

TWENTY-SECOND DAY

Tuesday, February 21, 2023

The House of Representatives of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2023, convened at 12:06 p.m., with Speaker Saiki presiding.

The invocation was delivered by Representative Bertrand Kobayashi, 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 Twenty-First Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 522 and 523) were received and announced by the Clerk:

Gov. Msg. No. 522, dated February 15, 2023, appointing Luke A. Evslin to serve as the Representative from the 16th House District as follows:

"EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

February 15, 2023

The Honorable Scott K. Saiki
House Speaker
Thirty-Second Legislature
Hawai'i State Capitol, Room 431
Honolulu, HI 96813

Aloha Speaker Saiki:

I am pleased to inform you that pursuant to section 17-4 (a), Hawai'i Revised Statutes, I have appointed Luke A. Evslin to serve as the Representative from the 16th House District until elections are held to fill the seat. Mr. Evslin's appointment fills the vacancy created in the 16th House District due to the resignation of Representative James Tokioka.

Mahalo,
/s/ Josh Green
Josh Green, M.D.
Governor, State of Hawai'i

c: Lt. Governor Sylvia Luke
Senate President Ronald D. Kouchi"

Gov. Msg. No. 523, dated February 15, 2023, appointing Mae Patricia Quema La Chica to serve as the Representative from the 37th House District as follows:

"EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

February 15, 2023

The Honorable Scott K. Saiki
House Speaker
Thirty-Second Legislature
Hawai'i State Capitol, Room 431
Honolulu, HI 96813

Aloha Speaker Saiki:

I am pleased to inform you that pursuant to section 17-4 (a), Hawai'i Revised Statutes, I have appointed Mae Patricia Quema La Chica to temporarily serve as the Representative from the 37th House District until elections are held to fill the seat. Ms. La Chica's appointment fills the vacancy created in the 37th House District due to the resignation of Representative Ryan Yamane.

Mahalo,
/s/ Josh Green
Josh Green, M.D.
Governor, State of Hawai'i

c: Lt. Governor Sylvia Luke
Senate President Ronald D. Kouchi"

The Speaker appointed the Sergeant-at-Arms to escort Mr. Luke A. Evslin and Ms. Trish La Chica to the rostrum.

The Speaker then requested that the Chief Justice administer the Oath of Office.

OATH OF OFFICE

Chief Justice Recktenwald stated:

"Thank you, Mr. Speaker. Good morning. *Aloha* everyone. It's an honor to be here today to administer the oath to the two newest members of the House of Representatives."

The Honorable Mark E. Recktenwald, Chief Justice of the State of Hawai'i, addressed Mr. Evslin and Ms. La Chica and administered the Oath of Office in accordance with the provisions of the Constitution of the State of Hawai'i.

The Speaker then presented to the Members of the House the newest Members of the House, Representative Luke A. Evslin and Representative Trish La Chica, and introduced their families who were seated on the Floor of the House: Representative Evslin's wife, Sokchea; and his parents, Lee and Monica Evslin. Representative La Chica's husband, Cricket; and her children, Foggy and Ricki.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 16 through 21) were received and announced by the Clerk:

Sen. Com. No. 16, transmitting S.B. No. 75, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," which passed Third Reading in the Senate on February 17, 2023.

Sen. Com. No. 17, transmitting S.B. No. 397, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL MEDICAID SERVICES," which passed Third Reading in the Senate on February 17, 2023.

Sen. Com. No. 18, transmitting S.B. No. 730, SD 2, entitled: "A BILL FOR AN ACT RELATING TO FISHPONDS," which passed Third Reading in the Senate on February 17, 2023.

Sen. Com. No. 19, transmitting S.B. No. 1314, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND SPOUSAL MEDICARE PART B PREMIUM REIMBURSEMENT," which passed Third Reading in the Senate on February 17, 2023.

Sen. Com. No. 20, transmitting S.B. No. 1383, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT SECURITY LAW," which passed Third Reading in the Senate on February 17, 2023.

Sen. Com. No. 21, transmitting S.B. No. 1472, SD 2, entitled: "A BILL FOR AN ACT RELATING TO BEHAVIORAL HEALTH SERVICES," which passed Third Reading in the Senate on February 17, 2023.

On motion by Representative Morikawa, seconded by Representative Garcia and carried, the following Senate Bills passed First Reading by title and further action was deferred:

S.B. No. 75, SD 2
S.B. No. 397, SD 2
S.B. No. 730, SD 2
S.B. No. 1314, SD 2
S.B. No. 1383, SD 1
S.B. No. 1472, SD 2

INTRODUCTIONS

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

Representative Quinlan introduced former Representative Patrick Pihana Branco.

Representative Pierick introduced his friend and former classmate, Uncle Herman Kelii.

Representative Morikawa introduced Kaua'i County Councilmember Addison Bulosan.

Representative Tam introduced Kathleen Lee, chair, Ala Moana Neighborhood Board.

Representative Kila introduced his family: Steven Kila, Jr., father; Heide Kila, mother; Jordan Kila, sister; Cody Kila, brother; his staff; and Kevin Wong from Mayor Blangiardi's Office.

Representative Ward introduced Amy Agbayani, East-West Center; Amy Monk, national committeewoman, Democratic Party of Hawai'i; Lt. Governor Sylvia Luke; and Ray L'Heureux, former Lt. Governor candidate.

Representative Hussey-Burdick introduced Younghee Overly and Becky Gardner, women's rights advocates; Bart Dame, national committeeman, Democratic Party of Hawai'i; and Chu Lan Kwok and Ken Farm, Chinatown community members.

Representative Kapela introduced Laverne Moore, HSTA teacher lobbyist.

Representative La Chica introduced former Representative Patrick Pihana Branco; Paula Arcena and CJ Johnson from Aloha Care; Jaylen Murakami and Scott Stensrud from Hawai'i Public Health Institute; Ray L'Heureux, former colleague from Mayor Blangiardi's Office; Shirley Yamauchi, her office manager; Margot Adair, her aunty; and Marion and Richard Poirier, constituents.

Representative Evslin introduced his brother and sister-in-law, Noah and Genevieve Evslin; and friend and business partner, Michael Keizo Gates.

Representative Kahaloa introduced Jonathan Ching from Kaiser Permanente.

Representative Hashimoto introduced Cameron Deptula and Julian Juarez from Young Democrats of Hawai'i.

Representative Ilagan introduced Shari Nishijima and Kaleo Chang from Lt. Governor's Luke's Office.

At 12:19 p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:55 p.m.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Yamashita, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 778) recommending that H.B. No. 25, as amended in HD 1, be recommitted 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. 25, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was recommitted to the Committee on Finance, with Representatives Holt, Kong, and Todd being excused.

Representative Yamashita, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 779) recommending that H.B. No. 27, as amended in HD 1, be recommitted 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. 27, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," was recommitted to the Committee on Finance, with Representatives Holt, Kong, and Todd being excused.

Representative Yamashita, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 780) recommending that H.B. No. 28, as amended in HD 1, be recommitted 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. 28, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PROGRAMS," was recommitted to the Committee on Finance, with Representatives Holt, Kong, and Todd being excused.

Representative Tarnas, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 781) recommending that H.B. No. 132, 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. 132, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Morikawa.

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

"In opposition, Mr. Speaker. This bill, HB 132, proposes to remove hand counting paper ballots in the audit process. For audit purposes and to ensure that there is integrity in the election process, it's essential that we preserve paper ballots in the audit process. And I do want to thank the Kaua'i County Council for passing resolution 23-21 opposing this bill, because it is a bad bill. And right now, the Legislature has such a low ratings of approval and it's stuff like this which adds to that and why there is so much distrust from the public. So, no vote. Thank you."

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 Alcos 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. 132, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Alcos and Matsumoto voting aye with reservations, with Representatives Garcia, Pierick, and Ward voting no, and with Representative Holt being excused.

Representative Tarnas, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 782) recommending that H.B. No. 141, 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. 141, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Morikawa.

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

"Mr. Speaker, in support, and I would like to thank the Judiciary chair for bringing this ethics issue forward. 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. 141, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURES," passed Second Reading and was placed on the calendar for Third Reading, with Representative Holt being excused.

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. (Representative Holt was excused.)

REPORTS OF STANDING COMMITTEES

Representative Ichiyama, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 783) recommending that H.B. No. 146, HD 1 pass Third Reading.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 146, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," passed Third Reading by a vote of 50 ayes, with Representative Holt being excused.

At 12:59 p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 146, HD 1

Representative Tarnas, for the Committee on Judiciary & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 784) recommending that H.B. No. 542, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 784 on H.B. No. 542, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, printed copies of H.B. No. 542, HD 2, were made available to the Members of the House.

THIRD READING

H.B. No. 136, HD 1:

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, H.B. No. 136, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE ALLOWANCE," passed Third Reading by a vote of 51 ayes.

H.B. No. 1514, HD 1:

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, H.B. No. 1514, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, THE OMBUDSMAN, AND THE ETHICS COMMISSION," passed Third Reading by a vote of 51 ayes.

At 12:59 p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 136, HD 1
H.B. No. 1514, HD 1

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 16 through 18) were announced by the Clerk and the following action taken:

At this time, the Chair stated:

"Members, please note the 24-hour notice for House Resolution No. 16. In addition, House Resolution No. 17 is deferred one legislative day."

H.R. No. 16, entitled: "HOUSE RESOLUTION ADOPTING THE RULES OF THE HOUSE OF REPRESENTATIVES OF THE THIRTY-SECOND LEGISLATURE, INCLUDING THE OPERATING PROCEDURES FOR THE SELECT COMMITTEE ON STANDARDS OF CONDUCT," was jointly offered by Representatives Nakamura and Matsumoto.

In accordance with House Rule No. 59, action on H.R. No. 16 was deferred for a period of 24 hours, and printed copies of the Rules of the House of Representatives were made available to the Members of the House.

H.R. No. 17, entitled: "HOUSE RESOLUTION ADOPTING THE HOUSE ADMINISTRATIVE AND FINANCIAL MANUAL OF THE HOUSE OF REPRESENTATIVES OF THE THIRTY-SECOND LEGISLATURE," was jointly offered by Representatives Nakamura and Matsumoto.

By unanimous consent, action was deferred one legislative day.

H.R. No. 18, entitled: "HOUSE RESOLUTION RELATING TO THE COMMITTEE ASSIGNMENTS OF THE HOUSE OF REPRESENTATIVES OF THE THIRTY-SECOND LEGISLATURE," was offered by Representative Nakamura.

On motion by Representative Nakamura, seconded by Representative Morikawa and carried, H.R. No. 18 was adopted.

ANNOUNCEMENTS

Representative Pierick: "Mr. Speaker, I'd like to share with the members that we have a fellowship luncheon tomorrow after the legislative session on the fourth floor in Room 423. Everyone is invited."

Representative Holt: "Thank you, Mr. Speaker. On behalf of the Native Hawaiian Caucus, the Senate honored 'Aha Pūnana Leo for their 40 years of revitalizing 'ōlelo Hawai'i. And we weren't able to have the presentation, but they are here and we are having lunch in Room 016. We are going to have picture taking, I was just confirming, they're waiting on us. So, we're going to have picture taking, if the Hawaiian Caucus members can make it out in front of the Lili'uokalani Statue immediately following session. Thank you."

ADJOURNMENT

At 1:01 p.m., on motion by Representative Morikawa, seconded by Representative Garcia and carried, the House of Representatives adjourned until noon tomorrow, Wednesday, February 22, 2023.