

THIRTY-THIRD DAY

Monday, March 18, 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 former State Representative and House Majority Leader Blake Oshiro, after which the Roll was called showing all members present with the exception of Representatives Belatti, Gates, Hashem, Lowen, McKelvey, Tokioka and Yamane, who were excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 530 through 532) were received and announced by the Clerk:

Sen. Com. No. 530, transmitting H.B. No. 2, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," which passed Third Reading in the Senate on March 15, 2019.

Sen. Com. No. 531, transmitting H.B. No. 116, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," which passed Third Reading in the Senate on March 15, 2019.

Sen. Com. No. 532, transmitting H.B. No. 1259, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," which passed Third Reading in the Senate on March 15, 2019.

Representative Morikawa moved to disagree to the amendments made by the Senate to the following House Bills, seconded by Representative Johanson and carried: (Representatives Belatti, Gates, Har, Hashem, Lowen, McKelvey, Say, Tokioka and Yamane were excused.)

H.B. No. 2, HD 1, (SD 1)

H.B. No. 116, (SD 1)

H.B. No. 1259, (SD 1)

INTRODUCTIONS

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

Representative Wildberger introduced her staff: Natalia Hussey-Burdick, Ruth Coules, David Farrell and Charessa Fryc; and Makena Tsark, a Maui High School student.

ORDER OF THE DAY**REPORTS OF STANDING COMMITTEES**

At this time, the Chair stated:

"Alright members, we are awaiting the arrival of our honorees for the two floor presentations, so while we're waiting, can we skip over to item six, Reports of Standing Committees."

Representative Takayama, for the Committee on Public Safety, Veterans, & Military Affairs, presented a report (Stand. Com. Rep. No. 1387) recommending that S.B. No. 1423 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Morikawa, seconded by Representative Johanson and carried, the report of the Committee was adopted and S.B. No. 1423, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT OF BAIL," passed Second Reading and was referred to the

Committee on Judiciary, with Representatives Belatti, Gates, Har, Hashem, Lowen, McKelvey, Tokioka and Yamane being excused.

Representative Yamane, for the Committee on Water, Land, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1388) recommending that S.B. No. 914, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Morikawa, seconded by Representative Johanson and carried, the report of the Committee was adopted and S.B. No. 914, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, Gates, Har, Hashem, Lowen, McKelvey, Tokioka and Yamane being excused.

Representative Yamane, for the Committee on Water, Land, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1389) recommending that S.B. No. 1188, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Morikawa, seconded by Representative Johanson and carried, the report of the Committee was adopted and S.B. No. 1188, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, Gates, Har, Hashem, Lowen, McKelvey, Tokioka and Yamane being excused.

Representative Yamane, for the Committee on Water, Land, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1390) recommending that S.B. No. 1526, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Morikawa, seconded by Representative Johanson and carried, the report of the Committee was adopted and S.B. No. 1526, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION ENFORCEMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, Gates, Har, Hashem, Lowen, McKelvey, Tokioka and Yamane being excused.

Representatives Woodson and Yamane, for the Committee on Lower & Higher Education and the Committee on Water, Land, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1391) recommending that S.B. No. 976, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Morikawa moved that the report of the Committees be adopted, and that S.B. No. 976, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Johanson.

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

Representative Okimoto 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 Committees was adopted and S.B. No. 976, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LIBRARIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Okimoto and Perruso voting aye with reservations, and with Representatives Belatti, Gates, Har, Hashem, Lowen, McKelvey, Tokioka and Yamane being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1392) recommending that S.B. No. 396, SD 1 pass Second Reading and be placed on the calendar for Third Reading.

Representative Morikawa moved that the report of the Committee be adopted, and that S.B. No. 396, SD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Johanson.

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

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

Representative Ward rose and asked that the Clerk record a no vote 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. 396, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MARKETPLACE FACILITATORS," passed Second Reading and was placed on the calendar for Third Reading, with Representative Okimoto voting aye with reservations, with Representatives McDermott and Ward voting no, and with Representatives Belatti, Gates, Har, Hashem, Lowen, McKelvey, Tokioka and Yamane being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1393) recommending that S.B. No. 1361, SD 1 pass Second Reading and be placed on the calendar for Third Reading.

Representative Morikawa moved that the report of the Committee be adopted, and that S.B. No. 1361, SD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Johanson.

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

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

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

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 Cabanilla Arakawa 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. 1361, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ESTATE TAXES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla Arakawa, Matsumoto, Okimoto and San Buenaventura voting aye with reservations, with Representatives McDermott and Ward voting no, and with Representatives Belatti, Gates, Har, Hashem, Lowen, McKelvey, Tokioka and Yamane being excused.

At 12:10 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:11 o'clock p.m.

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 210) was announced by the Clerk and the following action taken:

H.R. No. 210, entitled: "HOUSE RESOLUTION CONGRATULATING 'IOLANI SCHOOL AS THE 2019 LIFESMARTS STATE CHAMPION AND WAIPAHU HIGH SCHOOL AS A 2019 LIFESMARTS STATE FINALIST," was offered by Representative Woodson.

Representative Woodson moved that H.R. No. 210 be adopted, seconded by Representative Ohno.

Representative Woodson recognized the state champions and finalists of the State of Hawaii LifeSmarts Competition, which challenges 6th-12th grade students on their knowledge of personal finance, technology resources, consumer rights, environmental resources, and health and safety resources.

Representative Ohno congratulated and introduced honorees who were seated on the Floor of the House:

Waipahu High School team: Nicole Aguinaldo, Kylie Sylva, Linnea Tucker and Mariaria Nucum, LifeSmarts Preliminary Finalists. They were led by coaches Cindy Takara and Sherry Tenn, who were seated in the gallery; and

Iolani School team: Jayson Guo, Josh Park, Loui Ikei and Scott Okagawa, LifeSmarts State Champions. They were led by coach Jim Rubasch, who was seated in the gallery.

Representative Lee, as an Iolani alumnus, congratulated the Iolani team.

Representative Luke recognized Noah Taniguchi, Iolani team member who was unable to attend, son of Senate Chief Clerk Carol Taniguchi, and congratulated the Iolani team.

The motion was put to vote by the Chair and carried, and H.R. No. 210 was adopted, with Representatives Belatti, Gates, Har, Hashem, Lowen, McKelvey, Tokioka and Yamane being excused.

The following resolution (H.R. No. 211) was announced by the Clerk and the following action taken:

H.R. No. 211, entitled: "HOUSE RESOLUTION CONGRATULATING CHELSEA MASAKI, RYAN PARK, CATHERINE CHOW, AND STEFANI SAKAMOTO AS THE 2019 PRUDENTIAL SPIRIT OF COMMUNITY AWARD RECIPIENTS," was offered by Representative Woodson.

Representative Woodson moved that H.R. No. 211 be adopted, seconded by Representative Tarnas.

Representative Woodson honored hard-working students who bring great pride to their families, schools, community and our state, and recognized the Prudential Spirit of Community program as the largest nationwide program that honors middle and high school students for their volunteer community service.

Representative Tarnas recognized the Prudential Spirit of Community honorees and distinguished finalists who inspire others with their acts of public service, thanked them for their selfless contributions to their communities and the well-being of our state, and introduced honorees who were seated on the Floor of the House:

Chelsea Masaki, Mililani Middle School, state honoree who created a website that sheds light on environmental issues and features local cleanup opportunities;

Ryan Park, Punahou School, state honoree who established a non-profit and school club, Helping Oncology Patients Everywhere (HOPE);

Stefani Sakamoto, Punahou School, distinguished finalist who founded a nutrition education program called A Life of Healthy Actions (ALOHA) to encourage community members to make healthy food and lifestyle choices;

Catherine Chow, Keaau High School, distinguished finalist who established a community garden at Hale Iki Village after the Kilauea eruptions displaced many families, who was unable to attend; and

Gerrie Marks, Vice President of Government Affairs, Prudential Financial, who was seated in the gallery.

The motion was put to vote by the Chair and carried, and H.R. No. 211 was adopted, with Representatives Belatti, Gates, Har, Hashem, Lowen, McKelvey, Tokioka and Yamane being excused.

At 12:22 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:28 o'clock p.m.

ANNOUNCEMENTS

Representative Holt: "Thank you, Mr. Speaker. Just a friendly reminder, today in Room 329, Southwest Airlines president and his executive team will be hosting a lunch reception for us, if you guys can join us after this. Thank you."

COMMITTEE REASSIGNMENTS

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

H.R.

No. Re-referred to:

77 Committee on Economic Development & Business, then to the Committee on Judiciary, then to the Committee on Finance

H.C.R.

Nos. Re-referred to:

55 Committee on Energy & Environmental Protection, then to the Committee on Finance

79 Committee on Economic Development & Business, then to the Committee on Judiciary, then to the Committee on Finance

S.B.

Nos. Re-referred to:

50, Committee on Human Services & Homelessness, then to the SD2 Committee on Finance

365, Committee on Economic Development & Business, then to the SD2 Committee on Finance

908, Committee on Energy & Environmental Protection, then to the SD2 Committee on Finance

1230, Committee on Human Services & Homelessness, then to the SD2 Committee on Finance

1474, Jointly to the Committee on Lower & Higher Education and the SD2 Committee on Finance

ADJOURNMENT

At 12:29 o'clock p.m., on motion by Representative Johanson, seconded by Representative Matsumoto and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, March 19, 2019. (Representatives Belatti, Gates, Har, Hashem, Lowen, McKelvey, Quinlan, Tokioka and Yamane were excused.)

HOUSE COMMUNICATIONS

House Communication dated March 18, 2019, 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 disagreed to the amendments made by the Senate to the following measures:

H.B. No. 2, HD 1, SD 1
H.B. No. 116, SD 1
H.B. No. 1259, SD 1

House Communication dated March 18, 2019, 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. 2, Luke, Chr.;
HD 1, SD 1 Cullen, Eli, Gates, Hashimoto, Holt, Kitagawa,
B. Kobayashi, Matayoshi, Nakamura, Nishimoto,
Todd, Wildberger, Yamashita, McDermott

H.B. No. 116, Luke, Chr.;
SD 1 Cullen, Eli, Gates, Hashimoto, Holt, Kitagawa,
B. Kobayashi, Matayoshi, Nakamura, Nishimoto,
Todd, Wildberger, Yamashita, McDermott