

FIFTIETH DAY

Thursday, July 2, 2020

The House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2020, convened at 12:05 p.m., with Vice Speaker Nakashima presiding.

The invocation was delivered by Representative Val Okimoto, after which the Roll was called showing all members present, with Representatives Creagan, DeCoite, Har, Matayoshi, Matsumoto, Perruso, Thielen, and Wildberger participating remotely via videoconference, and with the exception of Representative Gates, who was excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 552 through 556) were received and announced by the Clerk:

Sen. Com. No. 552, transmitting S.C.R. No. 154, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO SUBMIT REPORTS ON THE REPORTING, INVESTIGATION, AND PROSECUTION OF HATE CRIMES IN THE STATE," which was adopted by the Senate on July 1, 2020.

Sen. Com. No. 553, transmitting H.B. No. 1659, HD 3, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on July 1, 2020.

Sen. Com. No. 554, transmitting H.B. No. 1698, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," which passed Third Reading in the Senate on July 1, 2020.

Sen. Com. No. 555, transmitting H.B. No. 2192, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL BUILDINGS," which passed Third Reading in the Senate on July 1, 2020.

Sen. Com. No. 556, transmitting H.B. No. 2202, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES," which passed Third Reading in the Senate on July 1, 2020.

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

H.B. No. 1659, HD 3, (SD 1)
H.B. No. 1698, HD 1, (SD 1)
H.B. No. 2192, HD 1, (SD 1)
H.B. No. 2202, HD 1, (SD 1)

ORDER OF THE DAY

REPORTS OF CONFERENCE COMMITTEES

Representatives Johanson and Lee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 285, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 3-20) recommending that H.B. No. 285, HD 1, SD 2, 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. 3-20 and H.B. No. 285, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was deferred for a period of 48 hours.

SUSPENSION OF RULES

On motion by Representative Morikawa, seconded by Representative Ward and carried, the rules were suspended for the purpose of considering certain Senate Bills for Third Reading by consent calendar. (Representative Gates was excused.)

THIRD READING

S.B. No. 2920, SD 1, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, S.B. No. 2920, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE," passed Third Reading by a vote of 50 ayes, with Representative Gates being excused.

S.B. No. 2260:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, S.B. No. 2260, entitled: "A BILL FOR AN ACT RELATING TO CIVIL IDENTIFICATION CARDS," passed Third Reading by a vote of 50 ayes, with Representative Gates being excused.

S.B. No. 2188, SD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, S.B. No. 2188, SD 1, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE OFFENSES," passed Third Reading by a vote of 50 ayes, with Representative Gates being excused.

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

S.B. No. 2920, SD 1, HD 1
S.B. No. 2260
S.B. No. 2188, SD 1

SUSPENSION OF RULES

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

FINAL READING

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

H.B. No. 361, HD 1, (SD 2)

H.B. No. 361, HD 1, SD 2:

Representative Belatti moved that H.B. No. 361, HD 1, SD 2 pass Final Reading, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. I rise in strong support, and a few comments. First, I'd like to thank the author of this bill, the Speaker. I'd also like to think that I have some skin in the game, having first introduced it probably five years or so prior. But it's something whose time is now, and it's something for the future to consider. Five years ago, this bill was probably at its peak, when people understood that our current mayor actually had \$200,000 in emoluments that we were surprised to learn about.

"But, Mr. Speaker, this is nothing new, actually. Emoluments have been around and, through the research office, since the confederacy, Articles of Confederation said there are no emoluments allowable. So, this has been a really strict scrutiny, if you will, of people who will get favor because of the positions they have. And quite frankly, it's the human condition, which is really why the US Constitution is so good. Because it knows the weaknesses if we gave it all to a monarchy. Well, we got a legislature, if we gave it all to the legislature. We have an executive, and if we let them have it, we give it to the Judiciary.

"So, these are the same spirit, if you will, checks and balances. And this is saying it's time now, that if you're a mayor, if you're a governor, even

though it doesn't say lieutenant governor, I'm assuming that it's implied, that you will not have any outside employment, you will not have any outside gifts. In fact, it gives it really extreme detail the things that you can and cannot do.

"And also, in the research at Civil Beat it said, actually, the present mayor would agree with this bill that we are talking about, if all elected officials, not just governors and mayors, were covered by it. Mr. Speaker, that sort of suggests that there's some people who think we don't probably need this. But ultimately, I think it's for the betterment. It makes us all, if I might say, in the public eye and in the business we're in. Perception is reality, and when the perception is that someone is paying us to be on a board a couple hundred thousand dollars more than we actually make, it's probably inappropriate.

"Here's the bottom line, Mr. Speaker. This bill will help ensure that corruption has no place in our state and counties' highest offices. And even the perception of it, because it will now be out of bounds. For those reasons, Mr. Speaker, it's an overdue bill, it's a good one, and I hope that everyone votes for this. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 361, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EMOLUMENTS," passed Final Reading by a vote of 50 ayes, with Representative Gates being excused.

At 12:17 p.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 361, HD 1, SD 2

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, yesterday I would have made this announcement, but today I will do it with even more enthusiasm. The breach of trust of the Department of Hawaiian Home Lands is a historical landmark, that Leona Kalima and her 2,700 plaintiffs won a 5-0 with the Supreme Court.

"That is really noteworthy of an announcement. It's kind of a wake-up call for the 5th Floor. It's a wake-up call for this body. One hundred years ago, ladies and gentlemen, we said we were going to put Hawaiians back on the land because the land was lost. And this is a strict shot across our bow saying, guys, let's do what we promised to do 100 years ago and we still haven't done it.

"The second announcement, Mr. Speaker, is on the Fourth of July we became a free people. And hopefully that will remain, given what some of the things are going on historically on the mainland. And we are probably a good example of how freedom should be expressed when we have a disagreement with our government, when we have a disagreement with our history, we work it out, hopefully, in bodies such as this. For those reasons, Mr. Speaker, those are two announcements I think are very, very important. Thank you."

COMMITTEE ASSIGNMENTS

The following measure was referred to committee by the Speaker:

S.C.R.
No. Referred to:

154, Committee on Finance
SD1

OPEN JOURNAL

At this time, Representative Morikawa moved to keep the Journal open until 9:00 p.m. this legislative day for the purpose of receiving Standing Committee Reports and Senate Bills transmitted thereby, seconded by Representative Ward and carried. (Representative Gates was excused.)

RECESS

At 12:19 p.m., on motion by Representative Morikawa, seconded by Representative Ward and carried, the House of Representatives stood in recess until noon Monday, July 6, 2020. (Representatives Gates and Har were excused.)

SUPPLEMENTAL CALENDAR #1

REPORTS OF STANDING COMMITTEES

In accordance with the motion made, the following Standing Committee Reports (Stand. Com. Rep. Nos. 1256-20 through 1281-20), were received by the Clerk prior to 9:00 p.m. this legislative day, in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies were made available to the Members of the House, and the following action was taken:

Stand. Com. Rep. No. 1256-20 (FIN) and S.B. No. 2421, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM ASSOCIATIONS," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1257-20 (FIN) and S.B. No. 3119, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES OR THE SESSION LAWS OF HAWAII FOR THE PURPOSES OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, OR DELETING OBSOLETE OR UNNECESSARY PROVISIONS," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1258-20 (FIN) and S.B. No. 2275, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO NOTARIAL ACTS," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1259-20 (FIN) and S.B. No. 2844, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1260-20 (FIN) and S.B. No. 2871, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING TRUST FUNDS," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1261-20 (FIN) and S.B. No. 2893, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHRONICALLY HOMELESS," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1262-20 (FIN) and S.B. No. 2894, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1263-20 (FIN) and S.B. No. 3117, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1264-20 (FIN) and S.B. No. 2206, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1265-20 (FIN) and S.B. No. 2329, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO IGNITION INTERLOCK DEVICES," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1266-20 (JUD) and S.B. No. 3158, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1267-20 (JUD) and S.B. No. 2993, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSES," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1268-20 (JUD) and S.B. No. 2384, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1269-20 (JUD) and S.B. No. 2130, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE CODE," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1270-20 (JUD) and S.B. No. 2193, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT DISCRIMINATION," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1271-20 (FIN) and S.B. No. 2866, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND EMPLOYEE-BENEFICIARY MONTHLY CONTRIBUTIONS," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1272-20 (FIN) and S.B. No. 2820, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1273-20 (FIN) and S.B. No. 2386, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WASTE MANAGEMENT," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1274-20 (FIN) and S.B. No. 2486, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION DATA," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1275-20 (FIN) and S.B. No. 2262, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1276-20 (FIN) and S.B. No. 3103, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO A SCHOOL FACILITIES AGENCY," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1277-20 (FIN) and S.B. No. 2523, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1278-20 (FIN) and S.B. No. 2638, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1279-20 (FIN) and S.B. No. 2940, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STADIUM DEVELOPMENT DISTRICT," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1280-20 (FIN) and S.B. No. 2060, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," were placed on the calendar for Third Reading on July 6, 2020.

Stand. Com. Rep. No. 1281-20 (FIN) and S.B. No. 2794, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," were placed on the calendar for Third Reading on July 6, 2020.

ADJOURNMENT

At 9:00 p.m., the House of Representatives adjourned until noon Monday, July 6, 2020.

HOUSE COMMUNICATIONS

House Communication dated July 2, 2020, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the House has disagreed to the amendments made by the Senate to the following measures:

H.B. No. 1659, HD 3, SD 1
H.B. No. 1698, HD 1, SD 1
H.B. No. 2192, HD 1, SD 1
H.B. No. 2202, HD 1, SD 1

House Communication dated July 2, 2020, 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 Bill on Final Reading:

H.B. No. 361, HD 1, SD 2