

TENTH DAY

Friday, January 31, 2020

The House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2020, convened at 12:02 p.m., with Vice Speaker Nakashima presiding.

The invocation was delivered by Representative Justin H. Woodson, after which the Roll was called showing all members present with the exception of Representatives Cabanilla Arakawa, Ichiyama, Matsumoto, and Say, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Eighth and Ninth Days was deferred.

INTRODUCTIONS

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

Representative Lowen introduced visitors from Kona: Aubrey Hollandsworth, student at West Hawaii Explorations Academy PCS; Mendy Dant; Cindi Punihaole Kennedy; Joe DiNardo; and Lisa Bishop, president, Friends of Hanauma Bay.

Representative Wildberger introduced Dr. Genesis Young from Maui.

Representative Holt introduced Kama Hopkins of Holunape, advocate for Native Hawaiians and Na Hoku Hanohano award winner.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Creagan, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 5-20) recommending that H.B. No. 1861, 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. 1861, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COFFEE BERRY BORER," passed Second Reading and was referred to the Committee on Finance, with Representatives Ichiyama, Matsumoto, and Say being excused.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 6-20) recommending that H.B. No. 1860, 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. 1860, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Ichiyama, Matsumoto, and Say being excused.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 7-20) recommending that H.B. No. 1864, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 1864, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

Representative Okimoto 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 H.B. No. 1864, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Consumer Protection &

Commerce, with Representative Okimoto voting no, and with Representatives Ichiyama, Matsumoto, and Say being excused.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 8-20) recommending that H.B. No. 1850, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1850, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENERGY SECURITY SPECIAL FUND," passed Second Reading and was referred to the Committee on Economic Development & Business, with Representatives Ichiyama, Matsumoto, and Say being excused.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 9-20) recommending that H.B. No. 1851, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 1851, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

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

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

"Thank you, Mr. Speaker. On Standing Committee Report 9-20, please have the Clerk note my reservations, and just very brief comments. I was very proud of the joint House and Senate majority package that we offered this year in conjunction with the Governor because the Legislature is cognizant of the fact that affordable housing is something that we all need to support. When we continue to push mandates such as this measure, we increase the cost of housing. One of my biggest concerns with this measure is there was no exemption for affordable housing, which is why I'm voting with reservations. But it is my sincere belief that this bill does, in fact, contradict what we are supporting in the majority package. For those reasons, I'll be voting with reservations. Thank you."

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

"Thank you, Mr. Speaker, just a brief comment. I would just note that the testimony on this bill from the consumer advocate, who is specifically tasked with looking at impacts to consumers, expressed no concerns with this increase in cost, because in fact it's an efficiency measure that would decrease costs for the owners or the residents of these units. Thank you."

Representative Har rose to respond, stating:

"Thank you, just a brief rebuttal. What I'm talking about is development on the front end. While it may be cost savings to the consumers on the back end, the fact of the matter is, is that to build affordable housing, when we continue to place mandates on the front end, it increases the cost of housing. So, I'm not talking about the state cost savings. And to the best of my recollection, I don't actually think that, I'd have to look back at the testimony, but to the best of my recollection, there was some discussion during that hearing that it was actually not necessarily cost savings, it was just a cost shift. So, for those reasons, again, I stand with reservations. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1851, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GRID-INTERACTIVE WATER HEATER SYSTEMS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Har and Ward

voting aye with reservations, with Representative Okimoto voting no, and with Representatives Ichiyama, Matsumoto, and Say being excused.

Representative Yamane, for the Committee on Water, Land, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 10-20) recommending that H.B. No. 1875, 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. 1875, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Finance, with Representatives Ichiyama, Matsumoto, and Say being excused.

Representative Yamane, for the Committee on Water, Land, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 11-20) recommending that H.B. No. 1924, 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. 1924, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEARCH AND RESCUE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Ichiyama, Matsumoto, and Say being excused.

Representative Yamane, for the Committee on Water, Land, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 12-20) recommending that H.B. No. 1880, 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. 1880, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE KAHOLAWE ISLAND RESERVE COMMISSION," passed Second Reading and was referred to the Committee on Finance, with Representatives Ichiyama, Matsumoto, and Say being excused.

Representative Yamane, for the Committee on Water, Land, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 13-20) recommending that H.B. No. 1820, 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. 1820, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Ichiyama, Matsumoto, and Say being excused.

Representative San Buenaventura, for the Committee on Human Services & Homelessness, presented a report (Stand. Com. Rep. No. 14-20) recommending that H.B. No. 1978, 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. 1978, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL IMMIGRANT JUVENILE STATUS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Ichiyama, Matsumoto, and Say being excused.

Representative San Buenaventura, for the Committee on Human Services & Homelessness, presented a report (Stand. Com. Rep. No. 15-20) recommending that H.B. No. 1788, 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. 1788, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ROOM CONFINEMENT OF CHILDREN AT DETENTION AND SHELTER FACILITIES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Ichiyama, Matsumoto, and Say being excused.

Representative San Buenaventura, for the Committee on Human Services & Homelessness, presented a report (Stand. Com. Rep. No. 16-20) recommending that H.B. No. 2050, 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. 2050, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS, PROTECTIVE ORDERS, AND INJUNCTIONS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Ichiyama, Matsumoto, and Say being excused.

Representative San Buenaventura, for the Committee on Human Services & Homelessness, presented a report (Stand. Com. Rep. No. 17-20) recommending that H.B. No. 2037, 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. 2037, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Morikawa.

Representative Ward rose and asked that the Clerk record a no vote for him, 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 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 Committee was adopted and H.B. No. 2037, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER, PLUS COMMISSION," passed Second Reading and was referred to the Committee on Judiciary, with Representative Okimoto voting aye with reservations, with Representatives McDermott and Ward voting no, and with Representatives Ichiyama, Matsumoto, and Say being excused.

Representative Creagan, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 18-20) recommending that H.B. No. 1654, as amended in HD 1, be recommitted to the Committee on Agriculture.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1654, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was recommitted to the Committee on Agriculture, with Representatives Ichiyama, Matsumoto, and Say being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 18) and concurrent resolution (H.C.R. No. 34) were referred to Printing and further action was deferred:

H.R. No. 18, entitled: "HOUSE RESOLUTION REQUESTING THAT THE WALL STREET JOURNAL INCLUDE HAWAIIAN AIRLINES IN THE NEWSPAPER'S FUTURE RANKINGS OF THE BEST AND WORST AIRLINES IN THE UNITED STATES," was jointly offered by Representatives Saiki, Aquino, Belatti, Brower, Cabanilla Arakawa, Cachola, Creagan, Cullen, DeCoite, Eli, Gates, Har, Hashem, Hashimoto, Holt, Ichiyama, Johanson, Kitagawa, B. Kobayashi, Kong, Lee, Lowen, Matayoshi, Matsumoto, McDermott, Mizuno, Morikawa, Nakamura, Nakashima, Nishimoto, Ohno, Okimoto, Onishi, Perruso, San Buenaventura, Say, Takayama, Takumi, Tarnas, Thielen, Todd, Tokioka, Ward, Wildberger, Woodson, Yamane, and Yamashita.

H.C.R. No. 34, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE WALL STREET JOURNAL INCLUDE HAWAIIAN AIRLINES IN THE NEWSPAPER'S FUTURE RANKINGS OF THE BEST AND WORST AIRLINES IN THE UNITED STATES," was jointly offered by Representatives Saiki, Aquino, Belatti, Brower, Cabanilla Arakawa, Cachola, Creagan, Cullen, DeCoite, Eli, Gates, Har, Hashem, Hashimoto, Holt, Ichiyama, Johanson, Kitagawa, B. Kobayashi, Kong, Lee, Lowen, Matayoshi, Matsumoto, McDermott, McKelvey, Mizuno, Morikawa, Nakamura, Nakashima, Nishimoto, Ohno, Okimoto, Onishi, Perruso, San Buenaventura, Say, Takayama, Takumi, Tarnas, Thielen, Todd, Tokioka, Ward, Wildberger, Woodson, Yamane, and Yamashita.

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, today will go down in history as a historical note, almost a time capsule note, when the UK is now officially withdrawn from the European Union. Just as a footnote to this historical major implications for trade and different agreements with our nation."

Representative Cabanilla Arakawa: "I would like also to mention to this body, Mr. Speaker, that the coronavirus epidemic is now considered by the World Health Organization to be a global emergency, so therefore this body should take measures to protect our state. Also, with that, Mr. Speaker, I would like the Journal to say that I'm present today. Thank you."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.R.</u> <u>No.</u>	<u>Referred to:</u>
18	Jointly to the Committee on Transportation and the Committee on Tourism & International Affairs

<u>H.C.R.</u> <u>No.</u>	<u>Referred to:</u>
34	Jointly to the Committee on Transportation and the Committee on Tourism & International Affairs

COMMITTEE REASSIGNMENTS

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

<u>H.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
1600	Jointly to the Committee on Public Safety, Veterans, & Military Affairs and the Committee on Judiciary
1604	Jointly to the Committee on Economic Development & Business and the Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
1615	Jointly to the Committee on Judiciary and the Committee on Public Safety, Veterans, & Military Affairs
1733	Jointly to the Committee on Judiciary and the Committee on Public Safety, Veterans, & Military Affairs
1902	Jointly to the Committee on Public Safety, Veterans, & Military Affairs and the Committee on Judiciary
2015	Committee on Water, Land, & Hawaiian Affairs, then to the Committee on Finance
2049	Jointly to the Committee on Health and the Committee on Lower & Higher Education, then to the Committee on Judiciary, then to the Committee on Finance
2160	Committee on Water, Land, & Hawaiian Affairs, then to the Committee on Finance

2232	Jointly to the Committee on Public Safety, Veterans, & Military Affairs and the Committee on Judiciary
2277	Committee on Water, Land, & Hawaiian Affairs, then to the Committee on Finance
2279	Committee on Labor & Public Employment, then to the Committee on Finance
2407	Jointly to the Committee on Energy & Environmental Protection and the Committee on Health, then to the Committee on Finance
2419	Committee on Human Services & Homelessness, then to the Committee on Finance
2421	Committee on Human Services & Homelessness, then to the Committee on Lower & Higher Education, then to the Committee on Finance
2565	Committee on Agriculture, then to the Committee on Judiciary, then to the Committee on Finance
2602	Committee on Water, Land, & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2631	Jointly to the Committee on Judiciary and the Committee on Public Safety, Veterans, & Military Affairs
2642	Committee on Intrastate Commerce, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2709	Jointly to the Committee on Public Safety, Veterans, & Military Affairs and the Committee on Judiciary
2710	Jointly to the Committee on Public Safety, Veterans, & Military Affairs and the Committee on Judiciary
2736	Jointly to the Committee on Judiciary and the Committee on Public Safety, Veterans, & Military Affairs
2740	Committee on Lower & Higher Education, then to the Committee on Finance
2744	Jointly to the Committee on Judiciary and the Committee on Public Safety, Veterans, & Military Affairs

ADJOURNMENT

At 12:14 p.m., on motion by Representative Morikawa, seconded by Representative Thielen and carried, the House of Representatives adjourned until noon Monday, February 3, 2020. (Representatives Ichiyama, Masumoto, and Say were excused.)