

FORTY-THIRD DAY

Monday, April 4, 2022

The House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2022, convened at 12:03 p.m., with Speaker Saiki presiding.

The invocation was delivered by Representative Adrian K. Tam, after which the Roll was called showing all members present, with Representative Matsumoto participating remotely via videoconference, and with the exception of Representatives Gates, McDermott, and Nakashima, who were excused.

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

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 15) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 15, dated April 1, 2022, informing the House that the United Public Workers (UPW) and the employer have reached an agreement concerning collective bargaining Unit 10 (Institutional, Health, and Correctional Workers) on March 31, 2022, and transmitting proposed H.B. No. 2098, HD 1, SD 2, and S.B. No. 2791, SD 1, HD 2, to fund the award.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 575 through 590) were received and announced by the Clerk:

Sen. Com. No. 575, transmitting S.C.R. No. 33, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BLOOD BANK OF HAWAII TO IMMEDIATELY ADOPT THE FOOD AND DRUG ADMINISTRATION'S UPDATED GUIDANCE, WHICH SHORTENS OR ELIMINATES THE DEFERRAL PERIOD FOR CERTAIN BLOOD DONORS," which was adopted by the Senate on April 1, 2022.

Sen. Com. No. 576, transmitting S.C.R. No. 57, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ENDORSE THE NEW PLASTICS ECONOMY GLOBAL COMMITMENT AND THE OFFICE OF PLANNING AND SUSTAINABLE DEVELOPMENT TO SET TARGETS TO FULFILL THE NEW PLASTICS ECONOMY GLOBAL COMMITMENT," which was adopted by the Senate on April 1, 2022.

Sen. Com. No. 577, transmitting S.C.R. No. 67, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO SUBMIT A REPORT ON PESTICIDE INSPECTIONS CONDUCTED WITHIN THE PAST FIVE YEARS AND STRENGTHEN STATEWIDE ENFORCEMENT OF RESTRICTED USE PESTICIDE VIOLATIONS," which was adopted by the Senate on April 1, 2022.

Sen. Com. No. 578, transmitting S.C.R. No. 76, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF AGRICULTURE TO PROHIBIT UNAPPROVED RESIDENTIAL USE OF FARM DWELLINGS IN AGRICULTURAL PARKS," which was adopted by the Senate on April 1, 2022.

Sen. Com. No. 579, transmitting S.C.R. No. 169, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO DEVELOP AND IMPLEMENT A PROCESS TO CERTIFY PRIVATELY-OWNED AND OPERATED PLANT QUARANTINE FACILITIES," which was adopted by the Senate on April 1, 2022.

Sen. Com. No. 580, transmitting S.C.R. No. 172, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO EXPAND QUARANTINE FACILITIES ADMINISTERED BY THE PLANT QUARANTINE BRANCH," which was adopted by the Senate on April 1, 2022.

Sen. Com. No. 581, transmitting S.C.R. No. 197, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP PROTOCOLS FOR HOSPITALS IN THE STATE TO IMPROVE THE TREATMENT OF PATIENTS CONTEMPLATING SUICIDE," which was adopted by the Senate on April 1, 2022.

Sen. Com. No. 582, transmitting S.C.R. No. 206, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO STRONGLY SUPPORT PASSAGE OF THE WOMEN'S HEALTH PROTECTION ACT OF 2021 TO PROTECT THE RIGHT TO ACCESS AND PROVIDE ABORTION SERVICES," which was adopted by the Senate on April 1, 2022.

Sen. Com. No. 583, transmitting S.C.R. No. 233, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE CITY AND COUNTY OF HONOLULU TO EXPAND AND IMPROVE SERVICES AT THE WAI'ANA'E CONVENIENCE CENTER," which was adopted by the Senate on April 1, 2022.

Sen. Com. No. 584, transmitting S.C.R. No. 243, entitled: "SENATE CONCURRENT RESOLUTION ENGAGING, ENDORSING, ACCEPTING, AND ADOPTING THE NEW YORK DECLARATION ON FORESTS TO ACHIEVE THE UNITED NATIONS PARIS AGREEMENT AND THE 2030 AGENDA FOR SUSTAINABLE DEVELOPMENT; SPECIFICALLY SUSTAINABLE DEVELOPMENT GOAL 15, LIFE ON LAND," which was adopted by the Senate on April 1, 2022.

Sen. Com. No. 585, transmitting H.B. No. 1455, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ROBBERY IN THE FIRST DEGREE," which passed Third Reading in the Senate on April 1, 2022.

Sen. Com. No. 586, transmitting H.B. No. 1486, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT," which passed Third Reading in the Senate on April 1, 2022.

Sen. Com. No. 587, transmitting H.B. No. 1692, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MOBILE ELECTRONIC DEVICES," which passed Third Reading in the Senate on April 1, 2022.

Sen. Com. No. 588, transmitting H.B. No. 2115, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," which passed Third Reading in the Senate on April 1, 2022.

Sen. Com. No. 589, transmitting H.B. No. 2213, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MAIL THEFT," which passed Third Reading in the Senate on April 1, 2022.

Sen. Com. No. 590, transmitting H.B. No. 2272, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM ASSOCIATIONS," which passed Third Reading in the Senate on April 1, 2022.

Representative Belatti moved to disagree to the amendments made by the Senate to the following House Bills, seconded by Representative Morikawa and carried: (Representatives Gates and McDermott were excused.)

H.B. No. 1455, HD 1, (SD 1)
H.B. No. 1486, HD 2, (SD 1)
H.B. No. 1692, (SD 2)
H.B. No. 2115, HD 1, (SD 1)
H.B. No. 2213, HD 1, (SD 1)
H.B. No. 2272, HD 1, (SD 1)

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 273 through 279) were received by the Clerk and were placed on file:

Dept. Com. No. 273, from the Department of Taxation, dated December 28, 2021, transmitting an amended Report on Non-General Fund Information, pursuant to Section 37-47, HRS.

Dept. Com. No. 274, from the Department of Health, dated December 31, 2021, transmitting the Report on Administratively Established Accounts or Funds, pursuant to Section 37-52.5, HRS.

Dept. Com. No. 275, from the Department of Health, dated December 31, 2021, transmitting the Food Safety Branch (f.k.a. Sanitation Branch) Annual Audit Sanitation and Environmental Health Special Fund Fiscal Year 2021, pursuant to Sections 321-27.5 and 321-27, HRS.

Dept. Com. No. 276, from the Department of Health, dated December 31, 2021, transmitting the Report on Implementation of the State Plan for Substance Abuse; Report by the Hawaii Advisory Commission on Drug Abuse and Controlled Substances; Report on the Coordination of Offender Substance Abuse Treatment Programs; Progress Report on the Substance Abuse Treatment Monitoring Program; and the Report on Unintentional Opioid-Related Drug Overdose, pursuant to Sections 321-195, 329-3, and 329E-6, HRS; Act 161, Section 10, SLH 2002; and Act 40, Section 29, SLH 2004.

Dept. Com. No. 277, from the Department of Health, dated December 31, 2021, transmitting the report, Relating to the Transition of the Oahu Regional Health Care System from the Hawaii Health Systems Corporation into the Department of Health, pursuant to Act 212, SLH 2021.

Dept. Com. No. 278, from the Office of Enterprise Technology Services, dated January 4, 2022, transmitting the DOE FMS Modernization Project IV&V Monthly Status Report – Final for Reporting Period June 16 – July 19, 2021, pursuant to Section 27-43.6, HRS.

Dept. Com. No. 279, from the Office of Enterprise Technology Services, dated January 4, 2022, transmitting the DOE FMS Modernization Project IV&V Monthly Status Report – Final for Reporting Period May 16 – June 15, 2021, pursuant to Section 27-43.6, HRS.

INTRODUCTIONS

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

Representative Branco introduced Brandon Wolfe of ILWU, and other ILWU associates.

Representative Luke introduced Representative Nishimoto's parents, Melvin and Patricia Nishimoto; and his staff, Taylor Date.

Representative Hashem introduced his son's wrestling coach, Mike Lee.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1668-22) recommending that H.R. No. 43, as amended in HD 1, be adopted.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.R. No. 43, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO CONSIDER EFFORTS TO MITIGATE HIGH ENERGY BURDENS FOR LOW- AND MODERATE-INCOME CUSTOMERS AND INPUT BY THE CONSUMER ADVOCATE AND INVESTIGATE HOW TO INTEGRATE CONSIDERATIONS OF ENERGY EQUITY AND JUSTICE ACROSS ITS WORK," was adopted, with Representatives Gates and McDermott being excused.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1669-22) recommending that H.C.R. No. 48, as amended in HD 1, be adopted.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.C.R. No. 48, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO CONSIDER EFFORTS TO MITIGATE HIGH ENERGY BURDENS FOR LOW- AND MODERATE-INCOME CUSTOMERS AND INPUT BY THE CONSUMER ADVOCATE AND INVESTIGATE HOW TO

INTEGRATE CONSIDERATIONS OF ENERGY EQUITY AND JUSTICE ACROSS ITS WORK," was adopted, with Representatives Gates and McDermott being excused.

ANNOUNCEMENTS

Representative Matayoshi: "Thank you, Mr. Speaker. I just wanted to wish a happy birthday to our friend and fashionable colleague, Representative Ascot (Scott) Nishimoto."

Representative LoPresti: "Thank you, Mr. Speaker. I just wanted to announce, the Progressive Caucus meeting is going to be rescheduled from this afternoon to early Wednesday morning, 10:00 a.m., to accommodate the members on the Finance Committee. Thank you."

Representative Nakashima: "Mr. Speaker, point of order, I feel I might be in violation of the floor dress code."

Speaker Saiki: "Thank you Representative Nakashima, the Chair's ruling is the following members are in violation of the House dress code, we will insert names into the Journal. I will also note the Chair didn't wear it."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>S.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>
28	Committee on Consumer Protection & Commerce
33, SD1	Committee on Health, Human Services, & Homelessness, then to the Committee on Consumer Protection & Commerce
34, SD1	Committee on Education, then to the Committee on Finance
42	Committee on Health, Human Services, & Homelessness, then to the Committee on Finance
57, SD1	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
63, SD1	Committee on Education, then to the Committee on Judiciary & Hawaiian Affairs
67	Committee on Agriculture, then to the Committee on Consumer Protection & Commerce
75	Jointly to the Committee on Water & Land and the Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
76	Committee on Agriculture, then to the Committee on Judiciary & Hawaiian Affairs
82	Committee on Health, Human Services, & Homelessness, then to the Committee on Finance
100, SD1	Committee on Health, Human Services, & Homelessness, then to the Committee on Consumer Protection & Commerce
124, SD1	Committee on Health, Human Services, & Homelessness
130, SD1	Committee on Health, Human Services, & Homelessness, then to the Committee on Consumer Protection & Commerce
131, SD1	Committee on Education, then to the Committee on Judiciary & Hawaiian Affairs
169	Committee on Agriculture, then to the Committee on Finance
171	Committee on Education, then to the Committee on Finance
172	Committee on Agriculture, then to the Committee on Finance
183	Committee on Health, Human Services, & Homelessness, then to the Committee on Finance
197, SD1	Committee on Health, Human Services, & Homelessness

- 206 Committee on Health, Human Services, & Homelessness, then to the Committee on Judiciary & Hawaiian Affairs
- 216 Committee on Education, then to the Committee on Judiciary & Hawaiian Affairs
- 217, SD1 Committee on Education, then to the Committee on Finance
- 226 Committee on Education, then to the Committee on Finance
- 233 Committee on Energy & Environmental Protection, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

S.B.

Nos. Re-referred to:

- 2670, SD2, HD1 Committee on Health, Human Services, & Homelessness, then to the Committee on Judiciary & Hawaiian Affairs
- 2670, SD2, HD1 Committee on Health, Human Services, & Homelessness, then to the Committee on Finance
- 3113, SD2 Committee on Finance

ADJOURNMENT

At 12:12 p.m., on motion by Representative Morikawa, seconded by Representative Okimoto and carried, the House of Representatives adjourned until noon tomorrow, Tuesday, April 5, 2022. (Representatives Gates and McDermott were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 4, 2022, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the House has disagreed to the amendments made by the Senate to the following measures:

- H.B. No. 1455, HD 1, SD 1
- H.B. No. 1486, HD 2, SD 1
- H.B. No. 1692, SD 2
- H.B. No. 2115, HD 1, SD 1
- H.B. No. 2213, HD 1, SD 1
- H.B. No. 2272, HD 1, SD 1