

## SIXTEENTH DAY

## Monday, February 11, 2019

The Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2019, convened at 11:46 a.m. with the President in the Chair.

The Roll was called showing all Senators present with the exception of Senator English who was excused.

The President announced that he had read and approved the Journal of the Fifteenth Day.

At this time, Senator Kim welcomed a group of bright and industrious student leaders from Governor Wallace Rider Farrington High School, led by Associated Student Body President Kimberly Delos Santos. The group included student body class officers and members of the Junior Reserve Officers' Training Corps (JROTC), National Honor Society, and Island Harmony group, and were accompanied in the gallery by School Community Council chair and former State Representative Dennis Arakaki.

Senator Keith-Agaran introduced Teresa and Don Chan, relatives of his office manager, Susan Wong, who were visiting from Vancouver, Canada.

Senator Kidani introduced her grandchildren Kamalani and Kahiau Marlier, who were seated in the gallery.

The Chair, in good humor, asked the Clerk to note the look of envy on his face at that introduction.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 21 and 22) were read by the Clerk and were deferred:

S.C.R. No. 21 "SENATE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A TASK FORCE ON NORTH ROAD MANAGEMENT."

Offered by: Senator Fevella.

S.C.R. No. 22 "SENATE CONCURRENT RESOLUTION URGING HAWAIIAN AIRLINES TO CEASE OUTSOURCING CALL CENTER OPERATIONS TO THE PHILIPPINES AND TO RETURN THESE OPERATIONS TO HAWAII."

Offered by: Senator Fevella.

## STANDING COMMITTEE REPORTS

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 155) recommending that S.B. No. 1451 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 1451, entitled: "A BILL FOR AN ACT RELATING TO STATE HOLIDAYS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 156) recommending that S.B. No. 729 pass Second Reading and be referred to the Committee on Judiciary and the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 729, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second

Reading and was referred to the Committee on Judiciary and the Committee on Ways and Means.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 157) recommending that S.B. No. 728, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 728, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Judiciary and the Committee on Ways and Means.

Senator Wakai, for the Committee on Energy, Economic Development, and Tourism, presented a report (Stand. Com. Rep. No. 158) recommending that S.B. No. 988 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 988, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MELE ASSOCIATES, INC., A RENEWABLE ENERGY DEVELOPER SERVING THE GENERAL PUBLIC IN PROVIDING ELECTRIC ENERGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Wakai, for the Committee on Energy, Economic Development, and Tourism, presented a report (Stand. Com. Rep. No. 159) recommending that S.B. No. 1002 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 1002, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 160) recommending that S.B. No. 818, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Health.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 818, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL PSYCHOLOGISTS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Health.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 161) recommending that S.B. No. 1158, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 1158, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL SUPPLIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 162) recommending that S.B. No. 25, as amended in S.D. 1,

be recommitted to the Committee on Commerce, Consumer Protection, and Health.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 25, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was recommitted to the Committee on Commerce, Consumer Protection, and Health.

Senator Inouye, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 163) recommending that S.B. No. 512, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 512, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 164) recommending that S.B. No. 1295, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 1295, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS ELECTIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 165) recommending that S.B. No. 494, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 494, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL FUND BALANCE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 13, 2019.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 166) recommending that S.B. No. 1359, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 1359, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 167) recommending that S.B. No. 97, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 97, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 168) recommending that S.B. No. 105 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 105, entitled: "A BILL FOR AN ACT RELATING TO JURY DUTY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 169) recommending that S.B. No. 206, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 206, S.D. 1, entitled: "A BILL FOR AN ACT RELATED TO CAMPAIGN FINANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 170) recommending that S.B. No. 288 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 288, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 171) recommending that S.B. No. 852, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 852, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTITUTION FOR VICTIMS OF CRIME," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 172) recommending that S.B. No. 912, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 912, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 173) recommending that S.B. No. 937, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 937, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 174) recommending that S.B. No. 970 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 970, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER SCIENCE PROFESSIONAL DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 175) recommending that S.B. No. 971 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 971, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 176) recommending that S.B. No. 1515 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 1515, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ruderman, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 177) recommending that S.B. No. 230 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 230, entitled: "A BILL FOR AN ACT RELATING TO MINORS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Ruderman, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 178) recommending that S.B. No. 1022, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 1022, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD WELFARE SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ruderman, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 179) recommending that S.B. No. 569, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Labor, Culture and the Arts and the Committee on Judiciary.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 569, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION," passed Second Reading and was referred to the Committee on Labor, Culture and the Arts and the Committee on Judiciary.

Senators Ruderman and Gabbard, for the Committee on Human Services and the Committee on Agriculture and Environment, presented a joint report (Stand. Com. Rep. No. 180) recommending that S.B. No. 390, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the joint report of the Committees was adopted and S.B. No. 390, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM INCENTIVES," passed Second Reading and was referred to the Committee on Ways and Means.

**ORDER OF THE DAY**

**THIRD READING**

S.B. No. 1188, S.D. 1:

On motion by Senator Dela Cruz, seconded by Senator Keith-Agaran and carried, S.B. No. 1188, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (English).

S.B. No. 1238, S.D. 1:

On motion by Senator Dela Cruz, seconded by Senator Keith-Agaran and carried, S.B. No. 1238, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHING THE EXECUTIVE OFFICE ON AGING ADMINISTRATIVE CLAIMING SPECIAL FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (English).

H.B. No. 1:

On motion by Senator Dela Cruz, seconded by Senator Keith-Agaran and carried, H.B. No. 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," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (English).

**RE-REFERRAL OF SENATE BILLS**

The Chair re-referred the following Senate bills that were introduced:

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| S.B. No.:     | Re-referred to:  |
| S.B. No. 604  | Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means                           |
| S.B. No. 645  | Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Judiciary                                |
| S.B. No. 663  | Jointly to the Committee on Transportation and the Committee on Judiciary, then to the Committee on Ways and Means                     |
| S.B. No. 686  | Committee on Judiciary, then jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Ways and Means |
| S.B. No. 1217 | Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means                           |
| S.B. No. 1236 | Jointly Committee on Transportation and the Committee on Judiciary, then to the Committee on Ways and Means                            |
| S.B. No. 1297 | Jointly to the Committee on Transportation and the Committee on Judiciary, then to the Committee on Ways and Means                     |

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**RE-REFERRAL OF  
MESSAGES FROM THE GOVERNOR**

The Chair re-referred the following messages from the Governor that were received:

Gov. Msg. No.:	Re-referred to:
Gov. Msg. No. 548	Committee on Technology
Gov. Msg. No. 549	Committee on Technology
Gov. Msg. No. 550	Committee on Technology

At this time, Senator Chang announced that festivities to commemorate the Lunar New Year would be taking place that afternoon, with Chinese lion dancing; light refreshments; calligraphy; palm reading by his mother, Angela Chang; and greetings from Miss Chinese Jaycees Danicia Honda. Senator Chang thanked Senator Kidani and Representative Della Au Belatti for their help in coordinating the event, and wished everyone a prosperous and fortunate Year of the Pig.

**ADJOURNMENT**

At 11:54 a.m., on motion by Senator Kahele, seconded by Senator Fevella and carried, the Senate adjourned until 11:30 a.m., Tuesday, February 12, 2019.