

THIRTY-FIRST DAY

Wednesday, March 17, 2021

The House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021, convened at 12:02 p.m., with Speaker Saiki presiding.

The invocation was delivered by Representative Dee Morikawa, 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 Thirtieth Day was deferred.

MISCELLANEOUS COMMUNICATIONS

The following miscellaneous communication (Misc. Com. No. 1002) was received and announced by the Clerk:

Misc. Com. No. 1002, from Carolyn Martinez Golojuch, dated March 8, 2021, transmitting a letter petitioning the House to investigate and appropriately act upon an incident involving the Representative of the 42nd District.

At this time, the Chair stated:

"Members, a copy of Misc. Com. No. 1002 has been placed on each of your desks. The Chair will consolidate this matter with the next item, item 6, unfinished business."

ORDER OF THE DAY

UNFINISHED BUSINESS

MISCELLANEOUS COMMUNICATIONS

Misc. Com. No. 1001, from Mike Golojuch, Sr., dated March 6, 2021, transmitting a letter asking that the House investigate and appropriately act upon an incident involving the Representative of the 42nd District.

At this time, the Chair stated:

"Members, as you know, we have received Misc. Com. Nos. 1001 and 1002. The Chair will refer these communications to a special committee that will be established pursuant to House Rule 14 via a memorandum to be sent to all House Members at a subsequent date."

Representative Tokioka rose, stating:

"Mr. Speaker, can I ask for a point of information? Rule 46 talks about members objecting to the process that you're talking about right now. And it's not clear if that means if a member objects to what we're doing, it doesn't say how many members, it doesn't say anything about that process. So, can we have some clarification about that?"

At 12:07 p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:21 p.m.

Representative Tokioka continued, stating:

"Thank you, Mr. Speaker. Thank you for the opportunity to explain my request. And I am going to stand with objection to the motion that you made to refer this to committee. And only to the point that the representative that is being talked about in communication 1002 has a court date. And that court date will happen. And at that point, then I think this body should consider what we do from that point going forward. But to send it to the committee now with no clear guidelines to us of what this committee's going to do, then I think it's not fair to the process. So, for that reason, I stand in objection to the motion."

The Chair addressed Representative Tokioka, stating:

"Alright, Representative Tokioka, the Chair's ruling is to refer these matters to a special committee to be established pursuant to Rule 14 and

through a memorandum sent by the chair. Do you wish to appeal that ruling?"

Representative Tokioka: "Mr. Speaker, I have not had the opportunity to discuss with anyone that portion of the ruling. But I am talking about Rule 46 and this communication, so I'd like to review the other parts of Rule 14 before I render a decision on your question."

Speaker Saiki: "Okay, thank you for your objection."

REPORTS OF STANDING COMMITTEES

Representative Quinlan, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 981) recommending that S.B. No. 562, SD 1, 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 S.B. No. 562, SD 1, 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 S.B. No. 562, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DECEPTIVE TRADE PRACTICES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Okimoto voting aye with reservations.

Representative Quinlan, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 982) recommending that S.B. No. 594, 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. 594, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Finance.

Representative Quinlan, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 983) recommending that S.B. No. 714, SD 1, 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 S.B. No. 714, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Quinlan, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 984) recommending that S.B. No. 935, 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. 935, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Morikawa.

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

Representative Wildberger 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. 935, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE," passed Second Reading

and was referred to the Committee on Finance, with Representatives Perruso, Tam, and Wildberger voting aye with reservations.

Representative Quinlan, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 985) recommending that S.B. No. 973, SD 1, 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 S.B. No. 973, SD 1, 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 S.B. No. 973, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MONEY TRANSMITTER ACT," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Okimoto voting aye with reservations.

Representative Quinlan, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 986) recommending that S.B. No. 1202, SD 1, 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 S.B. No. 1202, SD 1, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

Representative McDermott 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. 1202, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative McDermott voting no.

Representative Quinlan, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 987) recommending that S.B. No. 1203, 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. 1203, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TITLE 14, HAWAII REVISED STATUTES," passed Second Reading and was referred to the Committee on Finance.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 988) recommending that S.B. No. 186, as amended in HD 1, pass Second Reading and be referred to the Committee on Agriculture.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 186, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESTRICTIONS ON AGRICULTURAL USES AND ACTIVITIES," passed Second Reading and was referred to the Committee on Agriculture.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 989) recommending that S.B. No. 1313, SD 2, 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 S.B. No. 1313, SD 2, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

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

"No vote. Largemouth bass is a super predator, and if it moves out of Lake Wilson, which is in my district, and into other waterways, it could have a devastating impact on native species."

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

Representative Tam 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."

Representative LoPresti 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. 1313, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPORT FISH," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Kapela, LoPresti, and Tam voting aye with reservations, and with Representatives Perruso and Wildberger voting no.

Representative Onishi, for the Committee on Labor & Tourism, presented a report (Stand. Com. Rep. No. 990) recommending that S.B. No. 538, as amended in HD 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. 538, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Onishi, for the Committee on Labor & Tourism, presented a report (Stand. Com. Rep. No. 991) recommending that S.B. No. 675, SD 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 S.B. No. 675, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS FUND," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Onishi, for the Committee on Labor & Tourism, presented a report (Stand. Com. Rep. No. 992) recommending that S.B. No. 830, SD 2 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. 830, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Onishi, for the Committee on Labor & Tourism, presented a report (Stand. Com. Rep. No. 993) recommending that S.B. No. 912, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 912, SD 1, HD 1 pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs, seconded by Representative Morikawa.

Representative Wildberger 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. 912, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs, with Representative Wildberger voting aye with reservations.

Representative Onishi, for the Committee on Labor & Tourism, presented a report (Stand. Com. Rep. No. 994) recommending that S.B. No. 1220, 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. 1220, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Tarnas, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 995) recommending that S.B. No. 508, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 508, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Education.

ANNOUNCEMENTS

Representative Woodson: "Mr. Speaker, thank you. As you are aware, this week and this month is education week and I wanted to take a quick second to say congratulations and thank you to all of our students, teachers, our school leaders, our support staff, for their impeccable contributions to all of our schools. And, Mr. Speaker, this is the week in which we normally would lift up and honor these individuals but because of COVID we're unable to do that. I still wanted to say thank you for all of their efforts, and please know that these individuals are receiving congratulatory certificates in the mail along with a small token of appreciation, and, Mr. Speaker, all of our offices should have received a brochure that explains a little bit about what these magnificent individuals do. And so again, congratulations to all of our awardees for their work in making our state a much stronger place. Thank you."

COMMITTEE REASSIGNMENTS

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

H.C.R.

No. Re-referred to:

138 Committee on Transportation, then to the Committee on Finance

S.B.

No. Re-referred to:

1311, Jointly to the Committee on Education and the Committee on
SD2 Energy & Environmental Protection, then to the Committee on
Judiciary & Hawaiian Affairs, then to the Committee on Finance

ADJOURNMENT

At 12:26 p.m., on motion by Representative Morikawa, seconded by Representative Matsumoto and carried, the House of Representatives adjourned until noon tomorrow, Thursday, March 18, 2021.