

TENTH DAY

Thursday, February 4, 2021

The House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021, convened at noon, with Vice Speaker Mizuno presiding.

The invocation was delivered by Representative Sharon E. Har, after which the Roll was called showing all members present, with Representatives Har, LoPresti, and Matsumoto participating remotely via videoconference, and with the exception of Representative Tokioka, who was excused.

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

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 176 through 184) were received by the Clerk and were placed on file:

Dept. Com. No. 176, from the Office of the County Clerk for the County of Maui, dated October 27, 2020, transmitting Resolution No. 20-153, which was adopted by the Council of the County of Maui on October 23, 2020.

Dept. Com. No. 177, from the Marijuana Evaluation Task Force, dated November 3, 2020, transmitting a letter reporting that the task force will be unable to meet the reporting deadline due to the COVID19 pandemic, pursuant to Act 273, SLH 2019.

Dept. Com. No. 178, from the Department of Labor and Industrial Relations, dated November 16, 2020, transmitting the Monthly Status Report of the Food Distribution Program, pursuant to Act 9, Section 34, SLH 2020.

Dept. Com. No. 179, from the Public Utilities Commission, dated November 23, 2020, transmitting a report on Docket No. 2019-0085, Hawaiian Electric Company – Application for Approval of a General Rate Increase and Revised Rate Schedules and Rules, 2020 Test Year, pursuant to Section 269-16(d), HRS.

Dept. Com. No. 180, from the Maui Metropolitan Planning Organization, dated December 10, 2020, transmitting the FY 2020 Annual Report, pursuant to Chapter 279D, HRS.

Dept. Com. No. 181, from the Department of Budget and Finance, dated January 11, 2021, transmitting the Preliminary Estimate of State Growth Rate and General Fund Expenditure Ceiling for FYs 21-23, pursuant to Article VII, Section 9, Hawaii State Constitution.

Dept. Com. No. 182, from the Digital Gaming Advisory Group, dated November 3, 2020, transmitting the Digital Gaming Advisory Group Report, pursuant to H.C.R. No. 224 (2019).

Dept. Com. No. 183, from the Office of the County Clerk for the County of Maui, dated November 12, 2020, transmitting Resolution No. 20-157, which was adopted by the Council of the County of Maui on November 10, 2020.

Dept. Com. No. 184, from the Office of the County Clerk for the County of Maui, dated November 23, 2020, transmitting Resolution No. 20-164, which was adopted by the Council of the County of Maui on November 20, 2020.

JUDICIARY COMMUNICATIONS

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

Jud. Com. No. 23, from the Hawaii Access to Justice Commission, transmitting its Annual Report for 2019, pursuant to Rule 21(j)(1) of the Rules of the Supreme Court of the State of Hawaii.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1) recommending that H.B. No. 556, 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. 556, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Tokioka being excused.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 2) recommending that H.B. No. 860, 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. 860, 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 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. 860, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ROOFTOP SOLAR INSTALLATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Okimoto voting aye with reservations, and with Representative Tokioka being excused.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 3) recommending that H.B. No. 592, 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. 592, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UTILITIES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Tokioka being excused.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 4) recommending that H.B. No. 561, 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. 561, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Tokioka being excused.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 5) recommending that H.B. No. 111, 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. 111, 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 an aye vote with reservations for her, and the Chair "so ordered."

Representative Kong rose to disclose a potential conflict of interest, stating:

"Thank you, Vice Speaker. Could I have a possible ruling on conflict of interest? My son, who still lives at home, is an electrician and a member of IBEW," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 111, 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 aye with reservations, and with Representative Tokioka being excused.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 6) recommending that H.B. No. 555, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 555, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Second Reading and was referred to the Committee on Economic Development, with Representative Tokioka being excused.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 7) recommending that H.B. No. 328, as amended in HD 1, pass Second Reading and be referred to the Committee on Housing.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 328, HD 1 pass Second Reading and be referred to the Committee on Housing, seconded by Representative Morikawa.

Representative Okimoto rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I would like to declare also a potential conflict of interest. I'm an officer on a planned committee home association," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 328, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," passed Second Reading and was referred to the Committee on Housing, with Representative Tokioka being excused.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 8) recommending that H.B. No. 116, 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. 116, 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. 116, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Okimoto voting no, and with Representative Tokioka being excused.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 9) recommending that H.B. No. 78, 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. 78, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNDERGROUND CONSTRUCTION OF HIGH-VOLTAGE ELECTRIC TRANSMISSION LINES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Tokioka being excused.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 10) recommending that H.B. No. 906, 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. 906, 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 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. 906, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY ASSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Okimoto voting aye with reservations, and with Representative Tokioka being excused.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 11) recommending that H.B. No. 560, 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. 560, 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 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. 560, 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 aye with reservations, and with Representative Tokioka being excused.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 12) recommending that H.B. No. 72, 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. 72, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC FOOT SCOOTERS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Tokioka being excused.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 13) recommending that H.B. No. 184 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. 184, entitled: "A BILL FOR AN ACT RELATING TO TAX APPEALS," passed Second Reading and was referred to the Committee on Finance, with Representative Tokioka being excused.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 14) recommending that H.B. No. 201 pass Second Reading and be referred to the Committee on Finance.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 201 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. I'm in support of this with a few reservations because it falls short in some areas that, our districts, whether you are

Kapolei or east side, Honolulu Hale, people stood in line for hours and hours and hours. This bill is meant to correct that, Mr. Speaker, it does, except it uses the loosey-goosey term of 'may' rather than 'shall.' It says the county clerks may add additional service centers. My constituents want to have more service centers so there's not going to be long lines.

"So I would suggest, as this progresses, that we change the very passive 'may' to a 'shall' so people will know, they know that we know, that we're watching out for the voting and we shall have their lines lessen by those clerks being prepared to do what they were supposed to do the last time and they didn't. Thank you, Mr. Speaker."

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. 201, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Finance, with Representative Ward voting aye with reservations, with Representative Okimoto voting no, and with Representative Tokioka being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 23 through 26) and concurrent resolutions (H.C.R. Nos. 30 through 33) were referred to Printing and further action was deferred:

H.R. No. 23, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH A TASK FORCE TO PROPOSE A COMMUNITY-BASED STEWARDSHIP PROGRAM FOR POLIHALE STATE PARK ON THE ISLAND OF KAUAI," was jointly offered by Representatives Morikawa, Nakamura, Tarnas, and Tokioka.

H.R. No. 24, entitled: "HOUSE RESOLUTION REQUESTING THE DISABILITY AND COMMUNICATION ACCESS BOARD, IN COLLABORATION WITH THE OFFICE OF ENTERPRISE TECHNOLOGY SERVICES, TO CONVENE A WORKING GROUP ON ACCESSIBLE GOVERNMENT DOCUMENTS," was jointly offered by Representatives Hashimoto, Eli, Kapela, Kitagawa, B. Kobayashi, McKelvey, Nakamura, Takayama, Tarnas, Todd, and Wildberger.

H.R. No. 25, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO DEVELOP AND IMPLEMENT A PROGRAM TO RECRUIT AND EMPLOY QUALIFIED BLIND PERSONS TO SERVE AS ORIENTATION AND MOBILITY INSTRUCTORS AND IN OTHER POSITIONS AS TEACHERS OF VISUALLY IMPAIRED STUDENTS," was jointly offered by Representatives Hashimoto, Eli, Kapela, Kitagawa, B. Kobayashi, Matayoshi, McKelvey, Nakamura, Takayama, Todd, and Wildberger.

H.R. No. 26, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO ESTABLISH A KONA AREA AGRICULTURAL WORKING GROUP TO PROMOTE AGRICULTURE, ECONOMIC DEVELOPMENT, AND HOUSING," was offered by Representative Lowen.

H.C.R. No. 30, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH A TASK FORCE TO PROPOSE A COMMUNITY-BASED STEWARDSHIP PROGRAM FOR POLIHALE STATE PARK ON THE ISLAND OF KAUAI," was jointly offered by Representatives Morikawa, Nakamura, Tarnas, and Tokioka.

H.C.R. No. 31, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DISABILITY AND COMMUNICATION ACCESS BOARD, IN COLLABORATION WITH THE OFFICE OF ENTERPRISE TECHNOLOGY SERVICES, TO CONVENE A WORKING GROUP ON ACCESSIBLE GOVERNMENT DOCUMENTS," was jointly offered by Representatives Hashimoto, Eli, Kapela, Kitagawa, B. Kobayashi, McKelvey, Nakamura, Takayama, Tarnas, Todd, and Wildberger.

H.C.R. No. 32, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO DEVELOP AND IMPLEMENT A PROGRAM TO RECRUIT AND EMPLOY QUALIFIED BLIND PERSONS TO SERVE AS ORIENTATION AND MOBILITY INSTRUCTORS AND IN OTHER POSITIONS AS TEACHERS OF VISUALLY IMPAIRED STUDENTS," was jointly offered by Representatives Hashimoto, Eli, Kapela, Kitagawa, B. Kobayashi, Matayoshi, McKelvey, Nakamura, Takayama, Tarnas, Todd, and Wildberger.

H.C.R. No. 33, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO ESTABLISH A KONA AREA AGRICULTURAL WORKING GROUP TO PROMOTE AGRICULTURE, ECONOMIC DEVELOPMENT, AND HOUSING," was offered by Representative Lowen.

ANNOUNCEMENTS

Representative Okimoto: "Thank you, Mr. Speaker. I just wanted to put a little plug that February is American Heart Month and so tomorrow is National Wear Red Day. I have a dear friend who was born and raised here in Hawaii but now lives on the mainland, and his son has a special condition called hypoplastic right heart and pulmonary atresia with intact ventricular septum. So, I just wanted to invite all the members, in honor of National Heart Month, if you would like to join me in wearing red tomorrow so that we can bring awareness to heart disease, which is currently the leading cause of death in the United States. Thank you, Mr. Speaker."

COMMITTEE REASSIGNMENTS

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

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
149	Committee on Consumer Protection & Commerce, then to the Committee on Finance
292	Committee on Economic Development, then to the Committee on Finance
907	Committee on Housing, then to the Committee on Finance
946	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary & Hawaiian Affairs, then to the Committee on Finance
1116	Committee on Consumer Protection & Commerce, then to the Committee on Finance
1119	Committee on Health, Human Services, & Homelessness, then to the Committee on Finance
1152	Committee on Health, Human Services, & Homelessness, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1184	Committee on Economic Development, then to the Committee on Finance
1185	Committee on Housing, then to the Committee on Judiciary & Hawaiian Affairs, then to the Committee on Finance
1186	Jointly to the Committee on Pandemic & Disaster Preparedness and the Committee on Health, Human Services, & Homelessness, then to the Committee on Judiciary & Hawaiian Affairs
1187	Committee on Finance
1188	Committee on Economic Development, then to the Committee on Finance
1189	Jointly to the Committee on Pandemic & Disaster Preparedness and the Committee on Transportation, then to the Committee on Finance
1190	Committee on Finance

ADJOURNMENT

At 12:10 p.m., on motion by Representative Belatti, seconded by Representative Morikawa and carried, the House of Representatives adjourned until noon tomorrow, Friday, February 5, 2021. (Representative Tokioka was excused.)