. Just two quick announcements. First, to the Representative from the North Shore, I just want to thank him for his graciousness and for his beautiful pins that he's gifted to members. As well as, just to note, that his name, on a quick search means, Quinlan means descendent of a handsome man. So, that's my first announcement.

"Second announcement, members, I just wanted to note, as we were proceeding through this hearing, this was the first time in perhaps two years when all 51 members of the House were present. So, it does mark a very important day. And it is, as the person who provided the invocation did, a very special privilege to be in this House every day. Thank you, Mr. Speaker."

At this time, the Chair stated:

"The Chair would like to remind members of today's triple referral filing deadline. For any bills moving from their first committee to their second committee in a triple referral, you must file the committee reports with the Chief Clerk's Office by 7:00 p.m. this evening. Please allow yourselves and your staff sufficient time to file your reports before the deadline."

COMMITTEE REASSIGNMENTS

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

<u>S.B. Nos.</u>	<u>Re-referred to:</u>
2695, SD2	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2885, SD1	Committee on Legislative Management, then to the Committee on Finance
3025, SD2	Committee on Consumer Protection & Commerce, then to the Committee on Finance

ADJOURNMENT

At 12:25 p.m., on motion by Representative Morikawa, seconded by Representative Matsumoto and carried, the House of Representatives adjourned until noon tomorrow, Friday, March 18, 2022. (Representative Woodson was excused.)