

THIRTIETH DAY

Tuesday, March 16, 2021

The House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021, convened at 12:04 p.m., with Vice Speaker Mizuno presiding.

The invocation was delivered by Representative Jeanne Kapela, after which the Roll was called showing all members present, with Representative Har participating remotely via videoconference.

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

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 964) recommending that H.C.R. No. 16 be referred to the Committee on Consumer Protection & Commerce.

Representative Belatti moved that the report of the Committee be adopted, and that H.C.R. No. 16 be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. No vote and brief comment, please. I would like to acknowledge the Water & Land Chair for his very thorough presentation by DLNR and others who work on these seawall resolutions. Due to their still very extended intervals of 55 and 65 years, I'll be voting no on the extended term leases, just because I would prefer to see statewide sea level rise policy adapted instead of part and parcel reactionary measures being put in place. Thank you."

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

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

Representative B. Kobayashi rose to speak in support of the measure, stating:

"Mr. Speaker, in support. I would note that this resolution and other resolutions all involve existing structures, not new structures. Further, some of the resolutions, not this one, involve survey errors or omissions. So, this is to correct portions of the structures that were already given permission but because of measurement errors were excluded from the first approvals. Thirdly, all of these resolutions have had OCCL oversight, Office of Conservation and Coastal Lands. That has been pretty much a standard procedure.

"I would agree that we have still much to do in making sure that these easements, some of which will extend for 55 years, should be kept to a minimum and perhaps better scrutinized and perhaps approved along with a set of guidelines that give everyone some assurances that there are baselines and review, but at least we're going in the right direction. So, I would suggest we work further on this but approve these resolutions. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 16, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KAALAWAI, HONOLULU, OAHU, FOR THE EXISTING SEAWALL, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was referred to the Committee on Consumer Protection & Commerce, with Representatives Kapela and Perruso voting aye with reservations, and with Representative Wildberger voting no.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 965) recommending that H.C.R. No. 17, as

amended in HD 1, be referred to the Committee on Consumer Protection & Commerce.

Representative Belatti moved that the report of the Committee be adopted, and that H.C.R. No. 17, HD 1 be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

At 12:12 p.m., Representative Ward requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:13 p.m.

Representative Wildberger rose and asked that the Clerk record a no vote 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."

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

Representative Kapela 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 Committee was adopted and H.C.R. No. 17, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIMANALO, KOOLAUPOKO, OAHU, FOR THE EXISTING PIER, SEAWALL, AND STEPS, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was referred to the Committee on Consumer Protection & Commerce, with Representatives Kapela, Okimoto, and Perruso voting aye with reservations, and with Representatives McDermott and Wildberger voting no.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 966) recommending that H.C.R. No. 18 be referred to the Committee on Consumer Protection & Commerce.

Representative Belatti moved that the report of the Committee be adopted, and that H.C.R. No. 18 be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

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

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

"With reservations and just a brief note that my concern with these measures is the length of the term of the lease. *Mahalo*."

Representative DeCoite 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."

Representative Kapela 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.C.R. No. 18, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KAMAOLE, KULA, MAUI, FOR THE EXISTING RUBBLE ROCK REVETMENT, ROCK WALL, AND TWO CONCRETE STAIRWAYS, AND FOR USE, MAINTENANCE, REPAIR, REPLACEMENT, AND REMOVAL OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was referred to the Committee on Consumer Protection & Commerce, with Representatives

DeCoite, Kapela, McKelvey, and Perruso voting aye with reservations, and with Representative Wildberger voting no.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 967) recommending that H.C.R. No. 19 be referred to the Committee on Consumer Protection & Commerce.

Representative Belatti moved that the report of the Committee be adopted, and that H.C.R. No. 19 be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

Representative DeCoite 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.C.R. No. 19, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT MAUNALUA, HONOLULU, OAHU, FOR THE EXISTING STORM DRAIN, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was referred to the Committee on Consumer Protection & Commerce, with Representative DeCoite voting aye with reservations.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 968) recommending that H.C.R. No. 20 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.C.R. No. 20, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KANEOHE, KOOLAUPOKO, OAHU, FOR THE EXISTING STORM DRAIN, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was referred to the Committee on Consumer Protection & Commerce.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 969) recommending that H.C.R. No. 21 be referred to the Committee on Consumer Protection & Commerce.

Representative Belatti moved that the report of the Committee be adopted, and that H.C.R. No. 21 be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

Representative Wildberger rose and asked that the Clerk record a no vote 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."

Representative Kapela 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.C.R. No. 21, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT NAPILI 2 AND 3, LAHAINA, MAUI, FOR THE EXISTING WALKWAY, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was referred to the Committee on Consumer Protection & Commerce, with Representatives Kapela and Perruso voting aye with reservations, and with Representative Wildberger voting no.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 970) recommending that H.C.R. No. 22, as amended in HD 1, be referred to the Committee on Consumer Protection & Commerce.

Representative Belatti moved that the report of the Committee be adopted, and that H.C.R. No. 22, HD 1 be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

Representative Wildberger rose and asked that the Clerk record a no vote 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."

Representative Kapela rose and asked that the Clerk record an aye vote with reservations 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 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 H.C.R. No. 22, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF TERM, NON-EXCLUSIVE EASEMENTS COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIHOLI-KEOKEA (KIHEI), WAILUKU, MAUI, FOR THE EXISTING SEAWALL, AND FOR USE, MAINTENANCE, AND REPAIR OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was referred to the Committee on Consumer Protection & Commerce, with Representatives DeCoite, Kapela, McKelvey, and Perruso voting aye with reservations, and with Representative Wildberger voting no.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 971) recommending that H.C.R. No. 23 be referred to the Committee on Consumer Protection & Commerce.

Representative Belatti moved that the report of the Committee be adopted, and that H.C.R. No. 23 be referred to the Committee on Consumer Protection & Commerce, 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 McKelvey rose and asked that the Clerk record an aye vote with reservations for him, 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."

Representative Kapela 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.C.R. No. 23, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIHOLI-KEOKEA HOMESTEADS, KIHEI, MAUI, FOR THE EXISTING SEAWALL, ROCK REVETMENT, AND CONCRETE STEPS, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was referred to the Committee on Consumer Protection & Commerce, with Representatives DeCoite, Kapela, McKelvey, and Perruso voting aye with reservations, and with Representative Wildberger voting no.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 972) recommending that H.C.R. No. 24 be referred to the Committee on Finance.

Representative Belatti moved that the report of the Committee be adopted, and that H.C.R. No. 24 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 McKelvey rose and asked that the Clerk record an aye vote with reservations for him, 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."

Representative Kapela 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.C.R. No. 24, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIHOLI-KEOKEA HOMESTEADS AND BEACH LOTS, KIHAI, MAUI, FOR THE EXISTING SEAWALL AND ROCK REVETMENT, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was referred to the Committee on Finance, with Representatives DeCoite, Kapela, McKelvey, and Perruso voting aye with reservations, and with Representative Wildberger voting no.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 973) recommending that H.C.R. No. 25 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.C.R. No. 25, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT MAUNALUA, HONOLULU, OAHU, FOR THE EXISTING SEAWALL, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was referred to the Committee on Finance.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 974) recommending that H.C.R. No. 49, as amended in HD 1, 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.C.R. No. 49, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A LEASE COVERING STATE SUBMERGED LANDS AT PIER 27 IN HONOLULU HARBOR, OAHU, TO ATLANTIS SUBMARINES HAWAII, LLC," was referred to the Committee on Consumer Protection & Commerce.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 975) recommending that H.R. No. 38, as amended in HD 1, 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.R. No. 38, HD 1, entitled: "HOUSE RESOLUTION ENCOURAGING THE CITY AND COUNTY OF HONOLULU TO PLAN FOR THE NECESSARY IMPROVEMENTS TO, AND REVITALIZATION OF, HANS L'ORANGE PARK," was referred to the Committee on Finance.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 976) recommending that H.C.R. No. 47, as amended in HD 1, 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.C.R. No. 47, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE CITY AND COUNTY OF HONOLULU TO PLAN FOR THE NECESSARY IMPROVEMENTS TO, AND REVITALIZATION OF, HANS L'ORANGE PARK," was referred to the Committee on Finance.

Representative Hashem, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 977) recommending that S.B. No. 336, 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 Committee was adopted and S.B. No. 336, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Second Reading and was referred to the Committee on Finance.

Representative Hashem, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 978) recommending that S.B. No. 512, SD 2 pass Second Reading and be referred to the Committee on Health, Human Services, & Homelessness.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 512, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM INCENTIVES," passed Second Reading and was referred to the Committee on Health, Human Services, & Homelessness.

Representative Hashem, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 979) recommending that S.B. No. 343, SD 1 pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 343, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT OF AN ANIMAL," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Hashem, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 980) recommending that S.B. No. 855, 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 Committee was adopted and S.B. No. 855, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COFFEE PEST CONTROL," passed Second Reading and was referred to the Committee on Finance.

ANNOUNCEMENTS

Representative Gates, for the Committee on Culture, Arts, & International Affairs, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measures on Wednesday, March 17, 2021, at 9:30 a.m. in Conference Room 329, and the Chair "so ordered."

H.C.R. No. 74 / H.R. No. 63, Requesting that the Year 2022 be Designated as the Year of the Limu;

H.C.R. No. 101 / H.R. No. 84, Urging the Empowerment of Young Women by Annually Recognizing October 11 as the International Day of the Girl;

H.C.R. No. 127, Requesting the Hawaii Sister-State Committee to Evaluate and Develop Recommendations for the Initiation of a Sister State Relationship Between the State of Hawaii and the Prefecture of Yamaguchi, Japan, and Forward its Recommendation to the Legislature, Pursuant to Section 229-3, Hawaii Revised Statutes, for Further Action;

H.C.R. No. 135 / H.R. No. 115, Recognizing Mekia Kealakai's Birthday of October 15 as Royal Hawaiian Troubadours Day;

H.C.R. No. 181 / H.R. No. 150, Requesting the Hawaii Sister-State Committee to Evaluate and Develop Recommendations for the Initiation of a Sister-State Relationship with the City of Auckland, New Zealand;

H.C.R. No. 182 / H.R. No. 151, Requesting the Legislative Reference Bureau to Conduct a Study to Create a Statutory Definition of Creative Workers and Develop Recommendations on How the Transient Accommodations Tax May Be Used to Assist Creative Workers;

H.C.R. No. 183 / H.R. No. 152, Requesting the Convening of a Creative Resurgence Task Force to Build and Foster Creativity and Innovation Through the Arts, Culture, and Humanities;

H.C.R. No. 189 / H.R. No. 158, Expressing Support for, and Urging the International and Domestic Repatriation of, Native Hawaiian Art, Cultural Items, and Iwi Kupuna;

H.C.R. No. 191, Urging the Smithsonian Institution to Immediately Rename the Arthur M. Sackler Gallery;

H.R. No. 105, Designating the First Week of May as Tardive Dyskinesia Awareness Week; and

H.R. No. 106, Designating May 17, 2021 as DIPG Awareness Day.

Representative D. Kobayashi, for the Committee on Legislative Management, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measure on Wednesday, March 17, 2021, at 2:00 p.m. in Conference Room 312, and the Chair "so ordered."

S.B. No. 762, SD 2, Relating to State Capitol Facilities.

Representative Matsumoto: "Thank you, Mr. Speaker. I just wanted to make the announcement that we have 125 students and teachers online today from the Secondary Student Conference. I know so many of the members have participated in this conference in the past and have participated virtually this year. The purpose of the conference is to give students an insight of what it's like to look through legislation and how to get involved in the legislative process. And unfortunately, due to COVID, this conference looks a little different this year, but I'll have to say the commitment that these students have are even stronger than ever. And I just want to thank you for allowing me to recognize them today."

COMMITTEE REASSIGNMENTS

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

H.R.

No. Re-referred to:

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

H.C.R.

Nos. Re-referred to:

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

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

S.B.

Nos. Re-referred to:

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

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

1147, SD2 Committee on Health, Human Services, & Homelessness, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary & Hawaiian Affairs, then to the Committee on Finance

ADJOURNMENT

At 12:22 p.m., on motion by Representative Morikawa, seconded by Representative Matsumoto and carried, the House of Representatives adjourned until noon tomorrow, Wednesday, March 17, 2021.