

## FORTY-SEVENTH DAY

Monday, June 29, 2020

The Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2020, convened at 11:40 a.m. with the President in the Chair.

The Roll was called showing all Senators present, with Senators Chang, Keohokalole, and Ruderman present and participating via videoconference, and with the exception of Senator Ihara who was excused.

The President announced that he had read and approved the Journal of the Forty-Sixth Day.

## HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 368) was read by the Clerk and was placed on file:

Hse. Com. No. 368, informing the Senate that the following bills passed Final Reading in the House of Representatives on June 26, 2020:

S.B. No. 126, S.D. 1, H.D. 1, C.D. 1; and  
S.B. No. 785, S.D. 1, H.D. 1, C.D. 1.

## STANDING COMMITTEE REPORTS

Senator Inouye, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 3700) recommending that S.C.R. No. 78 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3700 and S.C.R. No. 78, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF USING RECYCLED PLASTIC TO REPAIR ROADWAYS," was deferred until Tuesday, June 30, 2020.

Senator Inouye, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 3701) recommending that S.C.R. No. 50 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3701 and S.C.R. No. 50, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION AND KAUAI DEPARTMENT OF PUBLIC WORKS TO CONDUCT A STUDY TO IDENTIFY AND RECOMMEND METHODS TO ALLEVIATE TRAFFIC CONGESTION AT CERTAIN INTERSECTIONS ALONG THE KAUMUALII HIGHWAY," was deferred until Tuesday, June 30, 2020.

Senators Thielen and Taniguchi, for the Committee on Government Operations and the Committee on Labor, Culture and the Arts, presented a joint report (Stand. Com. Rep. No. 3702) recommending that S.C.R. No. 86, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3702 and S.C.R. No. 86, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RECOGNIZE AND COMMEMORATE AUGUST 26, 2020, AS WOMEN'S EQUALITY DAY, CELEBRATING THE CENTENNIAL OF, AND HONORING HAWAII'S ROLE IN, THE WOMEN'S SUFFRAGE MOVEMENT," was deferred until Tuesday, June 30, 2020.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3703) recommending that S.C.R. No. 13, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3703 and S.C.R. No. 13, S.D. 1, entitled: "SENATE CONCURRENT

RESOLUTION URGING CONGRESS TO PASS THE CLINICAL TREATMENT ACT TO AMEND TITLE XIX OF THE SOCIAL SECURITY ACT TO REQUIRE MEDICAID TO COVER THE ROUTINE COSTS OF CARE FOR PATIENTS WITH LIFE-THREATENING CONDITIONS WHO ARE ENROLLED IN CLINICAL TRIALS," was deferred until Tuesday, June 30, 2020.

Senators Shimabukuro and Kahele, for the Committee on Hawaiian Affairs and the Committee on Water and Land, presented a joint report (Stand. Com. Rep. No. 3704) recommending that S.C.R. No. 77 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3704 and S.C.R. No. 77, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS, IN CONJUNCTION WITH THE COUNTY OF HAWAII DEPARTMENT OF WATER SUPPLY, TO PROVIDE A PROGRESS REPORT REGARDING THE DEVELOPMENT OF THE KAU WATER SYSTEM," was deferred until Tuesday, June 30, 2020.

Senators Shimabukuro and Chang, for the Committee on Hawaiian Affairs and the Committee on Housing, presented a joint report (Stand. Com. Rep. No. 3705) recommending that S.C.R. No. 2, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3705 and S.C.R. No. 2, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL FUNDS FOR NATIVE HAWAIIAN HOUSING BLOCK GRANTS UNDER THE NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT AND IDENTIFY AND SECURE OTHER FORMS OF DIRECT ASSISTANCE TO ADDRESS THE AFFORDABLE HOUSING NEEDS OF THE NATIVE HAWAIIAN POPULATION AND URGING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO ASSIST AND TRAIN INDIVIDUAL HAWAIIAN HOMESTEADS ON THE TECHNICAL ASPECTS AND PROCESSES INVOLVED IN EXPENDING AND UTILIZING NATIVE HAWAIIAN HOUSING BLOCK GRANTS," was deferred until Tuesday, June 30, 2020.

Senators Shimabukuro, Kahele, and Inouye, for the Committee on Hawaiian Affairs and the Committee on Water and Land and the Committee on Transportation, presented a joint report (Stand. Com. Rep. No. 3706) recommending that S.C.R. No. 54, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3706 and S.C.R. No. 54, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION STRONGLY URGING VARIOUS GOVERNMENT AGENCIES TO TAKE APPROPRIATE ACTIONS TO PROTECT THE WAHI PANI OF WAIMAKAOHI-IKA AND PRESERVE THE TRADITIONAL AND CUSTOMARY PRACTICE OF MAKING SALT BEDS AND GATHERING PA'AKAI (SALT) IN HANAPEPE, KAUA'I," was deferred until Tuesday, June 30, 2020.

Senator Inouye, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 3707) recommending that S.R. No. 45 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3707 and S.R. No. 45, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF USING RECYCLED

PLASTIC TO REPAIR ROADWAYS,” was deferred until Tuesday, June 30, 2020.

Senator Inouye, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 3708) recommending that S.R. No. 29 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3708 and S.R. No. 29, entitled: “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION AND KAUAI DEPARTMENT OF PUBLIC WORKS TO CONDUCT A STUDY TO IDENTIFY AND RECOMMEND METHODS TO ALLEVIATE TRAFFIC CONGESTION AT CERTAIN INTERSECTIONS ALONG THE KAUMUALII HIGHWAY,” was deferred until Tuesday, June 30, 2020.

Senators Thielen and Taniguchi, for the Committee on Government Operations and the Committee on Labor, Culture and the Arts, presented a joint report (Stand. Com. Rep. No. 3709) recommending that S.R. No. 52, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3709 and S.R. No. 52, S.D. 1, entitled: “SENATE RESOLUTION REQUESTING THE GOVERNOR TO RECOGNIZE AND COMMEMORATE AUGUST 26, 2020, AS WOMEN’S EQUALITY DAY, CELEBRATING THE CENTENNIAL OF, AND HONORING HAWAII’S ROLE IN, THE WOMEN’S SUFFRAGE MOVEMENT,” was deferred until Tuesday, June 30, 2020.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3710) recommending that S.R. No. 14, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3710 and S.R. No. 14, S.D. 1, entitled: “SENATE RESOLUTION URGING CONGRESS TO PASS THE CLINICAL TREATMENT ACT TO AMEND TITLE XIX OF THE SOCIAL SECURITY ACT TO REQUIRE MEDICAID TO COVER THE ROUTINE COSTS OF CARE FOR PATIENTS WITH LIFE-THREATENING CONDITIONS WHO ARE ENROLLED IN CLINICAL TRIALS,” was deferred until Tuesday, June 30, 2020.

Senators Shimabukuro and Kahele, for the Committee on Hawaiian Affairs and the Committee on Water and Land, presented a joint report (Stand. Com. Rep. No. 3711) recommending that S.R. No. 44 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3711 and S.R. No. 44, entitled: “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS, IN CONJUNCTION WITH THE COUNTY OF HAWAII DEPARTMENT OF WATER SUPPLY, TO PROVIDE A PROGRESS REPORT REGARDING THE DEVELOPMENT OF THE KAU WATER SYSTEM,” was deferred until Tuesday, June 30, 2020.

Senators Shimabukuro and Chang, for the Committee on Hawaiian Affairs and the Committee on Housing, presented a joint report (Stand. Com. Rep. No. 3712) recommending that S.R. No. 2, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3712 and S.R. No. 2, S.D. 1, entitled: “SENATE RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL FUNDS FOR NATIVE HAWAIIAN HOUSING BLOCK GRANTS UNDER THE NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT AND IDENTIFY AND SECURE OTHER FORMS OF DIRECT ASSISTANCE TO

ADDRESS THE AFFORDABLE HOUSING NEEDS OF THE NATIVE HAWAIIAN POPULATION AND URGING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO ASSIST AND TRAIN INDIVIDUAL HAWAIIAN HOMESTEADS ON THE TECHNICAL ASPECTS AND PROCESSES INVOLVED IN EXPENDING AND UTILIZING NATIVE HAWAIIAN HOUSING BLOCK GRANTS,” was deferred until Tuesday, June 30, 2020.

Senators Shimabukuro and Kahele, for the Committee on Hawaiian Affairs and the Committee on Water and Land, presented a joint report (Stand. Com. Rep. No. 3713) recommending that S.C.R. No. 3, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3713 and S.C.R. No. 3, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT ADMINISTRATIVE RULES THAT BETTER PROTECT HISTORIC RESOURCES AND TO CREATE A TASK FORCE,” was deferred until Tuesday, June 30, 2020.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 3714) recommending that the Senate advise and consent to the nomination of CHRISTINE NAMAUU to the Board of Education, under Gov. Msg. No. 706.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3714 and Gov. Msg. No. 706 was deferred until Tuesday, June 30, 2020.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3715) recommending that H.B. No. 2610, H.D. 2, 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 H.B. No. 2610, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE,” passed Second Reading and was placed on the calendar for Third Reading on Wednesday, July 1, 2020.

Senators Taniguchi and Dela Cruz, for the Committee on Labor, Culture and the Arts and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 3716) recommending that H.B. No. 1698, H.D. 1, 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 joint report of the Committees was adopted and H.B. No. 1698, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING,” passed Second Reading and was placed on the calendar for Third Reading on Wednesday, July 1, 2020.

Senators Taniguchi and Dela Cruz, for the Committee on Labor, Culture and the Arts and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 3717) recommending that H.B. No. 2304, H.D. 1, 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 H.B. No. 2304, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS,” passed Second Reading and was placed on the calendar for Third Reading on Wednesday, July 1, 2020.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep.

No. 3718) recommending that H.B. No. 1659, H.D. 3, 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 H.B. No. 1659, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, July 1, 2020.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 3719) recommending that H.B. No. 1661, H.D. 3, 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 H.B. No. 1661, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, July 1, 2020.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 3720) recommending that H.B. No. 2202, H.D. 1, 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 H.B. No. 2202, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, July 1, 2020.

Senators Gabbard and Nishihara, for the Committee on Agriculture and Environment and the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 3721) recommending that H.B. No. 2192, H.D. 1, 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 joint report of the Committees was adopted and H.B. No. 2192, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL BUILDINGS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, July 1, 2020.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3722) recommending that H.B. No. 1469, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3722 and H.B. No. 1469, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COLLEGE SAVINGS PROGRAM," was deferred until Wednesday, July 1, 2020.

#### ORDER OF THE DAY

##### THIRD READING

H.B. No. 2294, H.D. 1, S.D. 2:

On motion by Senator Rhoads, seconded by Senator English and carried, H.B. No. 2294, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 1 (Ihara).

At this time, Senator Nishihara rose on a point of personal privilege to request that written remarks outlining his reservations on S.C.R. No. 17, S.D. 1 and S.R. No. 18, S.D. 1 be entered into the Journal of Wednesday, June 24, 2020, and the Chair so ordered.

The Chair having so ordered, Senator Nishihara's remarks were entered into the Journal of the Forty-Fourth Day.

#### ADJOURNMENT

At 11:43 a.m., on motion by Senator Kahele, seconded by Senator Fevella and carried, the Senate adjourned until 11:30 a.m., Tuesday, June 30, 2020.