

## FIFTY-FOURTH DAY

## Monday, April 23, 2018

The House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2018, convened at 11:34 o'clock a.m., with Vice Speaker Nakashima presiding.

The invocation was delivered by Pastor Russell Higa of Streams of Life Fellowship, after which the Roll was called showing all Members present with the exception of Representatives Evans and Say, who were excused.

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

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 804 through 815) were received and announced by the Clerk:

Sen. Com. No. 804, dated April 20, 2018, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 207, HD 2, SD 1	English, Chair; Shimabukuro/Galuteria, Co-Chairs	H.B. No. 1906, HD 2, SD 2	Baker, Chair; Taniguchi, Co-Chair; Gabbard, Ihara
H.B. No. 583, HD 1, SD 1	Wakai, Chair; Galuteria/Shimabukuro, Co-Chairs; L. Thielen	H.B. No. 1916, HD 2, SD 2	Baker, Chair; Galuteria, Co-Chair; Ihara
H.B. No. 694, HD 2, SD 1	Green, Chair; Shimabukuro/S. Chang, Co-Chairs; Wakai	H.B. No. 1932, HD 1, SD 2	Kim, Chair; Taniguchi, Co-Chair; Ruderman, L. Thielen
H.B. No. 1489, HD 1, SD 2	Tokuda, Chair; Taniguchi, Co-Chair; English, K. Rhoads	H.B. No. 1962, HD 1, SD 2	Wakai, Chair; Tokuda/K. Kahele, Co-Chairs; Galuteria
H.B. No. 1520, HD 2, SD 1	Baker, Chair; Espero, Ihara	H.B. No. 1968, HD 1, SD 1	K. Kahele, Chair; Shimabukuro/S. Chang, Co-Chairs
H.B. No. 1585, HD 1, SD 3	K. Kahele, Chair; Galuteria/S. Chang, Co-Chairs	H.B. No. 2019, HD 1, SD 1	Green, Chair; Tokuda/Shimabukuro, Co-Chairs; Ihara
H.B. No. 1626, HD 1, SD 1	Baker, Chair; Taniguchi, Co-Chair; Nishihara	H.B. No. 2077, HD 1, SD 1	Tokuda, Chair; Keith-Agaran, Co-Chair; S. Chang, English
H.B. No. 1647, HD 2, SD 1	Green, Chair; Tokuda/Shimabukuro, Co-Chairs; Ihara	H.B. No. 2081, HD 1, SD 2	K. Rhoads, Chair; Gabbard/Riviere, Co-Chairs
H.B. No. 1650, HD 2, SD 1	Green, Chair; Taniguchi/K. Rhoads, Co-Chairs; S. Chang, L. Thielen	H.B. No. 2105, HD 1, SD 2	Gabbard, Chair; English, Co-Chair; Ruderman
H.B. No. 1716, HD 1, SD 1	Green, Chair; Shimabukuro, Co-Chair; S. Chang	H.B. No. 2115, HD 1, SD 2	Gabbard, Chair; Tokuda/English, Co-Chairs
H.B. No. 1774, HD 1, SD 2	Taniguchi, Chair; Keith-Agaran, Co-Chair; L. Thielen	H.B. No. 2118, HD 1, SD 2	Baker, Chair; Taniguchi, Co-Chair; Nishihara
H.B. No. 1778, HD 1, SD 1	Tokuda, Chair; Baker/Keith-Agaran, Co-Chairs	H.B. No. 2134, HD 1, SD 1	Taniguchi, Chair; Gabbard, K. Rhoads, L. Thielen
H.B. No. 1850, HD 1, SD 1	Taniguchi, Chair; Gabbard, K. Rhoads	H.B. No. 2144, HD 1, SD 1	Nishihara, Chair; Green/Galuteria, Co-Chairs
H.B. No. 1852, HD 1, SD 1	Taniguchi, Chair; Gabbard, K. Rhoads	H.B. No. 2182, HD 2, SD 2	Gabbard, Chair; Inouye/English, Co-Chairs
H.B. No. 1869, HD 1, SD 1	Baker, Chair; Ihara, Ruderman	H.B. No. 2202, HD 2, SD 1	Tokuda, Chair; Baker, Co-Chair; English
H.B. No. 1876, HD 1, SD 1	Baker, Chair; Espero, Ihara	H.B. No. 2247, HD 1, SD 1	Taniguchi, Chair; Kim, K. Rhoads
		H.B. No. 2271, HD 2, SD 1	Kidani, Chair; Baker, Co-Chair; K. Kahele
		H.B. No. 2300, HD 1, SD 1	K. Kahele, Chair; Galuteria/S. Chang, Co-Chairs
		H.B. No. 2318, HD 1, SD 1	Taniguchi, Chair; Gabbard, K. Rhoads
		H.B. No. 2333, HD 1, SD 1	Wakai, Chair; Galuteria/K. Kahele, Co-Chairs; L. Thielen
		H.B. No. 2352, HD 1, SD 1	Kidani, Chair; Galuteria, Co-Chair; Kim
		H.B. No. 2357, HD 2, SD 1	Espero, Chair; Taniguchi, Co-Chair; Gabbard, Ruderman
		H.B. No. 2455, HD 1, SD 2	Taniguchi, Chair; Keith-Agaran, Co-Chair; Wakai
		H.B. No. 2557, HD 1, SD 1	Wakai, Chair; K. Kahele/English, Co-Chairs; Espero

H.B. No. 2559, Wakai, Chair; Galuteria/Riviere, Co-Chairs; HD 1, SD 1 Espero

H.B. No. 2610, Wakai, Chair; Galuteria/K. Kahele, Co-Chairs; HD 2, SD 1 L. Thielen

H.B. No. 2626, Gabbard, Chair; Baker/English, Co-Chairs HD 1, SD 2

H.B. No. 2651, Wakai, Chair; Baker/Shimabukuro, Co-Chairs; HD 2, SD 1 S. Chang

H.B. No. 2694, Green, Chair; Baker/Shimabukuro, Co-Chairs; HD 1, SD 2 Espero

H.B. No. 2729, Baker, Chair; English, Co-Chair; HD 2, SD 2 Espero

H.B. No. 2741, Baker, Chair; English, Co-Chair; HD 2, SD 1 Espero

H.B. No. 2742, Baker, Chair; English, Co-Chair; HD 1, SD 1 Espero

Sen. Com. No. 805, transmitting H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO ENGAGE IN PUBLIC EDUCATION AND OUTREACH TO REDUCE LITTERING, PROMOTE AND ENCOURAGE PARTICIPATION IN THE ADOPT-A-HIGHWAY PROGRAM TO KEEP ROADS LITTER-FREE, AND WORK WITH THE COUNTIES TO EXPAND THE ADOPT-A-HIGHWAY PROGRAM TO INCLUDE COUNTY ROADS," which was adopted by the Senate on April 20, 2018.

Sen. Com. No. 806, transmitting H.C.R. No. 140, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING THE FIRST WEEK OF DECEMBER AS CANCER SCREEN WEEK TO URGE THE PEOPLE OF HAWAII TO TALK WITH THEIR HEALTHCARE PROVIDERS ABOUT APPROPRIATE SCREENINGS FOR PREVENTION AND EARLY DETECTION OF CANCER," which was adopted by the Senate on April 20, 2018.

Sen. Com. No. 807, transmitting H.C.R. No. 75, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING STATE AGENCIES TO COLLABORATE WITH FARMERS, OTHER LANDOWNERS, AND PRIVATE ORGANIZATIONS TO MITIGATE THE IMPACTS OF INVASIVE ANIMALS ON KAUAI," which was adopted by the Senate on April 20, 2018.

Sen. Com. No. 808, transmitting H.C.R. No. 86, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTS THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO IDENTIFY BARRIERS AND SOLUTIONS TO EXPANDED WATER REUSE IN THE STATE," which was adopted by the Senate on April 20, 2018.

Sen. Com. No. 809, transmitting H.C.R. No. 95, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII HEALTH SYSTEMS CORPORATION REGIONAL BOARDS FOR OAHU, EAST HAWAII, WEST HAWAII, AND KAUAI TO ASSESS THE AVAILABILITY OF LONG-TERM CARE BEDS IN EACH REGION AND ITS IMPACT ON WAIT TIMES FOR ACUTE CARE HOSPITAL BEDS," which was adopted by the Senate on April 20, 2018.

Sen. Com. No. 810, transmitting H.C.R. No. 160, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE USAGE OF HAWAIIAN LANGUAGE WHEN REFERRING TO THE NAMES OF PLACES AND GEOGRAPHICAL FEATURES IN HAWAII," which was adopted by the Senate on April 20, 2018.

Sen. Com. No. 811, dated April 20, 2018, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 2442, Inouye, Chair; Nishihara/Taniguchi, Co-Chairs; HD 2, SD 2 Shimabukuro

Sen. Com. No. 812, dated April 20, 2018, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bills:

S.B. No. 2100, Inouye, Chair; Kidani/Espero, Co-Chairs SD 2, HD 2

S.B. No. 2122, Inouye, Chair; K. Kahele/English, Co-Chairs SD 1, HD 1

S.B. No. 2849, Inouye, Chair; Espero/English, Co-Chairs SD 1, HD 1

S.B. No. 2910, Inouye, Chair; Baker/Wakai, Co-Chairs SD 2, HD 1

S.B. No. 3077, Inouye, Chair; Tokuda/Espero/Kidani, Co-Chairs SD 2, HD 1

S.B. No. 3100, Kim, Chair; Tokuda/Keith-Agaran/Baker, Co-Chairs SD 1, HD 1

Sen. Com. No. 813, dated April 20, 2018, informing the House that the President has made the following changes to Senate Conferee assignments for the following bill:

S.B. No. 2567, Senate Conferees Changed: SD 2, HD 2 Senator English added as Co-Chair. Senator Dela Cruz discharged as Co-Chair

Sen. Com. No. 814, dated April 20, 2018, informing the House that the President has made the following changes to Senate Conferee assignments for the following bill:

S.B. No. 2571, Senate Conferees Added: SD 2, HD 2 Senator Dela Cruz added as Co-Chair.

Sen. Com. No. 815, dated April 23, 2018, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 2530, Green, Chair; Baker, Co-Chair, HD 1, SD 1 S. Chang

H.B. No. 2657, Baker, Chair; HD 1, SD 1 Ruderman, Tokuda

H.B. No. 2748, Dela Cruz, Chair; Baker/Espero, Co-Chairs HD 2, SD 2

## INTRODUCTIONS

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

Representative Belatti introduced her student shadow, Britney Chang, senior at McKinley High School.

**ORDER OF THE DAY****UNFINISHED BUSINESS**

At this time, the Chair stated:

"Members, CCR 1-18 will be deferred two legislative days to April 25th. The reason for this is because the state budget will need to pass before that bill can be considered."

**Conf. Com. Rep. No. 1-18 and S.B. No. 192, SD 1, HD 1, CD 1:**

By unanimous consent, action was deferred two legislative days.

**REPORTS OF STANDING COMMITTEES**

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2054-18) recommending that S.C.R. No. 11, SD 1, HD 1 be adopted.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.C.R. No. 11, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION, DEPARTMENT OF HEALTH, DEPARTMENT OF HUMAN SERVICES, AND JUDICIARY TO PERMANENTLY ESTABLISH AND PARTICIPATE IN THE HAWAII INTERAGENCY STATE YOUTH NETWORK OF CARE (HISYNC) TO BETTER SERVE YOUTH AND FAMILIES WITH COMPLEX NEEDS IN THE STATE," was adopted, with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2055-18) recommending that S.C.R. No. 22, SD 1 be adopted.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.C.R. No. 22, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO IDENTIFY BARRIERS TO IMPROVING THE STATE'S HIRING PROCESSES," was adopted, with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2056-18) recommending that S.C.R. No. 27, SD 1 be adopted.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.C.R. No. 27, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE LICENSURE AND REGULATION OF HOME INSPECTORS," was adopted, with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2057-18) recommending that S.C.R. No. 2, SD 1 be adopted.

Representative Belatti moved that the report of the Committee be adopted, and that S.C.R. No. 2, SD 1 be adopted, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. I'm rising to cast a no vote on Senate Concurrent Resolution No. 2 and to say a few words, please. Thank you. Authorizing the issuance of a term, non-exclusive easement covering a portion of state submerged lands at Waianae. For this measure and all the measures on the next page on page 3, and then a few others where I'll stand up and indicate it, I'm voting no. We've had a very recent example, Mr. Speaker, of what has happened when we're hit with rather devastating but actually not unusual storm in this era of climate change. We had bison

swimming in Hanalei Bay from the late Bill Mowry's ranch in Hanalei where there are over 100 of these massive animals.

"It was a situation that should have been a wakeup call to us that we need to stop granting easements and we need to start making either the State or the county or the private entity move any encroachments *mauka* onto their property, and not where it's on public property. I just don't understand our not taking this year and this time to say to Department of Land and Natural Resources, work with those people to find a way that those encroachments either can be left to just be disintegrated by the natural processes, or move them further inward, and work individually with each of the applicants that come to ask for an easement for something that is now on public land.

"So I think the time actually has passed for us to draw the line in the sand, and I'm casting a no vote on this, and if I may, Mr. Speaker, may I cast a no vote on page 3 on all of those easements, and then I'll stand up after that when the appropriate ones come."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 2, SD 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIANA, OAHU, FOR THE EXISTING SEAWALL, STEPS, AND LANDSCAPED AREA AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was adopted, with Representative Thielen voting no, and with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2058-18) recommending that S.C.R. No. 18, SD 1 be adopted.

Representative Belatti moved that the report of the Committee be adopted, and that S.C.R. No. 18, SD 1 be adopted, seconded by Representative Morikawa.

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered." [Note: See Stand. Com. Rep. No. 2057-18, S.C.R. No. 2, SD 1, for remarks.]

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 18, SD 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIKIKI, HONOLULU, OAHU, FOR THE EXISTING PIER AND SEAWALL AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was adopted, with Representative Thielen voting no, and with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2059-18) recommending that S.C.R. No. 19, SD 1 be adopted.

Representative Belatti moved that the report of the Committee be adopted, and that S.C.R. No. 19, SD 1 be adopted, seconded by Representative Morikawa.

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered." [Note: See Stand. Com. Rep. No. 2057-18, S.C.R. No. 2, SD 1, for remarks.]

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 19, SD 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE AMENDMENT OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KAHALA, HONOLULU, OAHU, FOR THE SEAWALL AND STEPS, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was adopted, with Representative Thielen voting no, and with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2060-18) recommending that S.C.R. No. 39, SD 1 be adopted.

Representative Belatti moved that the report of the Committee be adopted, and that S.C.R. No. 39, SD 1 be adopted, seconded by Representative Morikawa.

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered." [Note: See Stand. Com. Rep. No. 2057-18, S.C.R. No. 2, SD 1, for remarks.]

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 39, SD 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT HEEIA, KOOLAUPOKO, OAHU, FOR THE EXISTING SEAWALL AND LANDSCAPED AREA AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was adopted, with Representative Thielen voting no, and with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2061-18) recommending that S.C.R. No. 14, SD 1 be adopted.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.C.R. No. 14, SD 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2949 ALA ILIMA STREET, NO. 204, HONOLULU, HAWAII," was adopted, with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2062-18) recommending that S.C.R. No. 15, SD 1 be adopted.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.C.R. No. 15, SD 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-1373 HAUNAUKOI STREET, WAIMANALO, HAWAII," was adopted, with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2063-18) recommending that S.C.R. No. 16, SD 1 be adopted.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.C.R. No. 16, SD 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE DEDICATION OF LEALI'I PARKWAY, LAHAINA, HAWAII, TO THE COUNTY OF MAUI," was adopted, with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2064-18) recommending that S.C.R. No. 45, SD 1 be adopted.

Representative Belatti moved that the report of the Committee be adopted, and that S.C.R. No. 45, SD 1 be adopted, seconded by Representative Morikawa.

Representative Thielen 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.C.R. No. 45, SD 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A NON-EXCLUSIVE EASEMENT, AS AMENDED, COVERING A PORTION OF STATE SUBMERGED LANDS AT PUAMANA, LAHAINA, MAUI, FOR VARIOUS SEAWALL STRUCTURES, A

CONCRETE GROIN, AND REVETMENT FOOTINGS OF A HISTORIC SWIMMING POOL," was adopted, with Representative Thielen voting no, and with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2065-18) recommending that S.C.R. No. 49, SD 1 be adopted.

Representative Belatti moved that the report of the Committee be adopted, and that S.C.R. No. 49, SD 1 be adopted, seconded by Representative Morikawa.

Representative Thielen 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.C.R. No. 49, SD 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT HONOKAWAI, LAHAINA, MAUI, FOR SEAWALL PURPOSES," was adopted, with Representative Thielen voting no, and with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2066-18) recommending that S.C.R. No. 79, SD 1 be adopted.

Representative Belatti moved that the report of the Committee be adopted, and that S.C.R. No. 79, SD 1 be adopted, seconded by Representative Morikawa.

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

"A no vote, Mr. Speaker, and a few comments. Thank you. Mr. Speaker, on 2066, the land and the entity that has asked for this easement is HMC Maui LP. It's a REIT that owns 100 upscale hotel properties across the United States, and I would suggest, Mr. Speaker, that there is land *mauka* that could be used for what they want to do at this hotel property, and we should not continue to grant these kinds of easements in this time of climate change and sea level rise. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 79, SD 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT AND ISSUANCE OF IMMEDIATE RIGHT OF ENTRY COVERING A PORTION OF STATE LAND AT KAAPALI, LAHAINA, MAUI, FOR BEACH WALK, TRENCH DRAIN, SIGN, AND PUBLIC BEACH SHOWER PURPOSES," was adopted, with Representative Thielen voting no, and with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2067-18) recommending that S.C.R. No. 80, SD 1 be adopted.

Representative Belatti moved that the report of the Committee be adopted, and that S.C.R. No. 80, SD 1 be adopted, seconded by Representative Morikawa.

Representative Thielen 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.C.R. No. 80, SD 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT SPRECKELSVILLE, WAILUKU, MAUI, FOR THE EXISTING SEAWALL AND BOULDER REVETMENT AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was adopted, with Representative Thielen voting no, and with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2068-18) recommending that S.C.R. No. 95, SD 1 be adopted.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.C.R. No. 95, SD 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE PURCHASE, PRESERVATION, AND RESTORATION OF AGRICULTURAL AND CONSERVATION LANDS IN MAUNAWILI VALLEY, O'AHU, AND URGING VARIOUS FEDERAL, STATE, AND COUNTY ENTITIES TO ACQUIRE AND PROTECT IMPORTANT ANCIENT AND HISTORIC SITES AND TRAILS AND WATERS IN MAUNAWILI VALLEY," was adopted, with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2069-18) recommending that S.C.R. No. 48, SD 1 be adopted.

Representative Belatti moved that the report of the Committee be adopted, and that S.C.R. No. 48, SD 1 be adopted, seconded by Representative Morikawa.

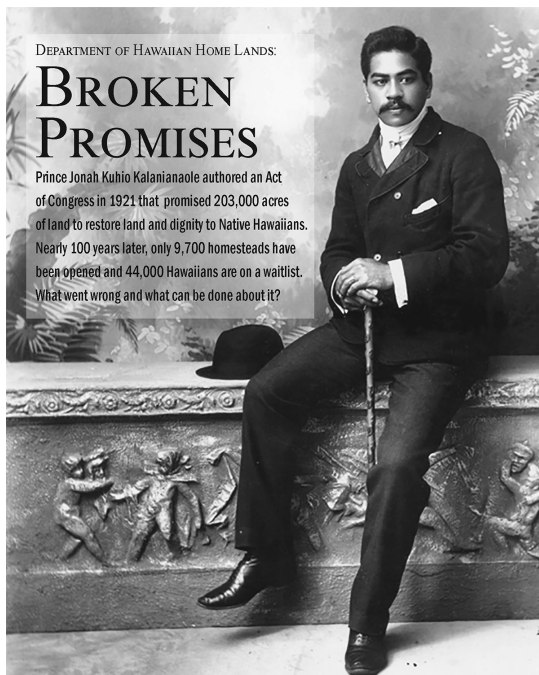
Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, strong support with written comments to the Journal, please. Thank you."

Representative Ward's written remarks are as follows:

"Thank you, Mr. Speaker. Strong support. My reasons for supporting this measure are the same as they have been on previous readings on this measure: it is time for the DHHL to find twenty-first century solutions to fulfill Prince Kuhio's promise of almost 100 years ago. With only about 9,700 leases granted, the development of multi-family, high-density development in TOD zones, as well as using tiny homes, will help to expedite the process to house the Native Hawaiian people. I am attaching a research project from my office entitled Broken Promises. Over the past 14 months, my office has interviewed former directors of the DHHL, real estate developers, OHA trustees of past and present, and various stakeholders to find solutions for the unfortunately slow progress we have found in housing the Native Hawaiians. All in all, Mr. Speaker, this measure is a great first step. *Mahalo.*"

Representative Ward also submitted the following:



#### WHAT WENT WRONG?

## Broken Promises And Broken Homes

In their landmark book, "Land and Power in Hawaii," authors Gavin Daws and George Cooper drew direct historical connections between land ownership and political clout in the islands. It remains nearly inconceivable that an entity can control more than 203,000 acres of land and

yet have little financial or political power. But that is the case with the Department of Hawaiian Home Lands.

In 1921, the United States Congress passed the Hawaiian Homes Commission Act, which designated that some 203,000 acres of land be divided among Hawaiians with at least 50 percent blood quantum. In nearly a century since then, only about 9,700 homesteads have been resettled with more than 44,000 applicants on a wait list.

In the words of an audit by the U.S. Inspector General, "Both Federal and State Governments contributed over the years to the current deficient condition of the Home Lands Program by not acting in the best interest of the



Native Hawaiians when administering the Program and through insufficient funding, inadequate planning and management, and inaction."

To understand the myriad reasons for these deficiencies — or broken promises to Hawaiians — Hawaii State Representative Gene Ward

formed a study group within his office to seek answers and find solutions.

Rep. Ward wrote his Ph.D. dissertation at the University of Hawaii-Manoa on the Hawaiian business community, has been involved in Hawaiian affairs at the Legislature for the past 20 years and is a former business partner with Hawaiian civic leader Dr. George Kanaha.

Ward's office conducted interviews with all living former Directors of the Department of Hawaiian Home Lands, including its current Director, Jobie Masagatani, and her Deputy Director, William Aila.

Former DHHL Directors interviewed included Micah Kane, Kali Watson, Raynard Soon and Kaulana Park.

#### LAND AND POWERLESSNESS IN HAWAII: DHHL

Others with DHHL working knowledge and expertise were current or former Kamehameha Schools and Office of Hawaiian Affairs trustees Oswald Stender, Peter Apo, and Kelii Akina; DHHL contract land developers Stanford Carr, Peter Savio, Craig Watase, and Chynna Stone and Ka'iulani Sodaro of Jeff Stone Development. Hawaii civic and business leaders Momi Cazimero, Rob Iopa, Walter Thoemmes, Jim Dannemiller and Robin Danner were also key interviewees providing background information on DHHL and its beneficiaries. Though not exhaustive, more than 20 interviews were conducted.

#### ► OVERVIEW

What follows is not an indictment of the present Ige administration or any former administrations, but a summary of the collective and cumulative neglect at the federal and state levels to carry out their responsibilities to the 1921 Hawaiian Homes Commission Act.

Actually all former DHHL Directors were proud of their tenures there, but were not satisfied with the lack of progress in carrying out their mandate. They told of an implementation process that was fraught with delays, a lack of resources, scant



Prince Kuhio and Princess Kahanu, on their silver wedding anniversary in 1921.

political will, mismanagement, political manipulation, and a general lethargy to capitalize on developing one of the biggest land ownership bases in Hawaii.

Due to the sensitive nature of the topic, interviewees were granted anonymity in exchange for their candid views, however, the views expressed in this document are the responsibility of the authors from a public policy perspective.

Homesteading was thought to be the right approach for Native Hawaiians, who fewer than three decades earlier had lost/surrendered their kingdom to the United States. But the promise to return Hawaiians to their lands that offered hope appears to have turned into a broken

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The agrarian society of 100 years ago, upon which this homestead act was modeled, is not truly relevant in today's housing market. Hawaiians want and need housing where they can make a living.

promise. Today more Native Hawaiians are said to be dying on the wait list than are being settled on homesteads. **Clearly, the system is broken and we wanted to know why and what can be done before there are no eligible Hawaiians left and large tracts of land belonging to Native Hawaiians go undistributed. This is a concern of both the Hawaiian and non-Hawaiian communities.**

**MAJOR FINDINGS**

► **100 YEARS OF STRUGGLE**

Most present and former leaders of DHHL agree that the task of **putting Hawaiians on their own land has been a monumental, uphill battle** — some might say impossible — given the **remoteness** of the allocated land, the **cost of infrastructure**, and the **instability of federal and state funding** to build more homes. To be sure, it has been a difficult assignment to develop more than 203,000 acres, most of which are on the Neighbor Islands (50 percent on the

Big Island), or to have the funding and the political will to develop land on Oahu, which is most in demand.

► **MORE HOUSING OPTIONS REQUIRED**

The agrarian society of 100 years ago, upon which the homestead act was modeled, is not truly relevant in today's housing market in general and to the Hawaiian community in particular. **Hawaiians want and need housing where they can make a living.** A “one-size-fits-all” approach of just pasture land or garden lots does not take into consideration housing models such as **townhouses, condominiums,** alternative dwellings like “**tiny homes,**” or even granting undeveloped parcels of land.

**Alternatives to traditional home ownership such as “rent with an option to buy” and traditional rental units should be explored with more vigor,** according to one developer. For example, one of the most valuable properties in the DHHL inventory on Oahu is the old **Bowl-O-Drome**

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“DHHL suffers from a lack of funding and staffing, which adversely affects beneficiaries of the Hawaiian Home Lands Trust.”  
Judge Jeannette Castagnetti / 2015



to provide sufficient funding for the DHHL's administrative and operating expenses in line with the 1978 constitutional mandate. **The judge set the appropriate amount at \$28 million a year, nearly three times the amount the Department had been receiving (\$9.6 million)** to hire and pay its employees and just keep the lights on. **(This amount has nothing to do with capital funding or building actual homes.)**

With the **Governor's Office, the Speaker of the House and the President of the Senate** intervening to **strike down the Castagnetti ruling,** the Legislature and the public witnessed a historic lack of political will and a governmental conspiracy against DHHL in the eyes of the authors of this research effort.

► **FIGHTING FOR EVERY DOLLAR**

The Castagnetti decision will be continually appealed and re-appealed and it will take more years before the funding snarl is untangled. Since the **six Hawaiian Homesteaders** filed

**suit against the State in 2007, the question remains if members of the Legislature will garner the political will to provide “sufficient funding.” Political will should not have to be begged for Native Hawaiian housing, but that is the position the Department has been placed in.**

Judge Castagnetti summarized the dismal state of affairs of the agency in 2015 by stating, **“DHHL suffers from a lack of funding and staffing, which adversely affects beneficiaries of the Hawaiian Home Lands Trust.”**

► **LACK OF CHAMPIONS AT THE FEDERAL AND STATE LEVELS**

Funding for Native Hawaiian programs has not always been popular with whomever is in the White House or Washington Place. But the late Senator Daniel Inouye for decades **made sure there were budgeted earmarks and plus-ups to get the job done for the Hawaiian community and for the DHHL.** President Barack Obama's Administration

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**property in Moiliili.** In its 2014 Oahu Island Plan, the DHHL proposed using the site to develop as many as 126 residences in a building of up to 10 stories. The street level of the building would be developed for commercial use, according to the plan. An environmental impact statement of the property, after four years, is still not finished.



The DHHL has proposed using the old Bowl-O-Drome site in Moiliili to develop as many as 126 residences in a building that would include space for commercial use.

► **NO STABLE OR SUSTAINABLE FUNDING SOURCES**

The most formidable barrier mentioned by anyone familiar with DHHL is that the agency cannot behave like the **land/housing developer** it is mandated to be without access to the **reliable and sustainable capital** that a developer needs to build infrastructure and install utilities before trying to build housing that is affordable. This is **partially a government funding problem** and a DHHL lack of **imagination and entrepreneurial initiative.**

The DHHL has been unable to raise **sufficient funds** through its investments or by **leveraging its various land assets.** It also is unable to rely on **adequate funding from**

state or federal governments. **Bottom line: It is land rich — and cash poor — and stuck in a trough.**

► **NO STABLE OR SUSTAINABLE POLITICAL SUPPORT**

Not only is DHHL short on cash, it is equally short on **political capital** in the State and Federal governments. For the past 10 years DHHL and Homesteaders have had to pursue sufficient funding through the courts in Hawaii and they have won consistently up until recently. In the “Nelson Case,” First Circuit Court Judge **Jeanette Castagnetti** ordered the Legislature

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The late Senator Daniel Inouye championed funding for Hawaiian Home Lands, making sure there were budgeted earmarks to get the job done.



ensured the continuation of that legacy, albeit at a slightly lower level. For example, the Native American Housing Assistance and Self Determination Act (NAHASDA) entirely zeroed out funding for Hawaiians because of a huge balance of unspent funds. This presents a dilemma to this day for the DHHL, which has sought assistance and connectivity to **Capitol Hill and the Trump White House** with little success because it has been slow to spend down nearly **\$36 million in past funding grants.** At the State level, no politician has emerged to lead the fight to get DHHL funding or housing construction into the fast lane.

► **DHHL NOT WITHOUT FLAWS**

To be fair, the Department itself bears a good share of the blame for its present **lack of progress in delivering on its mandate.** DHHL has been characterized as **mismanaged, risk averse and suffering from bureaucratic behavior.** The caliber of people appointed by the Governor to

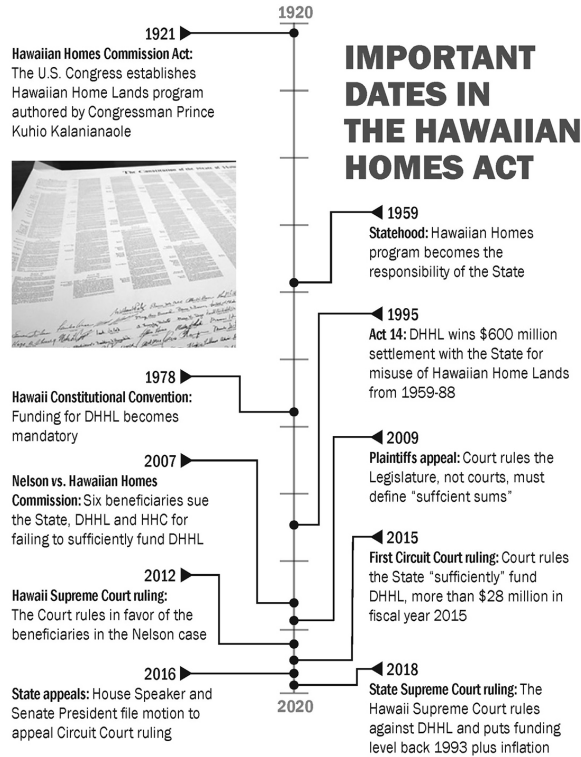
head the agency or to serve as Hawaiian Homes Commissioners was criticized for **their general lack of business background or business experience.** The standing, or the lack of standing, of the **DHHL in the Governor's cabinet** was also cited as a **sign of weak political will and priority.**

The **Department of Hawaiian Home Lands** thus remains **asset rich and cash poor** as it has since its founding almost 100 years ago. It is the still one of the largest land owners in the state but it is rarely getting the highest and best use of its lands. **Unlike the state's largest land owner, Kamehameha Schools/Bishop Estate, the DHHL has not aggressively entered the housing market and leveraged its land assets.**

**WHAT CAN BE DONE?**

What follows are some recommendations on how the Department can move forward, open new lines of dialogue and access funding that it can leverage for more development of housing.

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dead and assuming Native Hawaiians can make a living by farming is a rather naive assumption and no longer the most relevant model for meeting their housing needs. Instead, **DHHL could and should leverage its vast land holdings and secure dwellings on smaller plots of land or create more subdivisions with land trades,** or on limited-sized urban parcels build vertically.

This means DHHL needs to put more emphasis on **building more housing by creating multiple housing types, including townhouses, single-family homes, condominiums, apartments — even "tiny homes" or modular eco-friendly houses that are "off the grid" and energy independent.**

The past, rather narrow, "one-size-fits-all" tunkey approach to home ownership will not work in today's market and within the Native Hawaiian community. A paradigm shift should of necessity also include "rent-to-buy" options for homes as well as apartments and make buying a roof over one's head

HOMESTEAD LEASES AND APPLICANTS

2014	2015	2016
Homestead Leases 9,838	Applications 44,217	
Residential 8,329	Residential 22,576	
Agricultural 1,101	Agricultural 18,578	
Pastoral 408	Pastoral 3,063	
Applications 43,795		
Residential 22,335	Applications 44,429	
Agricultural 18,437	Residential 22,660	
Pastoral 3,023	Agricultural 18,694	
	Pastoral 3,075	

*Homestead lease activity are for the month ending June 30. Because applicants may apply for two types of leases, duplications occur. The DHHL estimated that as of June 30, 2014, 43,795 applications were held by 27,341 applicants. Source: Department of Hawaiian Home Lands annual report*

affordable. Presently, almost half of the people on the wait list experience difficulties qualifying for a traditional mortgage, but could easily qualify to build equity as a renter or a gradual home owner on a lot of variable size and square footage.

**Creative entrepreneurial financing and a full construction menu of housing could solve this problem.** But this takes political will and money, both of which are in short supply.

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**1. DHHL Should Get Clear On Its Purpose — Housing First:** If anything has been learned from the homeless crisis in Hawaii, it is that housing comes first before you can "rehabilitate" or treat any other symptom of a person or family. DHHL needs to view its role commensurately as a priority need for the Native Hawaiian community without wavering. **It needs to overcome a type of "identity crisis" that has crept in where sometimes it thinks it is a housing development agency, then later says it is really more of a human services agency that has to meet the social needs and other demands of beneficiaries**

Clearly the Hawaiian Homes Act calls for both housing and services for purposes of "rehabilitation" of Native Hawaiians, **but the balance between housing and social services is out of whack and needs to be corrected. Until the wait list of 44,000 is at least cut in half, DHHL should make housing Native Hawaiians its first priority.** This means being a real development agency that not only builds but also buys existing buildings and converts/divides them into separate units for beneficiaries to rent or to buy. **"Housing First" should be DHHL's new motto and not be left up to**



The Department of Hawaiian Home Lands building on Kapolei Parkway in Kapolei.

predilections of whomever is Governor or chairman of the Hawaiian Homes Commission.

**2. DHHL Needs To Change Its Housing Paradigm:** DHHL was created in an era when most of America lived on farms and the nation was not highly urbanized. The opposite is true today. **A homestead on a large agricultural lot or an even larger pasture land is out of the mainstream of the housing needs of most Hawaiians.** DHHL can barely afford to build the infrastructure required for these large lots and the contemporary lifestyles of most Native Hawaiians lacks sufficient knowledge to be able to make a living by farming or cattle ranching.

Hawaii's agriculture economy is largely

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**3. DHHL Could Better Leverage Its Assets:** DHHL is asset rich and cash poor, and it has been for almost 100 years. It was never properly funded from its early years under federal tutelage to its present lack of funding by the State of Hawaii.

**One way of getting out of this funding rut is to better leverage its assets. DHHL has used the least what it has the most of to capitalize its mandate — land.**

It is still the second-largest land owner behind Kamehameha Schools/Bishop Estate and needs to take a plan out of KS/BE's playbook and use its land assets to create a sizable, self-sustaining funding source, or at least a revolving fund that could lead to a self-sustaining agency free from the fickleness of government funding.

**Land swaps have been used to some degree but without much impact on raising funds or building housing, hence DHHL remains almost entirely dependent on government largess.**

A dose of entrepreneurial prowess is again called for to help turn the agency away from being just another government bureaucracy and into the fast lane to do what it was mandated to do by Congress 100 years ago.

For example, **it could start with better using its powers of being exempt from**



Almost half of those on the DHHL waitlist have trouble qualifying for a traditional mortgage. They could easily qualify, however, to build equity as a renter or a home owner on a lot of variable size and square footage.

**county zoning regulations.** This is potentially a tremendously powerful tool for DHHL, but it doesn't appear to have been used to much advantage. **Again, a more entrepreneurial approach to its mandate and leadership could change this.**

**4. Bring In The 'A' Team:** DHHL has good and faithful hard-working public servants, but it needs a management approach that better fits its mandate.

**Given the opportunity it could recruit top business and real estate people to serve on its board and/or serve as its chairperson.** This is a choice by the

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“If zero people are getting a home and maybe a dozen or two are getting a lot, something is not working.”  
U.S. Senator Brian Schatz / 2017



Governor and could be easily implemented if there was the political will in the Governor’s office to do so. From a distance, but from a few decades of observation, past Governors of the State of Hawaii have never put meeting the housing needs of Native Hawaiians as a top priority or put DHHL as a most-favored member of the executive cabinet.

Bringing in the “A” Team would also temper what many non-Hawaiians use an excuse for not fully backing DHHL and its mandate, saying that incompetence and infighting causes Hawaiians to be responsible for their own failures.

Presently DHHL is having a hard time spending down its funding from the federal government. The agency had a balance of \$38 million in 2016 and had not built any new housing units in the previous fiscal year. The Obama administration even suspended DHHL’s funding because of it, and as U.S. Senator Brian Schatz told Civil Beat, “You only get so many millions

of dollars a year and you have more than 20,000 people waiting for homes. We’ve got to rethink what it means to try to provide housing to beneficiaries. If zero people are getting a home and maybe a dozen or two are getting a lot, something is not working.”

5. A Charm Offensive Is Required:

Political impotence is always a problem in State politics. This in part may be because Hawaiians have stayed too long and too far outside the political arena. Hawaiians as group also have been politically marginalized like the proverbial frog in heated water, wracked with internal division and a lack of sophistication on the part of politicians.

What appears necessary is a grassroots resurgence or a “Charm Offensive” in the political arena. The management of DHHL needs to improve its public image and is a concern both locally and on Capitol Hill.

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7. CONCLUSION: DHHL HAS LAND BUT NO POWER TO DEVELOP IT

DHHL started out with good intentions and much promise, but improper funding and management is turning it into a broken promise to the Hawaiian people. Hawaiians were led to believe if they met the income and blood quantum requirements, they would be placed on the land, have a mortgage and be returned to some degree of dignity after the loss of their kingdom.

Instead, Hawaiians 100 years later, are at the bottom of the socioeconomic and health ladders, have the largest homeless population, are more likely to be incarcerated, and are the least likely to own their own home. This alone is not an acceptable state of affairs, especially with 203,000 acres of land waiting to be distributed.

The role that the DHHL can play in the “rehabilitation” of Hawaiians is thus of immense importance and an urgent need in the State of Hawaii. An act of Congress is still being thwarted after nearly 100 years,

and the State of Hawaii is not holding up its end of the bargain by providing sufficient operating funds. Under these conditions we cannot expect the Department of Hawaiian Home Lands to build more houses for a waitlist of more than 44,000.

This is a wrong that needs to be made right and a promise that was broken and needs to be kept.

In summary, DHHL should:

1. Get clear on its purpose.
2. Change its housing paradigm.
3. Leverage its assets.
4. Bring in the “A” Team.
5. Initiate a “Grass-Roots Charm Offensive.”
6. Distribute the land before no Hawaiians qualify.

What needs to be done can be done. The State of Hawaii and the Department of Hawaiian Home Lands just need to commit to what is right and do it.



HAWAIIAN HOME LANDS  
HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

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This land belongs to Native Hawaiians and needs to be distributed expeditiously.

DHHL and its beneficiaries need to create a groundswell of support from the Hawaii congressional delegation, senior officials within the Departments of Interior, Housing and Urban Development, and the United States Senate committee on Indian Affairs. This long journey however begins at the State Legislature, which generally has yielded to Hawaiian protocols in social and cultural affairs but has given mere lip-service to Hawaiians’ economic and political affairs.

DHHL should also stop feuding with groups that have competing ideas, such as one led by Robin Danner.

6. Soon There Will Be No Eligible

Hawaiians: DHHL is in a race against time, which it doesn’t appear to acknowledge. Exhausting the universe of eligible Hawaiians before distributing 203,000 acres of land to beneficiaries is fast approaching.

DHHL should set forth an “End Game” scenario where all of the land and all Hawaiians with 50 percent blood quantum are exhausted, actuarially

speaking, including distributing land without housing.

It was said that only about 50,000 Hawaiians (half on and half not on the DHHL wait list) remain eligible for Hawaiian Homes, but the applicant list according to SMS Research (2013) shows nearly 60 percent of the applicants are 55 years or older. This suggests the Department needs to do an inventory and create an actuarial table of when it runs out of eligible Native Hawaiians. Having so much land with Hawaiians dying on the wait list should not become an acceptable outcome.

As stated in the Hawaiian Homes Commission Act, Hawaiians are to be placed on lands set aside for them “in a prompt and efficient manner.”

This land belongs to Native Hawaiians and needs to be distributed expeditiously.

No more excuses or broken promises should be acceptable by the Hawaiian or non-Hawaiian communities of Hawaii.

BROKEN PROMISES INTERVIEWEES



Oswald Stender: Former Trustee, Office of Hawaiian Affairs and Kamehameha Schools/Bishop Estate



Peter Apo: Trustee, Office of Hawaiian Affairs



Raynard Soon: Former Director, Department of Hawaiian Home Lands



Jobie Masagatani: Current Director, Department of Hawaiian Home Lands



William Aila: Deputy Director, Department of Hawaiian Home Lands



Micah Kane: Former Director, Department of Hawaiian Home Lands



Momi Cazimero: Founder and President, Graphic House



Jim Dannemiller: Executive vice president, SMS Research



Robin Danner: Executive director, Homestead Housing Authority



Rob Iopa: President, WCIT Architecture



Walter Thoemmes: Commercial real estate director, Kamehameha Schools



Kaulana Park: Former Director, Department of Hawaiian Home Lands



Stanford Carr: Founder and President, Stanford Carr Development



Craig Watase: President, Mark Development, Inc.



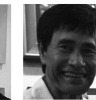
Peter Savio: President, Hawaiian Island Homes



Ka'ulani Sodaro: Vice president of planning and development, The Resort Group



Keli'i Akina: Trustee, Office of Hawaiian Affairs



Kali Watson: Former Director, Department of Hawaiian Home Lands



The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 48, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO PROVIDE MULTI-FAMILY, HIGH-DENSITY DEVELOPMENT IN TRANSIENT-ORIENTED DEVELOPMENT ZONES AND TINY HOMES FOR NATIVE HAWAIIANS," was adopted, with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2070-18) recommending that S.C.R. No. 64, SD 1, HD 1 be adopted.

Representative Belatti moved that the report of the Committee be adopted, and that S.C.R. No. 64, SD 1, HD 1 be adopted, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. In opposition. Thank you. My opposition to this is basically because what this resolution is doing is calling for armed guards in public schools in Hawaii. The last whereas of the resolution talks about that this'll allow officers to have an opportunity to build trust and gain respect from students by providing positive police interaction. Well, Mr. Speaker, the records show that children are 10 times more likely to end up in jail with these sorts of officers present, because the only tool in their tool box it seems in their training is to arrest children, rather to deescalate, rather than to problem solve, rather than to counsel.

"I don't believe we should be backing some idea that we should criminalize student behavior, I don't believe that we should militarize our schools, and I don't believe it makes sense that the State, with some of the best gun control laws in the nation, Mr. Speaker, and the lowest incidences of gun violence, should take the opposite approach and say that more guns is the answer. Not only that more guns is the answer, but more guns in schools is the answer. That is not a sensible response, and I don't believe it really makes sense with the other policies that our state uses.

"In Parkland, for example, they had a school resource officer, Mr. Speaker, and he stayed outside, he did not go inside, he did not confront the gunman. In fact, he told his responding sheriff's deputies, don't go inside, and set up a perimeter.

"These sorts of school officers don't do anything but criminalize children, in my opinion, and so I'm strongly against it. If we're going to ask the feds for any money, we should ask them for more guidance counselors, we should ask them for more school psychologists, we should ask them for funds to support afterschool programs, things that make a difference in kids' lives and actually reduce violence. Thank you."

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

"Thank you, Mr. Speaker. In support. Mr. Speaker, I think if we take a look at the language of this resolution, it doesn't say anything about criminalizing students. What it says is, and if you look in the title, is that if there is a school in this state that requests school resource officers, that we request federal funding for that purpose.

"And I think it's prudent of us as a state, one, to allow our Department of Education schools to determine what they might need, and if they so ask, and if federal funding is made available, we should not turn away that federal funding. Secondly, I think it's important that school resource officers do provide and can provide some services in the school. Things like building up relationships with students.

"Mr. Speaker, in my public school on career day, when the police officers come, they speak with the children, and my own child comes home and says, mom I want to be a police officer. This is my daughter speaking. Now, I think that those kinds of interactions are important, and if there can in fact be a school resource officer who can help the school with revising its policies, improving its community relationships as is suggested in this

resolution, that this is a good measure that can be supported by the Members of this House. Thank you, Mr. Speaker."

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

"In opposition, can you register a no vote, please? No police in schools."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 64, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING FEDERAL FUNDING TO PROVIDE SCHOOL RESOURCE OFFICERS IN EVERY MIDDLE OR INTERMEDIATE SCHOOL AND HIGH SCHOOL IN THE STATE THAT REQUESTS SCHOOL RESOURCE OFFICERS," was adopted, with Representatives Ing and LoPresti voting no, and with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2071-18) recommending that S.C.R. No. 81, SD 1, HD 1 be adopted.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.C.R. No. 81, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO EXAMINE HOW THE DEPARTMENT OF EDUCATION CAN MAXIMIZE MEDICAID REIMBURSEMENT FOR SUPPORT SERVICES OFFERED TO ELIGIBLE STUDENTS DURING SCHOOL HOURS," was adopted, with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2072-18) recommending that S.C.R. No. 121, SD 1 be adopted.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.C.R. No. 121, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII SISTER-STATE COMMITTEE AND DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO EVALUATE THE SISTER-STATE PROGRAM AND MAKE RECOMMENDATIONS TO IMPROVE THE CAPACITY AND SUSTAINABILITY OF THE EFFORTS TO PROMOTE MUTUALLY BENEFICIAL INTERNATIONAL RELATIONSHIPS," was adopted, with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2073-18) recommending that S.C.R. No. 40, SD 1, HD 1 be adopted.

Representative Belatti moved that the report of the Committee be adopted, and that S.C.R. No. 40, SD 1, HD 1 be adopted, seconded by Representative Morikawa.

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

"Mr. Speaker, support for 2073 and 2074, with permission, please, for written comments. We need to get this emergency system down pat without any more fiascos. Thank you."

Representative Ward's written remarks are as follows:

"After the January 13th missile alert fiasco, the Legislature took swift action to introduce measures to prevent another disaster. While it is unfortunate that many of the measures have failed this session, it is my hope that the members of the task force will find the solutions necessary to protect the people of this state. *Mahalo.*"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 40, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE OF HAWAII DEPARTMENT OF DEFENSE TO CONVENE AN

EMERGENCY MANAGEMENT AGENCY REVIEW TASK FORCE," was adopted, with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2074-18) recommending that S.C.R. No. 161 be adopted.

Representative Belatti moved that the report of the Committee be adopted, and that S.C.R. No. 161 be adopted, seconded by Representative Morikawa.

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

Representative Ward's written remarks are as follows:

"Thank you, Mr. Speaker. The passage of this resolution is timely. After the horrific damage seen on Kauai and East Honolulu, the inception of an Enhanced Mitigation Plan for Hawaii will allow us more federal funds in the event of another natural disaster. I want to thank the introducers for their foresight and look forward to the improvement measures in our state. *Mahalo.*"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 161, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR AND DIRECTOR OF THE HAWAII EMERGENCY MANAGEMENT AGENCY TO IMPROVE HAWAII'S EMERGENCY PREPAREDNESS AND HAZARD MITIGATION MEASURES," was adopted, with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2075-18) recommending that S.C.R. No. 133, SD 1 be adopted.

Representative Belatti moved that the report of the Committee be adopted, and that S.C.R. No. 133, SD 1 be adopted, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. Another no vote on an easement for use of state submerged lands, and for the same reasons that I've said previously. It's enough to see bison swimming in Hanalei Bay, and I can't think of a more vivid picture that says more than a thousand words. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 133, SD 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM LEASE COVERING A PORTION OF STATE SUBMERGED LANDS AT KAHALU'U, NORTH KONA, ISLAND OF HAWAI'I," was adopted, with Representative Thielen voting no, and with Representatives Evans, Hashem and Say being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2076-18) recommending that S.C.R. No. 149, SD 1, HD 1, as amended in HD 2, be adopted.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.C.R. No. 149, SD 1, HD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EXECUTIVE OFFICE ON AGING AND THE UNIVERSITY OF HAWAII CENTER ON AGING TO CONVENE A WORKING GROUP TO REVIEW IN-HOME CARE SERVICES AND MAKE RECOMMENDATIONS TO IMPROVE THE QUALITY OF CARE AND URGING THE DEPARTMENT OF HEALTH TO ADOPT ADMINISTRATIVE RULES TO PROTECT CONSUMERS," was adopted, with Representatives Evans, Hashem and Say being excused.

Representative Mizuno, for the Committee on Health & Human Services, presented a report (Stand. Com. Rep. No. 2077-18) recommending that S.C.R. No. 83, SD 1, as amended in HD 1, be adopted.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.C.R. No. 83, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS BOTH THE SOCIAL AND FINANCIAL EFFECTS OF PROPOSED MANDATED HEALTH INSURANCE COVERAGE THAT REQUIRES INSURERS, HOSPITAL AND MEDICAL SERVICES PLANS, AND HEALTH MAINTENANCE ORGANIZATIONS TO PROVIDE COVERAGE FOR MEDICAL PROCEDURES TO ELIMINATE OR PROVIDE MAXIMUM FEASIBLE TREATMENT OF PORT-WINE STAINS," was adopted, with Representatives Evans, Hashem and Say being excused.

## REPORTS OF CONFERENCE COMMITTEES

Representative Luke, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 508, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 2-18) recommending that S.B. No. 508, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 2-18 and S.B. No. 508, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Representative Luke, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1900, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 3-18) recommending that H.B. No. 1900, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 3-18 and H.B. No. 1900, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," was deferred for a period of 48 hours.

## DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative Belatti moved to agree to the amendments made by the Senate to the following House Concurrent Resolution, seconded by Representative Morikawa and carried: (Representatives Evans, Hashem and Say were excused.)

H.C.R. No. 28, HD 1, (SD 1)

### H.C.R. No. 28, HD 1, SD 1:

Representative Belatti moved that H.C.R. No. 28, HD 1, SD 1 be Adopted, seconded by Representative Morikawa.

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

"Mr. Speaker, I just want to commend the authors of this. It's a Capitol security issue, something that some of us have pointed out because of, we are kind of wide-open. We are very open as a democratic process, but in terms of the realities of what we should be doing, in terms of looking at the security to the Capitol, this is a very important first step forward, and hopefully something will come out of it and good things will happen here without any danger, as we are now exposed to. Thank you."

The motion was put to vote by the Chair and carried, and H.C.R. No. 28, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE CAPITOL MANAGEMENT COMMITTEE TO CONSIDER SECURITY IMPROVEMENTS FOR THE STATE CAPITOL," was Adopted, with Representatives Evans, Hashem and Say being excused.

## ANNOUNCEMENTS

## COMMITTEE REASSIGNMENTS

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

<u>H.B. No.</u>	<u>Re-referred to:</u>
2729, HD2, SD2	Committee on Health & Human Services, then to the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

House Communication dated April 23, 2018, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has agreed to the amendments made by the Senate and has this day adopted the following House Concurrent Resolution:

H.C.R. No. 28, HD 1, SD 1

## ADJOURNMENT

At 11:56 o'clock a.m., on motion by Representative Morikawa, seconded by Representative Ward and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Tuesday, April 24, 2018. (Representatives Evans, Hashem and Say were excused.)

## HOUSE COMMUNICATIONS

House Communication dated April 23, 2018, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 1401, Nishimoto/Luke, Co-Chrs.;  
HD 1, SD 1 Morikawa, Nakamura, Tupola

H.B. No. 2012, Onishi/Mizuno/Luke, Co-Chrs.;  
HD 2, SD 1 Cullen, Ward

House Communication dated April 23, 2018, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 2729, Mizuno/Johanson/San Buenaventura/Kobayashi, Co-  
HD 2, SD 2 Chrs.;  
Belatti, Tupola

House Communication dated April 23, 2018, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measures:

H.B. No. 2097, House Conferees Added:  
HD 1, SD 2 Representative Hashimoto added as Conferee.

H.B. No. 2414, House Conferees Added:  
HD 2, SD 1 Representative Hashimoto added as Conferee.

H.B. No. 2587, House Conferees Added:  
HD 1, SD 2 Representative Hashimoto added as Conferee.

H.B. No. 2605, House Conferees Added:  
HD 2, SD 2 Representative Hashimoto added as Conferee.

S.B. No. 648, House Conferees Added:  
SD 1, HD 1 Representative Hashimoto added as Conferee.

S.B. No. 2293, House Conferees Added:  
SD 2, HD 3 Representative Hashimoto added as Conferee.

S.B. No. 2868, House Conferees Added:  
SD 3, HD 1 Representative Hashimoto added as Conferee.