

TWENTY-SIXTH DAY

Tuesday, March 8, 2022

The House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2022, convened at 10:25 a.m., with Speaker Saiki presiding.

The invocation was delivered by Representative David A. Tarnas, after which the Roll was called showing all members present, with Representatives Matayoshi and Quinlan participating remotely via videoconference, and with the exception of Representative McDermott, who was excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 63 through 87) were received and announced by the Clerk:

Sen. Com. No. 63, transmitting S.B. No. 2040, entitled: "A BILL FOR AN ACT RELATING TO REPORTS FILED WITH THE CAMPAIGN SPENDING COMMISSION," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 64, transmitting S.B. No. 2043, entitled: "A BILL FOR AN ACT RELATING TO CANDIDATE COMMITTEE AND NONCANDIDATE COMMITTEE ORGANIZATIONAL REPORTS," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 65, transmitting S.B. No. 2125, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 66, transmitting S.B. No. 2126, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 67, transmitting S.B. No. 2136, entitled: "A BILL FOR AN ACT RELATING TO JURY SERVICE," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 68, transmitting S.B. No. 2291, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC EAVESDROPPING," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 69, transmitting S.B. No. 2300, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 70, transmitting S.B. No. 2303, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 71, transmitting S.B. No. 2331, entitled: "A BILL FOR AN ACT RELATING TO ALCOHOL," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 72, transmitting S.B. No. 2395, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COERCIVE CONTROL," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 73, transmitting S.B. No. 2423, entitled: "A BILL FOR AN ACT RELATING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 74, transmitting S.B. No. 2618, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 75, transmitting S.B. No. 2626, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND

NATURAL RESOURCES," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 76, transmitting S.B. No. 2659, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 77, transmitting S.B. No. 2745, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRCRAFT," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 78, transmitting S.B. No. 2777, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SEARCHES OF FEMALE INMATES," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 79, transmitting S.B. No. 2780, entitled: "A BILL FOR AN ACT RELATING TO THE POWER OF ARREST," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 80, transmitting S.B. No. 2944, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 81, transmitting S.B. No. 2974, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 82, transmitting S.B. No. 3083, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 83, transmitting S.B. No. 3084, entitled: "A BILL FOR AN ACT RELATING TO THE ELEVATOR MECHANICS LICENSING BOARD COMPOSITION," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 84, transmitting S.B. No. 3140, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT MANDATORY REPORTING," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 85, transmitting S.B. No. 3141, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 86, transmitting S.B. No. 3219, entitled: "A BILL FOR AN ACT RELATING TO THE SUNSHINE LAW," which passed Third Reading in the Senate on March 04, 2022.

Sen. Com. No. 87, transmitting S.B. No. 3377, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL ACTIVITIES ON BEACHES," which passed Third Reading in the Senate on March 04, 2022.

On motion by Representative Morikawa, seconded by Representative Matsumoto and carried, the following Senate Bills passed First Reading by title and further action was deferred: (Representative McDermott was excused.)

S.B. No. 2040
S.B. No. 2043
S.B. No. 2125
S.B. No. 2126
S.B. No. 2136
S.B. No. 2291
S.B. No. 2300
S.B. No. 2303
S.B. No. 2331
S.B. No. 2395, SD 1
S.B. No. 2423
S.B. No. 2618, SD 1
S.B. No. 2626, SD 1
S.B. No. 2659, SD 1

S.B. No. 2745, SD 1
 S.B. No. 2777, SD 1
 S.B. No. 2780
 S.B. No. 2944, SD 1
 S.B. No. 2974, SD 1
 S.B. No. 3083
 S.B. No. 3084
 S.B. No. 3140, SD 1
 S.B. No. 3141, SD 1
 S.B. No. 3219
 S.B. No. 3377, SD 1

INTRODUCTIONS

The following introduction was made to the members of the House:

Representative Nakashima introduced members of the Mauna Kea Working Group: Dr. Noe Noe Wong-Wilson, Shane Palacat-Nelsen, and Joshua Lanakila Mangaul.

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative Morikawa, seconded by Representative Matsumoto and carried, the rules were suspended for the purpose of considering certain House Bills for Third Reading by consent calendar. (Representative McDermott was excused.)

CONSENT CALENDAR

UNFINISHED BUSINESS

At this time, the Chair stated:

"Members, there is no discussion on these items which were agreed to by this body for placement on the consent calendar."

Representative Ohno, for the Committee on Corrections, Military, & Veterans, presented a report (Stand. Com. Rep. No. 920-22) recommending that H.B. No. 2119, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2119, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY MANAGEMENT ASSISTANCE COMPACT," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Johanson, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 921-22) recommending that H.B. No. 2274, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2274, HD 2, entitled: "A BILL FOR AN ACT RELATING TO UNDERGROUND FUEL STORAGE TANKS," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Johanson, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 922-22) recommending that H.B. No. 1894, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1894, HD 3, entitled: "A BILL FOR AN ACT RELATING TO HUMAN REMAINS," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Johanson, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 924-22) recommending that H.B. No. 2340, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2340, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Johanson, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 925-22) recommending that H.B. No. 1991, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1991, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Johanson, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 926-22) recommending that H.B. No. 2007, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2007, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Har voting no, and with Representative McDermott being excused.

Representative Johanson, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 927-22) recommending that H.B. No. 1681, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1681, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION NETWORK COMPANIES," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Johanson, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 931-22) recommending that H.B. No. 1478, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1478, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 934-22) recommending that H.B. No. 1787, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1787, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 935-22) recommending that H.B. No. 2440, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2440, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 936-22) recommending that H.B. No. 1486, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1486, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THEFT," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Kapela voting no, and with Representative McDermott being excused.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 943-22) recommending that H.B. No. 2148, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2148, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION CONTROL," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 944-22) recommending that H.B. No. 1475, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1475, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY ETHICS TRAINING," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 946-22) recommending that H.B. No. 1427, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1427, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REPORTS FILED WITH THE CAMPAIGN SPENDING COMMISSION," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 947-22) recommending that H.B. No. 2026, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2026, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 92, HAWAII REVISED STATUTES," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 951-22) recommending that H.B. No. 1848, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1848, HD 2, entitled: "A BILL FOR AN ACT RELATING TO STUDENT JOURNALISM," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 953-22) recommending that H.B. No. 2037, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2037, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES," passed Third Reading by a vote of 46 ayes to 3 noes, with Representatives Kapela, D. Kobayashi, and Tam voting no, and with Representative McDermott being excused.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 956-22) recommending that H.B. No. 2113, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2113, HD 2, entitled: "A BILL FOR AN ACT RELATING TO

MONEY TRANSMITTERS," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 958-22) recommending that H.B. No. 1412, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1412, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 960-22) recommending that H.B. No. 1739, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1739, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 962-22) recommending that H.B. No. 1844, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1844, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 963-22) recommending that H.B. No. 1992, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1992, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 964-22) recommending that H.B. No. 2418, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2418, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 965-22) recommending that H.B. No. 1864, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1864, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FOOD PROGRAMS," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 966-22) recommending that H.B. No. 2431, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2431, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABLE FOOD SYSTEMS," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 968-22) recommending that H.B. No. 2218, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2218, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FRANK T. OKIMOTO REEF RUNWAY," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 972-22) recommending that H.B. No. 2513, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2513, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RENTAL HOUSING REVOLVING FUND," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Kapela voting no, and with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 975-22) recommending that H.B. No. 2091, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2091, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 976-22) recommending that H.B. No. 2097, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2097, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 978-22) recommending that H.B. No. 1635, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1635, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 980-22) recommending that H.B. No. 1744, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1744, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 981-22) recommending that H.B. No. 1638, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1638, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A KONA HOSPITAL SITE ASSESSMENT," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 982-22) recommending that H.B. No. 1762, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1762, HD 1, entitled: "A BILL FOR AN ACT RELATING TO

LANGUAGE ACCESS," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 983-22) recommending that H.B. No. 1548, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1548, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GRADUATE MEDICAL EDUCATION," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 984-22) recommending that H.B. No. 2339, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2339, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE STATE DRUG AND ALCOHOL TOXICOLOGY TESTING LABORATORY SPECIAL FUND," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 985-22) recommending that H.B. No. 1865, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1865, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 986-22) recommending that H.B. No. 2000, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2000, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Perruso voting no, and with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 987-22) recommending that H.B. No. 1994, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1994, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 991-22) recommending that H.B. No. 1828, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1828, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE TAXATION BOARD OF REVIEW," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 993-22) recommending that H.B. No. 2082, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2082, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 995-22) recommending that H.B. No. 2225, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2225, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII TECHNOLOGY DEVELOPMENT CORPORATION," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 996-22) recommending that H.B. No. 2414, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2414, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX EXEMPTIONS," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1000-22) recommending that H.B. No. 1806, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1806, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CESSPOOL CONVERSION," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1002-22) recommending that H.B. No. 1810, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1810, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL ADVISORY COUNCIL," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1005-22) recommending that H.B. No. 2255, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2255, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1006-22) recommending that H.B. No. 892, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 892, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1007-22) recommending that H.B. No. 1841, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1841, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1008-22) recommending that H.B. No. 2421, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2421, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WOMEN'S COURT," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1010-22) recommending that H.B. No. 1447, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1447, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIFE GUARDS," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1011-22) recommending that H.B. No. 1462, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1462, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS FEES IN CRIMINAL CASES," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1012-22) recommending that H.B. No. 1536, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1536, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1013-22) recommending that H.B. No. 1539, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1539, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE SAFETY OF JUDICIARY PERSONNEL," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1015-22) recommending that H.B. No. 1870, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1870, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY'S 'ŌLELO HAWA'I INITIATIVES," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1017-22) recommending that H.B. No. 1448, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1448, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC FINES," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Kapela and McKelvey voting no, and with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1022-22) recommending that H.B. No. 2446, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2446, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed

Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1023-22) recommending that H.B. No. 1721, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1721, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FERAL ANIMAL MANAGEMENT," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

THIRD READING

H.B. No. 2114, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2114, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE RESCUE FRAUD," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

H.B. No. 2115, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2115, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

H.B. No. 1598, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1598, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERINARY MEDICINE," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

H.B. No. 1596, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1596, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION NETWORK COMPANIES," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

H.B. No. 2111, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2111, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

H.B. No. 2112, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2112, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT FOR REINSURANCE," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

H.B. No. 1866, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1866, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATION," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Kapela and Wildberger voting no, and with Representative McDermott being excused.

H.B. No. 1456, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1456, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT IN THE SECOND DEGREE," passed Third Reading by a vote of 48 ayes to 1 no, with Representative D. Kobayashi voting no, and with Representative McDermott being excused.

H.B. No. 1469, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1469, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED CONTROL OF A PROPELLED VEHICLE," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Kapela and D. Kobayashi voting no, and with Representative McDermott being excused.

H.B. No. 1878, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1878, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

H.B. No. 2337, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2337, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

H.B. No. 1472, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1472, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WITHDRAWAL OF PETITION SIGNATURES," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

H.B. No. 1455, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1455, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ROBBERY IN THE FIRST DEGREE," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

H.B. No. 1822, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1822, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER'S LICENSES," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

H.B. No. 2247, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2247, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

H.B. No. 1996, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1996, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUND REPORTS," passed Third Reading by a vote of 49 ayes, with Representative McDermott being excused.

At 10:35 a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2119, HD 2
 H.B. No. 2274, HD 2
 H.B. No. 1894, HD 3
 H.B. No. 2340, HD 2
 H.B. No. 1991, HD 2
 H.B. No. 2007, HD 2
 H.B. No. 1681, HD 2
 H.B. No. 1478, HD 2
 H.B. No. 1787, HD 2
 H.B. No. 2440, HD 2
 H.B. No. 1486, HD 2
 H.B. No. 2148, HD 2

H.B. No. 1475, HD 1
 H.B. No. 1427, HD 1
 H.B. No. 2026, HD 2
 H.B. No. 1848, HD 2
 H.B. No. 2037, HD 2
 H.B. No. 2113, HD 2
 H.B. No. 1412, HD 2
 H.B. No. 1739, HD 1
 H.B. No. 1844, HD 2
 H.B. No. 1992, HD 3
 H.B. No. 2418, HD 2
 H.B. No. 1864, HD 2
 H.B. No. 2431, HD 2
 H.B. No. 2218, HD 1
 H.B. No. 2513, HD 2
 H.B. No. 2091, HD 2
 H.B. No. 2097, HD 2
 H.B. No. 1635, HD 2
 H.B. No. 1744, HD 2
 H.B. No. 1638, HD 2
 H.B. No. 1762, HD 1
 H.B. No. 1548, HD 1
 H.B. No. 2339, HD 1
 H.B. No. 1865, HD 1
 H.B. No. 2000, HD 1
 H.B. No. 1994, HD 2
 H.B. No. 1828, HD 3
 H.B. No. 2082, HD 2
 H.B. No. 2225, HD 1
 H.B. No. 2414, HD 1
 H.B. No. 1806, HD 2
 H.B. No. 1810, HD 1
 H.B. No. 2255, HD 1
 H.B. No. 892, HD 2
 H.B. No. 1841, HD 2
 H.B. No. 2421, HD 1
 H.B. No. 1447, HD 2
 H.B. No. 1462, HD 1
 H.B. No. 1536, HD 2
 H.B. No. 1539, HD 2
 H.B. No. 1870, HD 2
 H.B. No. 1448, HD 2
 H.B. No. 2446, HD 2
 H.B. No. 1721, HD 1

H.B. No. 2114, HD 1
 H.B. No. 2115, HD 1
 H.B. No. 1598, HD 1
 H.B. No. 1596, HD 1
 H.B. No. 2111, HD 1
 H.B. No. 2112, HD 1
 H.B. No. 1866, HD 1
 H.B. No. 1456, HD 1
 H.B. No. 1469, HD 1
 H.B. No. 1878, HD 1
 H.B. No. 2337, HD 1
 H.B. No. 1472, HD 1
 H.B. No. 1455, HD 1
 H.B. No. 1822, HD 1
 H.B. No. 2247, HD 1
 H.B. No. 1996, HD 1

At 10:35 a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:36 a.m.

At this time, the Chair stated:

"Members, just as a reminder on the consent calendar, if you will be inserting written comments in support of or in opposition to any of the measures, please do so by adjournment of today's floor session. Thank you."

ORDINARY CALENDAR

UNFINISHED BUSINESS

Representative Johanson, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 923-22) recommending that H.B. No. 2405, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2405, HD 2 pass Third Reading, seconded by Representative Morikawa.

Representative Ward 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 H.B. No. 2405, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives McDermott and Ward voting no.

Representative Johanson, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 928-22) recommending that H.B. No. 1411, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1411, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF VEHICLES," passed Third Reading by a vote of 49 ayes to 1 no, with Representative McDermott voting no.

Representative Johanson, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 929-22) recommending that H.B. No. 1642, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1642, HD 2, entitled: "A BILL FOR AN ACT RELATING TO POSTCONSUMER RECYCLED CONTENT," passed Third Reading by a vote of 49 ayes to 1 no, with Representative McDermott voting no.

Representative Johanson, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 930-22) recommending that H.B. No. 1988, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 1988, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Mr. Speaker, I have a no vote for 930. It's not because it's not a good bill, this is about Maui Divers, formed in 1958. This bill would knock them out, basically. They were formed as a very responsive entrepreneur, Cliff Slater, very conscientious citizen. And I'm afraid that if we don't grandfather these guys in, this is like knocking out Chanel or knocking out Bvlgari or any of those really serious top-class designers. Mr. Speaker, I don't think it's fair to Maui Divers that's been around for 70 years or so that we suddenly should just zap them out. We have to protect our coral, but we also have to protect our businesses. And they hire dozens of people, and for dozens of years, they've been an integral part of our community. So if we're eliminating them with this bill, I would ask for further consideration by the ongoing committees that they look at this as a way of at least grandfathering those that were in business doing this before 1960 or 1990 or something to that effect. Thank you, Mr. Speaker."

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

"Mr. Speaker, in support. To the comments from the Representative from Hawaii Kai, this bill is not about stopping industry. There is an exemption in the bill. In order for companies to harvest black coral, pink coral, gold coral, they need a state-issued permit from DLNR. In the bill, state-issued permits are exempted. So, this is not about killing business, this is about protecting our coral and understanding business as well. *Mahalo.*"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1988, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CORAL," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Ward voting no.

Representative Johanson, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 932-22) recommending that H.B. No. 2280, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2280, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. May I request a ruling on a potential conflict? I live in a planned community association," and the Chair ruled, "no conflict," and that the ruling would extend through *sine die*.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2280, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Third Reading by a vote of 50 ayes.

Representative Johanson, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 933-22) recommending that H.B. No. 2028, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2028, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Mr. Speaker, in support of 933. Mr. Speaker, although the Department of Health emphasizes the danger of unpasteurized milk, this fear mongering must be confronted. Forty-four states have already legalized the sale and distribution of raw milk. It's time to Hawaii to also do the same. The DOH uses CDC data from 1993 to 2006, a span of 13 years where there are 1,500 cases of unpasteurized products causing illness. Not unpasteurized milk, unpasteurized products. Milk, which equates to approximately 115 cases per year, these incidents of illness must be placed in context and be examined from the relative risk, not single points of data. For example, the same timeframe, the FDA estimated that fresh produce was responsible for 8,000 E. coli infections. Eggs were responsible for over 6,500, processed foods over 3,000, sprouts 1,500, where raw milk during that same time period was associated with 10.

"The CDC reports that there are an estimated 48 million foodborne illnesses diagnosed each year in the U.S., of which the consumption of which only about 42 or .005% each year are due to the consumption of raw fresh milk.

"We want to support local farmers, where responsible farmers know their animals, their cows are pasture raised. Raw milk will be produced on a micro scale. And this bill supports local businesses, animal welfare, sustainability, and local economy, and individual rights to have the freedom to access an in-demand commodity. Thank you, Mr. Speaker."

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

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

"Thank you, Mr. Speaker. In support. Mr. Speaker, when I was a very young child, we grew up in poverty and raw milk was all that my family could get their hands on. So, I enjoyed this very delicious milk, for those of you who never tried it. When they started to pasteurize it, I told my mom, this milk is green, it's not ripe yet. Mr. Speaker, if we talk about sustainability, this is where we have to think about going. I'd also like to request the words of the Representative from District 1 to be inserted as my own. Thank you, Mr. Speaker," and the Chair "so ordered." (By reference only.)

Representative Tokioka 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. 2028, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RAW MILK," passed Third Reading by a vote of 40 ayes to 10 noes, with Representative Tokioka voting aye with reservations, and with Representatives Har, Kong, Marten, Matayoshi, Okimoto, Onishi, Perruso, Sayama, Tam, and Tarnas voting no.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 937-22) recommending that H.B. No. 1860, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 1860, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Mr. Speaker, in support. First, I'd like to thank the Chairs from the Consumer Protection & Commerce Committee, as well as the Judiciary & Hawaiian Affairs Committee for their help in passing and improving this measure. During a time when workers were being laid off and families were struggling with the pandemic, catalytic converter thefts were sweeping the nation. In Hawaii, thousands of catalytic converter thefts were stolen and being sold off to recyclers and scrap dealers without oversight and regulation, leaving families with no car to go to grocery or to get their kids to school or go to work. These catalytic converters costs anywhere between \$500 to \$1,000 to replace and take months to get to Hawaii.

"Mr. Speaker, over the past two years, I've worked with HPD, the City and County's Prosecuting Attorney's Office, the Attorney General's Office, as well as members of this House and Senate to draft a bill that addresses this issue, and today I am proud to have the bill that we have today to vote on, and I look forward to seeing it pass through the Legislature. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1860, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CATALYTIC CONVERTERS," passed Third Reading by a vote of 50 ayes.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 938-22) recommending that H.B. No. 2084, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2084, HD 3, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," passed Third Reading by a vote of 49 ayes to 1 no, with Representative McKelvey voting no.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 939-22) recommending that H.B. No. 2135, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2135, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION REVIEWS," passed Third Reading by a vote of 50 ayes.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 940-22) recommending that H.B. No. 1979, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1979, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HABITAT CONSERVATION PLANS," passed Third Reading by a vote of 50 ayes.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 941-22) recommending that H.B. No. 2034, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2034, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Har, Kapela, and Tokioka voting no.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 942-22) recommending that H.B. No. 2042, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2042, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

Representative Har 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.B. No. 2042, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Har, Okimoto, and Tokioka voting aye with reservations, and with Representatives D. Kobayashi and McKelvey voting no.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 945-22) recommending that H.B. No. 2416, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2416, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Mr. Speaker, reservations and a brief comment. I just am very concerned that this bill specifically targets the good guys, Mr. Speaker. I am totally for transparency and funding of campaign expenditures by non-candidate committees, that's why I signed the bill. But I did not realize that we were just going after non-profits who, frankly, many of them in my mind are the good guys. Thanks."

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

"Thank you, Mr. Speaker. In support with a few comments. Over the past year, I have been working with the Campaign Spending Commission as well as the Attorney General's Office to come up with this bill that addresses the issue of dark money in campaign spending. Dark money occurs when an organization, such as the 501(c)(4) nonprofit, raises funds to use on campaign expenditures, such as donations to candidates, mailers and fliers, and other electioneering activities, in an attempt to influence the outcome of an election. It is dark money because the organization is currently not required by law to disclose the identity of its donors. They simply can funnel money into a non-candidate committee as a lump sum donation so the public never knows who the money came from.

"501(c)(4) organizations are tax exempt social welfare organizations. They must be operated exclusively to further the common good and general welfare of the community. Unlike 501(c)(3) nonprofit organizations that cannot engage in political activities, 501(c)(4) organizations can engage in some political and campaign-related activities as long as it is not their primary function. Arguably, this means that a 501(c)(4) could use 49.99% of its funds to influence elections while still maintaining its tax-exempt status and hiding their donors' involvement in political campaigning.

"Currently, the IRS does not use any of their funds to investigate these activities to ensure compliance. Therefore, 501(c)(4)s can engage in and spend unregulated amounts of money on political activity without

consequence or oversight, conceivably well above the allowed 49.99%. This is happening not only at the national level, but also at the local level.

"To clarify some false narratives about this bill, I'd like to highlight a few points. This bill only applies to 501(c)(4) organizations that meet the current requirements under law for non-candidate committees. If a 501(c)(4) does not engage in campaign-related activities, this bill would not apply to them. Concerns were raised in testimony that this bill would create a chilling effect on individuals participation in the political and democratic process, and that people may be discouraged or afraid to donate to organizations that engage in electioneering because their identities would be disclosed.

"However, this bill better protects community members who choose to donate to 501(c)(4)s. Under this bill, the donor must give consent to have their donation used towards elections or supporting candidates. This provides the donor with upfront information on what their donation will be used for. If a community member does not want their identity disclosed, they would choose to not have their donation be used towards election-related purposes. This protects the donor and uses their donation only for the purposes that they intend.

"Concerns were also raised that 501(c)(4)s are being singled out through this bill, when other entities also engage in dark money. I agree that we should address all aspects of dark money and that it is in the best interest of the public to do so. The first draft of this bill cast a wide net and attempted to address all forms of dark money. However, in doing so, concerns arose, since it is difficult to create a one-size-fits-all solution to addressing all avenues of dark money.

"This bill is a first step in the right direction. The public deserves to be informed of who is paying to influence elections. Just as maximum disclosure and transparency of currently regulated candidate contributions and expenditures are important, closing the loophole on dark money to ensure maximum transparency and disclosure only serves to achieve the same public good. We must not let the perfect be the enemy of the good. Through this bill, we are taking steps to ensure disclosure and transparency in elections and are moving the state in the right direction. Thank you, Mr. Speaker."

Representative LoPresti rose to respond, stating:

"Mr. Speaker, I'd like to change my vote to a no vote. I think quoting Voltaire on something like that just is a bit over the edge. Again, this is clearly targeting something like the Sierra Club, which has nationally thousands of people who are donating a few bucks to them. And yeah, occasionally they might do a mailer against one of us, and it doesn't mean that we should then legislate against them. It's really disappointing because there is dark money in politics. There's severe dark money in politics from big moneyed interests that have far more an effect on elections than a few 501(c)(4)s. So, I'm going to change my vote after that speech to a no. Thanks."

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

"Thank you, Mr. Speaker. In strong support and may I have the words of the Representative from Kaneohe adopted as if they were my own," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2416, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives D. Kobayashi and LoPresti voting no.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 948-22) recommending that H.B. No. 2069, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2069, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GIFTS," passed Third Reading by a vote of 50 ayes.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 949-22) recommending that H.B. No. 2025, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2025, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE SUNSHINE LAW," passed Third Reading by a vote of 50 yeas.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 950-22) recommending that H.B. No. 2125, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2125, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. I rise in strong opposition. This bill relates to official school business, we could say official monkey business, Mr. Speaker. As I've said many times on this floor, there is a very, very, very strong correlation between parental involvement and student achievement. This bill throws a blanket of cold water on parental involvement.

"Basically, it's a Loudoun County bill where all this started, where the parents were objecting to curriculum, i.e. CRT. If any of you were aware of what took place yesterday, 1697 regarding teachers being forced to teach sexual practices using basically a graphic cartoon pornography. Mr. Speaker, maybe a lot on this floor are not listening, but the mama bears are listening, and they came out really in large numbers yesterday.

"So, Mr. Speaker, let us know that transparency in curriculum is going to be an issue if 1697 passed, and it's now in the Senate. And it's something that this bill says, if you harass or impede or intervene with a government 'education worker,' you can be fined \$2,000 or put one year in jail. Can you imagine that, Mr. Speaker? That's shooting a fly with a shotgun. The point is that parents have a right to curriculum transparency, and right now we don't have that.

"Also, during the Judiciary & Hawaiian Affairs hearing, which I sit on, we were promised that we would have a letter from the attorney general that would explain their approval and how they, in effect, wrote the bill. We were also promised in the Judiciary Committee that Acting Superintendent Hayashi would give us a number of experiential or, the metrics, if you will, which I always ask for in committees, how much has this been a problem? And he said, well, so far, we can only count six instances where the parents really interfered with an education worker. Six, Mr. Speaker. I mean, I can think of six times a policeman is spit on, but we don't categorize, if you spit on a policeman, you're going to get a \$2,000 fine or a year in jail.

"So, Mr. Speaker, this is really an overkill. It's really something that says, you parents, we don't want you to become too involved in the PTA. We don't want you to object in the curriculum. We don't want you to say what is your values versus our, quote, the state values. And Mr. Speaker, if we look at what Loudoun County did to the election in Virginia, Governor Youngkin, on this basis, basically won his race because the government said, we are in charge of your kids, you have nothing to say.

"Mr. Speaker, this goes beyond, it's an overreach. And Mr. Speaker, I therefore say the only way we can make fair the fine of \$2,000 or one year in jail is to recommit this bill to committee, to work on it, to make those penalties fit what otherwise is the charge. Mr. Speaker, I therefore move to recommit this bill."

Representative Ward moved to recommit H.B. No. 2125, HD 2, seconded by Representative McDermott.

Representative Ward rose to speak in support of the motion to recommit, stating:

"Mr. Speaker, right now, we know that we have to protect. We love our teachers. This is not anti-teachers. But we also love people getting involved in their government. You know, a lot of us get harassed--"

The Chair addressed Representative Ward, stating:

"Alright, Representative Ward, the Chair will provide latitude, but please confine your remarks to the recommitment."

Representative Ward continued, stating:

"Well, primarily because, as I said earlier, \$2,000 fine and one year in jail is overkill, Mr. Speaker. That's basically the basis of it. But I want you to know that this body, Mr. Speaker, in the last election, in the last, how would you call it, Star Advertiser, in otherwise the survey of how we're doing, we had an approval rating of 18%. This makes us a class of our own. If we don't lower those things, they're saying, you guys elevate yourself as the political class, we peons who are not of any standing have to be punished by doing this.

"The point is, Mr. Speaker, we should treat everybody equally. And if we want a bill like this that says, and there is one legitimate complaint there, they're doing the voicemail, they're plugging up the email lists. But Mr. Speaker, that should be across the board. It shouldn't be just the DOE. It should be any department. If you're jamming their voicemail, if you're jamming up their email, this should be committed to that transfer just for all departments and not just the DOE. For those reasons, Mr. Speaker, I think we would be better in the eyes of the electorate if we treated and respected parents more than this bill does because it basically says you have no rights in our school system, sit down and shut up. Thank you."

Representative Belatti rose to speak in opposition to the motion to recommit, stating:

"Thank you, Mr. Speaker. In opposition to the motion to recommit. First, Mr. Speaker, I would note that this bill has a defective date, so this has to still continue on to the process. And secondly, what we've seen during the course of this pandemic is that educational workers in particular have been the subject of much harassment, and that is what this current bill is seeking to address. Thank you, Mr. Speaker."

Representative Perruso rose to speak in opposition to the motion to recommit, stating:

"I stand in strong opposition to recommitment for many of the reasons mentioned by the previous speaker. But I will also say that this bill does not call for an unreasonable expectation to be placed upon parents and their behavior on public school campuses. I think that it's reasonable to expect them to engage in civil behavior. Thank you."

Representative Woodson rose to speak in opposition to the motion to recommit, stating:

"In opposition to the recommitment please. Mr. Speaker, this bill, HB 2125, HD 2, is not about taking away parental voice. It is not. This bill is about protecting our principals and our vice principals and our other administrators in this new world we find ourselves in as it relates to the COVID-19 pandemic and some of the frustrations that our parents have shared. Of course, it's common sense that the Department of Education, within their constructs, they have systems and subsystems in place that not only encourage parental involvement, they actually facilitate parental involvement. That is very important to mention.

"It's also important to mention, as the previous speaker in favor of the recommitment had said, that there is a direct positive correlation between parental involvement and increased learning outcomes over time. And so of course, that is articulated in our Hawaii Revised Statutes. That is also in many ways promulgated in Board of Education policy around this particular issue.

"But again, if parents have legitimate concerns about pandemic operations, or more broadly speaking, it is okay, and it is encouraged for our parents to share those concerns. That is healthy in our system. However, it is not okay if those same parents are being abusive to our administrators, as has been reported across the state. It is not okay if our administrators, principals, vice principals, others are receiving harassing comments on a regular basis. It is not okay if they are receiving sexual and lewd comments, as has been reported across the state. It is not okay if they're receiving death threats on a daily basis across the state, as has been reported. It is not okay if these administrators are receiving comments like, we know how many kids you have, we know where you live and we're coming for you shortly. All of that is not okay.

"And so, what this bill does is it seeks to provide additional statutory layers of support to address that particular issue and also subsystems in place

to support that aim because our principals and vice principals cannot do their job optimally if they are worrying about themselves, safety, or their family's safety. And so for that reason and others, I humbly ask his body to not support this recommittal and to support this bill. Thank you."

Representative Tam rose to speak in opposition to the motion to recommit, stating:

"In opposition to the recommittal. Thank you, Mr. Speaker. This bill is a good bill. I believe that parents should have the right to engage in civil discourse. But no one should have to be harassed when they're doing their job, especially education workers. And when they are harassed, I believe that it will have a negative impact on the education of our kids. So, for these reasons, I am in opposition to the recommittal and I am in support of this bill."

The motion was put to a vote by the Chair and upon a voice vote, failed to carry, with Representative Holt being excused.

(Main Motion)

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

"Mr. Speaker, with reservations and a brief comment. As a former educational worker who has been harassed in the past, I really do sympathize with the administration and the teachers who have to continually go through that kind of harassment. But that being said, we have laws on the books already to protect educational workers and everyone in our society from harassment. And if this harassment is taking place, and it is, I really encourage the Attorney General's Office to vigorously prosecute those people who are taking actions that rise to the levels of harassment that are currently on the books.

"That being said, it seems like the issue that this bill is trying to address is harassment, not against necessarily the people, which we already have laws on the books for that, but harassment against the educational institutions itself. We kept getting testimony from the superintendent and others about parents filling up voicemail boxes and doing other harassment-like activities to the institution. So, I think that this bill should probably be amended to allow for a different harassment standard or crime against educational institutions themselves, rather than the employees who are already protected under our harassment statutes.

"And I'd just like to really encourage the Attorney General's Office too, to start more vigorously pursuing and prosecuting those parents who are harassing educational workers and administrative staff to the level where it falls under our harassment statutes. I think it's absolutely unacceptable that parents have been taking these actions and threatening teachers and administrative staff, even veiled threats, and have not been pursued to the fullest extent of the law. We've got to crack down on that and I encourage the AG to do so. Thank you."

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

"Thank you, Mr. Speaker. Unfortunately, because it's final call time, I'm going to have to go no on this measure. But I do want to vigorously adopt the words of the previous speaker in encapsulating my concerns with the measure. I applaud the Jud Chair for working on this thing, trying to aim it at educational institutions. But the examples given in the committee hearing by the department, I think, concern me. Because when pressed, they said it had to do with parents leaving too many emails, too many phone calls. And we really start to hit a slippery slope when that becomes the metric of possibly applying a law that could have serious ramifications to the individual.

"Parents are concerned, especially parents with SPED kids. Rightfully so. They may call or email several times because they're not getting an answer. But to have that over them potentially is a little too much. I'm hoping the Senate can work on this measure, though, and incorporate the comments of the previous speaker and that it can come back to us with these things addressed. But until then, I'm not going to be able to support the measure. Thanks."

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

"Thank you, Mr. Speaker. In support. I voted with reservations in the committee and we were fortunate enough to have a good debate and dialog. And a colleague sitting right next to me talked about two words that were in that bill that was going to be hard to enforce, and it was annoy and alarm. During the committee, the Judiciary Chair heard from all of us and said he was going to take out annoy. He wasn't certain on alarm, but when I'm looking at the bill, alarm is out. So, I support the bill now because it's a lot easier to enforce. So, thank you for that opportunity and thank the Judiciary Chair and the members for the dialog during committee."

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

"Thank you, Mr. Speaker. In support. I just want to reiterate what my previous colleague had mentioned on the Judiciary Committee. We went over this with a fine-tooth comb, Mr. Speaker. And we took out, I think, those aspects that were objectionable. Certainly, some people had spoken that harassment does and should cover some of the activities that teachers and administrators have experienced. And I echo my colleague from the windward side who is saying we really need to see that the AG follows through on prosecuting some of these things.

"But this bill, I think, has evolved and been reshaped so that it is simply looking at the harassment of the institution in a way. And that is, I think, fine. I don't think it's going to in any way hamper parent involvement with their student's education. Thank you."

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

"Mr. Speaker, with reservations please, brief comment. I just want to say that I think I'm probably one of the few people that can understand both ends of the spectrum in this bill, from the teacher perspective and the parent perspective. And while, again, I appreciate the intent, I do have to vote with reservations at this time because I think that this bill needs to really get the consideration of the parents. We really need to consider that. And I would like to ask for permission to adopt the words of the Representative from the windward side, from Kaneohe, into the Journal as if they were my own," and the Chair "so ordered." (By reference only.)

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

"Thank you, Mr. Speaker. In opposition. We already have harassment laws and they really just need to be implemented and used. I'm concerned that if we create another harassment law, that those two things could be conflicting. So, I would also like the words of the Representative from Kaneohe to be inserted into the Journal as if they were my own. Thank you," and the Chair "so ordered." (By reference only.)

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

Representative Branco rose in support of the measure with reservations and asked that the remarks of Representative Matayoshi be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

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

"Thank you, Mr. Speaker. In support. Mr. Speaker, I support this bill because of a discussion with other DOE employees who are affected by this bill. I do certainly believe that they should have employees within the department to handle these harassment claims specifically. And while there are laws on the books, there is a very nuanced way in which parents can threaten DOE employees. The amount of personal information that is available for anyone is alarming. When someone calls you, leaves anonymous voicemails or emails citing your family and your children, I think we have an obligation to do something more, and it certainly alarms me. So, I do hope the department can do more for this because the way that the public can find personal information about DOE employees while also knowing where you work on a daily basis is a scary thing. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"Second time in opposition, Mr. Speaker. If it is the will of this body, Mr. Speaker, to pass this and allow it to take effect in law, I would say, just be apprised that the mama bears in HB 1697, which says you will teach Pono Choices 2, when they storm the Capitol, if they do, or if they come and they say bad things and they shout a little bit, don't be surprised, Mr. Speaker. Because this is the bill that would protect them. This is now the bill that's going to put them either one year in jail or \$2,000 fine. HB 1697 is coming, and we'll see what happens. But if it's the will of the people here, just be prepared to stick with what you've said today on this floor. So, when it does happen, you're not going to backpedal and say, well, we didn't really realize that the mama bears protecting their kids and knowing what curriculum they want or don't want in school is not allowable. For that, Mr. Speaker, this is a wake-up call with this vote. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2125, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OFFICIAL SCHOOL BUSINESS," passed Third Reading by a vote of 43 ayes to 7 noes, with Representatives Branco, Kitagawa, Matayoshi, and Okimoto voting aye with reservations, and with Representatives Kapela, D. Kobayashi, Kong, Matsumoto, McDermott, McKelvey, and Ward voting no.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 952-22) recommending that H.B. No. 1986, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 1986, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Just reservations and brief comments. My concern is that when the Board of Education became an appointed board, which frankly I disagree with, I think we should go back to an elected board, there was a push to get specific members for specific subjects. We require math and social studies and ELA and all sorts of things. I think it is, to quote my colleague in front of me, a slippery slope, but a real one to start saying this board member must be an expert in this and this board member must be an expert in that. And that is my concern with this. Certainly, I think the governor who appoints these positions should consider having somebody with expertise in various areas, I don't know that we should legislate it. Thank you."

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

"In support. This bill would appoint one of the representatives at large on the Board of Education to be a Hawaiian immersion expert. You asked why we may need this? It's about equity. We are a state that has two languages, English and *ōlelo Hawaiʻi*, and unfortunately our *ōlelo Hawaiʻi* community has gotten the short end of the stick. And so, this is to make sure that our Hawaiian speakers, our *kumu*, our Hawaiian immersion schools have the proper voice and the proper advocacy at the forefront of education policymaking.

"I can share with you a story, my own personal story. My great grandfather would go to school and get beaten for speaking Hawaiian. He would then go home and he would also get lickins for speaking English. A child who had nothing wrong for just speaking his native tongue. And this is a history that is still here in this body. This is a history that's still here in this state, and this is generational trauma. I'm not the only Hawaiian family that has stories like this. We have to start a process of healing and we have to uplift our native people. *Mahalo*."

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

"Thank you, Mr. Speaker. In strong support. I would just like to read a little bit of the preamble of this measure. The legislature also finds that Native Hawaiians currently make up almost twenty-four per cent of the entire student population in the State. Due to the high presence of Native Hawaiian students in the public school system, it is imperative that the State guarantee appropriate representation on the board of education to fulfill its constitutional duty to promote Hawaiian studies and the Hawaiian language and to provide a voice for Native Hawaiian students, teachers, and faculty.

The legislature also finds that existing law does not require any member of the board of education to be an individual who has expertise in Hawaiian studies, the Hawaiian language, or Hawaiian immersion education. The legislature believes that to better promote the study of Hawaiian culture, history, and language in public schools, as required by the state constitution, there must be some representation of the Hawaiian community on the board of education.' Thank you, Mr. Speaker."

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

"Mr. Speaker, strong support. Mr. Speaker, education is the engine of upward social economic mobility. We know that the Hawaiian community is lacking in some of those areas, socioeconomically near the bottom of the ladder. But lest I say things that are redundant and less eloquent as the Representative from Kailua, for the second time on this floor, Mr. Speaker, would you enter his remarks into the Journal as if they were my own," and the Chair "so ordered." (By reference only.)

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

"Thank you, Mr. Speaker. In support. Just as someone who studied languages in university, I would like everyone to understand that if you don't perpetuate and encourage and preserve language, then you cannot perpetuate and preserve culture. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1986, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," passed Third Reading by a vote of 50 ayes, with Representative LoPresti voting aye with reservations.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 954-22) recommending that H.B. No. 1823, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 1823, HD 2 pass Third Reading, seconded by Representative Morikawa.

Representative Matsumoto rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Matsumoto's written remarks are as follows:

"The title of this bill is 'Our Care, Our Choice Act.' This title refers to the patient's ability to choose the way in which they pass on, but there is another person affected by this bill that should also have a choice – the medical personnel. In the past few years, we have been reminded of how important it is to value and respect our medical workers, and an important aspect of this respect is allowing them to make their own choices in the types of medicine they practice.

"Nurses and physician assistants often join the medical field because they want to help others, because they want to save lives. Medical personnel who do not wish to participate in ending another person's life should not be forced to do so. Even if a bill does not explicitly state that staff will be required to participate in euthanasia, there needs to be a clause outlining their right to refuse without repercussion from their employers.

"In addition to expanding the types of medical professionals that can perform medically assisted death (MAID), this bill proposes to reduce and remove certain safeguards that were put in place to protect patients. Perhaps most concerning, this bill waives the waiting period entirely for patients whose attending provider attests that the patient will die within the 15-day waiting period. A physician can only reliably predict that a patient will survive days and not weeks once the patient has entered the actively dying phase. Additionally, economic considerations surrounding medical assistance in dying may urge certain individuals and organizations to promote potential savings in [1] medical care (aggressive treatments, costly medications, long durations of hospital visits) and [2] social security (the elderly constitute a majority of terminally ill patients who are likely to consider MAID). There are well-documented disparities in access to health-care services, with people from lower socioeconomic backgrounds, those with lower health literacy, and members of ethnic and racial minorities being

less likely to receive adequate care, including palliative care services. This also especially affects individuals with physical disabilities or with psychiatric illnesses.

"Leaving the option of MAID open, as well as putting the onus on the patient, does not allow them the time and structure for processing the meaning of their request. Waiving a mandatory waiting period may be peripheral to the parallel, comparatively quick timeframe wherein individuals typically decide their EOL care."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1823, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 41 ayes to 9 noes, with Representative Matsumoto voting aye with reservations, and with Representatives Eli, Har, Kitagawa, Kong, McDermott, McKelvey, Okimoto, Tokioka, and Ward voting no.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 955-22) recommending that H.B. No. 2344, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2344, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROBATION," passed Third Reading by a vote of 50 ayes.

Representative Nakashima, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 957-22) recommending that H.B. No. 1757, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1757, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," passed Third Reading by a vote of 50 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 959-22) recommending that H.B. No. 1413, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1413, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," passed Third Reading by a vote of 49 ayes to 1 no, with Representative McDermott voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 961-22) recommending that H.B. No. 2329, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2329, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Okimoto voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 967-22) recommending that H.B. No. 1747, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1747, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUILDING CODE COUNCIL," passed Third Reading by a vote of 50 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 969-22) recommending that H.B. No. 1752, HD 2, as amended in HD 3, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 1752, HD 3 pass Third Reading, 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."

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

"In opposition, Mr. Speaker. While I applaud this measure's efforts to incentivize landlords to rent to recipients of Section 8 housing vouchers, I am unable to support this proposal in its current form because it does not include a strong prohibition against housing discrimination based on an individual source of income. Honolulu remains one of the largest metropolitan areas in the United States that does not prohibit this kind of discrimination, which worsens housing insecurity for low income residents, the majority of whom are women. Eighty-three percent of Section 8 recipients are women. As of November 2020, 17 states also prevent discrimination against Section 8 housing voucher recipients. We need to join those locations and prohibit rental discrimination for our most economically vulnerable neighbors."

Representative Perruso rose in opposition to the measure and asked that the remarks of Representative Kapela be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

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

"In strong support, Mr. Speaker. There's a lot of problems with the Section 8 program, which is why a lot of landlords don't participate in it. Section 8 is an incredible federal resource that gives money to the tenants directly, and they only pay 30% of their income on housing and the federal government picks up that balance.

"And I understand the concerns raised by the previous speakers, but I'd like to say that there's a problem with the Section 8 program in Hawaii which prevents landlords from participating when they don't have enough security deposit to pay for trashed units. When it takes months and months to even get into the program because of the paperwork involved. When it takes several months to even get the unit inspected. These are reasons why landlords are not participating in the program.

"So that's why we have to fix the system to encourage landlords to participate, because even if we pass a bill to say you cannot discriminate, we're still going to have these problems. These are the underlying fixes that are needed. And I really want to acknowledge the Vice Chair of Housing, Representative from Wailuku, who spent the interim with stakeholders to address these concerns to get to the root of the problem and to recognize that we need to deal with the staffing issues, we need to improve the systems and create incentives for landlords in order to fix the problem. Thank you, Mr. Speaker. In support."

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

"Thank you, Mr. Speaker. In support. Mr. Speaker, what's missing in this whole debate is one factor that I will cite Senator Inouye for being the progenitor and the genius behind it, and with Peter Savio's suggestion. Little known to very many people is the fact that Section 8 can actually be rent-to-own, there's actually an ownership provision. And as we bemoan the lack of housing in Hawaii, I've never seen one instance where you can actually be Section 8 and become a homeowner. Mr. Speaker, that needs to be somewhere built into our housing policies and it's not and I don't see it in this bill, but that is a key issue. Senator Inouye did it out of a discussion between housing experts, in particular Peter Savio, and how we can leverage the poor to be homeowners. And when you're a homeowner, you've got a stake in the American dream. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. In support. I would like to add the words of the Chair of Housing into the record as if they were my own. She's absolutely correct. Until this problem can be fixed and modernized at the federal level, what she is doing will go a long way towards getting landlords to accept Section 8 clients and providing more housing opportunity in our very tight affordable housing rental market right now. So again, thank you, in support," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1752, HD 3, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 48 ayes to 2 noes, with Representative Wildberger voting aye with reservations, and with Representatives Kapela and Perruso voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 970-22) recommending that H.B. No. 1829, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1829, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BONDS," passed Third Reading by a vote of 50 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 971-22) recommending that H.B. No. 1917, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1917, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Third Reading by a vote of 50 ayes.

At 11:24 a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2405, HD 2
 H.B. No. 1411, HD 2
 H.B. No. 1642, HD 2
 H.B. No. 1988, HD 2
 H.B. No. 2280, HD 2
 H.B. No. 2028, HD 2
 H.B. No. 1860, HD 2
 H.B. No. 2084, HD 3
 H.B. No. 2135, HD 2
 H.B. No. 1979, HD 2
 H.B. No. 2034, HD 2
 H.B. No. 2042, HD 2
 H.B. No. 2416, HD 2
 H.B. No. 2069, HD 2
 H.B. No. 2025, HD 2
 H.B. No. 2125, HD 2
 H.B. No. 1986, HD 2
 H.B. No. 1823, HD 2
 H.B. No. 2344, HD 2
 H.B. No. 1757, HD 2
 H.B. No. 1413, HD 2
 H.B. No. 2329, HD 2
 H.B. No. 1747, HD 2
 H.B. No. 1752, HD 3
 H.B. No. 1829, HD 2
 H.B. No. 1917, HD 1

At 11:24 a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:31 a.m.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 973-22) recommending that H.B. No. 2015, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2015, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 49 ayes to 1 no, with Representative McDermott voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 974-22) recommending that H.B. No. 2397, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2397, HD 3, entitled: "A BILL FOR AN ACT RELATING TO BROADBAND," passed Third Reading by a vote of 50 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 977-22) recommending that H.B. No. 1839, HD 2 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1839, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Har, Marten, and Okimoto voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 979-22) recommending that H.B. No. 2512, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2512, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OHANA ZONES," passed Third Reading by a vote of 50 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 988-22) recommending that H.B. No. 1490, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1490, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 49 ayes to 1 no, with Representative McDermott voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 989-22) recommending that H.B. No. 1494, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1494, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL ENFORCEMENT SECTION," passed Third Reading by a vote of 50 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 990-22) recommending that H.B. No. 1507, as amended in HD 1, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 1507, HD 1 pass Third Reading, 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 Branco rose to speak in opposition to the measure, stating:

"In opposition. I think the wealthy should pay their fair share of taxes. But according to the Tax Foundation of Hawaii, the bill includes a broad-based tax increase, perhaps larger than what we intended. And so, I'm just concerned with our fragile economy that a tax increase would be inappropriate at this current time. *Mahalo.*"

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

"In strong support, Mr. Speaker. First off, I have to thank the Chair of the Finance Committee as well as the Chair of the Economic Development Committee for moving this measure forward. It's time for Hawaii to tax the rich. Hawaii saddles our low-income neighbors with the second heaviest state and local tax burden in the nation. While families who earn less than \$20,000 per year pay 15% of their income in state and local taxes, those who make over \$450,000 annually pay only 9%.

"Hawaii is also one of only nine states that taxes all capital gains profits that are from the sale of stocks, bonds, investment real estate, art, and antiques at a lower rate than ordinary income. This capital gains tax loophole privileges almost entirely high-income taxpayers, including nonresidents who profit from investing in real estate in the islands.

"If Hawaii were to tax capital gains at the top marginal tax rate, we would bring in \$160 to \$180 million in new revenue, according to the Hawaii Department of Taxation, 97% of which would be paid by the top 5% of income earners in our state. The bottom 80% would pay nothing at all. That amount is far more than enough to make our state's earned income tax credit

refundable and permanent. As an economic stimulus, the EITC contributes up to \$1.24 in economic activity for every \$1 it returns to workers.

"As the Hawaii Budget and Policy Center noted in a recent report, research on the EITC shows that the credit contributes to long term economic and health gains for families and people of color who are much more likely to earn low wages in Hawaii due to systemic racism. These are the individuals who would experience the greatest benefit from strengthening the EITC, making it an effective anti-racist policy as well.

"The benefits of strengthening the EITC are clear in the islands, especially given our skyrocketing cost of living and housing crisis, both of which have worsened during the COVID-19 pandemic. Asking our state's wealthiest residents to pay their fair share to deliver financial security for our most vulnerable neighbors is a deal that working families cannot miss out on. Thank you very much, Mr. Speaker."

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

"In strong support, requesting the words of the Representative from Kau entered into the Journal as if they were my own," and the Chair "so ordered." (By reference only.)

Representative LoPresti rose in support of the measure and asked that the remarks of Representative Kapela be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

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

"Thank you, Mr. Speaker. Also in support on the measure and just a few comments. Remember when we passed EITC before, there was a lot of lament, a hollow victory because it wasn't refundable. And this bill finally closes the gap in doing that. It's a meaningful tax credit for working class people. We give tax credits to a lot of people who, quite frankly, are wealthy and don't need them. This one actually goes to the people who need them the most. And it's very fiscally responsible in generating new revenue from increasing, as a previous speaker said, capital gains tax rates on those areas, which will bring us in line with other states. So, thank you."

Representative Perruso rose in support of the measure and asked that the remarks of Representative Kapela be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1507, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX FAIRNESS," passed Third Reading by a vote of 45 ayes to 5 noes, with Representative Okimoto voting aye with reservations, and with Representatives Branco, Kong, Matsumoto, McDermott, and Ward voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 992-22) recommending that H.B. No. 1982, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1982, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXES," passed Third Reading by a vote of 50 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 994-22) recommending that H.B. No. 2179, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2179, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION OF DELINQUENT TAXES," passed Third Reading by a vote of 49 ayes to 1 no, with Representative McDermott voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 997-22) recommending that H.B. No. 2470, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2470, HD 2, entitled: "A BILL FOR AN ACT RELATING TO

GOVERNMENT OPERATIONS," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Ward voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 998-22) recommending that H.B. No. 1645, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 1645, HD 2 pass Third Reading, seconded by Representative Morikawa.

Representative Tokioka 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. 1645, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Third Reading by a vote of 48 ayes to 2 noes, with Representative Tokioka voting aye with reservations, and with Representatives Har and McDermott voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 999-22) recommending that H.B. No. 1800, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1800, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CLIMATE MITIGATION," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Kong and McDermott voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1001-22) recommending that H.B. No. 1809, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1809, HD 3, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 50 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1003-22) recommending that H.B. No. 1842, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1842, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CLIMATE CHANGE IMPACTS ON HUMAN HEALTH," passed Third Reading by a vote of 50 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1004-22) recommending that H.B. No. 2088, HD 2, as amended in HD 3, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2088, HD 3 pass Third Reading, seconded by Representative Morikawa.

Representative Onishi 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. 2088, HD 3, entitled: "A BILL FOR AN ACT RELATING TO FINANCING," passed Third Reading by a vote of 46 ayes to 4 noes, with Representative Onishi voting aye with reservations, and with Representatives Har, Kong, McDermott, and Tokioka voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1009-22) recommending that H.B. No. 886, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 886, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONALLY LICENSED OR CERTIFIED GOVERNMENT EMPLOYEES," passed Third Reading by a vote of 50 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1014-22) recommending that H.B. No. 1690, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1690, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER RESTRAINT SYSTEMS," passed Third Reading by a vote of 49 ayes to 1 no, with Representative McDermott voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1016-22) recommending that H.B. No. 2073, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2073, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Har and McKelvey voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1018-22) recommending that H.B. No. 1965, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1965, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY FORFEITURE," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Har, Okimoto, and Tokioka voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1019-22) recommending that H.B. No. 2146, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2146, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE LICENSES," passed Third Reading by a vote of 49 ayes to 1 no, with Representative McDermott voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1020-22) recommending that H.B. No. 1239, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1239, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Kong, McDermott, and Okimoto voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1021-22) recommending that H.B. No. 1827, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1827, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PULEHUNUI COMMUNITY DEVELOPMENT DISTRICT," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Wildberger voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1024-22) recommending that H.B. No. 1840, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 1840, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. In opposition. I just want to share a story about a development project in Maui that the developer cleverly chopped up their 30-acre parcel into 15 acres so that they could get away with not having the robust examination of the Land Use Committee. And with the exasperated

testimony of the Land Use Committee, frankly I'm surprised to see this measure going forward. They're a pragmatic organization, they know that we pass stuff that might not be great for our communities, and so they offered amendments.

"But this is just developers coming to the Legislature and getting the rules changed so that they don't have to abide by the oversight. And sometimes the Land Use Committee is the last stop to protecting our community plans and the development that we would like to see instead of the luxury development that builders want to build but are not necessarily serving our communities. So, thank you, in opposition, Mr. Speaker."

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

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

"Thank you, Mr. Speaker. Strong support. First off, I would like to thank all of the committees that heard this bill, including Water & Land Committee, Finance Committee. I think this is a true work in progress and it is something that we've been working very hard on through the interim. And I think we finally, through the Finance Committee, came to some type of agreement with the State Land Use Commission that is somewhat something that both the counties and the State Land Use Commission can agree with. And I think in the previous version, up to 50 acres would be delegated to the county. And I think that gave some type of heartache to the Land Use Commission, but I think we came up with some proposal that made it palatable to both.

"There still will be some State Land Use Commission approval after the counties get to approve it, but it does add a timeframe that the State Land Use Commission gets to approve it. And it also adds in very specific criteria that the State Land Use Commission has to review, they cannot be more broad than what the counties reviewed. So, it should speed up the process of what the State Land Use Commission is able to review projects. This will also not allow parceling, and I think a lot of times developers were looking at parceling because they wanted to get under that 15 acres. And so, we're giving the counties the ability to look at 50 acres. So, we stopped the parceling and the correct provisions of what we put in place to protect land use designations are actually followed.

"So, I think this is a very good bill. It's something that I think the counties really wanted, and we worked closely with the counties because they believe in true home rule. And I also believe that the counties are the ones that have to enforce a lot of the provisions that are put in in land use decisions. And so, we wanted to figure out if we could find a way and move forward. So, again, I thank the Water & Land Chair and the Finance Chair for really making this happen, and the CPC Chair, to really figure out a way to make this all work. So, thank you. For those reasons, I truly support this bill."

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

"Thank you, Mr. Speaker. In opposition, and may I please have the words of the Representative from Wailuku entered into the Journal as if they were my own with a brief comment. Mr. Speaker, while I'm in opposition to this bill, I strenuously object to the notion that this is simply developers coming to the Legislature. It strikes me at this time, the eyes of the state are upon us, the eyes of the public are upon us. And to imply simply that because one does not agree with the contents of a bill that the process has been somehow unduly influenced, I think is very unfair. And I don't think that that's what this body needs at this time. Thank you," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1840, HD 2, entitled: "A BILL FOR AN ACT RELATIVE TO DISTRICT BOUNDARY AMENDMENTS," passed Third Reading by a vote of 41 ayes to 9 noes, with Representative LoPresti voting aye with reservations, and with Representatives Kapela, D. Kobayashi, Kong, Lowen, Marten, McKelvey, Perruso, Quinlan, and Wildberger voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1025-22) recommending that H.B. No. 2511, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2511, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. In strong support. Last year, Mr. Speaker, our budget included a record amount of CIP to DHHL, over \$70 million. Thank you very much to the Finance Chair and CIP Chair for that, and everybody. That's over \$20 million than the previous high, which is amazing. And Mr. Speaker, this measure appropriates \$600 million, \$600 million with the intention of assisting 6,000 individuals getting off of this waitlist. By my math, with ten Hawaiians per household, nah, five Hawaiian per household, it's about 30,000 people who will attain housing by this measure. We still have a long way to go, Mr. Speaker. It's still 22,000 people who will still be on the list after this measure.

"I've always been a strong advocate for Hawaiian issues, but as the kids say, this one hits a little bit different. In the fall of last year, I had the privilege of attending the 100th anniversary of the signing of the Hawaiian Homes Commission Act in Washington, D.C. It was only my second time in D.C. as it's not really my favorite place, it's cold, it's far, the food is different, but the reason for being there in the company that I had made it well worth it.

"We were able to take a tour of the Capitol, provide *ho'okupu* at the Kamehameha statue, visit the Library of Congress where we met Deb Haaland, the first Native American to serve as cabinet secretary, where she addressed all of us who were there. We were able to view the original documents of the Hawaiian Homes Commission Act. They brought it out so we could take a look at it.

"We had a good number of participants, including the Council for Native Hawaiian Advancement, Kamehameha Schools, the Association of Hawaiian Civic Clubs, Hale O Na Alii O Hawaii, Native Hawaiian Education Council, Papa Ola Lōkahi, OHA, DHHL, and other organizations. We had about 40 or 50 of us, which is a good-sized delegation. but in what's going on in all of D.C., we're just a small part. And to think that 100 years ago, Prince Kuhio was all by himself. One individual, all by himself, 100 years ago.

"Thank you to all of you who helped play a part in this role. Like I said, we have a long way to go. But Mr. Speaker, I'm very proud to stand here on this floor, taking this step forward to help make an impact and remove people off this list."

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

"Thank you, Mr. Speaker. In support."

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

"I rise in strong support and I wanted to express my appreciation to House leadership for putting so much money, rather than just words, on this important issue."

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

"Thank you very much. Mr. Speaker, in strong support. This bill will help build housing for Native Hawaiians who are disproportionately homeless, disproportionately living in overcrowded living conditions, and who have been waiting on the DHHL waiting list for years. So, I'd like to ask that the words of the speaker from Kalihi be included as my own. Thank you."

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

"Thank you, Mr. Speaker. Strong support. Mr. Speaker, I hope this is the beginning of a wonderful relationship. I want to thank the Chair of Finance and the creative ideas that she has put forward in this. I'd like to request the words of the Hawaiian Caucus Chair be entered into my own. And to know, Mr. Speaker, this is probably going to build probably at \$500,000, maybe 1,200 homes. I would think if we convene and do the same thing next year

and the year after, then the wish of Prince Kuhio will have been fulfilled. That there will be Hawaiians returned to the land, there will be justice. And for those that have waited so long, hopefully they will come with open Capitol and thank everybody for what they're doing. This is a great beginning, we just have to follow through. Thank you," and the Chair "so ordered." (By reference only.)

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

"In support. When I look at the amount of money here, \$600 million, it's more than just a dollar sign. For us Hawaiians, this is a fulfillment of dreams. Dreams of our ancestors wanting to own their own home or having their own home in their own native land. And so, I thank the body for working on this. This is a great step forward. But this doesn't mean we're *pau*. We have a lot of work still to do. We also need to couple this with land in the urban cores across the islands. And so, I look forward to continuing the work on housing Native Hawaiians. *Mahalo*."

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

"Thank you, Mr. Speaker. I rise in support with a brief comment. A few weeks ago, a constituent called me, she lives in Moanalua Valley, her name is Kaimo, and she wanted to share with me her support of this bill and ask that I support it because her father was Dickie Nelson. And he recently passed away in Kona, and he was one of the beneficiaries who died on the waiting list. And she asked that I share his name in his memory and her support for this bill. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2511, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," passed Third Reading by a vote of 50 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1026-22) recommending that H.B. No. 2510, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2510, HD 2 pass Third Reading, 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."

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

"Thank you, Mr. Speaker. In support. I do have some concerns, but I'd like to ask permission to insert comments into the Journal. Thank you."

Representative Tokioka's written remarks are as follows:

"I am voting in support of this bill but I do have concerns for the very small 'mom and pop' business, especially right now as we are coming out of a global and economic pandemic. This bill includes an increase in the tip credit that is meant to help small restaurants who have tipped employees. In the Senate's version of a wage bill, it does not address tip credit at all. I would like to see the tip credit increased going forward because the current tip credit affords restaurants 13% of the minimum wage to be reduced from the current hourly wage. When the minimum wage gets to \$18 per hour, the tip credit will only be 6.5% of the hourly wage. What I see potentially happening is restaurants will either be closing because they can't afford to pay their employees or paying their employees cash, under the table. Neither of which would be good for the employee or the state. My passion for this particular section of the bill comes from being a part owner of three restaurants prior to my time in office. I understand the struggles that restaurants go through and how hard it is to keep the doors open."

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

"In opposition. Today is International Women's Day. And I wanted to take this moment to remind us that fighting for a living wage is also fighting for gender equity. A substandard minimum wage such as that included in this bill, while I appreciate the movement that we have made on the measure, does mean the continued exploitation of women's labor because 60% of minimum wage workers are women and 22% of those have children. A sub minimum wage tip credit, such as that included in this measure, also means

the continued exploitation of women's labor because 70% of tipped workers nationwide are women. And the poverty rate for women working in tipped roles was nearly two and a half times the rate for workers overall.

"I want to be clear that a living wage is not about providing relief or assistance to the working class. This is not about legislators or businesses helping workers. This is simply about fair compensation for the labor of minimum wage workers who are disproportionately women and people of color. If you spend eight hours a day laboring to build profit for your employer, it is my view that you deserve to be paid enough to meet your basic needs for that day, and anything less than that is theft of your time, your labor, and your life. Thank you."

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

"Mr. Speaker, with strong reservations. First, I'd like to thank the Chair of the Labor & Tourism Committee for his work to addressing this complex and contentious issue. Over the course of this and previous sessions, this body has reviewed and debated various versions of this measure, with a focus to help families who are really struggling to continue life in Hawaii, and they're wondering whether to move to the mainland. Now, after a long two years of this pandemic, we have an opportunity to help them. To provide Hawaii with a holistic policy to assist those laboring to earn a better life for themselves and their families.

"Unfortunately, I cannot say this measure in its current form lives up to this objective. After speaking with economists, business leaders, advocates, and business owners in my district in Kaimuki, I urge members of this House and Senate to consider a more gradual rate of increase in the state's minimum wage, as was reflected in the original version of 2510.

"To tell a story of a business owner in Kaimuki, she started her business from a food truck with a simple goal and dream to provide quality ice cream products with local flavors. After a year of hard work, she opened a store in Kaimuki, employing 15 staff, with the lowest paid worker being a high school student making \$12 an hour with an additional \$7 an hour in tip. When the pandemic hit, and faced with new financial challenges, she, like many other business owners in my district, made the difficult decision to cut her own salary to keep her staff. During these two years she made no money from her business, drawing from her reserves to make ends meet and keep her business afloat and employees employed.

"Like her, many businesses in my district have sacrificed to help the community to keep people employed during an economic and health crisis. I cannot speak on behalf of all small businesses in Hawaii, but for the businesses in Kaimuki I can say for certainty that a \$13 jump by 2023 will mean cutting jobs, it will mean price increases, it would mean that this inflation that we are currently experiencing now would be exacerbated. It simply would be crippling.

"I know this House and Senate wants to ensure working families can earn a quality life. But this measure does not accomplish that. And so, I urge this body, as well as the Senate, to further consider amendments to this measure as it passes through this legislative session. Thank you."

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

"Thank you, Mr. Speaker. I rise in opposition. I appreciate the Chair of the Finance Committee for accelerating the timeline for implementing an \$18 per hour minimum wage increase for low income employees. Yet this measure still falls short of what working families truly deserve. The Raise Up Hawaii Coalition recently released a profile of the average minimum wage worker in Hawaii. Oftentimes, we think this worker is a high school student or a teenager. That is incorrect. The worker is likely to be female between the ages of 25 and 39. She possesses some college experience and often works in the service industry.

"When we hear comments from the business community about the minimum wage being a training wage, we know that it's a falsehood. Similarly, we have data to prove that raising the minimum wage will not have a significant impact on small businesses. During the last round of minimum wage increases from 2014 to 2018, the number of people employed by small businesses grew by 3% and the total number of small businesses grew by 8%. When we hear people from the business community

or from the restaurant industry say that creating a living wage will lead to job losses, we know that too is a falsehood.

"I continue to oppose increasing the tip credit as this bill does. We need to stop using the phrase 'tip credit.' What we really are talking about is a tip penalty, where tipped employees are paid less simply because they have the kind of job that they perform and they get tips. Studies have shown that the tip penalty significantly worsens sexual harassment and sexual violence in the service industry, which is dominated by female employees. They are reluctant to report misconduct from customers who sexually harass them because those are the same people who pay the tips that they rely on to pay their bills.

"The heartlessness of those who oppose a living wage was on full display at the very first hearing for this bill, at which the president of the Retail Merchants of Hawaii, Tina Yamaki, said the minimum wage worker doesn't deserve a raise because, in her words, they don't know how to brush their teeth or take a bath without training from their employers. That is classist, that is racist, and that is wrong.

"We still have time to do better. And that is why I urge this body once again to hear and pass Senate Bill 2018, which raises the minimum wage to \$18 an hour by 2026 without increasing the tip credit. That is the kind of economic justice that working families deserve. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I rise in opposition to this measure. I'll start with what I agree with. I agree that our families are hurting in Hawaii. People are living paycheck to paycheck and they're leaving our state because they cannot afford to live here. We need to change that. People are struggling and they need help. What I don't agree with is the how.

"When we were considering a minimum wage increase to \$13 in 2020, I was willing to support the bill. Then COVID hit, and before we shut down the Legislature, I gave a speech on this floor stating I agreed with the increase, but now is probably not the time. Here we are today considering a much greater increase, a 78% increase to the minimum wage, when the economic climate is much worse.

"We are putting almost all of our hope in raising the minimum wage when there are so many other ways to achieve the same goal. And it's something that I have been focused on for the last few years. It's why I've introduced bills to help local families, like a bill to lower the income tax. A third of our paycheck is taken away from taxes. Collectively, we have some of the highest taxes in the nation. Imagine the impact that we could make if we gave people more of their hard-earned money back so they can spend it the way that they feel is best for them.

"For years, I've introduced a bill to eliminate tax on necessities like food and medical services. This would immediately help people in their everyday lives, and it's a measure that almost all of the other states have enacted in our country. I've also introduced bills for those with children, opportunities for assistance with childcare. And these are the things we need to focus on more, not just a dramatic increase in the minimum wage.

"Raising our minimum wage is not going to ultimately help the people of Hawaii in the long run. Over the last two years, our island's small businesses have weathered storm after storm. They've had to deal with government-imposed restrictions that were put there for the intended health and safety of our population. But there was constant uncertainty. They were forced to close, and then they were allowed to reopen, and then they got closed again, and then reopened. And it was back and forth. And with mounting pressure from stifling mandates to supply chain crises, hundreds of businesses ranging from startups to family legacies were given no choice but to close their doors. And for those who remain, the challenges are far from over.

"Just a few days ago, the vaccination passport requirement was lifted. We are not well into an economic recovery. We're still in the midst of really difficult times. I think so often we think we're just going to raise the minimum wage and it's not going to affect some corporate employer. And in so many cases, it's not just a faceless employer, it's people like my mother.

"My family has had Peterson's Upland Farm in Wahiawa for 112 years. My great grandfather started the farm in 1910 and we supply local fresh eggs

to people in our communities, as many of you know. My mother works 12 to 14 hours a day to keep our farm afloat, but we operate on razor thin margins as many farmers do. And these last few years have been especially difficult. Not only has there been uncertainty with what we are allowed and not allowed to do, but the general cost of business is going up.

"At the beginning of last year, it was \$14,000 to ship and buy feed for our chickens. Just last month, it was \$18,600. That is a \$4,000 increase just for the cost to feed the chickens, not wages. That's a 33% increase. Being an island state with no feed grown here locally, we have no option but to ship in. And with all of the unrest currently going on throughout the world, it's only going to get worse. Just yesterday, my mom had to order more egg cartons, and that price has gone up astronomically because the price of cardboard has gone up.

"People say it's not going to matter, but if this bill passes, the best-case scenario is that we cut half of our labor force on the farm. We would have to let go of half of our workers, some of which who have worked on our farm for over 30 years. It's hard enough as it is to find people to work on the farm. But if this passes, who is going to want to work on the farm that is a very labor intensive job?"

Representative Okimoto rose to yield her time, and the Chair "so ordered."

Representative Matsumoto continued, stating:

"We talk about supporting agriculture on this floor all the time. Use it as an industry to replace tourism to be self-sufficient. But yet we're passing policies that are detrimental to so many farmers. But more realistically, if this bill passes, we will have to shut our doors within the next two years. And we have seen historically in our state, once a farm goes out of business, they're not going to start up again. Once it's gone, it's gone.

"My heart breaks for my mother. After four generations of serving our community, our farm is probably going to be forced to close its doors and I know she's going to feel personally responsible that the business closed under her watch. But with everything compounded and everything going on, it's not her fault.

"My family's story is not unique. This is the story of small businesses across our state. We're currently in a high inflation environment, and it's only going to get more difficult for businesses to operate. The big box and the chain stores will be fine. They can afford to automate their systems, they can have more self-checkout lines. Who we're really hurting is our local business owner and ultimately their staff. All we're doing is inviting big businesses to come in and take over our state because the small guys can't make it.

"Testimony from local businesses made it clear that the significant wage increase is going to be a final blow. The chamber did a survey with 450 members, with 50% having 25 or less employees. Two thirds of the businesses responded that they'd have to cut staff. Twenty-seven percent said they'd have to lay off half of their staff. And a third of the businesses said they would be forced to shut down completely. This is going to result with a lot of people without jobs.

"So, with all of the uncertainty of the pandemic, with all of the unrest going on around the world, and still being in a very difficult economic climate, this is not the time to be significantly raising the minimum wage. But it is the time to help those in our community by other means, and we can do that. The Legislature can help people. I completely agree with the section of the bill that ensures that the state earned income tax credit is permanent and refundable. But the majority of the burden should not be on the backs of local businesses who are trying to provide goods and services for our local communities, like my family. We, the Legislature, need to find a reasonable, multi-pronged solution for the people of our state, and we should be the ones to help. Thank you, Mr. Speaker."

Representative Sayama rose to respond, stating:

"Mr. Speaker, still with reservations. While I do like to cite economic papers, case study, economic theory to inform my decisions on legislative matters, when it comes to the minimum wage and how it could affect small businesses, I like to listen to small business owners. Specifically, small business owners in my district. They're the ones with the most skin in the game and I know that these business owners care for their employees. The

reason why I know that? During the pandemic, some of these guys said they were going out of business. The community came in full force to purchase these products. We've lost five small businesses in Kaimuki, and I know there would have been more if the community did not support a lot more of them. And so, I could trust my business owners when they tell me that this minimum wage increase will cripple them, that they will lay off workers. I don't turn to economic theories. I don't turn to case studies. I listen to my constituents. I listen to my business owners. And I trust them when they tell me that this policy would hurt them. Thank you, Mr. Speaker."

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

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

"Mr. Speaker, in opposition. I've heard the falsehood that this is not a training wage. The falsehood is, in effect, it is a training wage and it's not a living wage. How you name something is how you treat it. That's why we are against profiling and other kinds of discriminatory terms. When you call somebody something, you treat them in such a way. If this is a living wage, we've got a mistaken idea of what is macro and microeconomics or what capitalism is.

"The second falsehood, Mr. Speaker, is that my good friend from being raised on an egg farm was joking when she said, hey, if we're going to survive after 100-and-some years as an egg farmer, we're going to have to cut employees. Mr. Speaker, that is not a falsehood, that's the reality, and that's the reality that's missing in the speaker from the Big Island who said that was a falsehood.

"The point is, Mr. Speaker, we have not enough economic business, entrepreneurial sense to know and understand what's going on out there. But I know this, people are leaving. We're the highest taxed, we're the highest you name it, and we are not fulfilling our role. And I call this, and I usually put a metaphor together, it's like a guy who's got a job, he's got eight kids, he makes enough money to feed three of them, two of them are on rations, and the other three are right with the government welfare, food stamps, and everything else.

"We have not the size of the economy to feed our families, to make our families supportable. This is a macro economic issue down at the micro level at the minimum wage. But Mr. Speaker, when falsehoods come to this floor, they have to be refuted. So, this is a training wage."

At 12:06 p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:09 p.m.

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. 2510, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INCOME," passed Third Reading by a vote of 42 ayes to 8 noes, with Representatives Okimoto, Sayama, Tarnas, and Wildberger voting aye with reservations, and with Representatives Eli, Kapela, Kong, Matsumoto, Perruso, Quinlan, Takumi, and Ward voting no.

At 12:15 p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2015, HD 2
 H.B. No. 2397, HD 3
 H.B. No. 1839, HD 2
 H.B. No. 2512, HD 2
 H.B. No. 1490, HD 1
 H.B. No. 1494, HD 1
 H.B. No. 1507, HD 1
 H.B. No. 1982, HD 2
 H.B. No. 2179, HD 1
 H.B. No. 2470, HD 2
 H.B. No. 1645, HD 2
 H.B. No. 1800, HD 2
 H.B. No. 1809, HD 3
 H.B. No. 1842, HD 2
 H.B. No. 2088, HD 3

H.B. No. 886, HD 1
 H.B. No. 1690, HD 2
 H.B. No. 2073, HD 1
 H.B. No. 1965, HD 2
 H.B. No. 2146, HD 2
 H.B. No. 1239, HD 2
 H.B. No. 1827, HD 2
 H.B. No. 1840, HD 2
 H.B. No. 2511, HD 2
 H.B. No. 2510, HD 2

THIRD READING

At this time, the Chair stated:

"Members, please note on page 31, House Bill 2464, HD 1, SCR 793, will be deferred to end of calendar."

H.B. No. 2464, HD 1:

By unanimous consent, action was deferred to the end of the calendar.

H.B. No. 1597, HD 1:

Representative Belatti moved that H.B. No. 1597, HD 1 pass Third Reading, seconded by Representative Morikawa.

Representative Har 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 H.B. No. 1597, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICAL CONTRACTORS," passed Third Reading by a vote of 47 ayes to 3 noes, with Representative Har voting aye with reservations, and with Representatives Kapela, McDermott, and McKelvey voting no.

H.B. No. 2293, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2293, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 50 ayes.

H.B. No. 2422, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2422, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Third Reading by a vote of 50 ayes.

H.B. No. 2075, HD 1:

Representative Belatti moved that H.B. No. 2075, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. No vote and just a short comment. I think we have ample gun laws in Hawaii, and we don't need this bill to protect anybody. Thank you."

Representative Matsumoto rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Matsumoto's written remarks are as follows:

"I stand with reservations on this bill as it is unconstitutional as determined in *Yukutake vs. Conners* in the US District Court of Hawaii on August 16, 2021.

"The bill extends the permitting time period from 10 days to 30 days for gun acquisitions, but that does not change the unconstitutionality of the permit requirement. And narrowing the scope of the inspection from all guns to a specified subset does not change the judgement that says the Police Departments 'are permanently enjoined from enforcing ... in-person firearm inspection and registration requirement.'

"The modifications of the statutes in this bill are going to be taken to court again at great time and expense. Changing minor details of the unconstitutional practice does not uphold the spirit of the District Court's decision.

"Here is the decision from J. Michael Seabright, Chief United States District Judge (pgs:31-32):

HRS § 134-2(e)'s requirement that "[p]ermits issued to acquire any pistol or revolver shall be void unless used within ten days after the date of issue" is declared unconstitutional in violation of the Second Amendment. Defendant's officers, agents, servants, employees, and all persons in active concert or participation with Defendant are permanently enjoined from enforcing HRS § 134-2(e)'s 10-day permit use requirement for handguns. To be clear, no other language in HRS § 134-2(e) is found unconstitutional.

HRS § 134-3(c)'s requirement that, with the exception of certain licensed dealers, "[a]ll other firearms and firearm receivers registered under [HRS § 134] shall be physically inspected by the respective county chief of police or the chief's representative at the time of registration" is unconstitutional in violation of the Second Amendment. Defendant's officers, agents, servants, employees, and all persons in active concert or participation with Defendant are permanently enjoined from enforcing HRS § 134-3(c)'s in-person firearm inspection and registration requirement. To be clear, no other language in HRS § 134-3(c) is found unconstitutional."

The motion was put to vote by the Chair and carried, and H.B. No. 2075, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Third Reading by a vote of 44 ayes to 6 noes, with Representative Matsumoto voting aye with reservations, and with Representatives Har, Kong, McDermott, Okimoto, Tokioka, and Ward voting no.

H.B. No. 1459, HD 1:

Representative Belatti moved that H.B. No. 1459, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

Representative Har 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 H.B. No. 1459, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILE RESTITUTION," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Har and Tokioka voting aye with reservations, and with Representatives Kapela, D. Kobayashi, and Wildberger voting no.

H.B. No. 2197, HD 1:

Representative Belatti moved that H.B. No. 2197, HD 1 pass Third Reading, seconded by Representative Morikawa.

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 H.B. No. 2197, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GAMBLING," passed Third Reading by a vote of 48 ayes to 2 noes, with Representative Perruso voting aye with reservations, and with Representatives Kapela and McDermott voting no.

H.B. No. 1732, HD 1:

Representative Belatti moved that H.B. No. 1732, HD 1 pass Third Reading, seconded by Representative Morikawa.

Representative Matsumoto rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Matsumoto's written remarks are as follows:

"In 2021, the Legislature allowed for citizens to carry electric guns for their protection. This bill would not allow the owner of the electric gun to carry it, even if not operational, basically anywhere they would need to use it. For example, not at a public school, not on public transportation, no state or city building or their parking lots, and the stadium. This seems to defeat the purpose of allowing electric guns for personal protection."

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

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

"Mr. Speaker, reservations and brief comment. I'm not against the concept of this bill, I do think it's, on further reading, it might be a little bit too broad, but I just want to note my reservations as to the number of locations that this would cover. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 1732, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS," passed Third Reading by a vote of 38 ayes to 12 noes, with Representatives Matayoshi and Matsumoto voting aye with reservations, and with Representatives Eli, Gates, Har, Kitagawa, Kong, LoPresti, McDermott, McKelvey, Okimoto, Takumi, Tokioka, and Ward voting no.

H.B. No. 1453, HD 1:

Representative Belatti moved that H.B. No. 1453, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

"Thank you. Opposition, brief comment. Let's not further criminalize traffic offenses or poor driving. Thank you."

Representative Perruso 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 H.B. No. 1453, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed Third Reading by a vote of 41 ayes to 9 noes, with Representatives Kapela, D. Kobayashi, LoPresti, Lowen, McKelvey, Perruso, Quinlan, Tam, and Wildberger voting no.

H.B. No. 2213, HD 1:

Representative Belatti moved that H.B. No. 2213, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. Just with reservations. I support the idea behind this bill, but, as I've noted before, the title, Relating to Mail Theft, the contents of the bill have to do with FedEx and UPS packages property and not with mail or mail service. And so, I think this could present a constitutional issue down the road. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 2213, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MAIL THEFT," passed Third Reading by a vote of 47 ayes to 3 noes, with Representative McKelvey voting aye with reservations, and with Representatives Har, Kapela, and Tokioka voting no.

H.B. No. 2074, HD 1:

Representative Belatti moved that H.B. No. 2074, HD 1 pass Third Reading, 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."

Representative Tokioka 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 H.B. No. 2074, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT FOR TIME OF DETENTION PRIOR TO SENTENCE," passed Third Reading by a vote of 50 ayes, with Representatives Tokioka and Wildberger voting aye with reservations.

H.B. No. 2024, HD 1:

Representative Belatti moved that H.B. No. 2024, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. I rise in support of this measure. With your direction, this House took on a job that nobody else was willing to do. But we needed to do it, and that was to evaluate an alternative management framework for Mauna Kea. If people had listened to the University of Hawaii's presentation to the Land Board when they were requesting their new lease, they did evaluate several different possible futures. And when they came to this particular one, which is a management framework without the UH, they said, we really aren't going to evaluate this, we'll leave this to somebody else to do. Well, with your leadership, this House did exactly that.

"I recognize this is a challenging bill. And this is my district, I have constituents who support astronomy on Mauna Kea and constituents who say Native Hawaiians need a greater voice in the governance of Mauna Kea. My goal in taking part in this whole process was to achieve both of those. I recognize the paramount importance of Mauna Kea and the very serious responsibility that we have to manage this public trust resource. There is very strong opinions on all sides of this. And this debate is not over as to what is the best management framework for Mauna Kea.

"Through this bill, I'm seeking a path forward that provides for a substantive role for Native Hawaiians in decision making about the management of Mauna Kea and a stable future for astronomy on Mauna Kea. I hear from opponents of the bill that the future of astronomy is endangered with this bill. I respond by saying that this new management authority will need to decide about future leases for the existing observatories and for any new observatory that is proposed for the *mauna*. These decisions must be made after careful review of the proposed facility, close consultation with all stakeholders, evaluation of the environmental impact, and the determination of just and fair compensation that is to be paid for the privilege of building and operating a facility on Mauna Kea.

"The directive to the authority to prepare a plan to return the summit to its natural state is justified as an alternative option when evaluating the continued use of the existing observatories or the construction of any new observatory. The bill was amended to say that this plan to return the summit to its natural state should be prepared at the time that the ground-based observatories are considered obsolete because of space-based technology.

"Personally, I hope that the observatories will be allowed to continue to operate on Mauna Kea for many, many years to come and continue the great discoveries that they are providing to all of us on Earth. I don't expect that space-based telescopes will replace ground-based telescopes anytime soon. But this decision that we are talking about really needs to be made by the authority, not by the Legislature. And this authority is to have a greater, more substantive involvement of Native Hawaiians in the decision making on the *mauna*.

"We made significant improvements to the bill. It still needs more work. This reason I want to continue the discussion on the bill, send it to the Senate, I urge the Senate to work with this bill and improve it, send it back to the House so we can conference on it and find a path forward that is best for the *mauna* and for Hawaii. Thank you, Mr. Speaker."

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

"Mr. Speaker, in support. I rise in strong support of HB 2024, Relating to Mauna Kea. Last year, this body adopted House Resolution 33, House Draft 1, establishing the Mauna Kea Working Group to develop recommendations for a new governance and management structure for Mauna Kea that collaboratively engaged all stakeholders, particularly the Native Hawaiian community.

"Thank you, Mr. Speaker, for giving me, representative for Mauna Kea, the honor and privilege of serving as the chair of this critical working group. The working group developed a report of its recommendations and it was presented to you in January. Thank you, Mr. Speaker, for giving me and the working group this opportunity to chart a new course for the *mauna*. Mr. Speaker, House Bill 2024 reflects the Mauna Kea Working Group's vision for a new future for Mauna a Wākea. It reflects a shared hope and dream for a better future for the *mauna* that includes astronomy and reflects our Native Hawaiian values. Mr. Speaker, House Bill 2024 shows that we can do better for Hawaii and care for our environment and our *mauna*.

"In closing, Mr. Speaker, I would like to acknowledge the members of the working group. We dedicated six months to support this assignment and share information, learn together, and more importantly, shared our respect and *aloha* for Mauna a Wākea. There were several members in the audience earlier today, and I would like to ask that we include the list of the community members of the working group in my text. Thank you."

The members of the Mauna Kea Working Group are as follows:

Representative Mark Nakashima, Chair, House of Representatives;
 Representative Ty J.K. Cullen, House of Representatives;
 Representative Stacelynn K.M. Eli, House of Representatives;
 Representative David A. Tarnas, House of Representatives;
 Ms. Jocelyn Leialoha M. Doane, Native Hawaiian Community Representative;
 Dr. Lui Hokoana, Native Hawaiian Community Representative;
 Dr. Bonnie Irwin, Chancellor, University of Hawai'i at Hilo;
 Dr. Pualani Kanaka'ole Kanahele, Native Hawaiian Community Representative;
 Mr. Joshua Lanakila Mangauli, Native Hawaiian Community Representative;
 Mr. Robert K. Masuda, First Deputy, Board of Land and Natural Resources;
 Mr. Rich Matsuda, Interim Chief of Operations, W.M. Keck Observatory;
 Ms. Brialyn Onodera, Native Hawaiian Community Representative;
 Mr. Shane Palacat-Nelsen, Native Hawaiian Community Representative;
 Mr. Sterling Wong, Office of Hawaiian Affairs;
 Dr. Noe Noe Wong-Wilson, Native Hawaiian Community Representative;
 Mr. Wayne Tanaka, Office of Hawaiian Affairs; and
 Dr. Sylvia Hussey, Office of Hawaiian Affairs.

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

"Thank you, Mr. Speaker. With reservations. I previously voted no on this measure, and my opposition to this measure was never about the contents and the work that has been done by the working group. I appreciate the chair, I appreciate all the members who have taken the time over the months and many, many, numerous meetings to get to where we are today.

"I still have the same concerns, the strong concerns that a lot of members expressed when we did that decision making for the one hearing we had. I wish that we had more than one hearing in the House. I wish that we had, you hear the voices, they're here, it's loud. They need a venue to speak their truths. By us putting it one day on a Saturday, I don't feel like that was the best way to go about it.

"But Mr. Speaker, this measure is of such importance, I will not let the mechanics of it be the reason I vote no. Last Friday, we had our last talk story with the Hawaiian Caucus with Aunty Noe Noe Wong-Wilson, Aunty Pua Kanahele, and Mahina Paishon-Duarte, who are all participants of the working group. The discussion that we had put to rest a lot of the fears and concerns which brought about my previous no vote.

"Mr. Speaker, when I initially heard about the privacy agreement and saw the meeting minutes that came out of the working group, I had major concerns. This is not how we do any other working groups, why are there special conditions for us? But what I learned through the discussions was that although there was a little bit of a slow start to get to know each other and build the respect level, that there were a lot of very respectful and productive conversations which produced this product, what you have today.

"Mr. Speaker, we as a government have a long way to build back the trust of the Hawaiian community and the community in general. But to me, this could be a first step, but only the first step. Whether we pass this bill or not this year, this working group needs to continue with broader support from the public, hopefully including the other house. And we need to continue

these conversations and we need to build upon what has been worked on over these last few months.

"But in our discussion, we learned that these meetings only started in September, and we're in March now. It's not even one year. We can't stand here and say that we're going to put to rest decades-long issues in six months. So, although I do appreciate and thank everybody for all the work that's done, I look forward to the long process going forward and continuing to work on this issue. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I too stand with reservations on the measure. I would first like to adopt the words of the previous speaker as if they were my own, because it really hits the nail on the head, my concerns going along," and the Chair "so ordered." (By reference only.)

Representative McKelvey continued, stating:

"In committee, I said this bill represents the good, the bad, and the ugly. The good were some of the amendments that were made in response to public testimony, like for instance, removing the old abandoned not used telescopes that are up there anymore.

"When I was your Economic Development chair, I went up there with some professors who lamented the fact that you have students who could benefit from the use of telescope time, Native Hawaiian students. And telescope time, Mr. Speaker, is like pilot hours for pilots. It's what gives kids who want to be in the astronomy field a chance to up their credentials to stand out from other programs. And here they were, like you once mentioned, like the thing out of Star Wars with the eye coming out of it, this rusty shuddered telescope just sitting there. And also reexamining the issue of commercial activity, as was stated by the speaker from Kihei back in the committee hearing as well.

"Unfortunately, though, there are some bad things, and one is that this is an authority, an absolute authority, one that will last. This bill is envisioned, and the commission is envisioned to last in perpetuity. Twenty, thirty, forty years, what happens in that time if they make decisions in that group that run counter to the community, to Native Hawaiians everywhere? I mean, this is something that needs to be examined.

"But I think the one thing about it, though, is I've heard over and over again in talking to many people on the sides of the issue, and that is this. The present situation is untenable. To do nothing, to have no conversation whatsoever basically kicks the can down the road. And I think that's one thing. And speaking to one person of the bill, I said, if you were a representative, how would you go on this thing if you were in my shoes? And they said, we would support it with reservations to signify the amount of work that needs to be done. But the work cannot continue, the conversation can't continue unless there is a way to continue it. And so, I just want to echo my reservations on the measure today. Thank you."

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

"With reservations, Mr. Speaker. I appreciate this measure's efforts to address the longstanding criticism of the University of Hawaii's mismanagement of the *mauna*. I agree with those criticisms and the fact that we must remove UH as the manager of Mauna Kea. As a Native Hawaiian woman though, I want to state that this measure must not enable a process that leads to the construction of TMT on Mauna Kea. This is not just about a telescope or the role of astronomy in Hawaii. It's about the ongoing displacement of Hawaiian people within our own homeland.

"We are taking steps this year to rectify some of the problems facing Native Hawaiian people, including appropriating \$600 million for Hawaiian Home Lands. That is a generational investment in the well-being of Hawaii's native people. We should sustain our focus on undoing the legacy of colonialism and historical trauma that continues to harm the Native Hawaiian community. We should rededicate ourselves to restoring Hawaiian stewardship of our *āina*. It is, after all, our land, Hawaiian's land, that was stolen, colonized, and corporatized. To repair those historical injustices, we should uplift Hawaiian's rights to self-determination, especially when it comes to the fate of our most sacred spaces.

"I am glad that we are finally addressing the mismanagement of Mauna Kea, which has been detailed by Hawaiian cultural practitioners and our state auditor for over a decade. Let's use this as an opportunity to rebuild the public trust for our islands, for native people, and not just another telescope on sacred ground. Thank you."

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

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

"Thank you, Mr. Speaker. With reservations and hopes for an inclusive process for this very important work. I was very encouraged after the Hawaiian Caucus meeting we had the other day, that the folks that have worked on this have been extremely comprehensive, extremely cooperative, and extremely collaborative. And I look forward to this being a healing and inclusive result. Thank you."

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

Representative Perruso rose in support of the measure with reservations and asked that the remarks of Representative Kapela be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

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

"Mr. Speaker, no vote with reservations. And I know there is not a category no with reservations. But there is something good in the bill, it's better than nothing. But there is something better than nothing that I think we can do and that we should still be working on. My problem is that there's too much virtue signaling of what we've done and what we can do. My sense is, eventually this is just going to kick the can down the mountain and this stuff is going to rise up again and hit us in the face. For those reasons, Mr. Speaker, no vote with some virtue and with reservations. Thank you."

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

Representative Quinlan rose in support of the measure with reservations and asked that the remarks of Representatives McKelvey and Holt be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

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

Representative Gates rose in support of the measure with reservations and asked that the remarks of Representative Holt be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

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

"With reservations and may I adopt the words of the Representative from Kamuela as if they're my own," and the Chair "so ordered." (By reference only.)

Representative Branco continued, stating:

"And a brief comment as well. The Mauna a Wākea stewardship authority legislation will establish a new paradigm for managing and caring for our *wahi pana*, significant cultural, historic, and ecological important places in Hawaii based on Hawaiian culture, values, and principles. Also important is the need for the Native Hawaiian and community participation in the formation and ongoing oversight of these entities and these special places.

"This is one of the reasons I vote WR, is I believe that the astronomical community should have a seat at the table. But more importantly, this hard conversation happened, and this is a move forward. And only with hard conversations can we get to a consensus. And I believe that we have gotten there, but we still need one more voice at the table. But also, what's most important is to note that this is equity for Native Hawaiians. And with the working group that is proposed, Native Hawaiians will have a significant amount of equity at the table. *Mahalo*."

Representative Ward rose in opposition to the measure and asked that the remarks of Representative Holt be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and H.B. No. 2024, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MAUNA KEA," passed Third Reading by a vote of 45 ayes to 5 noes, with Representatives Branco, Gates, Holt, Kapela, Kitagawa, Matsumoto, McKelvey, Okimoto, Perruso, Quinlan, Takumi, and Wildberger voting aye with reservations, and with Representatives B. Kobayashi, D. Kobayashi, LoPresti, Lowen, and Ward voting no.

At 12:41 p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1597, HD 1
H.B. No. 2293, HD 1
H.B. No. 2422, HD 1
H.B. No. 2075, HD 1
H.B. No. 1459, HD 1
H.B. No. 2197, HD 1
H.B. No. 1732, HD 1
H.B. No. 1453, HD 1
H.B. No. 2213, HD 1
H.B. No. 2074, HD 1
H.B. No. 2024, HD 1

At 12:41 p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:54 p.m.

LATE INTRODUCTIONS

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

Representative Ward introduced Bart Dame, national committeeman, Democratic Party of Hawaii.

Representative Wildberger introduced Jun Shin.

END OF CALENDAR

THIRD READING

H.B. No. 2464, HD 1:

Representative Belatti moved that H.B. No. 2464, HD 1 pass Third Reading, seconded by Representative Morikawa.

Representative Nakashima moved that H.B. No. 2464, HD 1 be recommitted to the Committee on Judiciary & Hawaiian Affairs, seconded by Representative Belatti.

Representative Ward rose, stating:

"Mr. Speaker, would it be possible to hear some rationale why it's being recommitted? Just as a rationale for the recommitment just as a query, point of information."

Representative Belatti rose to speak in support of the motion to recommit, stating:

"Mr. Speaker, in support of the motion for recommitment. This measure is addressing a very critical and important issue in our community, but it needs more time for discussion and further development in the Committee on Judiciary & Hawaiian Affairs. Thank you, Mr. Speaker."

Representative Okimoto rose to speak in opposition to the motion to recommit, stating:

"Mr. Speaker, I rise in opposition to the recommitment. Mr. Speaker, our America's founders considered self-preservation to be a fundamental natural right of all people, so much so that they codified this in the Second Amendment. Recommitting this bill feeds into the idea that citizens must seek permission to exercise their fundamental right to self-preservation. Therefore, I urge this body to send this piece of legislation to the Senate, Mr. Speaker. Thank you."

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

Representative Ward rose, stating:

"Mr. Speaker, point of information. Is this a recommittal time certain or a recommittal that goes forever and ever?"

The Chair then stated:

"The latter, this is a permanent recommittal."

The motion was put to vote by the Chair and carried, and H.B. No. 2464, HD 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF FORCE IN SELF-PROTECTION," was recommended to the Committee on Judiciary & Hawaiian Affairs, with Representatives Okimoto and Tokioka voting no, and with Representative Holt being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 29 through 33) and concurrent resolutions (H.C.R. Nos. 33 through 38) were referred to Printing and further action was deferred:

H.R. No. 29, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ASSESS AND REPORT TO THE LEGISLATURE WHETHER AND TO WHAT EXTENT EXISTING CURRICULUM AND TRAINING ALIGN WITH ERIN'S LAW," was offered by Representative Yamane.

H.R. No. 30, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII EMERGENCY MANAGEMENT AGENCY TO DEVELOP A PRELIMINARY DRAFT EVACUATION PLAN FOR THE AREAS WITHIN LAVA ZONES 1, 2, 3, 4, AND 6," was jointly offered by Representatives Ilagan, Branco, Eli, Hashimoto, Kapela, Marten, Matayoshi, McKelvey, Nishimoto, Ohno, Onishi, Perruso, Sayama, Takayama, Tam, and Tokioka.

H.R. No. 31, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO WORK WITH THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION AND DEPARTMENT OF EDUCATION TO CREATE A CORAL REEF ADVISORY TEAM OF YOUTH," was jointly offered by Representatives Clark, Hashimoto, B. Kobayashi, D. Kobayashi, LoPresti, Lowen, Marten, Perruso, Takayama, and Tam.

H.R. No. 32, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ESTABLISH A RELIABLE, INDEPENDENT, AND TRANSPARENT METHODOLOGY TO ASSESS EFFECTS OF RADIO FREQUENCY EMISSIONS GENERATED BY WIRELESS ANTENNA SITES," was offered by Representative Takayama.

H.R. No. 33, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PERFORMANCE AUDIT OF THE DEPARTMENT OF HEALTH, HAWAII STATE HOSPITAL, AND HAWAII INFORMATION PORTAL," was jointly offered by Representatives Tam, Marten, Mizuno, and Ohno.

H.C.R. No. 33, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SOCIAL AND FINANCIAL ASSESSMENT OF PROPOSED MANDATORY HEALTH INSURANCE COVERAGE FOR EARLY ACCESS BREAST CANCER SCREENING," was offered by Representative Yamane.

H.C.R. No. 34, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ASSESS AND REPORT TO THE LEGISLATURE WHETHER AND TO WHAT EXTENT EXISTING CURRICULUM AND TRAINING ALIGN WITH ERIN'S LAW," was offered by Representative Yamane.

H.C.R. No. 35, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII EMERGENCY MANAGEMENT AGENCY TO DEVELOP A PRELIMINARY DRAFT EVACUATION PLAN FOR THE AREAS WITHIN LAVA ZONES 1, 2, 3, 4, AND 6," was jointly offered by Representatives Ilagan, Branco, Eli, Hashimoto, Kapela, Marten, Matayoshi, McKelvey, Nishimoto, Ohno, Onishi, Perruso, Sayama, Takayama, Tam, and Tokioka.

H.C.R. No. 36, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO WORK WITH THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION AND DEPARTMENT OF EDUCATION TO CREATE A CORAL REEF ADVISORY TEAM OF YOUTH," was jointly offered by Representatives Clark, Hashimoto, B. Kobayashi, D. Kobayashi, LoPresti, Lowen, Marten, Perruso, Takayama, and Tam.

H.C.R. No. 37, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ESTABLISH A RELIABLE, INDEPENDENT, AND TRANSPARENT METHODOLOGY TO ASSESS EFFECTS OF RADIO FREQUENCY EMISSIONS GENERATED BY WIRELESS ANTENNA SITES," was offered by Representative Takayama.

H.C.R. No. 38, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PERFORMANCE AUDIT OF THE DEPARTMENT OF HEALTH, HAWAII STATE HOSPITAL, AND HAWAII INFORMATION PORTAL," was jointly offered by Representatives Tam, Marten, Mizuno, and Ohno.

ANNOUNCEMENTS

Representative Okimoto: "Thank you, Mr. Speaker. I'd just like to invite all of those who would like to participate. Thankful to Vice Speaker and our Minority Leader Emeritus for continuing the fellowship luncheons. We will be having a fellowship luncheon hosted by Representative Kong and myself this coming Thursday. An email will be sent out and all who would like to join us, please RSVP through that email. *Mahalo.*"

Representative Morikawa: "Thank you, Mr. Speaker. My office manager, Mark Mararagan, has been with me since I first came to the Legislature 12 years ago. As you know, he's from Kauai, and most of his family still lives there. His dad, Gerardo Mararagan, passed away last night, and I would like to offer my condolences and remember him as Mark's strength and foundation. *Aloha oe*, Mr. Mararagan. Thank you, Mr. Speaker."

Representative Hashimoto: "Mr. Speaker, I'd like to wish a very happy birthday to our colleague from Moanalua, Salt Lake area, and hope you have a great day."

Representative Ward: "Mr. Speaker, I have a couple of *mahalos*. First to you sir, for the excellent pin of the Ukrainian flag that hopefully many are wearing. And thanks to all of you who have got a Ukrainian flag, and by the way, if you don't have one, we still have a supply left in our office. And lastly, I'd like to welcome back the great debater, Sharon Har. Thank you, Mr. Speaker."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.R.</u> <u>Nos.</u>	<u>Referred to:</u>
22	Committee on Agriculture, then to the Committee on Consumer Protection & Commerce
23	Committee on Agriculture, then to the Committee on Education
24	Committee on Education, then to the Committee on Judiciary & Hawaiian Affairs
25	Committee on Transportation, then to the Committee on Finance
26	Jointly to the Committee on Education and the Committee on Housing, then to the Committee on Finance
27	Committee on Water & Land, then to the Committee on Judiciary & Hawaiian Affairs
<u>H.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>
24	Committee on Agriculture, then to the Committee on Consumer Protection & Commerce
25	Committee on Agriculture, then to the Committee on Education

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- 26 Committee on Education, then to the Committee on Judiciary & Hawaiian Affairs
 - 27 Committee on Culture, Arts, & International Affairs, then to the Committee on Judiciary & Hawaiian Affairs
 - 28 Committee on Health, Human Services, & Homelessness, then to the Committee on Consumer Protection & Commerce
 - 29 Committee on Transportation, then to the Committee on Finance
 - 30 Jointly to the Committee on Education and the Committee on Housing, then to the Committee on Finance
 - 31 Committee on Water & Land, then to the Committee on Judiciary & Hawaiian Affairs

ADJOURNMENT

At 1:00 p.m., on motion by Representative Morikawa, seconded by Representative Matsumoto and carried, the House of Representatives adjourned until noon Thursday, March 10, 2022. (Representative Holt was excused.)