

FIFTEENTH DAY

Thursday, February 11, 2021

The Senate of the Thirty-First Legislature of the State of Hawai'i, Regular Session of 2021, convened at 11:35 a.m. with the President in the Chair.

The Roll was called showing all Senators present, with Senators Chang, Gabbard, Ihara, Keohokalole, Rhoads, and Shimabukuro present and participating via videoconference.

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

MESSAGE FROM THE GOVERNOR

The following message from the Governor (Gov. Msg. No. 658) was read by the Clerk and was disposed of as follows:

Gov. Msg. No. 658, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Oahu Service Area Board, the nomination of JACQUELYN ESSER, term to expire June 30, 2024, was referred to the Committee on Health.

STANDING COMMITTEE REPORTS

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 124) recommending that S.B. No. 204, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 204, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 125) recommending that S.B. No. 578, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 578, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL SHARK TOURS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means.

Senator Gabbard, for the majority of the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 126) recommending that S.B. No. 219, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the majority of the Committee was adopted and S.B. No. 219, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMES ON AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Lee, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 127) recommending that S.B. No. 998 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 998, entitled: "A BILL FOR AN ACT RELATING TO THE HONOLULU AUTHORITY FOR

RAPID TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Lee, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 128) recommending that S.B. No. 615, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 615, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTALS OF MOPEDS AND MOTOR SCOOTERS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Lee, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 129) recommending that S.B. No. 646, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the majority of the Committee was adopted and S.B. No. 646, 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.

Senator Lee, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 130) recommending that S.B. No. 649, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the majority of the Committee was adopted and S.B. No. 649, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Lee, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 131) recommending that S.B. No. 1008, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 1008, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTONOMOUS TRANSPORTATION," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 132) recommending that S.B. No. 1116, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 1116, S.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS TO THE DEPARTMENT OF DEFENSE RELATING TO COVID-19 EXPENDITURES," 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. 133) recommending that S.B. No. 1286 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 1286, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE OFFICE OF THE PROSECUTING ATTORNEY FOR HAWAII COUNTY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 134) recommending that S.B. No. 262, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 262, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VACCINES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 135) recommending that S.B. No. 266, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 266, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORONAVIRUS 2019 PANDEMIC," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 136) recommending that S.B. No. 506, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 506, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WAHIWA GENERAL HOSPITAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Chang, for the majority of the Committee on Water and Land and the majority of the Committee on Housing, presented a joint report (Stand. Com. Rep. No. 137) recommending that S.B. No. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 138) recommending that S.B. No. 137, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 137, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 139) recommending that S.B. No. 178, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 178, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING ON BEACHES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 140) recommending that S.B. No. 1166, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 1166, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTALS FOR PUBLIC LAND LEASES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 141) recommending that S.B. No. 1018, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 1018, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EFFECTIVE GOVERNMENT OPERATIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 142) recommending that S.B. No. 1234, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 1234, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PANDEMIC RESPONSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 143) recommending that S.B. No. 352, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 352, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEAD-BASED PAINT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 144) recommending that S.B. No. 611, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 611, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEHAVIOR ANALYSTS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 145) recommending that S.B. No. 1258, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 1258, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO TELEHEALTH,” passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 146) recommending that S.B. No. 1333, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 1333, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT,” passed Second Reading and was referred to the Committee on Judiciary.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 147) recommending that S.B. No. 145, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 145, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MEDICAL CANNABIS PRODUCTS,” passed Second Reading and was referred to the Committee on Judiciary.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 148) recommending that S.B. No. 599, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 599, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MASSAGE THERAPISTS,” passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 149) recommending that S.B. No. 976, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means and the Committee on Commerce and Consumer Protection.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 976, 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 and the Committee on Commerce and Consumer Protection.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 150) recommending that S.B. No. 138, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 138, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TOBACCO TAXES,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 151) recommending that S.B. No. 324, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 324, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE PRACTICE OF MEDICINE,” passed

Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 152) recommending that S.B. No. 1117, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 1117, S.D. 1, entitled: “A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE OFFICE OF THE GOVERNOR RELATING TO COVID-19 EXPENDITURES,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 153) recommending that S.B. No. 1157, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 1157, S.D. 1, entitled: “A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS TO THE DEPARTMENT OF HEALTH RELATING TO COVID-19 EXPENDITURES,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 154) recommending that S.B. No. 1153, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 1153, S.D. 1, entitled: “A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 155) recommending that S.B. No. 1156, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 1156, S.D. 1, entitled: “A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 156) recommending that S.B. No. 140, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 140, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COMMUNITY DEVELOPMENT,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 157) recommending that S.B. No. 257, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the majority of the Committee was adopted and S.B. No. 257, S.D. 1, entitled: “A BILL FOR

AN ACT RELATING TO LEASE EXTENSIONS ON PUBLIC LAND," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 158) recommending that S.B. No. 1179, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 1179, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDING FOR THE DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT," 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. 159) recommending that the Senate advise and consent to the appointment of CHRISTOPHER M. DUNN to the District Court of the Second Circuit, in accordance with Jud. Com. No. 9.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 159 and Jud. Com. No. 9 was deferred until Friday, February 12, 2021.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 160) recommending that the Senate advise and consent to the appointment of JAMES R. ROUSE to the District Family Court of the Second Circuit, in accordance with Jud. Com. No. 10.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 160 and Jud. Com. No. 10 was deferred until Friday, February 12, 2021.

ORDER OF THE DAY

THIRD READING

S.B. No. 200:

On motion by Senator Rhoads, seconded by Senator Keohokalole and carried, S.B. No. 200, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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. 697	Committee on Judiciary
S.B. No. 711	Committee on Judiciary
S.B. No. 879	Committee on Hawaiian Affairs, then to the Committee on Judiciary
S.B. No. 1036	Jointly to the Committee on Health and the Committee on Human Services, then jointly to the Committee on Judiciary and the Committee on Ways and Means
S.B. No. 1122	Committee on Hawaiian Affairs, then to the Committee on Judiciary
S.B. No. 1123	Committee on Hawaiian Affairs, then to the Committee on Judiciary
S.B. No. 1246	Committee on Hawaiian Affairs, then to the Committee on Judiciary

ADJOURNMENT

At 11:38 a.m., on motion by Senator Keohokalole, seconded by Senator Fevella and carried, the Senate adjourned until 11:30 a.m., Friday, February 12, 2021.