

FIFTY-THIRD DAY

Thursday, April 18, 2019

The House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019, convened at 11:35 o'clock a.m., with Vice Speaker Nakashima presiding.

The invocation was delivered by Mr. Takashi Muragaki of the Society of Descendants of the First Japanese Embassy to the United States, after which the Roll was called showing all members present with the exception of Representatives Gates, Holt, McDermott, Ohno and Todd, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 12 through 14) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 12, dated April 10, 2019, informing the House that a tentative agreement with the Hawaii State Teachers Association (HSTA) concerning Collective Bargaining Unit 5 (Teachers) was reached on March 29, 2019 and approved by the HSTA Board of Directors on April 1, 2019, and transmitting a proposed S.B. No. 1195, SD 2, HD 1, CD 1, to fund the award.

Gov. Msg. No. 13, dated April 15, 2019, informing the House that an arbitration award was issued for the Hawaii Fire Fighters Association (HFFA) concerning Collective Bargaining Unit 11 (Firefighters) on April 8, 2019, and transmitting a proposed S.B. No. 1201, SD 2, HD 1, CD 1, to fund the award.

Gov. Msg. No. 14, dated April 16, 2019, informing the House the Hawaii Government Employees Association and the public employers have reached a tentative agreement and intend to execute memoranda of agreement concerning Collective Bargaining Units 2, 3, 4, 6, 8, 9, 13, and 14 Employer-Union Trust Fund contributions, and transmitting a proposed S.B. No. 1192, SD 2, HD 1, CD 1, to fund the award.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 905 through 909) were received and announced by the Clerk:

Sen. Com. No. 905, transmitting H.C.R. No. 107, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO MAKE RECOMMENDATIONS REGARDING A STATEWIDE PROGRAM TO ADDRESS AGRICULTURAL THEFT AND VANDALISM," which was adopted by the Senate on April 17, 2019.

Sen. Com. No. 906, dated April 17, 2019, informing the House that the Senate has on April 16, 2019, reconsidered its action taken on April 11, 2019, in disagreeing to the amendments proposed by the House to the following Senate Bills and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 50, SD 2, HD 1
S.B. No. 316, SD 2, HD 2

Sen. Com. No. 907, dated April 17, 2019, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bills:

S.B. No. 535, Baker, Chair;
SD 1, HD 1 S. Chang, Fevella

S.B. No. 537, Baker, Chair; English, Co-Chair;
SD 2, HD 3 S. Chang, J. Keohokalole, Fevella

S.B. No. 541, Baker, Chair;
SD 1, HD 2 Ruderman, Fevella

S.B. No. 1034, Baker, Chair; Moriwaki, Co-Chair;
SD 1, HD 1 S. Chang, L. Thielen, Fevella

S.B. No. 1263, Baker, Chair;
SD 1, HD 1 S. Chang, Fevella

S.B. No. 1401, Baker, Chair; English, Co-Chair;
SD 2, HD 1 L. Thielen, Fevella

S.B. No. 1405, Baker, Chair; K. Rhoads/Riviere, Co-Chairs;
SD 2, HD 2 Nishihara, Fevella

S.B. No. 1459, Wakai, Chair; Taniguchi/Kidani, Co-Chairs;
SD 2, HD 2 Fevella

S.B. No. 1486, Nishihara, Chair; Baker, Co-Chair;
SD 1, HD 1 Harimoto, Fevella

Sen. Com. No. 908, dated April 17, 2019, informing the House that the President has made the following changes to Senate Conferee assignments for the following bill:

S.B. No. 1257, Senate Conferees Changed:
SD 2, HD 2 Senator Keith-Agaran added as Co-Chair.
Senator Riviere discharged as Co-Chair.

Sen. Com. No. 909, dated April 17, 2019, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 200, K. Rhoads, Chair;
HD 2, SD 1 Gabbard, Fevella

H.B. No. 407, Kidani, Chair; Kanuha, Co-Chair;
HD 1, SD 1 Fevella

H.B. No. 452, Baker, Chair; Gabbard/Keith-Agaran, Co-Chairs;
HD 1, SD 1 L. Thielen, Fevella

H.B. No. 469, Baker, Chair;
HD 1, SD 1 Nishihara, Fevella

H.B. No. 665, Baker, Chair; K. Rhoads, Co-Chair;
HD 2, SD 1 Fevella

H.B. No. 673, Baker, Chair; K. Rhoads/English, Co-Chairs;
HD 2, SD 2 Nishihara, Fevella

H.B. No. 888, Baker, Chair; English, Co-Chair;
HD 1, SD 2 S. Chang, L. Thielen, Fevella

H.B. No. 1013, Baker, Chair; K. Rhoads, Co-Chair;
HD 2, SD 2 Fevella

H.B. No. 1070, Kidani, Chair; Kanuha, Co-Chair;
HD 1, SD 1 Fevella

H.B. No. 1270, Ruderman, Chair; Baker/Riviere, Co-Chairs;
HD 1, SD 2 Fevella

H.B. No. 1272, Baker, Chair;
HD 1, SD 1 S. Chang, Fevella

H.B. No. 1273, Baker, Chair; Moriwaki, Co-Chair;
HD 1, SD 1 S. Chang, L. Thielen, Fevella

H.B. No. 1276, Kidani, Chair; Kanuha, Co-Chair;
HD 1, SD 2 Fevella

H.B. No. 1449, Ruderman, Chair; Baker/Riviere, Co-Chairs;
HD 1, SD 2 Fevella

H.B. No. 1453, Baker, Chair; Moriwaki, Co-Chair;
HD 1, SD 1 S. Chang, L. Thielen, Fevella

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative B. Kobayashi introduced members of the Descendants of the First Japanese Embassy to the United States, and Jon Yoshimura.

Representative Mizuno introduced 24th Annual Legislative Massage Awareness Day co-chairs, Gwen Deluze-Coria and Dustin Ebesu; and members, Jane Kordish, Roxanne Young, Sterling Coria, Carla Villamor, Dexter Char, Connie Cadiz, Cheri-Lyn Delima, Arlene Estrella and Rochelle Featheran.

Representative Tarnas introduced his wife, Carolyn Stewart.

Representative Say introduced artists from Taiwan participating in The Beauty of Taiwan Art Exhibition 2019: Hui-Ming Wang, Huei-Bai Ho, Emily Lee, Ching-Yun Lin, Kuang-Ching Ke, Mei-Chih Kang, Hsiu-Liang Chang, Mon-Chai Hsu, Chia-Chen Kuo, Gee-Fen Fu, Tsuei-Fen Chan, Chiu-Hung Lai, Lian-Mei Tsai, Cheng-Te Huang, Pei-Chen Hsieh and Lena Pan; and artist and curator, Huan Su.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Lee, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2278) recommending that S.C.R. No. 7, SD 1 be adopted.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.C.R. No. 7, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES, IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC SAFETY, TO WORK WITH THE FAMILY REUNIFICATION WORKING GROUP AND OTHER COMMUNITY STAKEHOLDERS TO DEVELOP A PLAN TO ESTABLISH VISITATION CENTERS AT ALL STATE CORRECTIONAL FACILITIES AND JAILS," was adopted, with Representatives Gates, Holt, McDermott, Ohno and Todd being excused.

Representative Lee, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2279) recommending that S.C.R. No. 11, SD 1 be adopted.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.C.R. No. 11, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REAFFIRMING THE USE OF THE TERM "DEAF-BLIND" BY THE STATE OF HAWAII AND THE COUNTIES," was adopted, with Representatives Gates, Holt, McDermott, Ohno and Todd being excused.

Representative Lee, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2280) recommending that S.C.R. No. 38, SD 1, HD 1 be adopted.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.C.R. No. 38, SD 1, HD 1, entitled: "SENATE CONCURRENT

RESOLUTION URGING RESTAURANTS TO DONATE ANY LEFTOVER FOOD TO HOMELESS SHELTERS AT THE END OF THEIR BUSINESS DAY AND URGING THE DEPARTMENT OF HEALTH TO DEVELOP AND DISSEMINATE TEMPERATURE CONTROLLED FOR SAFETY FOOD DONATION GUIDELINES," was adopted, with Representatives Gates, Holt, McDermott, Ohno and Todd being excused.

Representative Lee, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2281) recommending that S.C.R. No. 205 be adopted.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.C.R. No. 205, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE BOARD ON GEOGRAPHIC NAMES TO CONSULT WITH COMMUNITY MEMBERS WHO HAVE DIRECT TRADITIONAL, CULTURAL, AND FAMILIAL TIES TO THE DISTRICT OF PUNA TO ESTABLISH APPROPRIATE NAMES FOR THE FISSURE 8 VENT AND OTHER FEATURES OF THE 2018 ERUPTION OF KILAUEA VOLCANO," was adopted, with Representatives Gates, Holt, McDermott, Ohno and Todd being excused.

Representative Lee, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2282) recommending that S.C.R. No. 209, SD 1 be adopted.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.C.R. No. 209, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES DIVISION OF BOATING AND OCEAN RECREATION AND COUNTY OF HAWAII TO WORK TOGETHER TO IDENTIFY AND PURSUE THE BEST PLAN OF ACTION TO ADDRESS ISSUES AT KAHALU'U BEACH PARK ON HAWAII ISLAND," was adopted, with Representatives Gates, Holt, McDermott, Ohno and Todd being excused.

Representative Lee, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2283) recommending that S.C.R. No. 204, HD 1, as amended in HD 2, be adopted.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.C.R. No. 204, HD 2, entitled: "SENATE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF A NATIVE HAWAIIAN INTELLECTUAL PROPERTY TASK FORCE TO DEVELOP A SUI GENERIS LEGAL SYSTEM TO RECOGNIZE AND PROTECT NATIVE HAWAIIAN CULTURAL INTELLECTUAL PROPERTY, TRADITIONAL CULTURAL EXPRESSIONS, AND GENETIC RESOURCES," was adopted, with Representatives Gates, Holt, McDermott, Ohno and Todd being excused.

REPORTS OF CONFERENCE COMMITTEES

Representatives Mizuno and Nakamura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 330, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 2) recommending that H.B. No. 330, HD 1, SD 1, 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. 2 and H.B. No. 330, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SUICIDE PREVENTION," was deferred for a period of 48 hours.

SUSPENSION OF RULES

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made

by the Senate to a certain House Bill. (Representatives Gates, Holt, McDermott, Ohno and Todd were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Belatti moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House Bill, seconded by Representative Morikawa and carried: (Representatives Gates, Holt, McDermott, Ohno and Todd were excused.)

H.B. No. 655, HD 1, (SD 1)

ANNOUNCEMENTS

Representative Belatti: "Mr. Speaker, I just wanted to announce that I have a resolution for signature for members who are interested in signing it. It would be to approve the selection of former Governor George Ariyoshi to be inducted into the Aloha Order of Merit, and I have the resolution here for signature at my desk following session. Thank you, Mr. Speaker."

Representative Matsumoto: "After all the announcements I've made, the day has finally come. We have our Easter basket distribution. We'll be taking the photo at 1:45 p.m. in the front foyer, but the Easter Bunny and the Easter chick who will be unveiled will be there at 1:30 p.m. if you want to take some individual photos.

"So, come out to the front, and then the three organizations, Salvation Army, IHS, and PACT will be there to collect the donations and we make the human fire chain to put all of the baskets into the trucks. So, please come on down, 1:30 p.m. if you want to take individual photos and 1:45 p.m. for the group photo. Thank you.

"And I just wanted to say thank you to everybody, when I reported two days ago we had 30 baskets, we now have 139 baskets, so thank you so much, and give yourselves a round of applause."

Representative Ward: "Mr. Speaker, speaking of Easter, tomorrow is a holiday, Good Friday, begins a very, how would you say, a very spiritual weekend. Saturday is Passover, and Sunday is Easter. So, I wish everyone best wishes on all of those three holidays.

"And lastly, Mr. Speaker, as my good colleague from Kailua announced yesterday that next Friday will be Hemp Friday, I want you to know that there's solidarity in dress, and I want you to know that there is a new coalition, bipartisan dress for cravats or ascots, and any of the men who wish to join the Nishimoto-Ward coalition, you are most welcome. Thank you, Mr. Speaker."

At this time, the Chair stated:

"The Chair would like to remind committee chairs that today is the second crossover filing deadline for amended Senate concurrent resolutions. Please file your committee reports and drafts with the Chief Clerk's Office by 6:00 p.m. this evening."

COMMITTEE REASSIGNMENTS

The following measure was re-referred to committee by the Speaker:

S.C.R.

No. Re-referred to:

112, Committee on Health
SD1,
HD1

ADJOURNMENT

At 11:51 o'clock a.m., on motion by Representative Morikawa, seconded by Representative Matsumoto and carried, the House of Representatives adjourned until 11:30 o'clock a.m. Monday, April 22, 2019. (Representatives Gates, Holt, McDermott, Ohno, Quinlan and Todd were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 18, 2019, 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 Speaker has this day appointed as conferees on the part of the House for the consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 394, Luke, Chr.;
SD 1, HD 1 Cullen, McDermott

House Communication dated April 18, 2019, 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 reconsidered its action taken in disagreeing to the amendments made by the Senate on April 11, 2019, and gives its notice of intent to agree to the following House Bill:

H.B. No. 655, HD 1, SD 1