

FIFTEENTH DAY

Friday, February 7, 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 with the exception of Senators Kim and Taniguchi who were excused.

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

At this time, Senator Baker remarked that Go Red for Women is the American Heart Association's global initiative to end heart disease and stroke in women. Senator Baker further noted that cardiovascular disease is the number one killer of women, claiming more lives than all forms of cancer combined, and that new research shows that heart attacks are on the rise among younger women. About 80 percent of cardiac events can be prevented through education and lifestyle changes such as eating healthy, increasing physical activity, and managing blood pressure. The Go Red movement was started in 2004 to raise awareness and help women in different communities around the world facing this health threat to take action to lower their risk; the movement is also dedicated to closing gender gaps in research and STEM careers while improving access to care and advocating for change through public policy. Senator Baker thanked those on the Chamber floor who were wearing red to show their support, and introduced guests from the American Heart Association of Hawaii, who were seated in the gallery: Rick Bruno, board member, chief medical officer, and vice president for patient care; Lauren Rachel, Heart Walk business development director; Don Weisman, government relations director; and other supporters.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 565 to 567) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 565, submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, the nomination of BYRON HANSEN, term to expire June 30, 2023, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 566, submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, the nomination of EVAN FONG, term to expire June 30, 2021, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 567, submitting for consideration and confirmation as Deputy Director, Department of Business, Economic Development and Tourism, the nomination of CHUNG CHANG, term to expire at noon on December 5, 2022, was referred to the Committee on Energy, Economic Development, and Tourism.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 348 to 373) were read by the Clerk and were placed on file:

Dept. Com. No. 348, from the Department of Health dated December 26, 2019, transmitting the Annual Report on the Implementation of Our Care, Our Choice Act pursuant to Section 327L-25, HRS.

Dept. Com. No. 349, from the Department of Labor and Industrial Relations dated January 8, 2020, transmitting the Special Unemployment Insurance Administration Fund Non-

General Fund Report pursuant to Sections 37-47 and 37-52.3, HRS.

Dept. Com. No. 350, from the Office of Information Practices dated January 9, 2020, transmitting the Report on an Alternative Appeal Resolution Pilot Project pursuant to H.R. No. 104 (2019).

Dept. Com. No. 351, from the Board of Education dated January 10, 2020, transmitting the Annual Report on the State's Public Charter Schools pursuant to Section 302D-21, HRS.

Dept. Com. No. 352, from the University of Hawai'i dated January 7, 2020, transmitting a report on positions pursuant to Act 5, Section 42, SLH 2019.

Dept. Com. No. 353, from the Department of Health dated December 26, 2019, transmitting the Annual Report of the Fuel Tank Advisory Committee pursuant to Section 342L-62, HRS.

Dept. Com. No. 354, from the Department of Business, Economic Development, and Tourism dated December 30, 2019, transmitting the Financial Services Assistance Program Report pursuant to Section 201C-5, HRS.

Dept. Com. No. 355, from the Department of Hawaiian Home Lands dated January 10, 2020, transmitting its Fiscal Year 2019 Annual Report pursuant to the Hawaiian Homes Commission Act of 1920.

Dept. Com. No. 356, from the Office of Enterprise Technology Services dated January 7, 2020, transmitting the Department of Labor and Industrial Relations Disability Compensation Division's Modernization Project – Electronic Case Management System Independent Verification and Validation Report for November 2019 pursuant to Section 27-43.6, HRS.

Dept. Com. No. 357, from the Department of Labor and Industrial Relations dated January 13, 2020, transmitting the K-12 Agriculture Workforce Development Pipeline Initiative 2018-2019 Annual Report pursuant to Section 371-21(d), HRS.

Dept. Com. No. 358, from the Department of Public Safety, dated August 2, 2019, transmitting a report of a death pursuant to Act 234, SLH 2019.

Dept. Com. No. 359, from the Department of Public Safety, dated August 2, 2019, transmitting a report of a death pursuant to Act 234, SLH 2019.

Dept. Com. No. 360, from the Department of Public Safety, dated August 29, 2019, transmitting a report of a death pursuant to Act 234, SLH 2019.

Dept. Com. No. 361, from the Department of Public Safety, dated August 29, 2019, transmitting a report of a death pursuant to Act 234, SLH 2019.

Dept. Com. No. 362, from the Department of Public Safety, dated October 3, 2019, transmitting a report of a death pursuant to Act 234, SLH 2019.

Dept. Com. No. 363, from the Department of Public Safety, dated October 10, 2019, transmitting a report of a death pursuant to Act 234, SLH 2019.

Dept. Com. No. 364, from the Department of Public Safety, dated October 28, 2019, transmitting a report of a death pursuant to Act 234, SLH 2019.

Dept. Com. No. 365, from the Department of Public Safety, dated October 28, 2019, transmitting a report of a death pursuant to Act 234, SLH 2019.

Dept. Com. No. 366, from the Department of Public Safety, dated October 31, 2019, transmitting a report of a death pursuant to Act 234, SLH 2019.

Dept. Com. No. 367, from the Department of Public Safety, dated November 1, 2019, transmitting a report of a death pursuant to Act 234, SLH 2019.

Dept. Com. No. 368, from the Department of Public Safety, dated November 6, 2019, transmitting a report of a death pursuant to Act 234, SLH 2019.

Dept. Com. No. 369, from the Department of Public Safety, dated November 26, 2019, transmitting a report of a death pursuant to Act 234, SLH 2019.

Dept. Com. No. 370, from the Department of Public Safety, dated November 26, 2019, transmitting a report of a death pursuant to Act 234, SLH 2019.

Dept. Com. No. 371, from the Department of Public Safety, dated December 26, 2019, transmitting a report of a death pursuant to Act 234, SLH 2019.

Dept. Com. No. 372, from the Department of Public Safety, dated January 22, 2020, transmitting a report of a death pursuant to Act 234, SLH 2019.

Dept. Com. No. 373, from the Office of Hawaiian Affairs dated December 20, 2019, transmitting the Fiscal Year 2019 Actual Expenditures and State of Hawai'i General Funds Appropriation pursuant to Section 10-14.5(a), HRS, and Act 37, SLH 2019.

JUDICIARY COMMUNICATION

The following communication from the Judiciary (Jud. Com. No. 21) was read by the Clerk and was placed on file:

Jud. Com. No. 21, dated January 8, 2020, transmitting the Judiciary's 2019 Annual Report Statistical Supplement pursuant to Section 601-3, HRS.

STANDING COMMITTEE REPORTS

Senator Thielen, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 2393) recommending that S.B. No. 2209, 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. 2209, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Thielen, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 2394) recommending that S.B. No. 2795, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means 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. 2795, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADDRESS CONFIDENTIALITY," passed Second Reading and was referred to the Committee on Ways and Means and the Committee on Judiciary.

Senator Thielen, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 2395) recommending that S.B. No. 2839, 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. 2839, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REISSUANCE OF PAYROLL CHECKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 2396) recommending that S.B. No. 213, 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. 213, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 2397) recommending that S.B. No. 2106, 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. 2106, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER RESTRAINTS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 2398) recommending that S.B. No. 2166, 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. 2166, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 2399) recommending that S.B. No. 2331, 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. 2331, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST KEAHOLE FBO I LLC," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kidani and Inouye, for the Committee on Education and the Committee on Transportation, presented a joint report (Stand. Com. Rep. No. 2400) recommending that S.B. No. 2325, 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. 2325, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUSES," 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. 2401) recommending that S.B. No. 42, as amended in S.D. 1, be recommitted to the Committee on Hawaiian Affairs.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 42, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," was recommitted to the Committee on Hawaiian Affairs.

Senator Thielen, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 2402) recommending that S.B. No. 2840, 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. 2840, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 2403) recommending that S.B. No. 2279 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. 2279, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 2404) recommending that S.B. No. 2216, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means 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. 2216, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means and the Committee on Judiciary.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 2405) recommending that S.B. No. 2647, 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. 2647, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 2406) recommending that S.B. No. 2409, 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. 2409, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOWN PAYMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 2407) recommending that S.B. No. 2625, 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. 2625, 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.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 2408) recommending that S.B. No. 2627, 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. 2627, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 2409) recommending that S.B. No. 2206, 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. 2206, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the majority of the Committee on Housing, presented a report (Stand. Com. Rep. No. 2410) recommending that S.B. No. 2037, 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 majority of the Committee was adopted and S.B. No. 2037, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," 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. 2411) recommending that S.B. No. 2920, 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. 2920, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 10, 2020.

Senator Kahele, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 2412) recommending that S.B. No. 2953, 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. 2953, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VESSELS," 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. 2413) recommending that S.B. No. 3094 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. 3094, entitled: "A BILL FOR AN ACT RELATING TO THE KAHOO LAWE ISLAND RESERVE COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Shimabukuro, for the majority of the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2414) recommending that the Senate advise and consent to the nomination of TYLER I. GOMES as Deputy to the Chairperson of the Hawaiian Homes Commission, Department of Hawaiian Home Lands, in accordance with Gov. Msg. No. 507.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2414 and Gov. Msg. No. 507 was deferred until Monday, February 10, 2020.

Senator Shimabukuro, for the majority of the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2415) recommending that the Senate advise and consent to the nomination of WILLIAM J. AILA Chairperson of the Hawaiian Homes Commission, Department of Hawaiian Home Lands, in accordance with Gov. Msg. No. 506.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2415 and Gov. Msg. No. 506 was deferred until Monday, February 10, 2020.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2416) recommending that H.B. No. 304, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2416 and H.B. No. 304, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred until Monday, February 10, 2020.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2417) recommending that H.B. No. 1121, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2417 and H.B. No. 1121, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WATER SECURITY," was deferred until Monday, February 10, 2020.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2418) recommending that S.B. No. 583, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2418 and S.B. No. 583, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Monday, February 10, 2020.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2419) recommending that S.B. No. 584, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2419 and S.B. No. 584, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDING FOR SCHOOL REPAIR AND MAINTENANCE," was deferred until Monday, February 10, 2020.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2420) recommending that S.B. No. 587, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2420 and S.B. No. 587, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," was deferred until Monday, February 10, 2020.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2421) recommending that S.B. No. 594, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2421 and S.B. No. 594, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Monday, February 10, 2020.

Senator Keohokalole, for the Committee on Technology, presented a report (Stand. Com. Rep. No. 2422) recommending that S.B. No. 62, as amended in S.D. 1, be recommitted to the Committee on Technology.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 62, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was recommitted to the Committee on Technology.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 2423) recommending that S.B. No. 31, 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. 31, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was recommitted to the Committee on Commerce, Consumer Protection, and Health.

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. 31, S.D. 1	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
S.B. No. 42, S.D. 1	Committee on Hawaiian Affairs, then jointly to the Committee on Judiciary and the Committee on Ways and Means
S.B. No. 62, S.D. 1	Jointly to the Committee on Technology and the Committee on Government Operations, then to the Committee on Ways and Means
S.B. No. 2874	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means

ADJOURNMENT

At 11:39 a.m., on motion by Senator Kahele, seconded by Senator Fevella and carried, the Senate adjourned until 11:30 a.m., Monday, February 10, 2020.