

## TWELFTH DAY

**Tuesday, February 4, 2020**

The Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2020, convened at 11:34 a.m. with the President in the Chair.

The Roll was called showing all Senators present.

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

**DEPARTMENTAL COMMUNICATIONS**

The following communications (Dept. Com. Nos. 340 to 347) were read by the Clerk and were placed on file:

Dept. Com. No. 340, from the Office of the City Clerk, City and County of Honolulu, dated December 4, 2019, transmitting Resolution 19-277, CD1 and Resolution 19-278, which were adopted by the Council of the City and County of Honolulu on December 4, 2019.

Dept. Com. No. 341, from the Office of the County Clerk, County of Maui, dated December 9, 2019, transmitting Resolution Nos. 19-195 and 19-196, which were adopted by the Council of the County of Maui on December 6, 2019.

Dept. Com. No. 342, from the Department of Defense dated December 12, 2019, transmitting the Report on the Multiple Languages Emergency Notifications Working Group pursuant to H.C.R. No. 113, H.D. 1, S.D. 1 (2019).

Dept. Com. No. 343, from the Department of Defense dated December 12, 2019, transmitting the Report on the Emergency Management Agency Review Task Force pursuant to S.C.R. No. 40, S.D. 1, H.D. 1 (2018).

Dept. Com. No. 344, from the Maui Metropolitan Planning Organization dated December 19, 2019, transmitting the FY2019 Annual Report pursuant to Chapter 279D, HRS.

Dept. Com. No. 345, from the Honolulu Authority for Rapid Transportation dated December 23, 2019, transmitting the 2019 Annual Report pursuant to Honolulu City Council Resolution 15-79, C.D. 1.

Dept. Com. No. 346, from the Department of Commerce and Consumer Affairs dated December 10, 2019, transmitting the 2019 Annual Report of the Real Estate Commission pursuant to Sections 467-4(5) and 514B-73(d), HRS.

Dept. Com. No. 347, from the Office of Hawaiian Affairs dated December 20, 2019, transmitting the Report of Findings and Recommendations of the Independent Fiscal Audit of All Limited Liability Corporations Created or Controlled by the Office pursuant to S.C.R. No. 70 (2019) and S.R. No. 48 (2019).

**STANDING COMMITTEE REPORTS**

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 2317) recommending that S.B. No. 2091, 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. 2091, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER," passed Second Reading and was referred to the Committee on Judiciary.

Senators Nishihara and Chang, for the Committee on Public Safety, Intergovernmental, and Military Affairs and the

Committee on Housing, presented a joint report (Stand. Com. Rep. No. 2318) recommending that S.B. No. 2053, 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. 2053, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Nishihara and Chang, for the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Housing, presented a joint report (Stand. Com. Rep. No. 2319) recommending that S.B. No. 2172, 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. 2172, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Nishihara and Ruderman, for the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 2320) recommending that S.B. No. 2345 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. 2345, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND FAMILY OF INCARCERATED INDIVIDUALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2321) recommending that S.B. No. 2294, 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. 2294, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 6, 2020.

Senator Ruderman, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2322) recommending that S.B. No. 2335 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. 2335, entitled: "A BILL FOR AN ACT RELATING TO THE HEALTHY AGING PARTNERSHIP PROGRAM," 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. 2323) recommending that S.B. No. 2102, 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. 2102, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE OFFICE ON AGING," passed Second

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

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 2324) recommending that S.B. No. 2128 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Health 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. 2128, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Health and the Committee on Judiciary.

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 2325) recommending that S.B. No. 2180, 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. 2180, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXECUTIVE PARDONS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 2326) recommending that S.B. No. 2184 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. 2184, entitled: "A BILL FOR AN ACT RELATING TO EYEWITNESS IDENTIFICATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 2327) recommending that S.B. No. 2130 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. 2130, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE CODE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 2328) recommending that S.B. No. 2131, 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. 2131, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 2329) recommending that S.B. No. 2304 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. 2304, entitled: "A BILL FOR AN ACT RELATING TO

DOMESTIC ABUSE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 2330) recommending that S.B. No. 2315 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. 2315, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT EVIDENCE COLLECTION KITS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 2331) recommending that S.B. No. 2638, 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. 2638, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kahele, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 2332) recommending that S.B. No. 2028, 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. 2028, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kahele, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 2333) recommending that S.B. No. 2061, 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. 2061, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kahele, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 2334) recommending that S.B. No. 2077, 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. 2077, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kahele, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 2335) recommending that S.B. No. 2356 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. 2356, entitled: "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kahele, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 2336) recommending

that S.B. No. 2622, 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. 2622, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kahele, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 2337) recommending that S.B. No. 2536 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. 2536, entitled: "A BILL FOR AN ACT RELATING TO LAY NETS," 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. 2338) recommending that S.B. No. 840 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2338 and S.B. No. 840, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred until Wednesday, February 5, 2020.

#### **ORDER OF THE DAY**

##### **RE-REFERRAL OF SENATE BILLS**

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

S.B. No.:	Re-referred to:
S.B. No. 2205	Committee on Housing, then jointly to the Committee on Ways and Means and the Committee on Judiciary
S.B. No. 2624	Committee on Ways and Means
S.B. No. 2661	Committee on Housing, then to the Committee on Ways and Means
S.B. No. 2822	Committee on Transportation, then to the Committee on Ways and Means
S.B. No. 2838	Jointly to the Committee on Government Operations and the Committee on Human Services, then to the Committee on Ways and Means

At this time, the Chair announced that there would be a Senate leadership meeting in his office immediately following adjournment.

#### **ADJOURNMENT**

At 11:36 a.m., on motion by Senator Kahele, seconded by Senator Fevella and carried, the Senate adjourned until 11:30 a.m., Wednesday, February 5, 2020.