

TWELFTH DAY

Tuesday, February 5, 2019

The House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019, convened at 12:01 o'clock p.m., with Speaker Saiki presiding.

The invocation was delivered by Representative Tina Wildberger, after which the Roll was called showing all members present with the exception of Representatives Say and Thielen, who were excused.

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

INTRODUCTIONS

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

Representative Lowen introduced students from Kealakehe Intermediate School: Brianna Villamil, Aiden Ankrum, Mahina Greig, Tilila Hooper, Nina Sturag, Madison Yoshimura, Aaliyah Ballesteros, Eljah Leanio, Joshua Wong and Joseph Joe; and their teachers, Ellen Farnsworth and Bradley Ballesteros.

Representative Cullen introduced Brendon Kalei'aina Lee, OHA trustee at-large; and from the Council of Native Hawaiian Advancement: Daniel Lee Kaniela Sharp, CFO; Kanoe Cup Choy, program manager; Colin Kippen, policy manager; and other CNHA staff.

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 328 through 361) were received by the Clerk and were placed on file:

Dept. Com. No. 328, from the Department of Business, Economic Development & Tourism, dated December 14, 2018, transmitting the 2018 Hawaii Small Business Regulatory Review Board Annual Report, pursuant to Section 201M-5(f), HRS.

Dept. Com. No. 329, from the Department of Business, Economic Development & Tourism, dated December 14, 2018, transmitting the 2018 Hawaii Small Business Regulatory Review Board Periodic Review and Evaluation Report, pursuant to Section 201M-7, HRS.

Dept. Com. No. 330, from the Department of Labor and Industrial Relations, dated January 7, 2019, transmitting the Annual Evaluation of the Hawaii Unemployment Compensation Trust Fund, pursuant to Section 383-126.5, HRS.

Dept. Com. No. 331, from the Legislative Reference Bureau, dated January 9, 2019, transmitting the 2017 and 2018 Listing of Opinions Issued by the Attorney General, pursuant to Section 28-3, HRS.

Dept. Com. No. 332, from the Department of Taxation, dated January 10, 2019, transmitting its Annual Report for Fiscal Year 2018, pursuant to Section 231-3(8), HRS.

Dept. Com. No. 333, from the Department of Taxation, dated January 10, 2019, transmitting the Electronic Funds Transfer Penalty Payments Report for Fiscal Year 2018, pursuant to Section 231-9.9, HRS.

Dept. Com. No. 334, from the Office of the Auditor, dated January 10, 2019, transmitting Report No. 19-03, Audit of the Honolulu Authority for Rapid Transportation: Report 1, pursuant to Act 1, Special SLH 2017.

Dept. Com. No. 335, from the Office of the Auditor, dated January 11, 2019, transmitting the Financial Audit of the Employees' Retirement System of the State of Hawaii, pursuant to Chapter 23, HRS.

Dept. Com. No. 336, from the Department of Health, dated January 16, 2019, transmitting the Annual Report on the Mental Health and Substance Abuse Special Fund, pursuant to Section 334-15, HRS.

Dept. Com. No. 337, from the Department of Health, dated January 16, 2019, transmitting the Annual Report on Implementation of the State Plan, pursuant to Section 334-10(e), HRS.

Dept. Com. No. 338, from the Department of Health, dated January 16, 2019, transmitting the Annual Report Relating to Progress in Implementing the Administrative Process, the Department's Utilization of the Administrative Process, and the Department's Utilization of the Assisted Community Treatment Process, pursuant to Act 111, SLH 2017, and Section 334, Part VIII, HRS.

Dept. Com. No. 339, from the Department of Health, dated January 16, 2019, transmitting the report of the Third Annual Fuel Tank Advisory Committee Meeting to Study the Issues Related to Leaks of Field-Constructed Underground Storage Tanks at Red Hill Bulk Fuel Storage Facility, and Four Other DOD Facilities, pursuant to Section 342L-62, HRS.

Dept. Com. No. 340, from the Department of Health, dated January 16, 2019, transmitting the Annual Report for the Domestic Violence and Sexual Assault Special Fund, pursuant to Section 321-1.3, HRS.

Dept. Com. No. 341, from the Department of Business, Economic Development & Tourism, dated January 10, 2019, transmitting the report, Requesting the Hawaii Sister-State Committee and the 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, pursuant to S.C.R. No. 121, SD 1 (2018).

Dept. Com. No. 342, from the Department of Budget and Finance, dated December 20, 2018, transmitting the reports:

- FY 18 Special Fund Assessments for Central Services Report, pursuant to Section 36-27, HRS; and
- FY 18 Departmental Administrative Expenses Report, pursuant to Section 36-30, HRS.

Dept. Com. No. 343, from the Department of Budget and Finance, dated December 20, 2018, transmitting the Transfers to General Fund Report FY 2018, pursuant to Section 37-46, HRS.

Dept. Com. No. 344, from the Department of Budget and Finance, dated December 31, 2018, transmitting the reports:

- FY 17 and 18 Routine Repair and Maintenance Report, pursuant to Act 233, SLH 2016; and
- FYs 15-21 Non-General Fund Information Report, pursuant to Section 37-47, HRS.

Dept. Com. No. 345, from the Department of Budget and Finance, dated December 31, 2018, transmitting the reports:

- FY 17 and 18 Routine Repair and Maintenance Report, pursuant to Act 233, SLH 2016; and
- FYs 15-21 Non-General Fun Information Report, pursuant to Section 37-47, HRS.

Dept. Com. No. 346, from the Hawaii State Public Library System, dated January 11, 2019, transmitting the Annual Report on Library Fines and Lost Books Special Fund, Fiscal Year 2018, pursuant to Sections 312-3.6 and 312-22, HRS.

Dept. Com. No. 347, from the Department of Defense, dated January 10, 2019, transmitting a letter requesting for extension to submit report, pursuant to S.C.R. No. 40, SD 1, HD 1 (2018).

Dept. Com. No. 348, from the Department of Business, Economic Development & Tourism, dated January 11, 2019, transmitting a letter regarding the Economic Development Alliance of Hawaii, Inc.'s annual report on the progress of the Hawaii 3Ts school technology fund , pursuant to Section 302A-1314(r), HRS.

Dept. Com. No. 349, from the Department of Business, Economic Development & Tourism, dated January 11, 2019, transmitting Hawaii's Targeted & Emerging Industries 2018 Update Report, pursuant to Section 201-16, HRS.

Dept. Com. No. 350, from the Department of Hawaiian Home Lands, dated January 12, 2019, transmitting its 2015 Annual Report.

Dept. Com. No. 351, from the University of Hawaii System, dated January 8, 2019, transmitting a Position Report, pursuant to Act 49, Section 96, SLH 2017.

Dept. Com. No. 352, from the Department of Defense, dated January 10, 2019, transmitting the Report of Purpose of the Allotment and Expenditures of the Major Disaster Fund for FY 2019, pursuant to Section 127A-16, HRS.

Dept. Com. No. 353, from the Department of Defense, dated January 10, 2019, transmitting the Report of Purpose of the Allotment and Expenditures of the Major Disaster Fund for FY 2018, pursuant to Section 127A-16, HRS.

Dept. Com. No. 354, from the Department of Defense, dated January 10, 2019, transmitting the Report on Non-General Fund Information, pursuant to Section 37-47, HRS.

Dept. Com. No. 355, from the Department of Defense, dated January 10, 2019, transmitting the report on Criteria for Administratively Established Accounts and Funds, pursuant to Section 37-52.5, HRS.

Dept. Com. No. 356, from the Department of Business, Economic Development & Tourism, dated January 11, 2019, transmitting a letter regarding the Financial Services Assistance Program Annual Report, pursuant to Section 201C-5, HRS.

Dept. Com. No. 357, from the Department of Human Services, dated January 14, 2019, transmitting the report on the East Hawaii Child Welfare Services Pilot Project, pursuant to Act 177, SLH 2018.

Dept. Com. No. 358, from the Board of Education, dated January 9, 2019, transmitting the Annual Report on the State's Public Charter Schools, pursuant to Section 302D-21, HRS.

Dept. Com. No. 359, from the Department of Budget and Finance, dated January 11, 2019, transmitting the Report of Establishment of a Working Group to Identify Barriers to Improving the State's Hiring Processes, pursuant to S.C.R. No. 22, SD 1 (2018).

Dept. Com. No. 360, from the Office of the Auditor, dated January 15, 2019, transmitting Report No. 19-04, Audit of the Honolulu Authority for Rapid Transportation: Report 2, pursuant to Act 1, Special SLH 2017.

Dept. Com. No. 361, from the Legislative Reference Bureau, dated January 15, 2019, transmitting Report No. 1, 2018, Straight Shooting: An Objective Review of Hawaii Firearm Laws and Related Statistics, pursuant to S.C.R. No. 116, SD 1 (2018).

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 15) was announced by the Clerk and the following action taken:

H.R. No. 15, entitled: "HOUSE RESOLUTION COMMENDING JOSEPH KUHIO LEWIS FOR HIS OUTSTANDING COMMITMENT TO

THE NATIVE HAWAIIAN COMMUNITY," was offered by Representative Har.

Representative Har moved that H.R. No. 15 be adopted, seconded by Representative Tokioka.

Representative Har recognized Joseph Kūhiō Lewis as a hard-working single father who has demonstrated his commitment to improving the wellbeing of Native Hawaiians, their families and their communities, and in strengthening, empowering and assisting Native Hawaiians in living fulfilling, productive and happy lives based on his experience and various positions in the community.

Representative Tokioka commended and congratulated Joseph Kūhiō Lewis for his strong dedication and commitment to his family and the Native Hawaiian community, and introduced honorees who were seated on the Floor of the House:

Joseph Kūhiō Lewis, Chief Executive Officer, Council for Native Hawaiian Advancement;
Bryson Makanaokalani Lewis, son; and
Breana Kawaiola Lewis, daughter.

Representative Holt introduced a guest who was seated in the gallery:

Dickson Robert Kūhiō Lewis, father.

Representative Ward recognized Mr. Lewis as professional, personable and persuasive, and congratulated him on his work for the Native Hawaiian community.

Representative DeCoite thanked Kūhiō for his leadership and advocacy for Hawaiians and for doing right by the people.

The motion was put to vote by the Chair and carried, and H.R. No. 15 was adopted, with Representative Thielen being excused.

At 12:18 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:26 o'clock p.m.

REPORTS OF STANDING COMMITTEES

Representative Yamane, for the Committee on Water, Land, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 44) recommending that H.B. No. 653, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 653, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARTITIONS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Say and Thielen being excused.

Representative Yamane, for the Committee on Water, Land, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 45) recommending that H.B. No. 125 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 125, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," passed Second Reading and was referred to the Committee on Finance, with Representatives Say and Thielen being excused.

Representative Brower, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 46) recommending that H.B. No. 649, as amended in HD 1, pass Second Reading and be referred to the Committee on Lower & Higher Education.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 649, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER HOUSING SUBSIDIES," passed Second Reading and was referred to the Committee on Lower & Higher Education, with Representatives Say and Thielen being excused.

Representative Brower, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 47) recommending that H.B. No. 1403, as amended in HD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1403, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Energy & Environmental Protection, with Representatives Say and Thielen being excused.

Representatives San Buenaventura and Mizuno, for the Committee on Human Services & Homelessness and the Committee on Health, presented a report (Stand. Com. Rep. No. 48) recommending that H.B. No. 1451, 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 Committees was adopted and H.B. No. 1451, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Say and Thielen being excused.

Representative Aquino, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 49) recommending that H.B. No. 394 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 394, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY BEAUTIFICATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Say and Thielen being excused.

Representative Aquino, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 50) recommending that H.B. No. 757, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 757, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Say and Thielen being excused.

Representative Takayama, for the Committee on Public Safety, Veterans, & Military Affairs, presented a report (Stand. Com. Rep. No. 51) recommending that H.B. No. 23, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 23, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Say and Thielen being excused.

Representative Takayama, for the Committee on Public Safety, Veterans, & Military Affairs, presented a report (Stand. Com. Rep. No. 52) recommending that H.B. No. 378, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 378, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FILIPINO VETERANS BURIAL ASSISTANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Say and Thielen being excused.

Representative Takayama, for the Committee on Public Safety, Veterans, & Military Affairs, presented a report (Stand. Com. Rep. No. 53) recommending that H.B. No. 573, as amended in HD 1, pass Second Reading and be referred to the Committee on Lower & Higher Education.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 573, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS," passed Second Reading and was referred to the Committee on Lower & Higher Education, with Representatives Say and Thielen being excused.

Representative Takayama, for the Committee on Public Safety, Veterans, & Military Affairs, presented a report (Stand. Com. Rep. No. 54) recommending that H.B. No. 601, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 601, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM REGISTRATION FEES," passed Second Reading and was referred to the Committee on Transportation, with Representatives Say and Thielen being excused.

Representative Takayama, for the Committee on Public Safety, Veterans, & Military Affairs, presented a report (Stand. Com. Rep. No. 55) recommending that H.B. No. 602, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 602, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE VEHICLE WEIGHT TAX," passed Second Reading and was referred to the Committee on Transportation, with Representatives Say and Thielen being excused.

Representative Takayama, for the Committee on Public Safety, Veterans, & Military Affairs, presented a report (Stand. Com. Rep. No. 56) recommending that H.B. No. 671, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 671, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Morikawa.

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

Representative Okimoto's written remarks are as follows:

"Thank you, Mr. Speaker. In support with reservations for House Bill 671, HD1. I urge the Committee on Judiciary to consider the testimony submitted by the director of the state Office of Veterans Services which recommends that a waiver be obtained from the Secretary of Veterans Affairs."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 671, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS SERVICES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Okimoto voting aye with reservations, and with Representatives Say and Thielen being excused.

Representative Takayama, for the Committee on Public Safety, Veterans, & Military Affairs, presented a report (Stand. Com. Rep. No. 57) recommending that H.B. No. 714, as amended in HD 1, pass Second

Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 714, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NATURAL DISASTER PROTECTION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Say and Thielen being excused.

ANNOUNCEMENTS

Representative Holt: "Thank you, Mr. Speaker. All members of the Native Hawaiian Caucus and all members here, I have two resolutions for Thursday and Friday's floor presentations, if you guys want to come sign them. Thursday we're going to be honoring the Hongwanji Mission of Hawaii for their contributions to advancing the Hawaiian culture, and on Friday we will be celebrating the Hawaiian Civic Club of Honolulu's centennial anniversary and the Hawaiian Civic Club movement. So, the resolutions will be here if you guys want to come by and sign them. Thank you."

COMMITTEE REASSIGNMENTS

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

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
457	Committee on Public Safety, Veterans, & Military Affairs, then to the Committee on Finance
517	Committee on Tourism & International Affairs, then to the Committee on Finance
518	Committee on Tourism & International Affairs, then to the Committee on Finance
650	Committee on Lower & Higher Education, then to the Committee on Finance
794	Jointly to the Committee on Water, Land, & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Finance
795	Jointly to the Committee on Water, Land, & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Finance

ADJOURNMENT

At 12:28 o'clock p.m., on motion by Representative Morikawa, seconded by Representative Matsumoto and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 6, 2019. (Representatives Say and Thielen were excused.)