

SIXTEENTH DAY

Friday, February 10, 2023

The House of Representatives of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2023, convened at 12:07 p.m., with Vice Speaker Ilagan presiding.

The invocation was delivered by Representative Gregg Takayama, after which the Roll was called showing all members present with the exception of Representative Woodson, who was excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fourteenth and Fifteenth Days was deferred.

SENATE COMMUNICATIONS

The following communication from the Senate (Sen. Com. No. 7) was received and announced by the Clerk:

Sen. Com. No. 7, transmitting S.B. No. 432, entitled: "A BILL FOR AN ACT RELATING TO THE DESIGNATION OF HAWAII CORAL REEFS AS CRITICAL NATURAL INFRASTRUCTURE," which passed Third Reading in the Senate on February 9, 2023.

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

S.B. No. 432

INTRODUCTIONS

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

Representative Mizuno introduced Randy Gerard Legaspi Santiago, Filipino actor, comedian, television host, singer, songwriter, producer, director and entrepreneur; his brother, Rowell Santiago, Filipino actor/director; son, Raphael Santiago; Igi Bumagat; James Hosaka; Sarah Luz Hosaka, Mrs. Hawai'i Filipina 2019; Maribel Tan, president, Adult Foster Homecare Association of Hawai'i; Tany Tan; Janeth Duhachek, Mrs. Hawai'i Filipina 2018; Darlyn Chen Scovell, FASD advocate; and Representative's family from the Philippines: brother-in-law, Clint Besario; niece, Kyra Leigh Besario; and nephew, Kyle Besario.

Representative Martinez introduced care home operators: Rose Sebastian, Levy Vargas, Gloria Amodo, and Delia Cabingabang.

Representative Ganaden introduced visitors from New Zealand: Sarah Reo, Fulbright scholar; and Matthew Roskrug, professor.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Quinlan, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 268) recommending that H.B. No. 229, 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. 229, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Morikawa.

Representative Kong 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. 229, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representative Kong voting no.

Representative Quinlan, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 269) recommending that H.B. No. 1239, 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. 1239, 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. 1239, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Finance, with Representative Pierick voting no.

Representative Quinlan, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 270) recommending that H.B. No. 820, 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. 820, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Morikawa.

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

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

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

"With reservations. I'd like to thank the representative for introducing the bill. I do agree we should tax tourists. At the same time, this may be taxing *kama'āina*."

Representative Matsumoto 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. 820, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," passed Second Reading and was referred to the Committee on Finance, with Representatives Matsumoto and Pierick voting aye with reservations, and with Representatives Alcos and Garcia voting no.

Representative Tarnas, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 271) recommending that H.B. No. 538, 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. 538, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL REAL PROPERTY," passed Second Reading and was referred to the Committee on Finance.

Representative Matayoshi, for the Committee on Labor & Government Operations, presented a report (Stand. Com. Rep. No. 272) recommending that H.B. No. 165, 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. 165, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNAL COMPLAINT PROCEDURES," passed Second Reading and was referred to the Committee on Finance.

Representative Matayoshi, for the Committee on Labor & Government Operations, presented a report (Stand. Com. Rep. No. 273) recommending that H.B. No. 257, 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. 257, HD 1, entitled: "A BILL FOR AN ACT RELATING TO

THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Matayoshi, for the Committee on Labor & Government Operations, presented a report (Stand. Com. Rep. No. 274) recommending that H.B. No. 413, 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. 413, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Todd, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 275) recommending that H.B. No. 471, 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. 471, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXCESSIVE NOISE," passed Second Reading and was referred to the Committee on Finance.

Representative Todd, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 276) recommending that H.B. No. 541, 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. 541, 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. 541, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE SAFETY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Garcia voting no.

Representative Todd, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 277) recommending that H.B. No. 653, 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. 653, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Finance.

Representative Todd, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 278) recommending that H.B. No. 1276, 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. 1276, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC CONTROL," passed Second Reading and was referred to the Committee on Finance.

Representative Todd, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 279) recommending that H.B. No. 704, 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. 704, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," 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. 280) recommending that H.B. No. 739, 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. 739, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY INSPECTIONS," 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. 281) recommending that H.B. No. 822, 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. 822, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Finance.

Representative Todd, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 282) recommending that H.B. No. 1290, 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. 1290, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance.

Representative Todd, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 283) recommending that H.B. No. 1319, 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. 1319, HD 1 pass Second Reading and be referred to the Committee on Judiciary & Hawaiian Affairs, seconded by Representative Morikawa.

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

"Mr. Speaker, I have reservations about this and I have a very brief comment. Mr. Speaker, this allows you, if you're a bicycle, to go through a red light if it's between, I think, 10 p.m. and 6 a.m., and that's because the bicycles can't do the pressure to make the sensor. Sometimes sensors don't even work. And I'm not sure this, in a pavlovian kind of way, will condition bicyclists to think, hey, you can be going through these things and you're going to be immune and assuming that people are going to be able to see you going through a red light, would be, perhaps, dangerous.

"I can see the intent to yield to bicycles to be a little more free. But, as I think many of the cyclists say, we are to be treated equally as cars, and cars can't go through red lights with impunity, particularly now that we want to put red light cameras up. I think this probably is a little bit too liberal into the wrong direction. For those reasons, Mr. Speaker, serious reservations. 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. 1319, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," passed Second Reading and was referred to the Committee on Judiciary & Hawaiian Affairs, with Representative Ward voting aye with reservations.

Representative Woodson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 284) recommending that H.B. No. 843, 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. 843, HD 1, entitled: "A BILL FOR AN ACT RELATING TO

EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representative Tarnas, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 285) recommending that H.B. No. 129 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 129, entitled: "A BILL FOR AN ACT RELATING TO RECOUNTS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tarnas, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 286) recommending that H.B. No. 138 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 138, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY LOBBYIST TRAINING," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tarnas, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 287) recommending that H.B. No. 140 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 140, entitled: "A BILL FOR AN ACT RELATING TO RECORD DISPOSITION," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tarnas, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 288) recommending that H.B. No. 142 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 142, entitled: "A BILL FOR AN ACT RELATING TO GIFTS FROM LOBBYISTS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tarnas, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 289) recommending that H.B. No. 137, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 137, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tarnas, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 290) recommending that H.B. No. 130, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Nakamura moved that the report of the Committee be adopted, and that H.B. No. 130, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Morikawa.

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

Representative Alcos 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 Pierick rose to speak in opposition to the measure, stating:

"No vote. This bill might be shortening the days for people to verify their ballots in elections, and I think we should elongate the time. Thank you."

Representative Ward 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. 130, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VALIDATION OF BALLOTS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Matsumoto and Ward voting aye with reservations, and with Representatives Alcos, Garcia, and Pierick voting no.

Representative Hashimoto, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 291) recommending that H.B. No. 360, as amended in HD 1, be recommitted to the Committee on Housing.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 360, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was recommitted to the Committee on Housing.

ANNOUNCEMENTS

COMMITTEE REASSIGNMENTS

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

<u>H.B.</u> <u>No.</u>	<u>Re-referred to:</u>
360,	Committee on Housing, then to the Committee on Finance
HD1	

ADJOURNMENT

At 12:22 p.m., on motion by Representative Morikawa, seconded by Representative Garcia and carried, the House of Representatives adjourned until noon, Monday, February 13, 2023.