

FOURTEENTH DAY

Wednesday, February 8, 2023

The House of Representatives of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2023, convened at 12:03 p.m., with Vice Speaker Ilagan presiding.

The invocation was delivered by Representative Daniel Holt, after which the Roll was called showing all members present.

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

INTRODUCTIONS

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

Representative Kahaloa introduced Brian Miyamoto, executive director of the Hawai'i Farm Bureau.

Representative Marten introduced Lucy Kepa, Christine McMillan, Jamie Leong, Alvin Park, Sean McKinney, Keiki Kaeo, Raymond Almony, Roxanne Lono, and Cliff Tolliston of Hui Mahi'ai Aina.

Representative Hussey-Burdick introduced members of the Hawai'i homebirth community: Ezinne Dawson CPM; Jaymie Lewis TM, and her newborn daughter Coral Estelle; Aunty Laulani Teale, Native Hawaiian advocate; Kristie Duarte, chair, Home Birth Task Force, and her daughter, Sovereign Duarte.

Representative Gates introduced Lila Marcelino and Cathy Kawano of Pu'uhonua O Waianae.

Representative Ward introduced Cliff Kimura, Larry Murakami, and Lori Yasui.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 14) was announced by the Clerk and the following action taken:

H.R. No. 14, entitled: "HOUSE RESOLUTION COMMENDING THE UNSUNG HEROES OF HAWAII'S HOMELESS," was offered by Representative Ward.

Representative Ward moved that H.R. No. 14 be adopted, seconded by Representative Gates.

Representative Ward recognized the unsung heroes of the homeless population, noted their compassion, experience, and desire to help people, and honored and introduced honorees who were seated on the floor of the House:

Blanche McMillan, CEO, Hui Mahi'ai Aina; and
Twinkle Borge, Founder, Pu'uhonua O Wai'anae.

Representative Gates recognized Aunty Blanche and Aunty Twinkle as foundations of our community, especially our Native Hawaiian community; complimented their lifelong commitment to providing refuge and a sense of purpose for individuals facing houselessness across the state, creating meaningful connections and villages in places of instability; shared the mission of Pu'uhonua O Wai'anae: to provide a safe space, governed by strictly-enforced rules to homeless families in Hawai'i; commended Aunty Twinkle for providing encouragement to families when they feel defeated, giving hope to the hopeless; and thanked the honorees for their work.

Representative Marten recognized Aunty Blanche for her decades of service spreading love and *aloha* to children and families in need, commended her on starting the Hui Mahi'ai Aina community, giving people dignity, respect, and a role to play, and thanked the honorees for all they have done.

Representative Ward thanked the honorees for being an inspiration and blessing to the community and commended them on their work.

The motion was put to vote by the Chair and carried, and H.R. No. 14 was adopted, with Representative Hashem being excused.

At 12:18 p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:53 p.m.

REPORTS OF STANDING COMMITTEES

Representative Hashimoto, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 157) recommending that H.B. No. 1439, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1439, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EVICTION MEDIATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Hashimoto, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 158) recommending that H.B. No. 381, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 381, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Hashimoto, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 159) recommending that H.B. No. 1117, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1117, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER RENTAL HOUSING," passed Second Reading and was referred to the Committee on Education.

Representative Hashimoto, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 160) recommending that H.B. No. 1054, as amended in HD 1, pass Second Reading and be referred to the Committee on Water & Land.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1054, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Water & Land.

Representative Holt, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 161) recommending that H.B. No. 1027, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1027, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS MODERNIZATION ACT," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Holt, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 162) recommending that H.B. No. 400, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and

H.B. No. 400, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance.

Representative Holt, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 163) recommending that H.B. No. 233, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 233, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A CHILD TAX CREDIT," passed Second Reading and was referred to the Committee on Finance.

Representative Holt, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 164) recommending that H.B. No. 493, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 493, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance.

Representative Holt, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 165) recommending that H.B. No. 561, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 561, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed Second Reading and was referred to the Committee on Finance.

Representative Holt, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 166) recommending that H.B. No. 943, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 943, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO HONOKAA LAND COMPANY, LLC," passed Second Reading and was referred to the Committee on Finance.

Representative Holt, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 167) recommending that H.B. No. 1362, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1362, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PASS-THROUGH ENTITY TAXATION," passed Second Reading and was referred to the Committee on Finance.

Representative Holt, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 168) recommending that H.B. No. 398, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 398, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance.

Representative Holt, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 169) recommending that H.B. No. 337, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Nakamura moved that the report of the Committee be adopted, and that H.B. No. 337, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Morikawa.

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

"In opposition. Thank you, Mr. Speaker. Hawai'i has one of the highest tax burdens in the whole country. The census results showed for the first time ever in our state's history, there are more Hawaiians living on the U.S. continent than in Hawai'i. That's a problem because we continue to increase taxes and make Hawai'i unaffordable. And this here is a tax increase on the capital gains tax. Why are we trying to take away profit from our local residents? For those reasons, a no vote."

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

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

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

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

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

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

"Mr. Speaker, in strong support. I just want to make mention that, yes, we do have high taxes. But this is a tax that taxes luxury investments. It also taxes luxury items that are art or antiquities that our local families can't afford. So, why not capitalize on these things and then make sure that we're investing that money in our public schools, in a child tax credit, back into our communities, back into the pockets that need it. Thank you."

Representative Garcia rose to respond, stating:

"Second time, in opposition still. Our state has record surplus and yet we continue to raise taxes. The term was used 'luxury.' Well, flash alert, the average price for a house in Hawai'i is over \$1 million, that's luxury. So, anyway, no vote."

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

"Mr. Speaker, in support. I just wanted to make a comment that although we do have a surplus this year, that might not be the case for any future years. Thank you."

Representative Kong rose to respond, stating:

"Second time, still in opposition. For some reason, people are trying to equate this as income tax, also, right, the capital gains. But the capital gains is applied to all tax brackets, from the lowest to the highest. So, not necessarily it's a luxury to anyone when they sell their homes and getting this capital gains. Thank you."

Representative Kapela rose to respond, stating:

"Thank you, Mr. Speaker. Second time and just to clarify as well, in very strong support, if capital gains were to be taxed as regular income, there are studies and data that shows that the bottom 80% of taxpayers, this includes even doctors, lawyers, business executives, would be paying absolutely nothing at all. So, the only people that are actually impacted if we were to tax capital gains as regular income would be people who are making at least half a million dollars a year. So, when we talk about houses and the ability for local families, for Native Hawaiians, to not be able to afford houses, these are people who are benefitting from a living wage, not individuals who are making over half a million dollars a year. Those are individuals that need to be taxed at a higher tax rate and at least make sure that they're paying regular income on these luxury investments."

Representative Ward rose to respond, stating:

"Mr. Speaker, brief rebuttal if I may, in opposition. I know we don't have a macro economic instructor in these particular hallowed halls, but capital

is what keeps the economy and businesses and employees, it makes the economy move. Because if you don't have investment, you don't have any businesses, you don't have any hiring, you don't have any jobs. That's a macro principle regardless of where you apply it.

"The point is, why the governor had the REITS bill vetoed is because the capital that they want to bring in was saying, hey, you tax us higher, we're not going to come around. The point of making that in this context is, if you don't have capital or you discourage capital, it's going to go where it's welcome. We have no capital markets here. We have to either go to the East Coast or the West Coast in terms of where, we are a capital-short state. That's the bottom line.

"So, the more we discourage capital, the less economic development. And Mr. Speaker, if there's anything that we need, it's economic diversification. And if we discourage, for example, becoming the Hollywood of the Pacific or other ways of being innovative and creative, the sports center of the Pacific, the Geneva of the Pacific, where it's going to take capital to make it. If we discourage it. But you know, it's only 2%, okay, but who knows, it's going to go up to another 4% or 5% into the teens, to which then there will be discouragement.

"The point is, economics is market forces. This is a political force on this floor. But political forces have market consequences of which, as a capital-short place, we should not discourage people as already the highest taxed in the nation to come and invest in Hawai'i. 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. 337, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL GAINS," passed Second Reading and was referred to the Committee on Finance, with Representative Matsumoto voting aye with reservations, and with Representatives Alcos, Garcia, Kong, Pierick, and Ward voting no.

Representative Holt, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 170) recommending that H.B. No. 396, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 396, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TECHNOLOGY DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Finance.

Representative Holt, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 171) recommending that H.B. No. 397, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 397, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TECHNOLOGY DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Finance.

Representative Holt, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 172) recommending that H.B. No. 395, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 395, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TECHNOLOGY DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Finance.

Representative Holt, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 173) recommending that H.B. No. 276, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Nakamura moved that the report of the Committee be adopted, and that H.B. No. 276, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 276, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Kapela voting no.

Representative Holt, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 174) recommending that H.B. No. 520, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Nakamura moved that the report of the Committee be adopted, and that H.B. No. 520, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

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

Representative Garcia 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. 520, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Garcia and Kong voting no.

Representative Holt, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 175) recommending that H.B. No. 1259, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1259, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DIRECT SHIPPING OF LIQUOR," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Todd, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 176) recommending that H.B. No. 1110, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Nakamura moved that the report of the Committee be adopted, and that H.B. No. 1110, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. In opposition. This bill is relating to the road usage charge program. It creates a mileage-based road usage charge. So, we're going to charge people based upon the miles they drive. This affects those who live furthest from town, West O'ahu, North Shore, rural areas. And it gives incentives to move to e-vehicles. Well, I can tell you, lots of folks in my community can't afford a Tesla and they drive to town each day for work, and this bill will definitely impact them and break their banks. So, no vote."

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

"Thank you, Mr. Speaker. With reservations, but for different reasons. I just think we're sending mixed signals about electric vehicle adoption. If we're moving to decarbonize the economy, ground transportation is a huge part of it, and this singles out electric vehicles for extra charges without at the same time repealing the \$50 extra charge on EVs that we implemented several years ago. So, if we're going to test out the road mileage charge on EVs, fine, but then we should also repeal that \$50 extra charge at the same time. Thank you."

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

"Thank you, in support. I just wanted to note that there already is a tax for driving a lot and it's called the fuel tax. So, this does not actually discourage or put a penalty on rural drivers because that already exists, it's the fuel tax. This has nothing to do with incentivizing EV adoption. All it does is pilot project what would be an opt-in for EV owners who already pay a surcharge, and this is an alternative to the surcharge.

"And as the prior speaker noted, there may actually be concerns in the opposite direction, that this could potentially disincentivize that adoption, which is why we left it as an opt-in. So, just in summary, we already pay a fuel tax, so this has no impact on that. And there is an opt-in program, so there is no direct impact to encourage or discourage EV adoption. Thank you."

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

"Thank you, Mr. Speaker. Just as an EV driver, I want to assure people that in committee I did make sure this will actually not penalize EV drivers. We currently pay \$50, and they will allow us to pay less than \$50 if our road usage comes, the formula comes out to less than \$50. So, this could incur savings for EV drivers. But it's also a chance for them to test the system and get it figured out with a smaller group of drivers so that when they do transition this, which will still be equitable because those that drive far now are paying more for gas, those that drive far later will pay more with their mileage, but they just need to test the system. Thank you, in support."

Representative Alcos 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:

"Thank you, Mr. Speaker. In opposition, brief comment. Mr. Speaker, this bill is caused by a deficit in the fuel tax going to repair the roads, *et cetera*. This is an EV-created problem, but we're pushing it on the poor and the ones who live far away as a way of doing it. I know there was a great equalizer from the gentleman from the Big Island. But if you look at it, if you got an old junk that has very little mileage, that burns oil and other things, this is a punishment of the ALICE families. Let's call a spade a spade, because the EVs have not bought the gas, everybody else is having to pay. That's the problem with this bill. This is an EV-created situation. And my sense is, particularly if you want to have capital gains, have those Tesla drivers, have the other ones compensate with not \$50 but \$150."

Representative Quinlan rose to a point of order, stating:

"Mr. Speaker, point of order. Will the representative please confine his remarks to the measure at hand."

Representative Ward continued, stating:

"Sorry, I missed the comment. What did he say? This is an EV-created problem. My point is, we should have the EVs pay the difference. They're the ones who have created the deficit in the fuel tax repository. So, therefore, make it up to them rather than have everybody having to pay it, particularly if you're poor, you live far away, and you got an old junk that doesn't have any good mileage. It's very simple economics. Thank you."

Representative Todd rose to respond, stating:

"Thank you. Once again, in support. I just want to note again that this bill does not apply to non-EVs. It's very clear in the language of the bill and even in the summary of the bill that it does not apply to anyone else. It is an opt-in program. And one of the things it's trying to address is we're trying to study this as a potential model to replace the fuel tax in the long run, which already penalizes rural drivers, it already penalizes people who may have cars that are not as miles-per-gallon friendly.

"So just as a quick example, I have a hybrid. I'm fortunate to have a hybrid, it gets over 50 miles to the gallon. So, one of the things we're trying to address in here is that EV drivers would actually pay more currently than I would for a hybrid. So, we're trying to find an opt-in model that finds a balance there. As a quick example, if you were to opt in, you would benefit if you drive about 6,500 miles or less, give or take. And if you drive more than that, you'd be better off paying the existing fee that's already in place, the surcharge.

"But once again, it does not apply to anyone else, and it's an opt-in program. And I think the language in the bill is very clear that that is the case. And I just wanted to put that out there."

Representative Lowen rose to respond, stating:

"Thank you, Mr. Speaker. Still in support, slight reservations but I want to adopt the most recent words of the Transportation Chair. And also just comment that the reduction in fuel tax, electric vehicles are still less than 2% of all cars on the road. The reduction in fuel tax revenues has more to do with more efficient vehicles than it does with electric vehicles. And I think it's a good thing to transition off of fossil fuels, reduce local air pollution, *et cetera*. So, we need to come up with different systems. I do support switching to the road usage charge, I just want to also make sure that we have strong incentives in place for EV adoption. Thanks."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1110, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ROAD USAGE CHARGE PROGRAM," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Alcos and Lowen voting aye with reservations, and with Representatives Garcia and Ward voting no.

Representative Todd, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 177) recommending that H.B. No. 1186, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1186, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Todd, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 178) recommending that H.B. No. 1187, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1187, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs.

Representatives Quinlan and Holt, for the Committee on Tourism and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 179) recommending that H.B. No. 1375, as amended in HD 1, pass Second Reading and be referred to the Committee on Water & Land.

Representative Nakamura moved that the report of the Committees be adopted, and that H.B. No. 1375, HD 1 pass Second Reading and be referred to the Committee on Water & Land, seconded by Representative Morikawa.

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

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

"Thank you, Mr. Speaker. I'd like to request a ruling on a potential conflict of interest. My fiancé is a public affairs officer for the Hawai'i Tourism Authority," and the Chair ruled, "no conflict," and that the ruling would extend through *sine die*.

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

"Thank you, Mr. Speaker. I rise in opposition, brief comment. Mr. Speaker, when a coach wins a season in football or basketball or any sport, you say, hey, right on, spot on. He comes into a losing season, you say, eh, fire the bugger. This is basically what this bill does to the Hawai'i Tourism Authority. We told them in the early 2000s, hey, guys, we got to get better. We got half of our economy on you, get out there and promote. They did Hawai'i Five-0, they got everything everywhere and they got it up to 10 million. And then this body said, hey, control things, manage tourism.

"This says, throw the baby out with the bath. This says, you guys haven't done diddly squat. It does not acknowledge, in fact, it's an insult, in effect, the way that this bill is coming up. I don't see how you can take and repeal something which has done such a good job, and in this interim, COVID interim, has not been able to control things.

"So, Mr. Speaker, I think this is a policy that is reactionary, it's emotional. It doesn't have the substance of what otherwise the executive branch has had heretofore to have 50% of our economy strong, vital, everybody knows Hawai'i, everybody loves Hawai'i. Now we've got to manage it, we've got to be able to have a green fee, we've got to be able to control our environment by charging people who are using it. So, I think we're in the right direction. But this bill is a hook in the road, turning us around in the wrong direction. Thank you."

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

"In strong support, Mr. Speaker. So, I think it's important to go back a little bit in time, back to the 1980s. We were coming out of the plantation days and we made a conscious decision to save our economy by investing very heavily in tourism. And then sometime later, we created the Hawai'i Tourism Authority and we gave them a mission, and their mission was to market Hawai'i to the world and bring in as many visitors as possible. And they were very successful at that mission.

"The representative from Hawai'i Kai, as always, makes a number of very fine points. However, I must disagree with the characterization of this bill as in any way being insulting. This bill is an attempt for Hawai'i to keep pace with the times. The residents' sentiment has changed. The type of visitor we're getting has changed. We are getting hordes of people day after day pouring into some of our communities with no management and very little messaging.

"Mr. Speaker, over the years we have done a lot for the visitor in Hawai'i. We have done a lot for the visitor industry, and it was appropriate to do so. And now, Mr. Speaker, I think it is appropriate to do something for us, for all of us, for the local residents. Destination management is the key to the future of tourism in Hawai'i. Thank you."

Representative Garcia 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 Committees was adopted and H.B. No. 1375, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Water & Land, with Representatives Garcia, Pierick, and Ward voting no.

Representative Tam, for the Committee on Culture, Arts & International Affairs, presented a report (Stand. Com. Rep. No. 180) recommending that H.B. No. 340, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 340, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BROTHER JOSEPH DUTTON DAY," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Ichiyama, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 181) recommending that H.B. No. 756, as amended in HD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

Representative Nakamura moved that the report of the Committee be adopted, and that H.B. No. 756, HD 1 pass Second Reading and be referred to the Committee on Energy & Environmental Protection, seconded by Representative Morikawa.

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

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

Representative Hussey-Burdick rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, thank you. With reservations, brief comment. I would like to thank the introducer for introducing this important measure and passing it through the first committee. I strongly support the intent of this bill. I was just at a meeting last night where we were shown pretty drastic pictures of people's houses that are falling into the ocean. Some of these people have lived in those houses for generations and they do not have the wealth or the means to move.

"And so, this fund is exactly what we need to move our state forward and to give these homeowners an out. But I'm worried because I don't see any protections, any income cap. So, I'm a little bit worried that without those kinds of things, we might see people with the wealthy attorneys being the first to take advantage of this money. And, as we know, our resources are limited, and we really have to prioritize those with low income. So, I appreciate that this bill is moving forward, and I hope that the next committee will take those concerns under consideration. Thank you."

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

"Thank you, Mr. Speaker. In opposition. I don't think I'm going to go into my sea level rise as I did last year, but we really have to address the erosion problem instead of focusing on this thinking that by addressing to sea level rise that we're going to solve this problem. Thank you very much."

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

"Thank you, Chair, for this opportunity to state with reservations. An explanation, please. So, knowing that this will be being heard through multiple hearings, I'm looking forward to having my issues and concerns addressed through the process. And I appreciate having another tool in the toolbox for OCCL. And again, just looking forward to the process and having my issues being heard and addressed then. Thank you."

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

"Thank you, Mr. Speaker. In opposition. I want to thank the representative from Aiea for his words. And my only problem with this is, first, I do support the fact of addressing the issue of houses falling into the ocean. But the problem is, this bill would expand the climate change adaption priority guidelines, and for those reasons, a no vote."

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

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

Representative Kapela rose to respond, stating:

"Thank you, Mr. Speaker. I would just like to note that erosion is caused by sea level rise and, still in opposition, second time, and sea level rise is caused by our pending climate doom unless we address climate change."

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

"In opposition, second time. I'm not sure if anybody remembers my speech last year, Mr. Speaker. But the rate of sea level rise still is 1.5 millimeters per year. And it has been that way, according to the NOAA, for the past 100 years. So, any destruction that has occurred with even the last 50 years is still accountable for a sea level rise of 1.5 millimeters. If you want to see what that is, you have to imagine, there's ten millimeters in a centimeter, two and a half centimeters in an inch. I didn't want to have to get into this, but here we go again. Any case, because of the facts, I mean, it's just not my data, this is the NOAA data specifically addressing sea level rise. If I was to use a different study, anybody can look up the author, Nils-Axel Mörmér. He is a leading, well, he was, I'm sorry, he passed away, geophysicist for Stockholm, but he is a leading authority on sea level rise. So, if anyone wants to go back and really take a look at what the facts are, then they can look at this study. 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. 756, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was

referred to the Committee on Energy & Environmental Protection, with Representatives Amato, Cochran, Hussey-Burdick, and Perruso voting aye with reservations, and with Representatives Garcia, Kapela, Kong, and Pierick voting no.

Representative Ichiyama, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 182) recommending that H.B. No. 847, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 847, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEARCH AND RESCUE," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Ichiyama, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 183) recommending that H.B. No. 905, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education & Technology.

Representative Nakamura moved that the report of the Committee be adopted, and that H.B. No. 905, HD 1 pass Second Reading and be referred to the Committee on Higher Education & Technology, seconded by Representative Morikawa.

Representative Pierick 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. 905, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABLE GROUNDWATER YIELDS," passed Second Reading and was referred to the Committee on Higher Education & Technology, with Representative Pierick voting no.

Representative Ichiyama, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 184) recommending that H.B. No. 908, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Nakamura moved that the report of the Committee be adopted, and that H.B. No. 908, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

Representative Garcia 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. 908, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Garcia voting no.

Representative Ichiyama, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 185) recommending that H.B. No. 909, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development.

Representative Nakamura moved that the report of the Committee be adopted, and that H.B. No. 909, HD 1 pass Second Reading and be referred to the Committee on Economic Development, seconded by Representative Morikawa.

Representative Pierick 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. 909, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER CONSERVATION," passed Second Reading and was referred to the Committee on Economic Development, with Representative Pierick voting no.

Representative Ichiyama, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 186) recommending that H.B. No. 1243, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1243, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EAST HAWAII COMMUNITY DEVELOPMENT DISTRICT," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Ichiyama, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 187) recommending that H.B. No. 1313, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1313, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAIKU VALLEY," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Hashem, for the Committee on Corrections, Military & Veterans, presented a report (Stand. Com. Rep. No. 188) recommending that H.B. No. 1235, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1235, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Hashem, for the Committee on Corrections, Military & Veterans, presented a report (Stand. Com. Rep. No. 189) recommending that H.B. No. 467, as amended in HD 1, pass Second Reading and be referred to the Committee on Human Services.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 467, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORK," passed Second Reading and was referred to the Committee on Human Services.

Representative Hashem, for the Committee on Corrections, Military & Veterans, presented a report (Stand. Com. Rep. No. 190) recommending that H.B. No. 1133, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1133, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Gates, for the Committee on Agriculture & Food Systems, presented a report (Stand. Com. Rep. No. 191) recommending that H.B. No. 1348, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1348, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABELING OF MACADAMIA NUTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Gates, for the Committee on Agriculture & Food Systems, presented a report (Stand. Com. Rep. No. 192) recommending that H.B. No. 1382, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Nakamura moved that the report of the Committee be adopted, and that H.B. No. 1382, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

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

"I stand in strong support of this bill. This will feed the homeless. This will take wild game, it will allow, if properly shot and dressed and approved,

to do otherwise what is wasted meat protein to be fed to homeless, not only homeless but food banks, *et cetera*. It's very good, it's creative, we should have done it before. And I would like comments in the Journal please. Thank you."

Representative Ward's written remarks are as follows:

"This innovative measure provides a solution to our overpopulation of wild game, particularly axis deer and wild pigs, while offering a nutritional food source as our families increasingly struggle to make ends meet. Creative ideas such as these are what the people are looking to us to pass, and I offer my strong support of this bill as it moves forward."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1382, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEAT DONATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Gates, for the Committee on Agriculture & Food Systems, presented a report (Stand. Com. Rep. No. 193) recommending that H.B. No. 1426, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development.

Representative Nakamura moved that the report of the Committee be adopted, and that H.B. No. 1426, HD 1 pass Second Reading and be referred to the Committee on Economic Development, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. I request a ruling on a potential conflict. I work for a food distribution company that supports local food systems," 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. 1426, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VALUE-ADDED PRODUCTS," passed Second Reading and was referred to the Committee on Economic Development.

Representative Gates, for the Committee on Agriculture & Food Systems, presented a report (Stand. Com. Rep. No. 194) recommending that H.B. No. 852, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 852, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," passed Second Reading and was referred to the Committee on Economic Development.

Representative Matayoshi, for the Committee on Labor & Government Operations, presented a report (Stand. Com. Rep. No. 195) recommending that H.B. No. 77, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

Representative Nakamura moved that the report of the Committee be adopted, and that H.B. No. 77, HD 1 pass Second Reading and be referred to the Committee on Education, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. In support, brief comment. For years there's been an inequity between the DOE and our public charter school teachers and school systems itself. And so, this bill is bringing equity in that direction. So, for those reasons, strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 77, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed Second Reading and was referred to the Committee on Education.

Representative Matayoshi, for the Committee on Labor & Government Operations, presented a report (Stand. Com. Rep. No. 196) recommending that H.B. No. 977, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 977, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PURCHASES OF HEALTH AND HUMAN SERVICES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Matayoshi, for the Committee on Labor & Government Operations, presented a report (Stand. Com. Rep. No. 197) recommending that H.B. No. 800, as amended in HD 1, pass Second Reading and be referred to the Committee on Human Services.

Representative Nakamura moved that the report of the Committee be adopted, and that H.B. No. 800, HD 1 pass Second Reading and be referred to the Committee on Human Services, seconded by Representative Morikawa.

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

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

"I stand in support, Mr. Speaker. This measure will ultimately help my constituents out in Kapolei because that's going to be one of two child care centers that this measure is proposing. So, I stand in support of my constituents and this great measure. Thank you."

Representative Garcia rose in support of the measure and asked that the remarks of Representative Souza 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 the report of the Committee was adopted and H.B. No. 800, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," passed Second Reading and was referred to the Committee on Human Services, with Representative Pierick voting no.

Representative Mizuno, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 198) recommending that H.B. No. 547, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Nakamura moved that the report of the Committee be adopted, and that H.B. No. 547, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Morikawa.

Representative Pierick 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. 547, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILD CARE," passed Second Reading and was referred to the Committee on Finance, with Representative Pierick voting no.

Representative Mizuno, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 199) recommending that H.B. No. 502, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 502, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," passed Second Reading and was referred to the Committee on Finance.

Representative Mizuno, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 200) recommending that H.B. No. 261, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Nakamura moved that the report of the Committee be adopted, and that H.B. No. 261, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Morikawa.

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

Representative Garcia 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. 261, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING OPPORTUNITIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia and Pierick voting no.

Representative Mizuno, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 201) recommending that H.B. No. 777, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 777, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Mizuno, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 202) recommending that H.B. No. 775, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 775, HD 1, entitled: "A BILL FOR AN ACT ESTABLISHING THE SOCIAL WORKERS FOR PUBLIC SAFETY PILOT PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Representative Mizuno, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 203) recommending that H.B. No. 350, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs.

Representative Nakamura moved that the report of the Committee be adopted, and that H.B. No. 350, HD 1 pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. In opposition. I do support the intent of the bill, I think that the intent is fantastic, and we all agree that more action to mitigate sexual abuse on children is important. But my only reason for voting no on this is I am a firm believer in the separation of church and state. And some folks don't understand what that means. But what that means is the government shall never tell the church what to do and vice versa. It keeps it separate to refrain from bad experiences, which we've seen throughout history. And this bill is now allowing the government to now step foot into the church and tell them what to do. So, for those reasons, a no vote."

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

"I stand in support. From the perspective of needing to protect children, and that's it."

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

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

"In strong support, Mr. Speaker. I'm also a very strong believer in the separation of church and state. Now, let me quote from the Bible. No, I'm just kidding."

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

"In strong support, Mr. Speaker. There's no reason to perpetuate secrecy in this regard. Thank you."

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

"Thank you, Mr. Speaker. In strong support. Mr. Speaker, I just wanted to share my thoughts on this bill. I understand about separation of church and state. I wanted to say that just because you're a pastor, you're human and

you can make mistakes. And just because you're in a clergy, it doesn't give you a free pass. If a child is being sexually assaulted, we need to know that. I mean, it's simple, what would Jesus do? For those reasons, I support this bill. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, there's one more piece of information here. That is, if you're a journalist, you don't have to give your sources, generally speaking, because the press is sacred. However, if there is a crime and it's proven that you are a key witness, of course this should apply. But this says mandatory, it doesn't say what stage, at least my understanding of this bill, doesn't say what stage it's in. So, they should be treated at least like journalists. Which if it leads to a crime or somebody's injured or somebody's killed or somebody, somebody, somebody, something really harmful happened. If that chronology is in this bill, I'm for it. But if it's not, we're treating clergyman less fairly than we are journalists. And journalists, as you know, really push back heavily when they are forced to testify because they have a secret source, almost like a lawyer has a confidentiality agreement with their clients. So, I think this may need a little bit more exploration to make it equivalent to what journalists have now have in their context. Thank you."

Representative Mizuno rose to respond, stating:

"Still in support. I appreciate the words from the good representative from Hawai'i Kai. However, this talks about a clergyperson knowing that there's sexual assault happening. And within a reasonable, foreseeable future, they need to report that. So, time is of the essence. We need to save those kids.

"So again, I'm a Christian, I support our churches. But in this case, if someone's being sexually assaulted, it doesn't matter if you're a pastor or minister or what, you need to report that. And that's what this bill displays. For those reasons, I still stand in support of this bill. Thank you, Mr. Speaker."

Representative Garcia rose to respond, stating:

"Thank you, Mr. Speaker. Still in opposition. The phrase was mentioned, what would Jesus do? Well, he said, render unto Caesar what is Caesar's and render unto God what is God's. I do, once again, support the intent of the bill. Safety of children is super important. But once again, the point is never shall government tell the church what to do. That's a basic, fundamental philosophy from the inception of this nation, and that should remain that way. Thank you."

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

"Mr. Speaker, I stand in support of this measure. First, I'd like to clarify that there is a relationship between the church and state. And the government does pass laws that the church has to abide by. So, that should be clear. And I also would like to state that I would hope, as a former teacher who is a mandatory reporter, that members of the clergy would hold themselves to a higher standard and embrace this opportunity to be mandatory reporters alongside teachers."

Representative Souza rose to respond, stating:

"Again, Mr. Speaker, in strong support. Just to echo the sentiments of the previous speaker and also to note that the moral minimum should be disclosure. And so, the law currently exempts clergy. So therefore, separation of church and state doesn't really apply to this argument. 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. 350, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE REPORTING," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs, with Representatives Garcia and Ward voting no.

SUSPENSION OF RULES

On motion by Representative Morikawa, seconded by Representative Garcia and carried, the rules were suspended for the purpose of considering certain House Bills for Third Reading by consent calendar.

THIRD READING**H.B. No. 91, HD 1:**

Representative Nakamura moved that H.B. No. 91, 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'm speaking in support. Briefly, I just wanted to mention that these two measures, House Bill 91 and the subsequent one, are two measures that your Judiciary & Hawaiian Affairs Committee are recommending to the body to pass on third reading. These are two measures coming from the Campaign Spending Commission to strengthen our campaign spending laws in order to help improve our accountability and hopefully improve trust in our government institutions. For those reasons, I encourage all members to vote in support of this measure and the following one. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 91, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ORDERS OF THE CAMPAIGN SPENDING COMMISSION," passed Third Reading by a vote of 49 ayes.

H.B. No. 97, HD 1:

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, H.B. No. 97, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRELIMINARY DETERMINATION OF PROBABLE CAUSE," passed Third Reading by a vote of 49 ayes.

At 1:28 p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 91, HD 1
H.B. No. 97, HD 1

LATE INTRODUCTIONS

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

Representative Hashimoto introduced Tambara Garrick, Max Tomai, Rudy Balala, and Darren Strand of Maui Gold Pineapple.

Representative Kapela introduced Miss Philippines Hawai'i, Kyndra Nakamoto; and her intern, Hema Watson.

ANNOUNCEMENTS

Representative Kahaloa: "Mr. Speaker, quick announcement. Tomorrow is Ag Day here at the Capitol. So, please participate on behalf of Chair Gates, myself, Senator Chair Gabbard on the Agriculture Committee, as well as Vice Chair Tim Richards. We have nearly 50 participants representing farmers, ranchers, food producers. So please, on the 4th floor from 11 a.m. to 1:00 p.m., please come out and support our agricultural community visiting tomorrow. Thank you."

Representative Ward: "Mr. Speaker, the fellowship luncheon is tomorrow. We have a Fijian as our guest speaker, Atama Vakalalabure. And he's also the head of, I guess you would call it the league that is a very rare one. It's not the football league but it's one of those that, the entire lot of rugby and related stuff that the Fijians and a lot of the British Empire. So, tomorrow at room number, it's on the 4th floor, we will let you know. And if you can book with Christine in Representative Mizuno's Office, we'd appreciate it. Thank you."

At this time, the Chair stated:

"The Chair would like to remind members of today's triple referral filing deadline. For any bills moving from their first committees to their second committees in a triple referral, you must file the committee report with the Chief Clerk's Office by 6:00 p.m. this evening. Please allow yourselves and your staff sufficient time to file your reports before the deadline."

COMMITTEE REASSIGNMENTS

The following measure was re-referred to committee by the Speaker:

<u>H.B. No.</u>	<u>Re-referred to:</u>
521	Committee on Consumer Protection & Commerce, then to the Committee on Finance

ADJOURNMENT

At 1:31 p.m., on motion by Representative Morikawa, seconded by Representative Garcia and carried, the House of Representatives adjourned until noon tomorrow, Thursday, February 9, 2023. (Representative Belatti was excused.)