

THIRTY-FIFTH DAY

Tuesday, May 12, 2020

The House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2020, convened at 12:04 p.m., with Speaker Saiki presiding.

The invocation was delivered by Representative Gregg Takayama, after which the Roll was called showing all members present with the exception of Representative Thielen, who was excused.

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

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 432 through 460) were received by the Clerk and were placed on file:

Dept. Com. No. 432, from the University of Hawaii System, dated March 3, 2020, transmitting a Positions Report, pursuant to Act 5, Section 42, SLH 2019.

Dept. Com. No. 433, from the University of Hawaii System, dated March 10, 2020, transmitting a Positions Report, pursuant to Act 5, Section 42, SLH 2019.

Dept. Com. No. 434, from the Office of Enterprise Technology Services, dated March 12, 2020, transmitting the Hawaii Department of Human Services Systems Modernization Project Final IV&V Status Report for Reporting Period: February 1 - 29, 2020, pursuant to Section 27-43.6, HRS.

Dept. Com. No. 435, from the Office of Enterprise Technology Services, dated March 12, 2020, transmitting the Hawaii BHA Integrated Case Management System Project – Phase 3 Final IV& V Report for the period of November 18, 2019 - December 31, 2019, pursuant to Section 27-43.6, HRS.

Dept. Com. No. 436, from the Office of Enterprise Technology Services, dated March 12, 2020, transmitting the Hawaii BHA Integrated Case Management System Project – Phase 3 Final IV&V Report for the period of February 1 - February 29, 2020, pursuant to Section 27-43.6, HRS.

Dept. Com. No. 437, from the University of Hawaii System, dated March 16, 2020, transmitting a Positions Report, pursuant to Act 5, Section 42, SLH 2019.

Dept. Com. No. 438, from the Office of the Auditor, dated March 20, 2020, transmitting the Financial and Compliance Audit of the Oahu Metropolitan Planning Organization, pursuant to Chapter 23, HRS.

Dept. Com. No. 439, from the Office of the Auditor, dated March 23, 2020, transmitting the Financial Audit of the Department of Land and Natural Resources, pursuant to Chapter 23, HRS.

Dept. Com. No. 440, from the Office of the Auditor, dated March 25, 2020, transmitting the Financial Audit of the Hawaii Tourism Authority, pursuant to Chapter 23, HRS.

Dept. Com. No. 441, from the Office of the Auditor, dated March 27, 2020, transmitting the Financial and Compliance Audit of the Department of Hawaiian Home Lands, pursuant to Chapter 23, HRS.

Dept. Com. No. 442, from the Office of Enterprise Technology Services, dated March 24, 2020, transmitting the Time & Leave Project, Phase II of the HawaiiPay project, Department of Accounting and General Services IV&V Monthly Status Report – Final for Reporting Period: January 1 - 31, 2020, pursuant to Section 27-43.6, HRS.

Dept. Com. No. 443, from the Office of the Auditor, dated March 30, 2020, transmitting the Financial and Compliance Audit of the Department of Transportation, Administration Division, pursuant to Chapter 23, HRS.

Dept. Com. No. 444, from the University of Hawaii System, dated March 31, 2020, transmitting a Positions Report, pursuant to Act 5, Section 42, SLH 2019.

Dept. Com. No. 445, from the Office of the Auditor, dated April 1, 2020, transmitting the Financial Audit of the Department of Accounting and General Services, State Motor Pool Revolving Fund, pursuant to Chapter 23, HRS.

Dept. Com. No. 446, from the Office of the Auditor, dated April 3, 2020, transmitting the Financial and Compliance Audit of the Department of Transportation, Airports Division, pursuant to Chapter 23, HRS.

Dept. Com. No. 447, from the Office of the Auditor, dated April 6, 2020, transmitting the Financial Audit of the Department of Transportation, Harbors Division, pursuant to Chapter 23, HRS.

Dept. Com. No. 448, from the Department of Business, Economic Development & Tourism, dated April 3, 2020, transmitting the report, the Estimated Economic Impact of Hawaii Place-Based Marketing by Firms without Material Ties to the State of Hawaii, pursuant to Act 258, SLH 2019.

Dept. Com. No. 449, from the Office of Enterprise Technology Services, dated April 3, 2020, transmitting the DLIR Disability Compensation Division's Modernization Project – Electronic Case Management System Monthly On-Site IV&V Review Report January 24, 2020, pursuant to Section 27-43.6, HRS.

Dept. Com. No. 450, from the Office of the Auditor, dated April 8, 2020, transmitting the Financial Audit of the Department of Accounting and General Services, State Parking Revolving Fund, pursuant to Chapter 23, HRS.

Dept. Com. No. 451, from the University of Hawaii System, dated April 7, 2020, transmitting a Positions Report, pursuant to Act 5, Section 42, SLH 2019.

Dept. Com. No. 452, from the Office of the Auditor, dated April 13, 2020, transmitting the Single Audit of Federal Financial Assistance Programs of the State of Hawaii, pursuant to Chapter 23, HRS.

Dept. Com. No. 453, from the University of Hawaii System, dated April 14, 2020, transmitting a Positions Report, pursuant to Act 5, Section 42, SLH 2019.

Dept. Com. No. 454, from the Office of the Auditor, dated April 15, 2020, transmitting the Financial and Compliance Audit of the Department of Education, pursuant to Chapter 23, HRS.

Dept. Com. No. 455, from the Office of Enterprise Technology Services, dated April 15, 2020, transmitting the DLIR Disability Compensation Division's Modernization Project – Electronic Case Management System Monthly On-Site IV&V Review Report February 21, 2020, pursuant to Section 27-43.6, HRS.

Dept. Com. No. 456, from the Office of the Auditor, dated April 17, 2020, transmitting the Financial and Compliance Audit of the Department of Human Services, pursuant to Chapter 23, HRS.

Dept. Com. No. 457, from the Office of Enterprise Technology Services, dated April 14, 2020, transmitting the Time & Leave Project, Phase II of the HawaiiPay project, Department of Accounting and General Services IV&V Monthly Status Report – Final for Reporting Period: February 1 - 29, 2020 pursuant to Section 27-43.6, HRS.

Dept. Com. No. 458, from the Office of the Ombudsman, dated April 20, 2020, transmitting its Report Number 50, pursuant to Section 96-16, HRS.

Dept. Com. No. 459, from the Office of Enterprise Technology Services, dated April 17, 2020, transmitting the Hawaii BHA Integrated Case Management System Project – Phase 3, Final IV&V Report for the period of March 1 - March 31, 2020, pursuant to Section 27-43.6, HRS.

Dept. Com. No. 460, from the University of Hawaii System, dated April 21, 2020, transmitting a Positions Report, pursuant to Act 5, Section 42, SLH 2019.

JUDICIARY COMMUNICATIONS

The following judiciary communication (Jud. Com. No. 23) was received by the Clerk and was placed on file:

Jud. Com. No. 23, dated March 2, 2020, transmitting the report relating to wire, oral, or electronic communications, pursuant to Section 803-47(a), HRS.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representatives Lee and Takumi, for the Committee on Judiciary and the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1184-20) recommending that S.B. No. 2975, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committees was adopted and S.B. No. 2975, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representatives Yamane and Woodson, for the Committee on Water, Land, & Hawaiian Affairs and the Committee on Lower & Higher Education, presented a report (Stand. Com. Rep. No. 1185-20) recommending that S.B. No. 2061, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Belatti moved that the report of the Committees be adopted, and that S.B. No. 2061, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Morikawa.

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

"Mr. Speaker, with strong reservations on 1185 and 1186. I'm sure that these are good causes, but considering the financial status of the State, I think tax credit and special fund appropriations is not something that we should be looking at at this time."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2061, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION," passed Second Reading and was referred to the Committee on Finance, with Representative Cabanilla Arakawa voting aye with reservations, and with Representative Thielen being excused.

Representative Yamane, for the Committee on Water, Land, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1186-20) recommending that S.B. No. 3035, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 3035, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Morikawa.

Representative Cabanilla Arakawa rose in support of the measure with reservations. [Note: See Stand. Com. Rep. No. 1185-20 for remarks.]

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3035, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and

was referred to the Committee on Finance, with Representatives Cabanilla Arakawa, McKelvey, and San Buenaventura voting aye with reservations, and with Representative Thielen being excused.

Representative Yamane, for the Committee on Water, Land, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1187-20) recommending that S.B. No. 2249, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 2249, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Yamane, for the Committee on Water, Land, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1188-20) recommending that S.B. No. 2828, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 2828, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Morikawa.

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

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

Representative Perruso rose and asked that the Clerk record a no vote for her, 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 Lowen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2828, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER," passed Second Reading and was referred to the Committee on Finance, with Representatives DeCoite, D. Kobayashi, Lowen, Matsumoto, McKelvey and San Buenaventura voting aye with reservations, with Representatives Perruso and Wildberger voting no, and with Representative Thielen being excused.

Representative Yamane, for the Committee on Water, Land, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1189-20) recommending that S.B. No. 2812, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 2812, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Morikawa.

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

"Reservations, Mr. Speaker, same reason."

Representative Wildberger rose and asked that the Clerk record a no vote for her, 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 Lowen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Perruso 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. 2812, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla Arakawa, Lowen, Perruso, and San Buenaventura voting aye with reservations, with Representative Wildberger voting no, and with Representative Thielen being excused.

Representatives Yamane and Lowen, for the Committee on Water, Land, & Hawaiian Affairs and the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1190-20) recommending that S.B. No. 2386, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Belatti moved that the report of the Committees be adopted, and that S.B. No. 2386, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Morikawa.

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

"Mr. Speaker, no vote, brief comment, please. Mr. Speaker, Oahu, Hawaii in general, has a waste problem, particularly Oahu has a waste problem. This bill will effectively prevent the expansion of most, if not all, of the existing landfills. We need additional facilities for the expansion of what we have so far. And according to the Department of Environmental Services, which has identified 11 potential new sites for facilities and waste, these will all be eliminated by this particular bill, Mr. Speaker. I think we need to go back and rethink this. This should be in one of those places where we put it in the, what do they call it, the parking lot, you discuss it more, then you come back and make a decision. For those reasons, Mr. Speaker, a no vote please. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2386, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WASTE MANAGEMENT," passed Second Reading and was referred to the Committee on Finance, with Representative Ward voting no, and with Representative Thielen being excused.

Representatives Lowen and Yamane, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1191-20) recommending that S.B. No. 2060, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Belatti moved that the report of the Committees be adopted, and that S.B. No. 2060, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Morikawa.

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

"Mr. Speaker, also a no vote with a brief comment. This is an issue that according to Hawaiian Electric, if this bill passes, it will increase our utility rates, i.e. our electrical bills, of which if you recall, Mr. Speaker, your speech, the first day that we were in this building in 2020 in January, we said we're going to really pay attention to the cost of living. This is one of those increases. It should be *kapu*, it should be taboo, and it should be a no vote, and I respectfully ask for that. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2060, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading and was referred to the Committee on Finance, with Representative Ward voting no, and with Representative Thielen being excused.

ADJOURNMENT

At 12:14 p.m., on motion by Representative Morikawa, seconded by Representative Matsumoto and carried, the House of Representatives adjourned until noon tomorrow, Wednesday, May 13, 2020. (Representative Thielen was excused.)