

FIFTY-SIXTH DAY

Wednesday, April 24, 2019

The House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019, convened at 11:31 o'clock a.m., with Vice Speaker Nakashima presiding.

The invocation was delivered by Dr. Dean Nelson of Mindful Hawaii, after which the Roll was called showing all members present with the exception of Representative Har, who was excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 953 through 955) were received and announced by the Clerk:

Sen. Com. No. 953, dated April 23, 2019, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 34, HD 1, SD 1	Taniguchi, Chair; Keith-Agaran, Co-Chair; Ihara
H.B. No. 159, HD 1, SD 1	Nishihara, Chair; K. Rhoads, Co-Chair; Fevella
H.B. No. 267, HD 1, SD 1	Baker, Chair; Nishihara, Fevella
H.B. No. 295, HD 1, SD 1	K. Rhoads, Chair; Kim, Fevella
H.B. No. 318, HD 1, SD 1	Kidani, Chair; Kanuha, Co-Chair; Fevella
H.B. No. 507, HD 1, SD 1	K. Rhoads, Chair; Kim, Fevella
H.B. No. 529, HD 1, SD 1	Inouye, Chair; K. Kahele, Co-Chair; English, Shimabukuro, Fevella
H.B. No. 627, HD 1, SD 1	K. Rhoads Chair; Riviere Co-Chair; Fevella.
H.B. No. 710, HD 1, SD 1	Taniguchi, Chair; K. Rhoads/Keith-Agaran, Co-Chairs; Fevella
H.B. No. 747, HD 1, SD 1	Ruderman, Chair; Riviere, Co-Chair; Moriwaki, L. Thielen, Fevella
H.B. No. 748, HD 2, SD 2	K. Rhoads, Chair; Riviere, Co-Chair; Fevella
H.B. No. 756, HD 1, SD 1	Inouye, Chair; K. Rhoads, Co-Chair; Harimoto, Wakai, Fevella
H.B. No. 807, HD 1, SD 1	K. Rhoads, Chair; Gabbard, Fevella
H.B. No. 941, HD 1, SD 1	Taniguchi, Chair; K. Rhoads, Co-Chair; Fevella
H.B. No. 1193, SD 1	Dela Cruz, Chair; Keith-Agaran, Co-Chair; Fevella

H.B. No. 1261, K. Rhoads, Chair; Keith-Agaran, Co-Chair;
HD 1, SD 1 Fevella

H.B. No. 1305, Nishihara, Chair; Baker, Co-Chair;
HD 2, SD 1 Fevella

H.B. No. 1485, Kidani, Chair; K. Rhoads, Co-Chair;
HD 2, SD 1 Kanuha, Fevella

Sen. Com. No. 954, dated April 23, 2019, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bills:

S.B. No. 485, Gabbard, Chair; Keith-Agaran, Co-Chair;
SD 1, HD 1 Fevella

S.B. No. 641, Inouye, Chair; K. Rhoads, Co-Chair;
HD 2 Gabbard, Harimoto, Fevella

S.B. No. 753, Gabbard, Chair; K. Kahele, Co-Chair;
SD 2, HD 1 Fevella

S.B. No. 759, Gabbard, Chair; K. Rhoads/Kanuha, Co-Chairs;
SD 2, HD 1 Fevella

S.B. No. 763, Wakai, Chair; Gabbard/Riviere, Co-Chairs;
SD 2, HD 1 Fevella

S.B. No. 1041, Taniguchi, Chair; K. Rhoads, Co-Chair;
SD 2, HD 2 Fevella

S.B. No. 1048, Taniguchi, Chair; K. Rhoads, Co-Chair;
SD 1, HD 1 Fevella

S.B. No. 1227, Ruderman, Chair; Riviere, Co-Chair;
HD 1 Ihara, Moriwaki, Fevella

S.B. No. 1230, Ruderman, Chair; Riviere, Co-Chair;
SD 2, HD 1 Ihara, L. Thielen, Fevella

S.B. No. 1394, Taniguchi, Chair; Moriwaki, Co-Chair;
SD 2, HD 2 Fevella

S.B. No. 1475, Taniguchi, Chair; Inouye, Co-Chair;
SD 1, HD 1 S. Chang, Fevella

S.B. No. 1530, Wakai, Chair; Dela Cruz/Keith-Agaran, Co-Chairs;
SD 3, HD 2 Fevella

S.B. No. 1539, Nishihara, Chair; K. Rhoads, Co-Chair;
SD 1, HD 1 Fevella

Sen. Com. No. 955, dated April 23, 2019, informing the House that the President has made the following changes to Senate Conferee assignments for the following bills:

H.B. No. 627, Senate Conferees Discharged.
HD 1, SD 1

H.B. No. 1455, Senate Conferees Discharged.
HD 2, SD 1

H.B. No. 1547, Senate Conferees Discharged.
HD 2, SD 3

INTRODUCTIONS

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

Representative Ward introduced HMIR staff: Amanda Adachi, TJ Jan, Carole Kaapu, Carin "Makana" Young and Trevor Zakov, legislative analysts; Bryan DePowell and Elizabeth Kor, legislative attorneys; Josh Koh, digital media specialist; and Marcia Tagavilla, HMIR director.

Representative Kong introduced his friend, Jimmy Toyama.

Representative San Buenaventura introduced her staff: David Kim, Ashley Sherman, Brandon Garay, Kevin Wilson and John Honda.

Representative Belatti introduced Dr. Dean Nelson and his wife, Jaynine.

Representative Matsumoto introduced tardive dyskinesia advocates: Darin Lippoldt, chief legal officer, Neurocrine Biosciences; and Kristin Strobel, senior director of state affairs, BGR Group.

At 11:46 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:54 o'clock a.m.

ORDER OF THE DAY

REPORTS OF CONFERENCE COMMITTEES

Representatives Lowen, Yamane and Wildberger, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1028, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 4) recommending that H.B. No. 1028, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 4 and H.B. No. 1028, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENDANGERED SPECIES TRUST FUND," was deferred for a period of 48 hours.

Representative Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1037, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 5) recommending that S.B. No. 1037, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 5 and S.B. No. 1037, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," was deferred for a period of 48 hours.

Representative Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 413, HD 1, presented a report (Conf. Com. Rep. No. 6) recommending that S.B. No. 413, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 6 and S.B. No. 413, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRESPASS," was deferred for a period of 48 hours.

Representatives San Buenaventura and Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 947, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 7) recommending that S.B. No. 947, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 7 and S.B. No. 947, SD 1, HD 1,

CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILIES," was deferred for a period of 48 hours.

Representatives Mizuno, Takumi and Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1525, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 8) recommending that S.B. No. 1525, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 8 and S.B. No. 1525, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES," was deferred for a period of 48 hours.

Representative Luke, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 494, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 9) recommending that S.B. No. 494, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 9 and S.B. No. 494, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL FUND BALANCE," was deferred for a period of 48 hours.

FINAL READING

Representative Belatti moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Morikawa and carried: (Representative Holt was excused.)

H.B. No. 168, (SD 1)
 H.B. No. 169, HD 1, (SD 2)
 H.B. No. 273, HD 1, (SD 1)
 H.B. No. 329, HD 1, (SD 2)
 H.B. No. 497, HD 1, (SD 2)
 H.B. No. 499, HD 1, (SD 1)
 H.B. No. 945, HD 1, (SD 1)
 H.B. No. 1261, HD 1, (SD 1)
 H.B. No. 1305, HD 2, (SD 1)

SUSPENSION OF RULES

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

FINAL READING

H.B. No. 168, SD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 168, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELECTRONIC TRANSMISSION OF BALLOTS," passed Final Reading by a vote of 50 ayes, with Representative Holt being excused.

H.B. No. 169, HD 1, SD 2:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 169, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE ETHICS CODE," passed Final Reading by a vote of 50 ayes, with Representative Holt being excused.

H.B. No. 273, HD 1, SD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 273, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY NOTICE FOR INSURANCE,"

passed Final Reading by a vote of 50 ayes, with Representative Holt being excused.

H.B. No. 329, HD 1, SD 2:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 329, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Final Reading by a vote of 50 ayes, with Representative Holt being excused.

H.B. No. 497, HD 1, SD 2:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 497, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Final Reading by a vote of 50 ayes, with Representative Holt being excused.

H.B. No. 499, HD 1, SD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 499, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS LABELING," passed Final Reading by a vote of 50 ayes, with Representative Holt being excused.

H.B. No. 945, HD 1, SD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 945, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE ORGANIZATIONS," passed Final Reading by a vote of 50 ayes, with Representative Holt being excused.

H.B. No. 1261, HD 1, SD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1261, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATED TO JUDICIAL PROCEEDINGS," passed Final Reading by a vote of 50 ayes, with Representative Holt being excused.

H.B. No. 1305, HD 2, SD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1305, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MUTUAL ASSISTANCE AGREEMENT," passed Final Reading by a vote of 50 ayes, with Representative Holt being excused.

At 11:57 o'clock a.m., the Chair noted that the following bills passed Final Reading:

- H.B. No. 168, SD 1
- H.B. No. 169, HD 1, SD 2
- H.B. No. 273, HD 1, SD 1
- H.B. No. 329, HD 1, SD 2
- H.B. No. 497, HD 1, SD 2
- H.B. No. 499, HD 1, SD 1
- H.B. No. 945, HD 1, SD 1
- H.B. No. 1261, HD 1, SD 1
- H.B. No. 1305, HD 2, SD 1

SUSPENSION OF RULES

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House Bills. (Representative Holt was excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Belatti moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and

give notice of intent to agree to such amendments for the following House Bills, seconded by Representative Morikawa and carried: (Representative Holt was excused.)

- H.B. No. 201, HD 1, (SD 1)
- H.B. No. 336, HD 2, (SD 2)
- H.B. No. 507, HD 1, (SD 1)
- H.B. No. 664, HD 2, (SD 1)
- H.B. No. 711, HD 1, (SD 1)
- H.B. No. 748, HD 2, (SD 2)
- H.B. No. 807, HD 1, (SD 1)
- H.B. No. 944, HD 1, (SD 2)
- H.B. No. 1013, HD 2, (SD 2)
- H.B. No. 1272, HD 1, (SD 1)

ANNOUNCEMENTS

COMMITTEE REASSIGNMENTS

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

<u>S.B. No.</u>	<u>Re-referred to:</u>
1047, SD1, HD2	Committee on Human Services & Homelessness, then to the Committee on Judiciary, then to the Committee on Finance

ADJOURNMENT

At 12:00 o'clock p.m., on motion by Representative Morikawa, seconded by Representative Matsumoto and carried, the House of Representatives adjourned until 6:30 o'clock p.m. tomorrow, Thursday, April 25, 2019. (Representative Holt was excused.)

HOUSE COMMUNICATIONS

House Communication dated April 24, 2019, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the Speaker has this day appointed as conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House Bills:

- H.B. No. 241, HD 2, SD 1 Aquino/Takumi/Hashimoto, Co-Chrs.; McDermott
- H.B. No. 546, HD 2, SD 1 McKelvey/Takumi/Nishimoto, Co-Chrs.; Matsumoto

House Communication dated April 24, 2019, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the Speaker has this day appointed as conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House Bill:

- H.B. No. 398, HD 1, SD 2 Woodson/Cullen, Co-Chrs.; Hashimoto, D. Kobayashi, Okimoto

House Communication dated April 24, 2019, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the Speaker has this day appointed as conferees on the part of the House for the consideration of amendments proposed by the House to the following Senate Bill:

- S.B. No. 770, SD 1, HD 1 Ohno/Takumi, Co-Chrs.; McDermott

House Communication dated April 24, 2019, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the Speaker has this day

appointed as conferees on the part of the House for the consideration of amendments proposed by the House to the following Senate Bill:

H.B. No. 1261, HD 1, SD 1
H.B. No. 1305, HD 2, SD 1

S.B. No. 1371, Yamane/Lee, Co-Chrs.;
SD 2, HD 1 Todd, Thielen

House Communication dated April 24, 2019, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the Speaker has this day appointed as conferees on the part of the House for the consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 1047, San Buenaventura/Lee/Kitagawa, Co-Chrs.;
SD 1, HD 2 Eli, Thielen

House Communication dated April 24, 2019, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measures:

H.B. No. 390, Discharged all conferees.
HD 1, SD 2

H.B. No. 1268, Discharged all conferees.
SD 1

House Communication dated April 24, 2019, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 5, 2019, and gives its notice of intent to agree to the following House Bill:

H.B. No. 807, HD 1, SD 1

House Communication dated April 24, 2019, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 9, 2019, and gives its notice of intent to agree to the following House Bills:

H.B. No. 201, HD 1, SD 1
H.B. No. 507, HD 1, SD 1
H.B. No. 664, HD 2, SD 1
H.B. No. 711, HD 1, SD 1
H.B. No. 1272, HD 1, SD 1

House Communication dated April 24, 2019, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 11, 2019, and gives its notice of intent to agree to the following House Bills:

H.B. No. 336, HD 2, SD 2
H.B. No. 748, HD 2, SD 2
H.B. No. 944, HD 1, SD 2
H.B. No. 1013, HD 2, SD 2

House Communication dated April 24, 2019, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the House has this day agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 168, SD 1
H.B. No. 169, HD 1, SD 2
H.B. No. 273, HD 1, SD 1
H.B. No. 329, HD 1, SD 2
H.B. No. 497, HD 1, SD 2
H.B. No. 499, HD 1, SD 1
H.B. No. 945, HD 1, SD 1