

FIFTY-FOURTH DAY

Tuesday, April 27, 2021

The Senate of the Thirty-First Legislature of the State of Hawai'i, Regular Session of 2021, convened at 10:04 a.m. with the President in the Chair.

At this time, the Chair made the following announcements:

"Before calling the roll, I have a few housekeeping announcements.

"In order to ensure that the livestream captures the roll call audio, please use your microphone in the chamber when responding.

"Advise and consent measures are listed on pages 8 to 17 and will be taken in one motion. During discussion, remarks on any of the nominees will be in order. At the end of the discussion, I will ask if there are any reservations or no votes, and you may indicate your vote on any of the GMs at that time. Please let me know if you have any questions.

"Senate concurrent resolutions for final adoption are on page 18.

"Final Reading bills have been segregated into several sections. Pursuant to the Hawai'i State Constitution, no appropriation bill can pass Final Reading before the general appropriations bill (H.B. 200, C.D. 1) passes both houses of the Legislature and is transmitted to the governor. Therefore, the House and Senate will be considering H.B. 200, C.D. 1 as the first order of business. The House has already passed the bill, so we will adopt it then recess to make sure it is enrolled to the governor.

"Floor amendments are on page 19. Non-Fiscal Consent calendar: pages 19 to 36. Non-Fiscal Ordinary calendar: pages 36 to 43. Fiscal Consent calendar: pages 44 to 48. Fiscal Ordinary calendar: pages 49 to 51. Motions to Agree on Senate Concurrent Resolutions: pages 52 to 53; final adoption will be on Thursday, April 29."

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

The President announced that he had read and approved the Journal of the Fifty-Third Day.

MESSAGE FROM THE GOVERNOR

The following message from the Governor (Gov. Msg. No. 1110) was read by the Clerk and was placed on file:

Gov. Msg. No. 1110, informing the Senate that on April 26, 2021, the Governor signed into law House Bill No. 189 as Act 10, entitled: "RELATING TO DESIGNATING SUBSTITUTE JUDGES ON THE INTERMEDIATE COURT OF APPEALS."

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 631 and 632) were read by the Clerk and were placed on file:

Hse. Com. No. 631, informing the Senate that on April 23, 2021, the House agreed to the amendments proposed by the Senate and Finally Adopted the following resolutions:

H.C.R. No. 5, S.D. 1;
H.C.R. No. 11, H.D. 1, S.D. 1;
H.C.R. No. 35, S.D. 1;
H.C.R. No. 37, H.D. 1, S.D. 1;

H.C.R. No. 44, S.D. 1;
H.C.R. No. 69, H.D. 1, S.D. 1;
H.C.R. No. 76, S.D. 2;
H.C.R. No. 81, H.D. 1, S.D. 1;
H.C.R. No. 96, S.D. 1;
H.C.R. No. 97, S.D. 1;
H.C.R. No. 112, S.D. 1;
H.C.R. No. 132, H.D. 1, S.D. 1;
H.C.R. No. 137, H.D. 1, S.D. 1;
H.C.R. No. 154, S.D. 1;
H.C.R. No. 162, H.D. 1, S.D. 1;
H.C.R. No. 163, H.D. 1, S.D. 1;
H.C.R. No. 166, H.D. 2, S.D. 1; and
H.C.R. No. 189, H.D. 1, S.D. 1.

Hse. Com. No. 632, informing the Senate that on April 23, 2021, the House reconsidered its action taken on April 15, 2021, in disagreeing to the amendments proposed by the Senate to the following House bills:

H.B. No. 345, H.D. 2 (S.D. 2);
H.B. No. 961, H.D. 1 (S.D. 2); and
H.B. No. 975, H.D. 1 (S.D. 1).

CONFERENCE COMMITTEE REPORT

Senator Keohokalole, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1281, H.D. 1, presented a report (Conf. Com. Rep. No. 185) recommending that H.B. No. 1281, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 185 and H.B. No. 1281, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1853) recommending that the Senate advise and consent to the nominations to the Mental Health and Substance Abuse, Kauai Service Area Board of the following:

ANGELA UECHI, in accordance with Gov. Msg. No. 654; and

KEVIN MYRICK, in accordance with Gov. Msg. No. 655.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1853 and Gov. Msg. Nos. 654 and 655 was deferred until Thursday, April 29, 2021.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1854) recommending that the Senate advise and consent to the nominations to the Policy Advisory Board for Elder Affairs of the following:

BEVERLY GOTELLI, in accordance with Gov. Msg. No. 701;

STEPHEN LUNG, in accordance with Gov. Msg. No. 702;

RAELENE TENNO, in accordance with Gov. Msg. No. 703;

KEALOHAKU'UALOHAKU'UPOKI'I BALAZ, in accordance with Gov. Msg. No. 704; and

LESLIE TANOUE, in accordance with Gov. Msg. No. 705.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1854 and Gov. Msg. Nos. 701, 702, 703, 704, and 705 was deferred until Thursday, April 29, 2021.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 1855) recommending that the Senate advise and consent to the nomination of VERNON CHAR to the Board of Land and Natural Resources, in accordance with Gov. Msg. No. 682.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1855 and Gov. Msg. No. 682 was deferred until Thursday, April 29, 2021.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 1856) recommending that the Senate advise and consent to the nominations to the Natural Area Reserves System Commission of the following:

NORINE HAYES, in accordance with Gov. Msg. No. 699; and

THORNE ABBOTT, in accordance with Gov. Msg. No. 700.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1856 and Gov. Msg. Nos. 699 and 700 was deferred until Thursday, April 29, 2021.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 1857) recommending that the Senate advise and consent to the nominations to the Game Management Advisory Commission of the following:

NICOLAI BARCA, in accordance with Gov. Msg. No. 736;

JASON SANBORN, in accordance with Gov. Msg. No. 737; and

JOHN TERRY, in accordance with Gov. Msg. No. 738.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1857 and Gov. Msg. Nos. 736, 737, and 738 was deferred until Thursday, April 29, 2021.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 1858) recommending that the Senate advise and consent to the nominations to the Kahoolawe Island Reserve Commission of the following:

MICHELLE PESCAIA, in accordance with Gov. Msg. No. 683;

ANELA EVANS, in accordance with Gov. Msg. No. 684; and

BENTON PANG, in accordance with Gov. Msg. No. 685.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1858 and Gov. Msg. Nos. 683, 684, and 685 was deferred until Thursday, April 29, 2021.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 1859) recommending that the Senate advise and consent to the nominations to the Kane'ohe Bay Regional Council of the following:

LETANI PELTIER, in accordance with Gov. Msg. No. 686;

JOSEPH PICKARD, in accordance with Gov. Msg. No. 715; and

CLIFFORD LOO, in accordance with Gov. Msg. No. 771.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1859 and Gov. Msg. Nos. 686, 715, and 771 was deferred until Thursday, April 29, 2021.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 1860) recommending that H.C.R. No. 30, H.D. 1 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1860 and H.C.R. No. 30, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH A COMMUNITY ADVISORY COMMITTEE FOR POLIHALE STATE PARK ON THE ISLAND OF KAUAI," was deferred until Thursday, April 29, 2021.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 1861) recommending that H.C.R. No. 47, H.D. 1 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1861 and H.C.R. No. 47, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE CITY AND COUNTY OF HONOLULU TO PLAN FOR THE NECESSARY IMPROVEMENTS TO, AND REVITALIZATION OF, HANS L'ORANGE PARK," was deferred until Thursday, April 29, 2021.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 1862) recommending that H.C.R. No. 66 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1862 and H.C.R. No. 66, entitled: "HOUSE CONCURRENT RESOLUTION REVIEWING AND APPROVING THE ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON A LAND EXCHANGE BETWEEN THE STATE OF HAWAII AND PARKER RANCH, INC," was deferred until Thursday, April 29, 2021.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 1863) recommending that H.C.R. No. 102, H.D. 2 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1863 and H.C.R. No. 102, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF PLANNING, IN COLLABORATION WITH VARIOUS AGENCIES, TO DEVELOP A PLAN TO ESTABLISH A STATE GEOLOGICAL SURVEY IN HAWAII," was deferred until Thursday, April 29, 2021.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 1864) recommending that H.C.R. No. 147 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1864 and H.C.R. No. 147, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT A WORKING GROUP BE CONVENED TO MAKE RECOMMENDATIONS ON FLOOD MITIGATION AT THE INTERSECTION OF EAST MANOA ROAD AND OAHU AVENUE," was deferred until Thursday, April 29, 2021.

ORDER OF THE DAY

ADVISE AND CONSENT

MATTERS DEFERRED FROM TUESDAY, APRIL 20, 2021

Stand. Com. Rep. No. 1794 (Gov. Msg. Nos. 798, 799, 800, 801, and 802):

Senator Wakai moved that Stand. Com. Rep. No. 1794 be received and placed on file, seconded by Senator Misalucha and carried.

Senator Wakai then moved that the Senate advise and consent to the nominations to the Board of Directors of the Hawaii Tourism Authority of the following:

KEITH DOWNING, term to expire June 30, 2022 (Gov. Msg. No. 798);

DAVID ARAKAWA, term to expire June 30, 2024 (Gov. Msg. No. 799);

DYLAN CHING, term to expire June 30, 2024 (Gov. Msg. No. 800);

SIGMUND ZANE, term to expire June 30, 2024 (Gov. Msg. No. 801); and

SHERRY MENOR-MCNAMARA, term to expire June 30, 2024 (Gov. Msg. No. 802),

seconded by Senator Misalucha.

Senator Kim rose to speak in support of Gov. Msg. No. 801 with reservations as follows:

“This is the only nominee that I was not able to talk with since they were deferred. Thank you.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

For Gov. Msg. Nos. 798, 799, 800, and 802: Ayes, 25. Noes, none.

For Gov. Msg. No. 801: Ayes, 25; Ayes with Reservations (Kim). Noes, none.

Stand. Com. Rep. No. 1795 (Gov. Msg. Nos. 759 and 760):

Senator Wakai moved that Stand. Com. Rep. No. 1795 be received and placed on file, seconded by Senator Misalucha and carried.

Senator Wakai then moved that the Senate advise and consent to the nominations to the Stadium Authority of the following:

MICHAEL IMANAKA, term to expire June 30, 2025 (Gov. Msg. No. 759); and

BRENNON MORIOKA, term to expire June 30, 2025 (Gov. Msg. No. 760),

seconded by Senator Misalucha.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

ADVISE AND CONSENT

Stand. Com. Rep. No. 1833 (Gov. Msg. Nos. 580, 581, 582, 583, 584, 585, and 586):

Senator Keohokalole moved that Stand. Com. Rep. No. 1833 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nominations to the State Council on Developmental Disabilities of the following:

PHILIP ANA, term to expire June 30, 2025 (Gov. Msg. No. 580);

KIRIKO TAKAHASHI, term to expire June 20, 2022 (expiration date amended to June 30, 2022 by Gov. Msg. No. 662) (Gov. Msg. No. 581);

MELISSA GIBO, term to expire June 30, 2024 (Gov. Msg. No. 582);

AMARA COON, term to expire June 30, 2024 (Gov. Msg. No. 583);

BATHEY FONG, term to expire June 30, 2024 (Gov. Msg. No. 584);

MICHELLE MURALT, term to expire June 30, 2024 (Gov. Msg. No. 585); and

DARWIN NAGAMINE, term to expire June 30, 2024 (Gov. Msg. No. 586),

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1834 (Gov. Msg. No. 631):

Senator Keohokalole moved that Stand. Com. Rep. No. 1834 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nomination of KEVIN NAKAMURA to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, term to expire June 20, 2024 (expiration date amended to June 30, 2024 by Gov. Msg. No. 660), seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1835 (Gov. Msg. No. 640):

Senator Keohokalole moved that Stand. Com. Rep. No. 1835 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nomination of CAROL PETITH-ZBICIAK to the Health Planning Council, Tri-Isle Subarea, term to expire June 30, 2024, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1836 (Gov. Msg. No. 755):

Senator Keohokalole moved that Stand. Com. Rep. No. 1836 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nomination of KURT AKAMINE to the Board of Directors of the Hawaii Health Systems Corporation, term to expire June 30, 2025, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1837 (Gov. Msg. Nos. 641 and 642):

Senator Keohokalole moved that Stand. Com. Rep. No. 1837 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nominations to the Health Planning Council, West Oahu Subarea of the following:

CAMONIA GRAHAM-TUTT, term to expire June 30, 2024 (Gov. Msg. No. 641); and

BEVERLY INOCENCIO, term to expire June 30, 2024 (Gov. Msg. No. 642),

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1838 (Gov. Msg. Nos. 763, 764, and 765):

Senator Keohokalole moved that Stand. Com. Rep. No. 1838 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nominations to the Disability and Communication Access Board of the following:

NIKKI KEPOO, term to expire June 30, 2025 (Gov. Msg. No. 763);

SUMMER KOZAI, term to expire June 30, 2025 (Gov. Msg. No. 764); and

MARIE KIMMEY, term to expire June 30, 2025 (Gov. Msg. No. 765),

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1839 (Gov. Msg. Nos. 587, 588, 589, 590, and 591):

Senator Keohokalole moved that Stand. Com. Rep. No. 1839 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nominations to the State Council on Mental Health of the following:

JENNIFER RENFRO, term to expire June 30, 2023 (Gov. Msg. No. 587);

DINA KOYANAGI, term to expire June 30, 2023 (Gov. Msg. No. 588);

ANTONINO BENINATO, term to expire June 30, 2024 (Gov. Msg. No. 589);

KATHERINE AUMER, term to expire June 30, 2021 (Gov. Msg. No. 590); and

KATHERINE AUMER, term to expire June 30, 2025 (Gov. Msg. No. 591),

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1840 (Gov. Msg. Nos. 632, 633, 754, 756, and 757):

Senator Keohokalole moved that Stand. Com. Rep. No. 1840 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nominations to the Board of Directors of the Hawaii Health Systems Corporation of the following:

JANE DIERENFIELD, term to expire June 30, 2021 (Gov. Msg. No. 632);

JANE DIERENFIELD, term to expire June 30, 2025 (Gov. Msg. No. 633);

DONNA MCCLEARY, term to expire June 30, 2025 (Gov. Msg. No. 754);

KEVAN WONG, term to expire June 30, 2025 (Gov. Msg. No. 756); and

DOUGLASS ADAMS, term to expire June 30, 2025 (Gov. Msg. No. 757),

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1841 (Gov. Msg. Nos. 636, 637, 709, 710, and 711):

Senator Keohokalole moved that Stand. Com. Rep. No. 1841 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nominations to the Emergency Medical Services Advisory Committee of the following:

KYLE PERRY, term to expire June 30, 2021 (Gov. Msg. No. 636);

KYLE PERRY, term to expire June 30, 2025 (Gov. Msg. No. 637);

SEAN COVANT, term to expire June 30, 2023 (Gov. Msg. No. 709);

MICHAEL HAYASHI, term to expire June 30, 2024 (Gov. Msg. No. 710); and

JACOB MINEI, term to expire June 30, 2023 (Gov. Msg. No. 711),

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1842 (Gov. Msg. Nos. 638, 695, 696, and 708):

Senator Keohokalole moved that Stand. Com. Rep. No. 1842 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nominations to the Hawaii Advisory Commission on Drug Abuse and Controlled Substances of the following:

ADAM GRATZ, term to expire June 30, 2024 (Gov. Msg. No. 638);

ERIKA VARGAS, term to expire June 30, 2025 (Gov. Msg. No. 695);

DIANA FELTON, term to expire June 30, 2025 (Gov. Msg. No. 696); and

GREGORY TJAPKES, term to expire June 30, 2025 (Gov. Msg. No. 708),

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1843 (Gov. Msg. Nos. 648, 650, 651, and 652):

Senator Keohokalole moved that Stand. Com. Rep. No. 1843 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nominations to the Language Access Advisory Council of the following:

CARI UESUGI, term to expire June 30, 2024 (Gov. Msg. No. 648);

MARIA ARSUAGA, term to expire June 30, 2025 (Gov. Msg. No. 650);

TERRINA WONG, term to expire June 30, 2022 (Gov. Msg. No. 651); and

VALENTINA YAROVAYA, term to expire June 30, 2024 (Gov. Msg. No. 652),

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1844 (Gov. Msg. Nos. 653 and 658):

Senator Keohokalole moved that Stand. Com. Rep. No. 1844 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nominations to the Mental Health and Substance Abuse, Oahu Service Area Board of the following:

RICHARD JACKSON, term to expire June 30, 2024 (Gov. Msg. No. 653); and

JACQUELYN ESSER, term to expire June 30, 2024 (Gov. Msg. No. 658),

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1845 (Gov. Msg. Nos. 643 and 644):

Senator Keohokalole moved that Stand. Com. Rep. No. 1845 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nominations to the Mental Health and Substance Abuse, Hawai'i Service Area Board of the following:

ALYSA LAVOIE, term to expire June 30, 2023 (Gov. Msg. No. 643); and

JOHN BETLACH, term to expire June 30, 2024 (Gov. Msg. No. 644),

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1846 (Gov. Msg. No. 561):

Senator Keohokalole moved that Stand. Com. Rep. No. 1846 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nomination of TORI CARAPELHO to the Health Planning Council, Honolulu Subarea, term to expire June 30, 2023, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1847 (Gov. Msg. No. 579):

Senator Keohokalole moved that Stand. Com. Rep. No. 1847 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nomination of JAMES LANDGRAF to the Board of Certification of Public Water System Operators, term to expire June 30, 2025, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1848 (Gov. Msg. No. 639):

Senator Keohokalole moved that Stand. Com. Rep. No. 1848 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nomination of NICHOLAS PANANGANAN to the Health Planning Council, Kauai Subarea, term to expire June 20, 2022 (expiration date amended to June 30, 2022 by Gov. Msg. No. 661), seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1849 (Gov. Msg. No. 646):

Senator Keohokalole moved that Stand. Com. Rep. No. 1849 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nomination of TARA REED to the Mental Health and Substance Abuse, Maui Service Area Board, term to expire June 30, 2024, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1850 (Gov. Msg. No. 647):

Senator Keohokalole moved that Stand. Com. Rep. No. 1850 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nomination of JUDY FOMIN to the Health Planning Council, Windward Oahu Subarea, term to expire June 30, 2023, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1851 (Gov. Msg. No. 707):

Senator Keohokalole moved that Stand. Com. Rep. No. 1851 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nomination of RICKI TABOR to the Policy Advisory Board for Elder Affairs, term to expire June 30, 2025, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1852 (Gov. Msg. No. 813):

Senator Keohokalole moved that Stand. Com. Rep. No. 1852 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nomination of LESLIE KIMURA to the Board of Directors of the Hawaii Health Systems Corporation, term to expire June 30, 2025, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

FINAL ADOPTION

S.C.R. No. 102, S.D. 1 (H.D. 1):

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 102, S.D. 1, and S.C.R. No. 102, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT COVERING PORTIONS OF STATE SUBMERGED LANDS AT MAUNALUA, OAHU, HAWAII, FOR THE CONSTRUCTION AND MAINTENANCE OF A ROCK GROIN TO SLOW THE RATE OF SEDIMENT DEPOSITION INTO THE ENTRANCE CHANNEL OF THE HAWAII KAI MARINA," was Finally Adopted.

S.C.R. No. 165, S.D. 1 (H.D. 1):

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 165, S.D. 1, and S.C.R. No. 165, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO CONSENT TO THE ENACTMENT OF ACT 80, SESSION LAWS OF HAWAII 2017," was Finally Adopted.

S.C.R. No. 189, S.D. 1 (H.D. 1):

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 189, S.D. 1, and S.C.R. No. 189, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AFFIRMING SUPPORT FOR THE PURCHASE, PRESERVATION, AND RESTORATION OF

AGRICULTURAL AND CONSERVATION LANDS IN MAUNAWILI VALLEY, OAHU TO PROTECT THE IMPORTANT ANCIENT AND HISTORIC SITES, TRAILS, AND WATERS IN MAUNAWILI VALLEY," was Finally Adopted.

S.C.R. No. 191 (H.D. 1):

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 191, and S.C.R. No. 191, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES TO AMEND ITS POLICIES RELATING TO POSTPARTUM STERILIZATION WAITING PERIODS FOR MEDICAID RECIPIENTS," was Finally Adopted.

FINAL READING

Conf. Com. Rep. No. 180 (H.B. No. 200, H.D. 1, S.D. 1, C.D. 1):

Senator Dela Cruz moved that Conf. Com. Rep. No. 180 be adopted and H.B. No. 200, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Keith-Agaran.

Senator Dela Cruz rose to speak in support of the measure as follows:

"I'd like to begin by thanking the Ways and Means vice chair, the senator from Central Maui; the Finance chair and Finance vice chair; Senate and House leadership; and the Senate and House subject-matter chairs for their blood and courageous leadership in addressing our state's extreme fiscal challenges.

"House Bill 200 is the culmination of many hours of dedication and diligent efforts by Hawai'i's legislative body to identify opportunities for strategic additions, restorations, restructuring, reductions, and cuts across all 20 state departments. We believe that we have an executive budget that creates a leaner, more effective state government; addresses the needs of our most vulnerable residents; and stabilizes essential services and programs as we make our way out of the fiscal storm of 2020. The House and Senate approached the conference draft with the intent to address the biennium budget with fiscal responsibility and restraint. House Bill 200 shores up our current state obligations while ensuring a solid financial future in the case the state is faced with another unforeseen economic upheaval.

"The House and Senate had the daunting task of balancing the state budget with the inclusion of the \$1.6 billion allocated to the state through the American Rescue Plan Act of 2021, also referred to as ARPA. With limited guidance from the Department of Budget and Finance and the federal government, determining the most appropriate use of the money was very difficult. The maintenance of effort requirement presented the greatest challenge while drafting a balanced budget. Your conference committee worked diligently to meet the proportional maintenance of effort funding requirements established under ARPA. We are proud to present a budget that meets the maintenance of effort requirement, thus ensuring the state's \$1.6 billion ARPA allocation.

"The legislative draft of the state budget includes funding for supporting programs and services for agriculture, which included starting the pesticide disposal program and providing funds for programs in agricultural development and foods security; funding to support our state museums, 'Iolani Palace and Bishop Museum, and allocating ARPA funds to the Hawai'i Tourism Authority to help sustain our visitor industry and economy; supporting Hawai'i's learners and education systems

by adding funding for alternative learning, teacher rental subsidies, a statewide trauma, and K-12 programming. For higher education, funding was added for the UH Mānoa Early College, JABSOM, athletics, and the Promise Program. Funds were restored for special education, libraries, instructional support, school support, school community services, charter schools, and the DOE weighted student formula. Funding to protect our natural resources were also restored: the Water and Land Development Division and the Native Resources and Fire Protection Program—now we have added resources for them, as well as the Conservation and Resources Enforcement Division. Supporting health and wellbeing of Hawai'i's families by providing funding for critical human services, such as the General Assistance program, homeless services, Preschool Open Doors, Medicaid payments, the state Rental Supplement Program, and in-community youth programs, as well as funding for critical programs such as Crime Victim Compensation program, Career Criminal Victim Witness Program, and the Sex Abuse Treatment Center.*

“It is also important to the committee to continuously evaluate the structure of government and identify efficiencies and reduce duplication. Where applicable, government agencies should be working with each other to provide services to our residents. With that in mind, and incorporating each department's executive budget request, the budget reduced vacant positions; changed means of financing for certain programs; restructured, eliminated, or consolidated departments and programs to align with the state's goals and priorities. The conference draft includes consolidating the Land Use Commission, the Office of Environmental Quality Control, and the Office of Planning into a new budget program titled Office of Planning and Sustainable Development. The draft transfers permanent positions from the Department of Labor and Industrial Relations Research & Statistics Office to the Department of Business, Economic Development, and Tourism's Economic Planning and Research to consolidate research and statistics functions. It also transfers permanent and temporary positions from the Hawai'i Tourism Authority Tourism Research Office to DBEDT to consolidate research functions; creates new program IDs; and transfers personnel and funds to the Hawaii Army and Hawaii Air National Guard and Hawaii Emergency Management Agency; transfers the Department of Education's Office of Information Technology Services from state administration to school support; creates new program IDs and transfers UH Cancer Center from UH Mānoa to UH Cancer Center; transfers and consolidates permanent positions, federal funds, and general funds from the Workforce Development Council to the Workforce Development Division to retain the positions while consolidating the duties into a single office; converts positions and programs funded by the Agricultural Development and Food Security Special Fund and the Agricultural Loan Reserve Fund to general funds; and, to hold the ADC accountable, converts temporary positions in from the Agricultural Development Revolving Fund to general fund.

“I really want to thank the leadership; I want to thank the members, and I want to thank the Finance chair for all of your hard work and many, many hours. This has probably been the most challenging session with the limited timeframe, with the amount of limitations, with the amount of restrictions, with the economic challenges, and if it wasn't for all of your hard work, I don't think we could do this, and we did it together, so thank you.”

Senator Keith-Agaran rose to speak in support of the measure as follows:

“I also want to thank all my colleagues as well as the chair of the Ways and Means committee, our good senator from Wahiawā, for the hard work that he and his staff did on the budget on the operating side, and for all of the information and support they provided to my office for the capital budget. I want to thank also my colleague in the House who, as usual, negotiated to the best extent that he could on the priorities that they identified to the extent they identified priorities. I want to thank the members in our body who identified the important projects that will enhance the lives of the people in their communities, and I'm hoping that we were able to put enough of those projects in here to continue the one area where the State can really directly affect the economy, and that is in the public works budget. With that, I also finally would be remiss in not thanking the members of my staff, who, especially during the conference, which was, as the Ways and Means capital mentioned, fairly short, to reach a compromise on the capital budget, so let me thank my office manager, Susan; Danielle, from my office; and Robert, who did the capital budget; as well as my session staff, Pam and Jimmy. Thank you, Mr. President.”

The Chair then extended additional thanks to those who had been mentioned for their great work.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 180 was adopted and H.B. No. 200, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE STATE BUDGET,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 10:19 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:22 a.m.

Conf. Com. Rep. No. 160 (H.B. No. 613, H.D. 2, S.D. 2, C.D. 1):

Senator Kidani moved that Conf. Com. Rep. No. 160 be adopted and H.B. No. 613, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Dela Cruz.

Senator Kidani then offered the following amendment (Floor Amendment No. 7) to H.B. No. 613, H.D. 2, S.D. 2, C.D. 1:

SECTION 1. House Bill No. 613, H.D. 2, S.D. 2, C.D. 1, is amended by replacing section 3, page 14, lines 11 through 16, with the following:

“(13) The sum of \$29,700,000 or so much thereof as may be necessary for fiscal year 2021-2022 shall be expended for the purpose of educator workforce stabilization to retain teachers; provided that moneys appropriated shall be used for a one-time stabilization payment of \$2,200 for each full-time and half-time teacher; and”

SECTION 2. House Bill No. 613, H.D. 2, S.D. 2, C.D. 1, is amended by replacing section 3, page 14, line 17, through page 15, line 18, with the following:

“(14) The sum of \$6,360,000 or so much thereof as may be necessary for fiscal year 2021-2022 shall be expended within four complex areas; Kauai; Maui (Molokai); Hawaii island (Honokaa-Kealakehe, Kohala, Konawaena); and Leilehua-Mililani-Waialua for the purpose of a pilot greenhouse(s) for sustainability and agriculture training, including robotics and other agricultural technology training; provided that, as much as possible, the

* These remarks were later clarified on Friday, August 27, 2021; please see page 7 of the Fourth Day of the Second Special Session of 2021.

greenhouse(s) shall be adjacent to agricultural production centers and develop capacity for future farming and farmers; and”

Senator Kidani moved that Floor Amendment No. 7 be adopted, seconded by Senator Kim.

Senator Kidani rose to speak in support of the amendment as follows:

“The floor amendment being offered for House Bill 613 amends the language on pages 14 and 15. Section 13 on page 14 clarifies that full-time and half-time teachers would qualify for the workforce stabilization payment. The amendment in section 14 allows for greater flexibility for the Department of Education to find an appropriate location for the pilot greenhouse programs to promote sustainable agriculture and STEM and CTE training for our students within a complex area rather than a specific school. Mahalo.”

At 10:25 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:25 a.m.

The motion to adopt Floor Amendment No. 7 was then put by the Chair and carried.

Senator Kidani then moved that Conf. Com. Rep. No. 160 be received and placed on file, seconded by Senator Kim and carried.

By unanimous consent, H.B. No. 613, H.D. 2, S.D. 2, C.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” was placed on the calendar for Final Reading on Thursday, April 29, 2021.

Conf. Com. Rep. No. 175 (H.B. No. 499, H.D. 2, S.D. 2, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 175 be adopted and H.B. No. 499, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Keith-Agaran.

Senator Fevella rose and stated:

“Mr. President, I wish to make a floor amendment on H.B. No. 499, C.D. 1.”

The Chair inquired:

“Is there a second?”

Senator Ihara stated:

“I wasn’t planning to do this, but I will second the motion to give respect to our lone minority member, as I did with Senator Sлом a number of years ago that some senators may recall. Thank you.”

The Chair then called for a recess to distribute copies of the floor amendment to the members.

At 10:27 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:34 a.m.

Senator Fevella offered the following amendment (Floor Amendment No. 8) to H.B. No. 499, H.D. 2, S.D. 2, C.D. 1:

SECTION 1. House Bill No. 499, H.D. 2, S.D. 2, C.D. 1, section 1, is amended by amending lines 1 to 6, on page 2, to read as follows:

“The purpose of this Act is to authorize the board of land and natural resources to extend commercial, industrial, resort, mixed-use, or government leases, other than those to which the

department of Hawaiian home lands or the University of Hawaii is a party, that have not been sold or assigned within the last ten years, for lessees who commit to substantial improvement to the existing improvements.”

SECTION 2. House Bill No. 499, H.D. 2, S.D. 2, C.D. 1, section 2, is amended by amending the definition of “government use” in subsection (f) of section 171- , Hawaii Revised Statutes, on page 5, lines 10 to 14, to read as follows:

““Government use” means a development undertaken under a lease held by any agency or department of the State or its political subdivisions other than the department of Hawaiian home lands, the University of Hawaii, or any department, agency, or administratively attached entity of the University of Hawaii system.”

Senator Fevella moved that Floor Amendment No. 8 be adopted, seconded by Senator Acasio.

Senator Fevella rose to speak in support of the amendment as follows:

“Colleagues, H.B. 499, C.D. 1 is a bill that will have devastating effects on the management of our public lands by allowing individuals to lease these important lands for almost 100 years without the general public an opportunity to lease these lands.

“But what is even more terrifying in this bill is what the bill will do to thousands of acres of Hawaiian Homes trust lands that were set aside for Native Hawaiians for homesteading because of the current language in this bill, which amends Chapter 171 of the Hawai‘i Revised Statutes, does not prohibit this language to the lands managed by the Department of Hawaiian Home Lands like this bill has included for the University of Hawai‘i.

“As a Native Hawaiian, and as anyone in this chambers who is Native Hawaiian, and anyone in the chamber who cares at all about Native Hawaiians, I can tell you that Prince Kūhiō, 100 years after the passing of the Hawaiian Homes Commission Act, would be embarrassed and ashamed of this bill and what this bill attempts to pass today.

“Now, some of you might not have any idea of what I am talking about; some of you might think that this bill only affects lands that are under the Board of Land and Natural Resources, but that is not the case. The reason is that Chapter 171 governs all agencies that lease public lands unless they are exempt. The Department of Hawaiian Home Lands, as a state agency, through the Hawaiian Homes Commission, must follow Chapter 171 when leasing trust lands. By passing this bill, we will be allowing the opportunity for current lessees, those who are not beneficiaries and in many cases not Native Hawaiian, to extend their leases, which they have already been leasing for over 65 years, to another 40 years.

“By not restricting DHHL from this bill like we have done for the University of Hawai‘i, this bill will violate the Hawaiian Homes Commission Act and is unconstitutional based on the federal law that replaced state law.

“Section 204 of the Hawaiian Homes Commission Act is crystal clear, and since many of you may not be familiar with this, I would like to read it to you:

§204. Control by department of “available lands,” return to board of land and natural resources, when; other lands, use of. (a) Upon the passage of this Act, all available lands shall immediately assume the status of Hawaiian home lands and be under the control of the department to be used and disposed of in accordance with the provisions of this Act, except that: . . .

In the management of any retained available lands not required for leasing under section 207(a), the department may dispose of those lands or any improvements thereon to the public, including native Hawaiians, on the same terms, conditions, restrictions, and uses applicable to the disposition of public lands in chapter 171, Hawaii Revised Statutes; provided that the department may not sell or dispose of such lands in fee simple except as authorized under section 205 of this Act; provided further that the department is expressly authorized to negotiate, prior to negotiations with the general public, the disposition of Hawaiian home lands or any improvements thereon to a native Hawaiian, or organization or association owned or controlled by native Hawaiians, for commercial, industrial, or other business purposes, in accordance with the procedures set forth in chapter 171, Hawaii Revised Statutes.

In summary, the DHHL is prohibited from extending general leases if those lands are not required for leasing for Hawaiian homesteads. With 28,000 people on the homestead list, every acre of Hawaiian Homes trust lands must be considered for homestead leasing before general leasing is allowed, especially general leases to non-Native Hawaiian beneficiaries.

“Now, you may wonder how many leases this bill would apply to, so let me tell you how many leases would be allowed to extend their leases under this bill, island by island:

- Hawai‘i island: 72 leases, 740 acres;
- Kaua‘i island: 6 leases, 72 acres;
- Moloka‘i: 5 leases, 1,762 acres;
- O‘ahu: 39 leases, 248 acres.

Colleagues, that is about 3,000 acres being leased, and less than 1 percent are Native Hawaiian. This information can be found in the DHHL 2020 Annual Report.

“I request support for my amendment to exclude DHHL from the amendment to HRS 171. I also would like to note that the reason the University of Hawai‘i is excluded from this bill is one reason: Mauna Kea. The university’s lease on Mauna Kea expires in 2033, and everyone in this building knows that if the University of Hawai‘i was not excluded from this bill, that we would have thousands of angry constituents here at the Capitol protesting this bill. But what has been also conveniently not discussed in this bill is what the bill has potential to do for government leases also under the jurisdiction of BLNR.

“Pōhakuloa, Mākua Valley, Kōke‘e: All of these leases will expire in 2029, and this bill would also open the door for the federal government to extend their leases for another 40 years.

“Colleagues, this is a **bad** bill. At the very least, we should adopt my proposed floor amendment since this bill violates Hawaiian Homes Commission Act, and, if not, we should vote this bill down and return it to the conference committee.

“Senate President and members, colleagues, friends, family: I read this thing word for word because, this morning I came in here with a very heavy heart, with a lot of emails, a lot of calls, from not only my constituents that are Hawaiian but my non-constituents that are not Hawaiian. This bill is very bad for our community because, when I went to committee hearings, and we wanted to extend Prince Kuhio Mall’s extension, the Hawaiian Homes book here talked about it, and I didn’t read that much about it until I read this. Their lease is until 9/30/2042, so, colleagues, why are we in the rush to pass this bill when most of the leases that are coming up, even this one, are way, way, way far away, and we have other leases that are coming up, again, not giving an opportunity to Native Hawaiians to do businesses? So there’s a lot more in the book I

was going to read, but because time doesn’t permit, I’m not going to, but we have always said that we are here to provide not only for everyone but for Native Hawaiians to prosper in businesses, but today, we have a bill before us that is going to prevent that for another hundred years. So, colleagues, I ask you, please, if you can support my floor amendment, I appreciate it. Again, thank you, Senate President; thank you, guys.”

Senator Inouye rose to speak in opposition to the amendment as follows:

“It’s unfortunate that this amendment is not coming from any of the conference chairs. I ask, colleagues, that you join me in voting against the amendment before us to H.B. 499, Conference Draft 1. Mahalo, Mr. President; mahalo, colleagues.”

Senator Acasio rose to speak in support of the amendment as follows:

“Please insert into the Journal the senator from ‘Ewa’s voice as if it was my own. Thank you.” (The Chair so ordered, by reference only.)

At 10:47 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:47 a.m.

At this time, Senator Fevella rose to request a Roll Call vote, and the Chair so ordered.

The motion to adopt Floor Amendment No. 8 was then put by the Chair and failed to carry, Roll Call vote having been requested, on the following showing of Ayes and Noes:

Ayes, 5; Ayes with Reservations (Ihara, San Buenaventura). Noes, 20 (Baker, Chang, Dela Cruz, English, Gabbard, Inouye, Kanuha, Keith-Agaran, Keohokalole, Kidani, Kim, Kouchi, Lee, Misalucha, Moriwaki, Nishihara, Rhoads, Shimabukuro, Taniguchi, Wakai.)

Senator Inouye moved that Conf. Com. Rep. No. 175 be adopted and H.B. No. 499, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Keith-Agaran.

Senator Inouye rose to speak in strong support of the measure as follows:

“At its core, H.B. 499, C.D. 1, applies to current leases used for commercial, industrial, resort, residential, mixed-use, or government purposes. It authorizes BLNR to extend the current leases for another 40 years provided that the lessees make substantial improvements to their properties. This means that the burden of improving lease properties lies on the lessee, many of whom are willing to make the investment in exchange for lease extensions. This is not a bill to deny benefits for beneficiaries. It is a bill about jobs, economic stability, opportunity and sustainability, vitality, and community improvement. Mr. President, I have an extensive speech prepared; I would like to enter this into the record into the Journal. Mahalo.”

The Chair having so ordered, Senator Inouye’s additional remarks read as follows:

“The Department of Hawaiian Home Lands has thousands of acres of land holdings set aside for specific purposes. 128,721 (63%) acres are set aside for General Agriculture, conservation, and as a ‘special district’ which do not include commercial and industrial leases.

“Hawaiian Homes pastoral lands consists of 43,739 acres (21.5%) that are used for ranching and grazing. More than

16,000 acres (8.4%) are used for supplemental and subsistence agriculture.

“So far, 9,508 acres (4.67%) of Hawaiian Home lands are used for residential purposes. Many acres are undeveloped and need critical infrastructure installed or upgraded. And yes, many Hawaiian families are still on the rolls to get leases to not only residential lots and dwellings, but also to some of the ag lands including pastoral.

“There are only 1,144 acres (0.56%) in commercial usage. Industrial usage amounts to 1,676 acres (0.82%). In terms of percentage, only 1.38% of DHHL lands are set aside for commercial and industrial use.

“Most of the commercial use lessees pay a lot of rent to the DHHL, which can be used to upgrade infrastructure for Hawaiian Home residential and agricultural lands.

“Now that many of the commercial and industrial leases are up for renewal, it is up to the DHHL as well as other title holders of public lands to negotiate a mutually agreeable lease rate upon renewal.

“Mr. President and colleagues, lease renewals present the DHHL and other title holders of public lands a means to negotiate a new rate for each lessee. That in turn could mean more funding for Hawaiian Homes programs and settlement of more Hawaiian people on to the lands and homes they deserve.

“Commercial lessees use their properties to conduct operations that benefit their communities as well as their ‘bottom line’. They naturally want to maintain and improve their places of conducting commerce to better serve the public. They will invest their own funds to make this happen.

“These revenue generating entities and many others like them throughout the state of Hawaii, operate on ‘public lands’. They provide their communities with valuable goods and services. They provide employment for all those seeking a job. In bringing people together, they can often become the focal point of a community.

“For example, on the Big Island of Hawaii, we have the Prince Kuhio Mall and adjacent properties in Hilo. They are the home to several firms that support East Hawaii, such as Macy’s, Longs Drugs, First Hawaiian Bank and the Prince Kuhio Megaplex. Locally owned small businesses also operate from the property including Hawaiian Island Creations, Enjoy Comics, Zippy’s, Kuhio Grill, Maui Tacos, Makai Veterinary Clinic, and TILT to name a few. The Prince Kuhio Mall complex has become a gathering place for many community events and is a major employer in the area.

“Lessee Michael Miyahira testified: ‘A lessee who already has a viable enterprise established on leased lands is, by a general definition of “viable”, is probably employing people, buying supplies and services from others, paying lease rents and real property taxes (or share of), and paying general excise and income taxes. In other words, providing an economic benefit to our community.’

“Allowing commercial leases on public lands also creates opportunities for local entrepreneurs. There are several firms owned and operated by Native Hawaiians.

“In the area of housing, we have developers who want to come into certain properties to create affordable rentals for the Native Hawaiian Community. Developer Stanford Carr is one such person. He is proposing to build an apartment complex in Honolulu that will provide affordable housing for the Native Hawaiian Community. It will also include retail space and community facilities. Another developer in Kona is building affordable rentals for the Hawaiian community with the opportunity to purchase in 15 years.

“The result is more construction jobs and opportunities to create new places for people to live and work. We cannot deny the fact that we all need a place to live and work.

“Mr. President, one thing that the opponents to HB 499 don’t get. The bill specifically excludes the University of Hawaii in section Funder ‘Government use’. In that section the bill on page 5, it states, and I quote:

- “Government use” means a development undertaken under a lease held by any agency or department of the State or its political subdivisions other than the University of Hawaii or any department, agency, or administratively attached entity of the University of Hawaii system.”

“This means Mr. President, that none of the lease rent issues facing the University of Hawaii system and the properties which they manage on Mauna Kea or Haleakala are part of this bill.

“We must not forget that government entities do provide us with services and employment, and as such are major contributors to our economy.

“Surely, this bill is not perfect. I am sure Mr. President, that we can resolve other matters brought up by the opponents through public meetings, reasonable communication, and future legislation regarding large scale lease rent renewals.

“In this time of the ongoing COVID-19 pandemic, we need to be supportive of entities engaging in commerce, lodging, housing, industry and the government to help us crawl out of the year-long slump impacting the economy. Our communities whether they be in Ewa Beach, Honolulu, the North Shore, Kauai, Maui, Molokai, Kona, Kawaihae, Waimea, Kohala, Hamakua, Hilo, Waiakea, Pana’ewa, Puna or Ka’u need to be receptive to the needs of commercial and industrial sectors. They are the ones at the front lines building our economy, providing us the jobs and opportunities to better not only ourselves but also our communities. This is what HB 499 CDI is all about.

“Mr. President, colleagues, we all stand to benefit by allowing current lessees to extend their lease rents. The revenue renegotiated leases generates for DHHL and other public land title holders will further help fund all of their programs. The commercial and industrial entities are willing to contribute their fair share of lease rent in order to continue all of their operations, which I must say once again, are good for their communities, whether it be in Ewa Beach or Waiakea – Hilo. For this reason, I strongly ask that you vote in favor of House Bill 499 Conference Draft 1.

“Thank you.”

Senator Fevella rose to speak in strong opposition to the measure as follows:

“What I had said earlier, we’re talking about lease and commercial land, but, again, are we putting it out so Native Hawaiians can put out the bid for this lease and commercial land? No. We want to have improvements on hotels and resorts that’s going to be millionaires that’s going to put in the money and then, pretty much for 20 to 30 years, have free lease rent because they made improvements on the property that they should have made improvements on prior. So, again, that’s why I stand in strong opposition because we’re giving millionaires free lease to Hawaiian land. Thank you.”

Senator Kidani rose to speak in support of the measure as follows:

“I did not attend the hearings, but in reading the testimony, I did not see any from Department of Hawaiian Home Lands. I

did, however, read testimony that the developer of one of the projects on Department of Hawaiian Home Lands at the Bowl-O-Drome could use this bill because, in order to finance the project for low-housing rentals for our Hawaiians, they would need at least a 75-year lease on the property. Thank you, Mr. President.”

Senator Fevella rose in rebuttal and stated:

“Yes, I understand that Hawaiian Homes is not in opposition to this bill, and if you guys read more into this bill, you guys are going to know why: because what we had voted down previously with the casino bill, this is just a door of opening it up, and that’s what the reason why they’re not in opposition, because they’re having benefits on the side. I’m talking about the Native Hawaiian people that’s not going to benefit: the guys who have companies; they can put in bids, can put in stuff, can do development. They have plenty Hawaiians today who can do all those things, what Senator Kidani just said. Thank you.”

Senator Acasio rose to speak in opposition to the measure as follows:

“We all come to the floor having heard the concerns about the length of leases and how it will impact public interest, specifically Native Hawaiians, but there is another equal if not greater concern here: House Bill 499 seeks to grant BLNR the authority to extend leases on land over which it has no jurisdiction. The Hawaiian Homes Commission Act of 1920 specifically states that homestead lands are not public lands. BLNR does not have the authority to negotiate leases for DHHL lands, yet proponents of this bill maintain that somehow the language in this measure can give BLNR the right to do that. H.B. 499 will amend Chapter 171. Chapter 171 governs the use of public lands. DHHL is not public lands. Under the Hawaiian Homes Commission Act, Section 206, ‘the powers and duties of the governor and the board of land and natural resources, in respect to lands of the State shall not—I repeat—shall not extend to lands having the status of Hawaiian home lands.’ The architects of this bill think they can give BLNR the power to extend leases on DHHL land by including a definition of ‘government use’ as a development undertaken under a lease held by any agency or department of the State. Somehow they decided it was important to exempt the University of Hawai‘i or any department, agency, or administratively attached entity of the University of Hawai‘i System. Why the University of Hawai‘i? Why not DHHL? There is also an argument being made that DHHL follows DLNR standards when it comes to commercial leases, that somehow this makes House Bill 499 okay.

“The legal difficulties I am citing now, the many phone calls in opposition and testimonials, as you may or may not have read, tell us all that more consideration is due. As the senator from ‘Ewa stated, there’s no rush for this as the Prince Kuhio Plaza lease agreement is not up until into the 2040s. The long-term extension of leases, including some leases being extended over a hundred years, has an effective sale of these lands and predetermines these lands for commercial purposes in perpetuity. There have been years and years of litigation regarding these lands. For example, *Office of Hawaiian Affairs v. Housing and Community Development Corporation of Hawaii*: A settlement was obtained in which plaintiffs gave up their right to pursue litigation in reliance that two-thirds of the legislators must agree to the sale of ceded land from the public land trust. This bill effectively nullifies this settlement agreement by transferring these lands to BLNR without the two-thirds legislative approval originally agreed upon.

“Interestingly, and very telling, there is a complete void of testimony from DHHL in all of this. All year, as a member on the Hawaiian Affairs caucus, I have witnessed DHHL comment, oppose, or support on every single measure that even remotely

relates to their duties and purview. Given the hundreds of testimonies in opposition to this measure from all walks of life, not one comment from Department of Hawaiian Home Lands.

“This bill is poorly written and poorly conceived. There is no immediate need for its passage, and I urge my colleagues to join me in voting against it. Please allow time to give us all time to consider its implications fully. Thank you, Mr. President.”

Senator Riviere rose to speak in opposition to the measure as follows:

“My opposition is basically on the process and the fiduciary that the State has. The State, as the manager of these lands, has leased out various lands for economic purposes and uses, and that’s all well and good, and I fully understand the complications as the lease draws toward a conclusion and the tenant wishes to rehabilitate the property, revitalize it, and reinvest in it, and they are constricted by the shortening lease. Fundamentally, the lease is meant to expire down to a zero value; that’s the whole purpose of the lease as opposed to a sale, is that anyone going into the lease understands that, as you get closer to the termination, your rights will evaporate just as a leased car or property. So, my objection is that we should rather encourage reopenings of the lease, so when we get to that end of the period when property tenants wish to recapitalize and rehabilitate, it is, after all, State land, State-managed land, and so I think the State should look after its interest and consider a reopening of the lease to allow any other potential tenants to compete. That would give us better value for our property. I understand that circumstances may be that nobody would compete and then you could then do the lease, but you would have kind of a consistent process for it, and it is for those reasons, then, that I think a reopening of the lease would be preferable to granting people just to continue to stay in there.

“And, finally, I would note that some decades ago, there were similar discussions regarding leasehold properties for residential tenants where we ended up forcing the landowners to sell the land, and if it comes to a point in some future date where people feel like they own the land, maybe there will be efforts to force the sale of land, so I just think that we should maintain the leasing process and reopen when appropriate. So, for those reasons, I’m in opposition to this. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 175 was adopted and H.B. No. 499, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LEASE EXTENSIONS ON PUBLIC LAND,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 16; Ayes with Reservations (Baker, Chang, English, Kanuha, Lee, Misalucha, Moriwaki, San Buenaventura, Taniguchi). Noes, 9 (Acasio, Fevella, Ihara, Keohokalole, Kim, Nishihara, Rhoads, Riviere, Shimabukuro).

Conf. Com. Rep. No. 1 (S.B. No. 151, H.D. 1, C.D. 1):

On motion by Senator Lee, seconded by Senator Rhoads and carried, Conf. Com. Rep. No. 1 was adopted and S.B. No. 151, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 2 (S.B. No. 329, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Rhoads and carried, Conf. Com. Rep. No. 2 was adopted and S.B. No. 329, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 4 (S.B. No. 336, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Gabbard, seconded by Senator English and carried, Conf. Com. Rep. No. 4 was adopted and S.B. No. 336, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 5 (S.B. No. 186, H.D. 1, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Baker and carried, Conf. Com. Rep. No. 5 was adopted and S.B. No. 186, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTRICTIONS ON AGRICULTURAL USES AND ACTIVITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 7 (H.B. No. 599, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Chang and carried, Conf. Com. Rep. No. 7 was adopted and H.B. No. 599, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ASSOCIATION GOVERNANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 8 (H.B. No. 941, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 8 was adopted and H.B. No. 941, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF ELECTRONIC FILING BY THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 10 (H.B. No. 1023, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Wakai and carried, Conf. Com. Rep. No. 10 was adopted and H.B. No. 1023, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A NONRESIDENT RECREATIONAL MARINE FISHING LICENSE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 11 (H.B. No. 243, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Gabbard and carried, Conf. Com. Rep. No. 11 was adopted and H.B. No. 243, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEA LEVEL RISE ADAPTATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 12 (H.B. No. 244, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Kanuha and carried, Conf. Com. Rep. No. 12 was adopted and H.B. No. 244, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND RECORDATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 13 (S.B. No. 399, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Lee and carried, Conf. Com. Rep. No. 13 was adopted and S.B. No. 399, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ORDERS OF THE CAMPAIGN SPENDING COMMISSION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 14 (S.B. No. 200, H.D. 2, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Lee and carried, Conf. Com. Rep. No. 14 was adopted and S.B. No. 200, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 16 (S.B. No. 189, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Lee and carried, Conf. Com. Rep. No. 16 was adopted and S.B. No. 189, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOG BITES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 18 (S.B. No. 489, H.D. 1, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Nishihara and carried, Conf. Com. Rep. No. 18 was adopted and S.B. No. 489, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL BUILDINGS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 20 (S.B. No. 512, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Gabbard, seconded by Senator English and carried, Conf. Com. Rep. No. 20 was adopted and S.B. No. 512, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM INCENTIVES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 22 (S.B. No. 345, S.D. 2, H.D. 1, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 22 be adopted and S.B. No. 345, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Rhoads.

Senator Gabbard requested that remarks in strong support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Gabbard's remarks read as follows:

"Mr. President, I rise in strong support of SB 345 CD1.

"Historically, animals have been used in painful tests to demonstrate that cosmetics are effective and safe to use. Yet transferring the results of animal tests to humans has proven to be problematic and misleading in many cases. Instead, safety can be assured by using approved tests that do not use animals, and by sticking to the many combinations of existing ingredients that have already been established as safe for human use. Non-animal testing methods spare significant numbers of animals from pain, distress, and death. And crucially, non-animal testing methods have higher relevance for humans compared to tests in animals, and thus ensure better protection of human health.

"This bill will prohibit cosmetic manufacturers from selling in the state any cosmetic product involving new animal testing beginning on January 1, 2022. Passage of this bill will make our state one of just 6 states (including California, Illinois, Nevada, Virginia and Maryland) in passing a such a law. In passing the bill, we'll join over 40 countries around the world that have restricted animal testing for cosmetics in recent years.

"We were one of the first states to introduce legislation of this type, having brought forth a bill three years ago. As such, it played an integral part in bringing stakeholders to the table including cosmetic companies, consumers, and animal advocates, to forge agreements and find common ground to ensure that animals are not needlessly harmed for the sake of cosmetics. As a result, this bill has the support of the cosmetics industry association, consumers and animal protection organizations. Crucially, the agreements reached in discussing this bill have been incorporated into federal legislation – the Humane Cosmetics Act. States often serve as a testing ground for new ideas that are later adopted nationwide. Passage of SB 345 will create even more momentum for federal action to ensure animals are no longer harmed for the sake of cosmetics anywhere.

"Ending animal testing for cosmetics is an issue that unites people across generations and political affiliations. A 2019 SurveyUSA poll revealed that nearly 8 out of 10 poll respondents said that they would support a law that would prohibit animal testing for cosmetics. I urge you to join me in supporting this important legislation. Mahalo."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 22 was adopted and S.B. No. 345, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COSMETICS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 23 (S.B. No. 1225, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Kim, seconded by Senator Gabbard and carried, Conf. Com. Rep. No. 23 was adopted and S.B. No. 1225, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII

BOARD OF REGENTS INDEPENDENT AUDIT COMMITTEE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 26 (S.B. No. 157, H.D. 1, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Lee and carried, Conf. Com. Rep. No. 26 was adopted and S.B. No. 157, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 27 (S.B. No. 834, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Acasio and carried, Conf. Com. Rep. No. 27 was adopted and S.B. No. 834, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDLIKE SEX DOLLS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 28 (S.B. No. 807, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Kidani, seconded by Senator Kanuha and carried, Conf. Com. Rep. No. 28 was adopted and S.B. No. 807, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 29 (S.B. No. 1384, H.D. 1, C.D. 1):

On motion by Senator Kidani, seconded by Senator Kim and carried, Conf. Com. Rep. No. 29 was adopted and S.B. No. 1384, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 32 (H.B. No. 683, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Lee, seconded by Senator Wakai and carried, Conf. Com. Rep. No. 32 was adopted and H.B. No. 683, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABLE AVIATION FUEL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 33 (H.B. No. 1043, H.D. 3, S.D. 2, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Wakai and carried, Conf. Com. Rep. No. 33 was adopted and H.B. No. 1043, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 34 (H.B. No. 1253, H.D. 3, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Rhoads and carried, Conf. Com. Rep. No. 34 was adopted and H.B. No. 1253, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES,"

having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 36 (H.B. No. 954, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Nishihara, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 36 was adopted and H.B. No. 954, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMERGENCY MANAGEMENT AGENCY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 39 (H.B. No. 1192, H.D. 1, S.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 39 be adopted and H.B. No. 1192, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator English.

Senator Baker requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker's remarks read as follows:

"Mr. President, I rise in support of HB1192 CD1, Relating to Consumer Protection.

"This measure establishes a framework for providing a new, viable installment loan financial product that adequately protect consumers. Payday loans leave many consumers trapped in never-ending and unsustainable cycles of debt. Payday lenders structure those loans with unrealistically short repayment terms, unaffordable payments, and excessive fees, resulting in long-term, high-cost debt and great harm to the consumer. Pew Charitable Trusts reported that the average Hawai'i payday borrower incurs \$529 in fees to borrow \$300 over five months. Research also shows that this amount is nearly three times higher than what the same lenders charge similarly situated consumers in other states.

"Overall, payday lending disproportionately affects low-income individuals, specifically individuals living paycheck to paycheck. Due to COVID-19, many Hawai'i residents have been living paycheck to paycheck, making them more likely to fall victim to this debt structure. HB1192 CD1 is both timely and critical to protect borrowers in Hawaii from predatory practices.

"Please join me in supporting this important and much needed measure HB1192 CD1. Mahalo."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 39 was adopted and H.B. No. 1192, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 41 (H.B. No. 1291, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Kim, seconded by Senator Kanuha and carried, Conf. Com. Rep. No. 41 was adopted and H.B. No. 1291, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOLARSHIPS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 42 (H.B. No. 282, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator San Buenaventura, seconded by Senator Rhoads and carried, Conf. Com. Rep. No. 42 was adopted and H.B. No. 282, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 47 (S.B. No. 764, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Rhoads and carried, Conf. Com. Rep. No. 47 was adopted and S.B. No. 764, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 48 (S.B. No. 973, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Rhoads and carried, Conf. Com. Rep. No. 48 was adopted and S.B. No. 973, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MONEY TRANSMITTER ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 49 (S.B. No. 766, H.D. 1, C.D. 1):

On motion by Senator Lee, seconded by Senator Baker and carried, Conf. Com. Rep. No. 49 was adopted and S.B. No. 766, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER PENALTIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 50 (S.B. No. 1409, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Shimabukuro, seconded by Senator Rhoads and carried, Conf. Com. Rep. No. 50 was adopted and S.B. No. 1409, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAINING IN NATIVE HAWAIIAN RIGHTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 51 (S.B. No. 696, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Shimabukuro, seconded by Senator Rhoads and carried, Conf. Com. Rep. No. 51 was adopted and S.B. No. 696, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FESTIVAL OF PACIFIC ARTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 52 (S.B. No. 516, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Kidani, seconded by Senator Wakai and carried, Conf. Com. Rep. No. 52 was adopted and S.B. No. 516, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 53 (S.B. No. 1212, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Lee, seconded by Senator Baker and carried, Conf. Com. Rep. No. 53 was adopted and S.B. No. 1212, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 54 (S.B. No. 474, S.D. 1, H.D. 2, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 54 be adopted and S.B. No. 474, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Baker.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran's remarks read as follows:

"Mr. President, I stand in support of SB 474 SD1 HD2 CD1.

"This measure amends Section 508D-15, Hawaii Revised Statutes, requiring mandatory seller disclosures in real property transactions to identify properties lying within the sea level rise exposure area, officially designated by the Hawaii Climate Change Mitigation and Adaptation Commission.

"Mr. President, the legislature recognizes that climate change poses immediate and long-term threats to the state, affecting not only our coastline makeup but the economy and our residents' way of life. The state's numerous oceanfront properties are the most vulnerable, subject to erosion, flooding, storms and tsunamis, and the like.

"The Hawaii Climate Change Mitigation and Adaptation Commission, established in 2017 through Act 32, projects that the sea level will rise to a destructive level within the expected lifespan of most existing and new development. In December 2017, the Commission accepted the Hawaii Sea Level Rise Report and accompanying Hawaii Sea Level Rise Viewer. Along with the Report, a newly issued guidance (Guidance for Using the Sea Level Rise Exposure Area in Local Planning and Permitting Decisions, Oct 2020) and updated Viewer provide maps of a Sea Level Rise Exposure Area (SLR-XA) incorporating models of passive flooding, shoreline erosion, and annual high wave run-up with 3.2 feet of sea level rise. The Commission also estimates that with a 3.2 meter sea level rise, 28 miles of coastline will become impassible, displacing 20,000 residents from 6,500 structures subject to chronic flooding.

"Real estate transaction play an important role in the economy of our islands, and properties along our shoreline areas are among the most coveted. Effective disclosures are essential as government agencies are called upon to plan with climate change impacts in mind. As the value of vulnerable oceanfront property will likely be affected by future sea level rise, disclosing to buyers the hazards and risks they are assuming in purchasing oceanfront property, in the spirit of

transparency and disclosure, supports informed decision making by buyers and government agencies.

"For these reasons, Mr. President, I urge my colleagues to support this bill."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 54 was adopted and S.B. No. 474, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 56 (S.B. No. 1150, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Keohokalole, seconded by Senator Baker and carried, Conf. Com. Rep. No. 56 was adopted and S.B. No. 1150, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SKILLED NURSING FACILITY LICENSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 57 (S.B. No. 224, H.D. 1, C.D. 1):

On motion by Senator Kidani, seconded by Senator Kanuha and carried, Conf. Com. Rep. No. 57 was adopted and S.B. No. 224, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 58 (S.B. No. 806, H.D. 1, C.D. 1):

On motion by Senator Kidani, seconded by Senator Wakai and carried, Conf. Com. Rep. No. 58 was adopted and S.B. No. 806, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 59 (S.B. No. 813, H.D. 1, C.D. 1):

On motion by Senator Kidani, seconded by Senator Kanuha and carried, Conf. Com. Rep. No. 59 was adopted and S.B. No. 813, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 60 (S.B. No. 811, H.D. 1, C.D. 1):

On motion by Senator Kidani, seconded by Senator Rhoads and carried, Conf. Com. Rep. No. 60 was adopted and S.B. No. 811, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 61 (S.B. No. 404, H.D. 2, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Lee and carried, Conf. Com. Rep. No. 61 was adopted and S.B. No. 404, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONEERING COMMUNICATIONS," having been

read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Acasio).

Conf. Com. Rep. No. 62 (S.B. No. 1387, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Gabbard and carried, Conf. Com. Rep. No. 62 was adopted and S.B. No. 1387, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MICROCHIP IDENTIFICATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 63 (S.B. No. 385, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Acasio and carried, Conf. Com. Rep. No. 63 was adopted and S.B. No. 385, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM TRUST CODE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 64 (S.B. No. 1042, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Nishihara, seconded by Senator Rhoads and carried, Conf. Com. Rep. No. 64 was adopted and S.B. No. 1042, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COVERED OFFENDER REGISTRATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 65 (S.B. No. 153, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Lee, seconded by Senator Rhoads and carried, Conf. Com. Rep. No. 65 was adopted and S.B. No. 153, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 66 (S.B. No. 1291, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Lee, seconded by Senator Rhoads and carried, Conf. Com. Rep. No. 66 was adopted and S.B. No. 1291, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 68 (S.B. No. 244, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Keohokalole and carried, Conf. Com. Rep. No. 68 was adopted and S.B. No. 244, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD DONATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 69 (S.B. No. 348, S.D. 1, H.D. 1, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 69 be adopted and S.B. No. 348, S.D. 1, H.D. 1, C.D. 1, having been

read throughout, pass Final Reading, seconded by Senator Baker.

Senator Gabbard requested that remarks in strong support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Gabbard's remarks read as follows:

"Mr. President, I rise in strong support of SB 348 CD1.

"Colleagues, this legislation is truly a win-win. It will create a positive impact in supporting local businesses and our overall economy, while also providing a local solution to a challenging environmental problem. Currently, we're the only state that restricts beverage manufacturers who want to put drinking water in aluminum cans from using the same filling lines they use for other beverages such as carbonated soft drinks, juices and beer. SB 348 removes this constraint. Beverage businesses in our state who want to expand into aluminum cans will be able to do so. Manufacturing of aluminum beverage cans will also increase as a result of passage. The result – the opportunity to create more jobs.

"Putting drinking water into cans is safe and passage of SB 348 will not jeopardize health and safety of consumers. Using antimicrobial agents such as ozone in the filling process eliminates the potential for microbiological contamination when water is filled in aluminum cans on the same lines as other beverages.

"This bill will also help address the impact of plastic pollution in our islands. Aluminum cans are infinitely recyclable with 75% of the aluminum ever produced still in use today. Putting water in aluminum cans offers consumers a sustainable alternative to single use plastic. In summary, this bill is good for both our economy and our environment. Please join me in supporting SB 348. Mahalo."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 69 was adopted and S.B. No. 348, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOTTLED WATER," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 71 (S.B. No. 1034, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Keohokalole and carried, Conf. Com. Rep. No. 71 was adopted and S.B. No. 1034, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUNSHINE LAW BOARDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 75 (S.B. No. 793, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Acasio and carried, Conf. Com. Rep. No. 75 was adopted and S.B. No. 793, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MINIMUM WAGE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 76 (H.B. No. 631, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 76 was adopted and H.B. No. 631, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL HARDSHIP," having

been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 78 (H.B. No. 1333, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Wakai, seconded by Senator English and carried, Conf. Com. Rep. No. 78 was adopted and H.B. No. 1333, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 81 (S.B. No. 1100, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Chang and carried, Conf. Com. Rep. No. 81 was adopted and S.B. No. 1100, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE DATA SECURITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 82 (S.B. No. 1098, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Chang and carried, Conf. Com. Rep. No. 82 was adopted and S.B. No. 1098, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGULATORY AUTHORITY OF THE INSURANCE COMMISSIONER," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 83 (S.B. No. 1103, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Chang and carried, Conf. Com. Rep. No. 83 was adopted and S.B. No. 1103, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PEER REVIEW OVERSIGHT COMMITTEE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 84 (S.B. No. 1102, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Chang and carried, Conf. Com. Rep. No. 84 was adopted and S.B. No. 1102, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 88 (S.B. No. 60, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Lee, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 88 was adopted and S.B. No. 60, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL NUMBER PLATES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 89 (S.B. No. 57, S.D. 2, H.D. 3, C.D. 1):

On motion by Senator Lee, seconded by Senator Baker and carried, Conf. Com. Rep. No. 89 was adopted and S.B. No. 57,

S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE INSPECTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 91 (S.B. No. 538, H.D. 1, C.D. 1):

On motion by Senator San Buenaventura, seconded by Senator Rhoads and carried, Conf. Com. Rep. No. 91 was adopted and S.B. No. 538, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 92 (S.B. No. 386, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator San Buenaventura, seconded by Senator Rhoads and carried, Conf. Com. Rep. No. 92 was adopted and S.B. No. 386, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DETENTION OF A MINOR IN AN ADULT JAIL OR LOCKUP," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 93 (S.B. No. 225, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Wakai, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 93 was adopted and S.B. No. 225, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFRASTRUCTURE IMPROVEMENT DISTRICTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 96 (S.B. No. 828, H.D. 1, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Acasio and carried, Conf. Com. Rep. No. 96 was adopted and S.B. No. 828, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DIVORCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 97 (S.B. No. 697, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Keohokalole and carried, Conf. Com. Rep. No. 97 was adopted and S.B. No. 697, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KALAUPAPA MONTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 98 (S.B. No. 791, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Moriawaki and carried, Conf. Com. Rep. No. 98 was adopted and S.B. No. 791, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VESSELS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 99 (S.B. No. 1162, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator English and carried, Conf. Com. Rep. No. 99 was adopted and S.B. No. 1162, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST STEWARDSHIP," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 101 (S.B. No. 936, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Rhoads and carried, Conf. Com. Rep. No. 101 was adopted and S.B. No. 936, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 102 (S.B. No. 772, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Lee, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 102 was adopted and S.B. No. 772, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 103 (S.B. No. 384, H.D. 1, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator English and carried, Conf. Com. Rep. No. 103 was adopted and S.B. No. 384, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX APPEALS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 104 (S.B. No. 1202, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator English and carried, Conf. Com. Rep. No. 104 was adopted and S.B. No. 1202, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 105 (S.B. No. 1203, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator English and carried, Conf. Com. Rep. No. 105 was adopted and S.B. No. 1203, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TITLE 14, HAWAII REVISED STATUTES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 106 (S.B. No. 400, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Lee and carried, Conf. Com. Rep. No. 106 was adopted and S.B. No. 400, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE REPORTS,"

having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 107 (S.B. No. 402, H.D. 1, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Acasio and carried, Conf. Com. Rep. No. 107 was adopted and S.B. No. 402, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REIMBURSEMENTS FOR EXPENDITURES BY COMMITTEES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 108 (S.B. No. 405, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Keohokalole and carried, Conf. Com. Rep. No. 108 was adopted and S.B. No. 405, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 109 (S.B. No. 1402, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Lee, seconded by Senator Moriwaki and carried, Conf. Com. Rep. No. 109 was adopted and S.B. No. 1402, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 110 (H.B. No. 553, H.D. 2, S.D. 2, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 110 be adopted and H.B. No. 553, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Inouye.

Senator Gabbard requested that remarks in strong support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Gabbard's remarks read as follows:

"Mr. President, I rise in strong support of HB 553 CD1.

"Colleagues, 11 years ago this body enacted a landmark law, which has since become a global initiative, to prohibit the finning of sharks and the sale of shark fins and fin products—a cruel practice that drives the massive scale killing of these important apex predators. Unfortunately, that effort did not extend to protecting whole sharks from commercial exploitation or intentional killing. This bill adds those important protections given:

- Local reef shark populations have seen declines in their population by upwards of 90%.
- Globally 71% of shark populations have declined, with 3/4 of shark species facing potential extinction.

"Today, we have the opportunity to move forward legislation to extend protections to the sacred mano, aumakua to many native Hawaiian families, by prohibiting the intentional killing of sharks for sport or commercial purposes, or for the killing for their jaws, teeth and other parts. The bill will prohibit knowingly capturing or killing any shark within state marine waters with clear, necessary exemptions such as: Ensuring that

fishers are not subject to penalties for the accidental catch and release of a shark, and that important shark behavior research continues. It's time we take this next step to protect these animals who are critical to our oceans' health and resiliency, for generations to come. Mahalo."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 110 was adopted and H.B. No. 553, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROTECTION OF SHARKS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 111 (H.B. No. 1019, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Kanuha and carried, Conf. Com. Rep. No. 111 was adopted and H.B. No. 1019, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN STEWARDSHIP," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 113 (H.B. No. 1276, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Moriwaki and carried, Conf. Com. Rep. No. 113 was adopted and H.B. No. 1276, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 116 (H.B. No. 1352, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Gabbard and carried, Conf. Com. Rep. No. 116 was adopted and H.B. No. 1352, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SURPLUS MILITARY LAND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 119 (H.B. No. 561, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Wakai, seconded by Senator Baker and carried, Conf. Com. Rep. No. 119 was adopted and H.B. No. 561, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 120 (H.B. No. 552, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Wakai, seconded by Senator Lee and carried, Conf. Com. Rep. No. 120 was adopted and H.B. No. 552, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 125 (H.B. No. 1081, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Lee, seconded by Senator Wakai and carried, Conf. Com. Rep. No. 125 was adopted and H.B. No. 1081, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SIDEWALKS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 129 (S.B. No. 934, H.D. 1, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Wakai and carried, Conf. Com. Rep. No. 129 was adopted and S.B. No. 934, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 131 (S.B. No. 222, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Moriwaki, seconded by Senator Wakai and carried, Conf. Com. Rep. No. 131 was adopted and S.B. No. 222, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 132 (S.B. No. 332, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Moriwaki, seconded by Senator Kanuha and carried, Conf. Com. Rep. No. 132 was adopted and S.B. No. 332, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREAUDIT PAYMENTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 133 (S.B. No. 939, H.D. 2, C.D. 1):

On motion by Senator Moriwaki, seconded by Senator Wakai and carried, Conf. Com. Rep. No. 133 was adopted and S.B. No. 939, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUNETEENTH DAY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 134 (S.B. No. 1015, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Moriwaki, seconded by Senator Kidani and carried, Conf. Com. Rep. No. 134 was adopted and S.B. No. 1015, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPTROLLER," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 135 (S.B. No. 1204, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Moriwaki, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 135 was adopted and S.B. No. 1204, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX APPEALS," having been read

throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 137 (S.B. No. 599, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Keohokalole, seconded by Senator Baker and carried, Conf. Com. Rep. No. 137 was adopted and S.B. No. 599, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE THERAPISTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 138 (S.B. No. 814, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Kidani, seconded by Senator Keohokalole and carried, Conf. Com. Rep. No. 138 was adopted and S.B. No. 814, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 142 (S.B. No. 1196, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 142 was adopted and S.B. No. 1196, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITHHOLDING TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 144 (S.B. No. 140, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Moriwaki and carried, Conf. Com. Rep. No. 144 was adopted and S.B. No. 140, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY DEVELOPMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 145 (S.B. No. 1139, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Keohokalole, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 145 was adopted and S.B. No. 1139, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF MEDICAL CANNABIS CONTROL AND REGULATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 146 (S.B. No. 324, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Keohokalole, seconded by Senator Baker and carried, Conf. Com. Rep. No. 146 was adopted and S.B. No. 324, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF MEDICINE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 154 (H.B. No. 541, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Keohokalole, seconded by Senator Ihara and carried, Conf. Com. Rep. No. 154 was adopted and H.B. No. 541, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 156 (H.B. No. 1283, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator San Buenaventura, seconded by Senator Keohokalole and carried, Conf. Com. Rep. No. 156 was adopted and H.B. No. 1283, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 157 (H.B. No. 1284, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator San Buenaventura, seconded by Senator English and carried, Conf. Com. Rep. No. 157 was adopted and H.B. No. 1284, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 162 (H.B. No. 546, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Kidani, seconded by Senator Kanuha and carried, Conf. Com. Rep. No. 162 was adopted and H.B. No. 546, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 164 (H.B. No. 264, H.D. 1, S.D. 3, C.D. 1):

On motion by Senator Lee, seconded by Senator Baker and carried, Conf. Com. Rep. No. 164 was adopted and H.B. No. 264, H.D. 1, S.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION NETWORK COMPANIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 166 (H.B. No. 485, H.D. 1, S.D. 1, C.D. 1):

Senator Lee moved that Conf. Com. Rep. No. 166 be adopted and H.B. No. 485, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Inouye.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran's remarks read as follows:

"Mr. President, I stand in support of HB 485 HD1 SD1 CD1.

“This measure amends Section 251-2, Hawaii Revised Statutes, by incrementally increasing the rental motor vehicle surcharge tax by \$0.50 each year, from January 1, 2022 to December 31, 2027.

“Hawaii residents daily experience the growing challenges facing our state highways and bridges. We pay for repair and maintenance, like other states, from a state highway fund largely comprised of gas taxes. The traditional sources of the highway fund have not been adequate to handle expansion projects as well as keep up with necessary repair and maintenance.

“The funds from this rental car surcharge is another source for the state highway fund and will be available for critical transportation projects that improve safety, mitigate traffic, and enhance the overall quality of life for all motorists, pedestrians, bicyclists, and transit users.

“Colleagues, as we are all aware, the COVID-19 pandemic has significantly impacted Hawaii’s tourism. The number of rental cars on our roads will increase as the visitor industry recovers but we presently have an opportunity to properly plan for improving the quality of our local roads. As the state is already seeing an earlier than anticipated uptick in tourism, we will soon see more cars on the road and therefore more wear and tear into our state’s highways, roads, and bridges.

“On Maui, where tax revenues from rental cars rivals and at times out-strips the City and County of Honolulu, we know visitors make up a large proportion of public highway users. We understand the fairness of hiking the rental motor vehicle surcharge to increase revenue for necessary highway capital projects as an appropriate way to share the financial burden with visitors as well as residents.

“The legislature increased the rental motor vehicle surcharge tax from \$3 to \$5 in Act 174 (2019). The 2019 fee increase did not deter visitors, and I expect the yearly \$0.50 hike laid out in HB 485 HD1 SD1 CD1 is unlikely to steer future tourists away.

“These increases over time will increase our highway fund capability to not just maintain our state highways and bridges but to pursue long planned and expected expansion projects such as the next stages of the Lahaina Bypass, a Paia Bypass and even additional lanes for Puunene Avenue. As the federal government considers a bill to repair and improve our nation’s infrastructure, any funds provided to the State will require a local investment match. These increases will help make sure a local match is available.

“Working with the rental car companies, we also exempted from the rental motor vehicle surcharge tax persons whose rental vehicles have been stolen and are unrecovered or will not be repaired due to total loss. For these reasons, Mr. President, I urge my colleagues to support this bill.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 166 was adopted and H.B. No. 485, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 11:04 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:07 a.m.

At 11:09 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:10 a.m.

Conf. Com. Rep. No. 167 (H.B. No. 424, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Moriwaki, seconded by Senator Baker and carried, Conf. Com. Rep. No. 167 was adopted and H.B. No. 424, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PROCUREMENT OF CONTRACTS FOR VEHICLE RENTAL,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 168 (H.B. No. 526, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Moriwaki, seconded by Senator Kanuha and carried, Conf. Com. Rep. No. 168 was adopted and H.B. No. 526, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PROCUREMENT,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 3 (S.B. No. 1053, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Wakai, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 3 was adopted and S.B. No. 1053, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY-BASED ECONOMIC DEVELOPMENT TECHNICAL AND FINANCIAL ASSISTANCE PROGRAM,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Acasio).

Conf. Com. Rep. No. 6 (H.B. No. 177, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Keohokalole and carried, Conf. Com. Rep. No. 6 was adopted and H.B. No. 177, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24; Aye with Reservations (Acasio). Noes, 1 (Fevella).

Conf. Com. Rep. No. 15 (S.B. No. 413, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Gabbard and carried, Conf. Com. Rep. No. 15 was adopted and S.B. No. 413, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO VIOLATION OF PRIVACY,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23; Aye with Reservations (San Buenaventura). Noes, 2 (Acasio, Fevella).

Conf. Com. Rep. No. 17 (S.B. No. 1421, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Kim, seconded by Senator Wakai and carried, Conf. Com. Rep. No. 17 was adopted and S.B. No. 1421, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO DUAL USE TECHNOLOGY,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24; Aye with Reservations (Fevella). Noes, 1 (Acasio).

Conf. Com. Rep. No. 19 (S.B. No. 1222, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Kim, seconded by Senator Kanuha and carried, Conf. Com. Rep. No. 19 was adopted and S.B.

No. 1222, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONFERENCE CENTER REVOLVING FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Aye with Reservations (Fevella). Noes, none.

Conf. Com. Rep. No. 24 (S.B. No. 855, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Kanuha and carried, Conf. Com. Rep. No. 24 was adopted and S.B. No. 855, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COFFEE PEST CONTROL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Acasio).

Conf. Com. Rep. No. 25 (S.B. No. 412, H.D. 1, C.D. 1):

Senator Rhoads moved that Conf. Com. Rep. No. 25 be adopted and S.B. No. 412, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Lee.

Senator San Buenaventura rose to speak in support of the measure with reservations as follows:

"I'm going to be voting 'with reservations' because the whole idea behind implied consent law is that we could not force a blood test, so this bill basically forces a blood test and so there is no reason to have both implied consent as well as the search warrant requirement. For those reasons, reservations."

Senator Acasio rose to speak in opposition to the measure as follows:

"I just would like to note that under Hawaii Revised Statutes 291E-11 and 291E-15, once a police officer informs a person suspected of drunk driving about his or her rights under the implied consent law and once that person refuses to submit to testing, the police are bound to respect that refusal. This bill allows the police to ignore a person's objection to the invasion of his or her body and can authorize the police to forcibly extract blood in any case and whenever they feel like it. On Maui, for example, four police officers handcuffed a nonconsenting suspect to a chair and conducted a painful wristlock maneuver in order to extract the blood from his veins. Our state constitution expressly protects the privacy rights of Hawai'i's people. We need to continue to strengthen our constitutional rights, protect both the public and on-duty officers, and promote decency between public and the police. Mahalo."

Senator San Buenaventura rose and stated:

"I'd like to change my vote to a 'no' vote. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 25 was adopted and S.B. No. 412, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Acasio, Fevella, Ihara, Kim, Riviere, San Buenaventura).

Conf. Com. Rep. No. 37 (H.B. No. 103, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Moriwaki, seconded by Senator Rhoads and carried, Conf. Com. Rep. No. 37 was adopted and H.B. No. 103, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY POWERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Ihara, Kim). Noes, 1 (Fevella).

Conf. Com. Rep. No. 40 (H.B. No. 1016, H.D. 1, S.D. 2, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 40 be adopted and H.B. No. 1016, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Rhoads.

Senator Inouye rose to speak in support of the measure as follows:

"This is a bill that aims to make life of commercial fishermen a little easier, and, Mr. President, I have comments that I'd like to enter into the Journal. Mahalo."

The Chair having so ordered, Senator Inouye's additional remarks read as follows:

"This bill will only require one commercial marine vessel fishing license need to be required for all persons aboard that vessel.

"This replaces the requirement of having each person on a commercial vessel to be licensed. With the new measure, only the captain of the vessel needs to be licensed instead of each and every crew member or visitor.

"It is especially helpful for those small operators to host visitors or customers on their vessel and allow them to fish in addition the license holder who may already be on board.

"Furthermore, the bill outlines requirements that licensees must fulfill like filing an annual report with the Dept. of Land & Natural resources. It also requires any person providing charter services to obtain a commercial marine license and authorizes the DLNR to establish rules and fees for obtaining a license.

"This is a good bill since it will lessen the burden on license holders and applicants. Mr. President and members, I urge that you vote 'Aye' on this bill.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 40 was adopted and H.B. No. 1016, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAKING OF MARINE LIFE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Acasio, Fevella).

Conf. Com. Rep. No. 44 (H.B. No. 334, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Keohokalole, seconded by Senator Rhoads and carried, Conf. Com. Rep. No. 44 was adopted and H.B. No. 334, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Aye with Reservations (Fevella). Noes, none.

Conf. Com. Rep. No. 45 (H.B. No. 887, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator San Buenaventura, seconded by Senator Rhoads and carried, Conf. Com. Rep. No. 45 was adopted and H.B. No. 887, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Acasio, Fevella). Noes, none.

Conf. Com. Rep. No. 46 (S.B. No. 367, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Gabbard and carried, Conf. Com. Rep. No. 46 was adopted and S.B. No. 367, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Acasio, Fevella).

Conf. Com. Rep. No. 55 (S.B. No. 1313, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 55 was adopted and S.B. No. 1313, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPORT FISH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Acasio, Fevella).

Conf. Com. Rep. No. 67 (S.B. No. 615, S.D. 1, H.D. 2, C.D. 1):

Senator Lee moved that Conf. Com. Rep. No. 67 be adopted and S.B. No. 615, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Baker.

Senator Baker rose to speak in strong support of the measure as follows:

"I rise in strong support of Senate Bill 615, Senate Draft 1, Conference Draft 1, Relating to Rentals of Mopeds and Motor Scooters, also known as Lexi's Law. In 2017, 24-year-old Lexi died in a tragic scooter accident while on vacation on Maui. On the day of her accident, she rented a scooter in the Kihei area of Maui, which happens to be in my district. While riding back to drop off her scooter, she collided with a white work truck and was killed almost instantly.

"From 2016 to 2018, there were 23 motor scooter and moped operator fatalities in our state; 22 of the 23 were not wearing helmets. Wearing a helmet while operating these motorized cycles significantly decreases fatalities and serious injuries. According to the Department of Health's Hawaii Injury Prevention Plan, properly worn helmets prevent deaths and brain injuries. In the event of a crash, helmets reduce the risk of death by 42 percent, and they reduce the risk of a head injury by 69 percent.

"Senate Bill 615, Conference Draft 1, strengthens helmet safety laws as they relate to rented mopeds and motor scooters. Accordingly, this measure requires all moped and motor scooter rental companies to ensure that a rider wears a safety helmet supplied by either the rental company or the renter prior to operating the moped or motor scooter. If this measure had been in effect at the time that this young 24-year-old rented her motor scooter, she might still be with us today. The measure also prohibits the rental of any moped or motor scooter with an after-market modification. This measure will definitely help save lives. Please join me in supporting this very important piece of legislation. Mahalo."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 67 was adopted and S.B. No. 615, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTALS OF MOPEDS AND MOTOR SCOOTERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Aye with Reservations (Fevella). Noes, none.

Conf. Com. Rep. No. 70 (S.B. No. 309, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Kim and carried, Conf. Com. Rep. No. 70 was adopted and S.B. No. 309, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Acasio).

Conf. Com. Rep. No. 72 (S.B. No. 726, H.D. 1, C.D. 1):

Senator Rhoads moved that Conf. Com. Rep. No. 72 be adopted and S.B. No. 726, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Lee.

Senator Fevella rose to speak in opposition to the measure as follows:

"We have HPD and also a lot of law enforcement is against this. I know there's a lot of stuff that's been going on with police officers and things of that nature, but if you look at the time that you want them to say, 'police,' and then count 30 seconds, the person in the house, if they're in danger to the police officer or people around, will have more than enough time to either get their weapon, prepare themselves for the police entering, or getting rid of the evidence. You know, you guys had this in testimony in the committee, so I'm just saying, colleagues, for the safety of our law enforcement, our brothers and sisters in blue, that this bill will be endangering their lives and others. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 72 was adopted and S.B. No. 726, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23; Aye with Reservations (Dela Cruz, Kidani, Wakai). Noes, 2 (Fevella, Riviere).

Conf. Com. Rep. No. 73 (S.B. No. 639, S.D. 1, H.D. 1, C.D. 1):

Senator Rhoads moved that Conf. Com. Rep. No. 73 be adopted and S.B. No. 639, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Keohokalole.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran's remarks read as follows:

"Mr. President, I rise in support of SB639 SD1 HD1 CD1, which prohibits our state courts of appeal from affirming, modifying, reversing or vacating a matter on grounds other than those raised by the parties to a case unless certain procedures are followed.

"It has long been a valuable precept of our legal system and court practice that judges only decide cases based on the evidence and arguments that are actually put before them by adversarial parties. Decisions not based on grounds put forth by the parties to a case are 'sua sponte' declarations of judges. In effect, they have substituted their own views and arguments for

the positions espoused by counsel for each side during a case. In an appellate case in particular, this practice can result in denial of due process to litigants, as they may not have had the opportunity to directly address a trial court issue or practice that the appellate court has apparently decided on its own to raise and resolve.

“This measure does explicitly allow for an appellate court to raise an issue ‘sua sponte,’ but only if the court allows both parties to brief the court on the new issue. In the event that such an opportunity is not afforded, any party to the case may petition for a rehearing on the matter.

“This is not a novel requirement. California has required this procedure since 1986. California government code section 68081 is very similar to what is proposed by this bill. California’s statute has been in effect for over three decades, and its appellate courts have applied the statute without problem. See, e.g., Adoption of Alexander S., 750 P.2d 778, 783 (Cal. 1988). I believe our judiciary is just as capable.

“In summary, the opportunity to brief such issues as proposed in this measure, will sufficiently protect litigants’ rights. See Blumberg Assocs. Worldwide, Inc. v. Brown & Brown of Connecticut, 84 A.3d 840, 867-68 (Conn. 2014) (no reason why ‘reviewing court should be precluded from raising issues involving plain error or constitutional error sua sponte, as long as court provides an opportunity for the parties to be heard by way of supplemental briefing . . .’). This measure also will make clear the remedy available if the appellate court fails to provide the parties with the opportunity to submit supplemental briefs

“Mr. President, I trust that this measure will provide a clear, simple framework for the appellate courts in our state allow all parties to be heard on all issues of importance in a case, and thereby afford due process to all litigants. I encourage my colleagues to also support this measure.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 73 was adopted and S.B. No. 639, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COURTS OF APPEAL,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24; Aye with Reservations (Ihara). Noes, 1 (Acasio).

Conf. Com. Rep. No. 77 (H.B. No. 1377, H.D. 1, S.D. 2, C.D. 1):

Senator Rhoads moved that Conf. Com. Rep. No. 77 be adopted and H.B. No. 1377, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Keith-Agaran.

Senator Kim rose to speak in opposition to the measure as follows:

“Mr. President, this bill would put on a mandatory \$5 fee in addition to all citations. Whether or not you decide to do this electronically, you will be required to pay the extra \$5, and for those individuals who do not have computers or do not have electronic capability, I am really not sure how they would deal with this. These fees are already very high, and it should include the cost for any kind of electronics as well, and so, for those reasons and for my constituents who may be hit with this additional \$5, I will be voting ‘no.’”

Senator San Buenaventura rose to speak in opposition to the measure as follows:

“Throughout this session, whenever an agency like the PUC or Taxation wanted electronic types of filing, their testimony has always been that it’s cheaper to do it, so my question is, why is it we’re charging more? And especially for parking

citations, where it’s like a 50 percent increase—seems to me it’s too high a tax. For those reasons, I’m voting ‘no.’”

Senator Fevella rose to speak in opposition to the measure as follows:

“Thank you, Senate President. I’m also voting in opposition to this bill, and I want to insert comments into the Journal from the senator from Kalihi. Thank you.” (The Chair so ordered, by reference only.)

The motion was put by the Chair and failed to carry, Conf. Com. Rep. No. 77 was not adopted and H.B. No. 1377, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CITATIONS,” having been read throughout, failed to pass Final Reading on the following showing of Ayes and Noes:

Ayes, 9. Noes, 16 (Acasio, Chang, Dela Cruz, Fevella, Ihara, Inouye, Kanuha, Kidani, Kim, Misalucha, Moriwaki, Nishihara, Riviere, San Buenaventura, Taniguchi, Wakai).

Conf. Com. Rep. No. 80 (H.B. No. 1022, H.D. 1, S.D. 2, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 80 be adopted and H.B. No. 1022, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kanuha.

Senator Inouye requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Inouye’s remarks read as follows:

“Mr. President, I rise in support of HB1022 CD1.

“Mr. President, the State of Hawaii has a responsibility to protect its precious natural resources. Without the witnessing of an individual improperly extracting natural resources, enforcement of relevant laws is very difficult, if not impossible. HB1022 CD1 allows enforcement officers to more easily prevent illegal hunting and fishing takes, which will in turn result in the better protection of our State’s finite resources. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 80 was adopted and H.B. No. 1022, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE TAKING OF NATURAL RESOURCES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23; Aye with Reservations (Taniguchi). Noes, 2 (Acasio, Fevella).

Conf. Com. Rep. No. 85 (S.B. No. 1096, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Chang and carried, Conf. Com. Rep. No. 85 was adopted and S.B. No. 1096, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INSURANCE,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Aye with Reservations (Acasio). Noes, none.

Conf. Com. Rep. No. 86 (S.B. No. 320, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Kim and carried, Conf. Com. Rep. No. 86 was adopted and S.B. No. 320, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX RETURN PREPARERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Aye with Reservations (Fevella). Noes, none.

Conf. Com. Rep. No. 87 (S.B. No. 589, S.D. 2, H.D. 2, C.D. 1):

Senator Kim moved that Conf. Com. Rep. No. 87 be adopted and S.B. No. 589, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Moriwaki.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran's remarks read as follows:

"Mr. President, I rise in support of this measure.

"I would like to specifically state my support for Part III and Part IV of this measure, which will extend the sunset dates of Act 38, Session Laws of Hawaii 2017, and Act 39, Session Laws of Hawaii 2017, respectively, for two years until June 30, 2024.

"Mr. President, these two parts of this bill allow for the University of Hawaii to continue to remain active in promoting innovation and research by engaging in technology transfer activities that commercialize its research products. These efforts will leverage the University's intellectual property assets to create a dynamic and more diverse workforce in the state and to promote economic health.

"Part III of this measure exempts the University of Hawaii from certain constraining provisions in the State Ethics Code, which, though well intentioned and valuable in general application, preclude the University from effectively engaging in technology transfer activities in a similar manner to many of its peer mainland research university institutions. That said, the exemptions are granted with strict conditions concerning appropriate handling of potential conflicts of interest between persons, entities, or employees and the University of Hawaii itself. The University is required to implement a regulatory framework and research compliance program and policies that are approved by the Board of Regents, and to also file annually a disclosure and conflict of interest management plan with the State Ethics Commission.

"Part IV of this measure provides clear statutory authority under Chapter 304A, Hawaii Revised Statutes, for the University of Hawaii to proceed with technology transfer activities to private persons or entities under the same strict conditions and framework as provided by exemption in the State Ethics Code.

"Again, these two parts of this measure are currently in legal effect based on Act 38 and Act 39, Session Laws of Hawaii 2017. Their potential value to our state has been touted over the last several years since passage of those two laws. Extending their legal effect until at least June 30, 2024 is wise and necessary and affords the legislature the opportunity to continue monitoring of the progress made by the University in more directly expanding the economic diversity of our islands in a transparent and open way.

"Thank you for the opportunity to express my support, and I encourage my colleagues to also support this measure."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 87 was adopted and S.B. No. 589, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Aye with Reservations (Acasio). Noes, none.

Conf. Com. Rep. No. 94 (S.B. No. 159, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Lee and carried, Conf. Com. Rep. No. 94 was adopted and S.B. No. 159, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOTING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Aye with Reservations (Fevella). Noes, none.

Conf. Com. Rep. No. 95 (S.B. No. 630, S.D. 1, H.D. 1, C.D. 1):

Senator Rhoads moved that Conf. Com. Rep. No. 95 be adopted and S.B. No. 630, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kim.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran's remarks read as follows:

"Mr. President, I stand in support of SB 630 SD1 HD1 CD1.

"This measure is about fairness. It amends Section 657-5.5, Hawaii Revised Statutes, by removing the presumption that child support judgments are considered paid and discharged when a child turns thirty-three years old, or when the latest period provided in Section 657-5, Hawaii Revised Statutes, expires, whichever is later, and establishes that every judgment for child support is enforceable until paid in full.

"Mr. President, the extensive costs associated with raising a child, without the child support that should be paid legally and morally to the custodial parent, do not simply disappear when a child turns thirty-three. In fact, the expiration of child support judgments is yet another incentive for parents in arrears to avoid making payments.

"The reality is that childrearing costs are borne primarily by one of the parents and only intensified by unpaid child support obligations. Making this amendment would ease some of the unjust financial burden placed on parents who are the sole caretakers of their child or children, and send an important message to scofflaws who simply are not living up to their obligations to support their children.

"For these reasons, Mr. President, I urge my colleagues to support this bill."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 95 was adopted and S.B. No. 630, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Acasio, Fevella). Noes, none.

Conf. Com. Rep. No. 115 (H.B. No. 1149, H.D. 1, S.D. 2, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 115 be adopted and H.B. No. 1149, H.D. 1, S.D. 2, C.D. 1, having been

read throughout, pass Final Reading, seconded by Senator Moriwaki.

Senator Inouye requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Inouye's remarks read as follows:

"Mr. President, I rise in support of HB1149 CD1.

"Mr. President, climate change is one of the biggest crises of our time. The State of Hawaii has a responsibility to be nimble in its response to this global problem. By consolidating various government land use functions into one office, HB1149 CD1 will help the State further its various sustainability goals. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 115 was adopted and H.B. No. 1149, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Aye with Reservations (Fevella). Noes, none.

Conf. Com. Rep. No. 121 (H.B. No. 73, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 121 was adopted and H.B. No. 73, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY WORKERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24; Aye with Reservations (Acasio). Noes, 1 (Fevella).

Conf. Com. Rep. No. 122 (H.B. No. 357, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 122 was adopted and H.B. No. 357, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTE OF LIMITATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Acasio).

Conf. Com. Rep. No. 124 (H.B. No. 80, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Moriwaki, seconded by Senator Shimabukuro and carried, Conf. Com. Rep. No. 124 was adopted and H.B. No. 80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LOW-INCOME HOUSING TAX CREDIT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24; Aye with Reservations (Fevella). Noes, 1 (Acasio).

Conf. Com. Rep. No. 126 (H.B. No. 824, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Wakai and carried, Conf. Com. Rep. No. 126 was adopted and H.B. No. 824, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Aye with Reservations (Fevella). Noes, none.

At 11:35 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:41 a.m.

Conf. Com. Rep. No. 128 (S.B. No. 765, S.D. 2, H.D. 2, C.D. 1):

Senator Nishihara moved that Conf. Com. Rep. No. 128 be adopted and S.B. No. 765, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Rhoads.

Senator Riviere rose to speak in opposition to the measure as follows:

"This is an awkward one to oppose because nobody can support or condone drunk driving and excessive drunk driving, highly intoxicated. My opposition is related to the class B felony. I think it's criminalizing it to a degree that's no longer—it becomes too punitive and not necessarily going to ... I don't know. I don't think it's going to achieve the goals, and it's going to put more people in prison for a longer period of time when they need substance-abuse treatment more than they need jailtime, so for that reason, I'll be in opposition. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 128 was adopted and S.B. No. 765, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20; Aye with Reservations (Kim). Noes, 5 (Acasio, Fevella, Kidani, Riviere, San Buenaventura).

Conf. Com. Rep. No. 130 (S.B. No. 242, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Kidani, seconded by Senator Kanuha and carried, Conf. Com. Rep. No. 130 was adopted and S.B. No. 242, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Aye with Reservations (Acasio). Noes, none.

Conf. Com. Rep. No. 136 (S.B. No. 1329, S.D. 2, H.D. 3, C.D. 1):

Senator Moriwaki moved that Conf. Com. Rep. No. 136 be adopted and S.B. No. 1329, S.D. 2, H.D. 3, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kim.

Senator Kim rose to speak in support of the measure as follows:

"Mr. President, for as long as I have been in elective office, I have heard complaints about our procurement process, about how long it takes, how it adds to the cost of projects and doing business in Hawai'i, and the protestor is always blamed for this. For decades, we've been trying to reform procurement, and this bill will have a huge impact in doing so. It addresses the only entities in the procurement process that don't have time limits and have been responsible for months of delays. The procurement officer, or PO, and its department is responsible for putting out the bid and knowing the bid specs better than the bidders. Thus, the PO is much more knowledgeable to be able to see if any of the bidders' protest contains issues that are valid. Despite this, the bidder has only five days after the award is made to figure out the errors and file a protest, but the PO, currently, has unlimited days to address the protest. HRS 103D-701 requires the aggrieved party, the bidder, to submit to the procurement officer within five days. HAR 3-126-42 requires the protestor to file an appeal with DCCA Office of Administrative Hearings within seven days after the decision from the PO. HRS 103D-709: Hearing officer must issue a decision from the time the appeal is filed within 45 days. And HRS 103D-710: Circuit court must issue a decision no later

than 30 days from the filing of the application for judicial review.

“This measure puts a 75-days with a 45-day extension time limits on the PO to resolve the protest, and this is still a much longer timeframe than any of the time constraints the law currently places on the contractor, on DCCA, and the courts. Additionally, the bill also places a 1 percent of the project cost bond requirement on the protestor. If the protestor prevails and the PO is wrong in the award, the protestor gets his bond back, but if the protestor does not prevail, he’s penalized and loses the 1 percent, which could be hundreds of thousands of dollars that goes to the general fund. Note there is no consequence for the PO or the department. This bill is limited to construction contracts and all airport contracts, and one of the main arguments made in favor of the airport authority proposal in the past was procurement, and I’ve heard from the airport vendors that, with this measure, they will no longer need to have an airport authority.

“Mr. President, this is just the start of procurement reforms we need to make. I commend the GVO chair from Kaka’ako for taking on such a huge challenge in her first year as GVO chair. Thank you, Mr. President.”

The Chair commented:

“Before calling the vote, I want to acknowledge the previous GVO chair, Senator Kim, and the current GVO chair, Senator Moriawaki. I am in receipt of your communication indicating this is a first step and that this is a matter that should be further studied in the interim. I’ll be circulating your communication to leadership, and you should get an approval to undertake the task of reviewing the Procurement Code shortly.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 136 was adopted and S.B. No. 1329, S.D. 2, H.D. 3, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PROCUREMENT,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 141 (S.B. No. 873, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Lee and carried, Conf. Com. Rep. No. 141 was adopted and S.B. No. 873, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONTESTED CASES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Acasio, Fevella). Noes, none.

Conf. Com. Rep. No. 143 (S.B. No. 548, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Lee and carried, Conf. Com. Rep. No. 143 was adopted and S.B. No. 548, S.D. 1, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Aye with Reservations (Fevella). Noes, none.

Conf. Com. Rep. No. 148 (S.B. No. 808, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Kidani, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 148 was adopted and S.B. No. 808, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE SCHOOL FACILITIES

AGENCY,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Acasio).

Conf. Com. Rep. No. 151 (H.B. No. 1299, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Dela Cruz, seconded by Senator Kanuha and carried, Conf. Com. Rep. No. 151 was adopted and H.B. No. 1299, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Gabbard, Taniguchi). Noes, 1 (Acasio).

Conf. Com. Rep. No. 152 (H.B. No. 224, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, Conf. Com. Rep. No. 152 and H.B. No. 224, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY,” were recommitted to the Committee on Conference.

Conf. Com. Rep. No. 165 (H.B. No. 891, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Lee and carried, Conf. Com. Rep. No. 165 was adopted and H.B. No. 891, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ELECTRIC GUNS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Fevella).

Conf. Com. Rep. No. 170 (H.B. No. 468, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Dela Cruz and carried, Conf. Com. Rep. No. 170 was adopted and H.B. No. 468, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Kim, Riviere). Noes, 2 (Acasio, Fevella).

Conf. Com. Rep. No. 171 (H.B. No. 930, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 171 was adopted and H.B. No. 930, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EMPLOYEES’ RETIREMENT SYSTEM INVESTMENTS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Acasio, Fevella).

Conf. Com. Rep. No. 172 (H.B. No. 58, H.D. 1, S.D. 1, C.D. 1):

Senator Dela Cruz moved that Conf. Com. Rep. No. 172 be adopted and H.B. No. 58, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kidani.

Senator Riviere rose to speak in opposition to the measure as follows:

“My opposition is regarding the conveyance taxes. While it’s easy to say, ‘Let’s take that money from all the rich people and

their rich houses,' I would remind my colleagues that the conveyance tax was created to fund the Bureau of Conveyances. It was originally one-tenth of 1 percent of sales price, and the purpose was to basically pay for that important recording division. In recent years, it's become a cash cow, and every year, we come back and we take more and more and more, and it's completely unrelated to the original purpose of that tax, and for that reason, I just can't support taking more just because we can. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 172 was adopted and H.B. No. 58, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Kim, Misalucha). Noes, 1 (Riviere).

Conf. Com. Rep. No. 173 (H.B. No. 774, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Wakai, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 173 was adopted and H.B. No. 774, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENT DISTRICTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24; Aye with Reservations (Ihara). Noes, 1 (Acasio).

Conf. Com. Rep. No. 176 (H.B. No. 469, H.D. 1, S.D. 2, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 176 be adopted and H.B. No. 469, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Gabbard.

Senator Inouye requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Inouye's remarks read as follows:

"Mr. President, I rise in support of House Bill 469 CD1.

"The land transfer content of HB 469 as well as its amended House and Senate drafts at best got a mixed reaction from the stakeholders. In the end we got opposing viewpoints in terms of keeping lands with the Dept. of Land & Natural Resources or transferring them to the Dept. of Agriculture to ensure that they can be used for cattle ranching.

"To further discussion on land transfers, your Senate Committee on Water and Land as well as the House Water and Land committee came up with a compromise bill that will study these issues over the interim.

"The bill was changed to create a working group to dwell deeper into the land transference issues keeping in mind that the recommendations must confirm to the tenets outlined in Act 90, Session Laws of 2003, and Chapter 166E of the Hawaii Revised Statutes.

"It is hoped that the working group can make recommendations that will satisfy all parties involved with these issues including the DLNR, DOA and those in the ranching community.

"For this reason, Mr. President and members, I urge you to vote in favor of HB 469 CD1."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 176 was adopted and H.B. No. 469, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF NON-AGRICULTURAL PARK LANDS,"

having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Acasio, Fevella). Noes, none.

Conf. Com. Rep. No. 9 (H.B. No. 943, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator English and carried, Conf. Com. Rep. No. 9 was adopted and H.B. No. 943, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONDEPOSITORY TRUSTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 30 (H.B. No. 776, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Shimabukuro, seconded by Senator Kanuha and carried, Conf. Com. Rep. No. 30 was adopted and H.B. No. 776, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PUEO DEVELOPMENT, LLC," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 31 (H.B. No. 119, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Kanuha and carried, Conf. Com. Rep. No. 31 was adopted and H.B. No. 119, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST KAUNALEWA," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 35 (H.B. No. 723, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Keohokalole, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 35 was adopted and H.B. No. 723, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PANDEMIC RESPONSE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 43 (H.B. No. 313, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Kim, seconded by Senator Kanuha and carried, Conf. Com. Rep. No. 43 was adopted and H.B. No. 313, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN WORKFORCE ASSESSMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 74 (S.B. No. 819, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator San Buenaventura, seconded by Senator Keohokalole and carried, Conf. Com. Rep. No. 74 was adopted and S.B. No. 819, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOSPITAL SUSTAINABILITY PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 90 (S.B. No. 1039, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 90 was adopted and S.B. No. 1039, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 114 (H.B. No. 863, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 114 was adopted and H.B. No. 863, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORESTRY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 117 (H.B. No. 1176, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 117 was adopted and H.B. No. 1176, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A JOB CORPS PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 118 (H.B. No. 1191, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Wakai, seconded by Senator Kidani and carried, Conf. Com. Rep. No. 118 was adopted and H.B. No. 1191, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BROADBAND SERVICE INFRASTRUCTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 123 (H.B. No. 1311, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Chang, seconded by Senator Moriwaki and carried, Conf. Com. Rep. No. 123 was adopted and H.B. No. 1311, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 139 (S.B. No. 664, S.D. 1, H.D. 2, C.D. 1):

Senator Nishihara moved that Conf. Com. Rep. No. 139 be adopted and S.B. No. 664, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Rhoads.

Senator Nishihara requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Nishihara's remarks read as follows:

"I rise to speak in favor of SB 664, C.D. 1

"This bill will finally fund \$330,000 for an oversight coordinator position and necessary support staff positions for the Hawaii Correctional System Oversight Commission to include the years of 2021 -2023. The Commission has been hampered over the past year, relying on volunteer commissioners who lacked the resources to perform their job. In order to ensure proper oversight of agencies such as the police and hold them accountable and provide transparency to the public. It is my hope that this commission will not be a rubber stamp in its investigations of abuse or malfeasance, restores trust and ensures that we will get the justice we deserve. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 139 was adopted and S.B. No. 664, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 140 (S.B. No. 263, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Wakai, seconded by Senator Gabbard and carried, Conf. Com. Rep. No. 140 was adopted and S.B. No. 263, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 147 (S.B. No. 1340, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Keohokalole, seconded by Senator Baker and carried, Conf. Com. Rep. No. 147 was adopted and S.B. No. 1340, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 149 (H.B. No. 54, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Dela Cruz, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 149 was adopted and H.B. No. 54, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 153 (H.B. No. 311, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator San Buenaventura, seconded by Senator Keohokalole and carried, Conf. Com. Rep. No. 153 was adopted and H.B. No. 311, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NURSING FACILITY SUSTAINABILITY PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 158 (H.B. No. 79, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Chang, seconded by Senator Moriawaki and carried, Conf. Com. Rep. No. 158 was adopted and H.B. No. 79, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 161 (H.B. No. 1362, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Kidani, seconded by Senator San Buenaventura and carried, Conf. Com. Rep. No. 161 was adopted and H.B. No. 1362, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACCESS TO LEARNING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 163 (H.B. No. 1376, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator English and carried, Conf. Com. Rep. No. 163 was adopted and H.B. No. 1376, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 177 (H.B. No. 1142, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Lee, seconded by Senator Wakai and carried, Conf. Com. Rep. No. 177 was adopted and H.B. No. 1142, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 178 (H.B. No. 185, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Rhoads, seconded by Senator Dela Cruz and carried, Conf. Com. Rep. No. 178 was adopted and H.B. No. 185, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 179 (H.B. No. 204, S.D. 2, C.D. 1):

On motion by Senator Shimabukuro, seconded by Senator Dela Cruz and carried, Conf. Com. Rep. No. 179 was adopted and H.B. No. 204, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 181 (H.B. No. 53, S.D. 1, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Kanuha and carried, Conf. Com. Rep. No. 181 was adopted and H.B. No. 53, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 182 (S.B. No. 628, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Keohokalole, seconded by Senator Baker and carried, Conf. Com. Rep. No. 182 was adopted and S.B. No. 628, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSITION OF THE OAHU REGIONAL HEALTH CARE SYSTEM FROM THE HAWAII HEALTH SYSTEMS CORPORATION INTO THE DEPARTMENT OF HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 183 (H.B. No. 1297, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Keohokalole, seconded by Senator Kim and carried, Conf. Com. Rep. No. 183 was adopted and H.B. No. 1297, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 506, S.D. 2, H.D. 2:

On motion by Senator Keohokalole, seconded by Senator Kanuha and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 506, S.D. 2, and S.B. No. 506, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WAHIAWA GENERAL HOSPITAL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 21 (S.B. No. 1412, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Shimabukuro, seconded by Senator Kanuha and carried, Conf. Com. Rep. No. 21 was adopted and S.B. No. 1412, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR THE HONOKEA SURF VILLAGE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Acasio, Fevella).

Conf. Com. Rep. No. 38 (H.B. No. 237, H.D. 2, S.D. 2, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 38 be adopted and H.B. No. 237, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Inouye.

Senator Inouye requested that remarks in strong support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Inouye's remarks read as follows:

"Mr. President, I rise in strong support of House Bill 237 CD1.

"The purpose of this measure is to appropriate funds to the Department of Agriculture for the mitigation and control of the two-lined spittlebug and fund recovery efforts.

"The two-lined spittlebug is an invasive insect that attacks key staple pasture grasses. This pest has repeatedly damaged thousands of acres of high-quality pasture grasses from leaves to the roots, requiring the ranchers to totally replant the affected pastures. Overall the two-lined spittlebug threaten both jobs and food security in the State.

"This problem will require the combined efforts of the Hawai'i Department of Agriculture (HDOA), the University of Hawai'i at Mānoa, College of Tropical Agriculture and Human Resources (UHM/CTAHR), and the appropriate federal agencies on Hawai'i Island to mitigate and control the two-lined spittlebug and to fund recovery efforts."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 38 was adopted and H.B. No. 237, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Aye with Reservations (Fevella). Noes, none.

Conf. Com. Rep. No. 79 (H.B. No. 1318, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 79 was adopted and H.B. No. 1318, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Acasio, Fevella). Noes, none.

Conf. Com. Rep. No. 100 (S.B. No. 932, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Wakai, seconded by Senator Rhoads and carried, Conf. Com. Rep. No. 100 was adopted and S.B. No. 932, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Acasio, Fevella). Noes, none.

Conf. Com. Rep. No. 112 (H.B. No. 834, H.D. 1, S.D. 1, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 112 be adopted and H.B. No. 834, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kanuha.

Senator Inouye requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Inouye's remarks read as follows:

"Mr. President, I speak in favor of this bill.

"The purpose of House Bill 834 CD1 is to require the Department of Land and Natural Resources in collaboration

with the County of Hawaii, to conduct site surveys to identify the most suitable locations for black cinder cone quarries.

"If you are a floral gardener or farmer, you know that cinders are a critical component in which many flowers can be grown. Black cinder cone material is favored much more than red cinders by commercial farmers. For many years, nematode free cinders were mined from the 1960 Kapoho lava flows.

"Nematodes are destructive pests which damage and reduce yields of floral crops. So that means, cinders have to be nematode free in order for farmers to export their flowers.

"The floriculture industry needs to identify new sources of black cinder, which is why this bill was introduced.

"Mr. President and colleagues, I urge your support for HB 834 CD1. Our farmers will thank us for it and flowers as you know, bring beauty and joy to our lives!"

The motion was put by the Chair and carried, Conf. Com. Rep. No. 112 was adopted and H.B. No. 834, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A BLACK CINDER CONE QUARRY SITE SURVEY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Acasio, Fevella). Noes, none.

Conf. Com. Rep. No. 127 (H.B. No. 766, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Lee, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 127 was adopted and H.B. No. 766, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Fevella, Kim). Noes, 2 (Acasio, Riviere).

Conf. Com. Rep. No. 150 (H.B. No. 1298, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Dela Cruz, seconded by Senator Kanuha and carried, Conf. Com. Rep. No. 150 was adopted and H.B. No. 1298, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Acasio, Gabbard). Noes, none.

Conf. Com. Rep. No. 155 (H.B. No. 869, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Chang, seconded by Senator Kanuha and carried, Conf. Com. Rep. No. 155 was adopted and H.B. No. 869, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST LUANA KAI A LIFE PLAN COMMUNITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24; Aye with Reservations (San Buenaventura). Noes, 1 (Lee).

Conf. Com. Rep. No. 159 (S.B. No. 1350, S.D. 1, H.D. 2, C.D. 1):

Senator Moriwaki moved that Conf. Com. Rep. No. 159 be adopted and S.B. No. 1350, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Wakai.

Senator Kim rose to speak in support of the measure with reservations as follows:

“Mr. President, my reservations are not on the merit of the contents of the bill but rather on the process. As we all know, this Senate bill was gutted and replaced with a subject that was not discussed in any bill this session. It was gutted and replaced on the House floor on Third Reading and returned to us for agree/disagree. According to Senate Rule 23, if a bill contains any significant or substantial amendment and the public has not been provided with an opportunity to submit testimony on the significant amendment, it must have a public hearing. This rule was adopted by this body to prevent gut-and-replace maneuvers like this.

“The public and especially watchdogs like Common Cause, League of Women Voters, Civil Beat, *Honolulu Advertiser* have admonished this practice. We have even been sued and have a pending lawsuit before the judiciary over a gut-and-replace measure that was less egregious than this bill. Yet where is Common Cause? Where is the League of Women Voters, Civil Beat, Gary Hooser? In fact, every article I read this past weekend on this bill, nothing was even mentioned in the articles that this was a blatant gut-and-replace.

“I raise this because I was instrumental in including Rule 23 in our Senate Rules. I have voted against gut-and-replace bills in the past, and, to be consistent, I should vote ‘no’ on this one as well, except, because it is our pay raises, it would be misconstrued. It is obvious that our legislative watchdogs are only interested in gut-and-replace when it suits their interests. Thank you.”

Senator Keohokalole rose to speak in support of the measure as follows:

“I was going to give a speech, but the prior senator’s was better. I would just like to note that, if the ends are so significant that they justify the means, then let’s be transparent about the means. And with that, I support the bill. Thank you.”

Senator Moriwaki rose to speak in strong support of the measure as follows:

“Your conference committee on 1350 worked with our House counterparts to find agreement on this bill. Part I of the measure defers the planned salary increases for the executive, judicial, and legislative branches for an additional 18 months until December 31, 2022, delaying our scheduled pay raises until January 1, 2023. It represents yet another delay in the salary increases recommended by the commission on salaries in 2019, but it is a decision that comes at a time when we all suffer through the impacts of the COVID-19 pandemic.

“Mr. President, with Part II, your conference committee restored the original bill’s reapportionment provisions. The Hawaii State 2011 Reapportionment Commission, in its final report, recommended needed reapportionment improvements, including clarification of the definition of ‘permanent resident’ and streamlining the public notice of proposed, revised, and final reapportionment plans. Once the Senate heard that the U.S. Census data report to the states would be delayed by six months or more, we drafted the original bill to address the needed reapportionment changes. After the House removed the reapportionment language, your Senate members worked to restore the deleted language. This conference draft now incorporates the commission’s recommendations. It only removes non-permanent residents from the total population of the state as counted by the U.S. Census Bureau. It uses a short-form public notice that significantly reduces costs while also making available to the public the commission’s actions, the reapportionment plan, and other related documents. And because of the delayed census results, this bill also moves the date for nomination paper availability from February to March

for the 2022 election only. As importantly, it provides the funding needed for the 2021 Reapportionment Commission to do its work.

“Mr. President, I wish to commend the work of Senate conferees Rhoads, Wakai, and Lee and Ways and Means chair Dela Cruz. Together, the conferees ensured the needed reapportionment changes, including an appropriation for the Reapportionment Commission’s functioning. They were all restored to the original Senate bill. After negotiations, the House agreed. Colleagues, despite your concerns about Part I, we now have the bill we need. I urge you to support Senate Bill 1350, Conference Draft 1. Mahalo. And, Mr. President, I also have additional remarks I’d like to add to my remarks here. Thank you.”

The Chair having so ordered, Senator Moriwaki’s additional remarks read as follows:

“Part I of this measure defers the planned salary increases for the executive, judicial and legislative branches of government for an additional eighteen months until December 31, 2022 – delaying our scheduled pay raises until January 1, 2023.

“Your committee believes that the economic downturn resulting from the COVID-19 pandemic affects so many across our state that deferment of these salaries, including our own, is the appropriate course of action at this time. It would save our state funds that will be used for more pressing problems of our economically challenged residents.”

Senator Nishihara rose to speak in support of the measure with reservations as follows:

“I’d like to have the comments of the senator from Salt Lake be entered into the Journal as if they were my own.” (The Chair so ordered, by reference only.)

Senator Keohokalole rose to speak in support of the measure as follows:

“I neglected to enter the comments of the senator from Salt Lake as if they were my own, and I just would like to add one brief remark. In the two weeks since Part I of this bill was inserted, which is the pay deferral section, the plaintiffs of the gut-and-replace lawsuit, the Civil Beat Law Center for the Public Interest, the League of Women Voters, and Common Cause, as noted prior, have said nothing about the use of gut-and-replace here, and it is my belief that that tacit acceptance of this bill should render their lawsuit moot, and their appeal should be withdrawn, and we should not utilize any further taxpayer money to argue this matter before the Supreme Court. Thank you.”

Senator Kim rose to speak on a point of personal privilege as follows:

“Just a correction: I believe the senator from Salt Lake sits over there—I am the senator from Kalihi and Moanalua. Thank you.”

The Chair commented:

“Before calling for the vote, I do have one more editorial comment to mention since it wasn’t brought up. Two weeks ago, on a Saturday, the *Star-Advertiser* wrote an editorial urging the Senate to adopt this bill. That was the intent of the article; that was all that the editorial had to say: Do the right thing, Senate—vote for the bill. Yet, the authors of the editorial chose to write that the bill was amended on April 7th in the Finance committee, and whether it was a mistake or it was done intentionally to imply that it was amended, it was heard before it got to the full floor of the House, we’ll never know. But I do know that those are the words that were written to give the

impression that the bill was amended and not amended on the floor of the House in a gut-and-replace. They did not post a draft and did not get a hearing. I immediately pulled out my cell phone, went to the Legislature's website, and checked bill status for Senate Bill 1350, and it simply said, 'Passed Finance unamended on April 7th.' So I leave everyone to judge how and why that was put in when the accurate information was so readily available on the Legislature's website as to the status of the bill, but it's disappointing journalism and reporting to say the least."

Senator Dela Cruz rose to speak in support of the measure as follows:

"Mr. President, if I could just ask that the words of the senators from Kalihi, Kaka'ako, Kāne'ohe, and Kaua'i be entered into the Journal as if they were my own?" (The Chair so ordered, by reference only.)

The motion was put by the Chair and carried, Conf. Com. Rep. No. 159 was adopted and S.B. No. 1350, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Acasio, English, Fevella, Kidani, Kim, Misalucha, Nishihara, San Buenaventura, Taniguchi). Noes, none.

Conf. Com. Rep. No. 169 (H.B. No. 1296, H.D. 1, S.D. 2, C.D. 1):

Senator Keohokalole moved that Conf. Com. Rep. No. 169 be adopted and H.B. No. 1296, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kim.

Senator Baker rose to speak in opposition to the measure as follows:

"I rise with strong concerns about this measure. I oppose sections of House Bill 1296, Relating to State Funds, because it repeals the Hawaii Tobacco Prevention and Control Trust Fund and transfers the money to the general fund. As a former WAM chair, I can certainly appreciate the fiscal difficulties that the state faces in the wake of this pandemic. But this repeal doesn't take place until 2025, four years from now, so I'm not sure why we're doing it now. For two decades, the trust fund has been the primary source of funding for tobacco prevention, education, and cessation efforts in Hawai'i, and supports over 20 local organizations. Losing these programs will be detrimental to Hawai'i's public health. As the Coalition for Tobacco-Free Hawai'i states, each year, 1,400 people die from tobacco use or exposure in Hawai'i, and the state pays \$536 million in health care because of tobacco smoking. Transferring the tobacco fund money to the general fund will not solve these problems; they will not solve our fiscal problems. There are many long-term costs and harms to repealing the trust fund, and, therefore, I respectfully have to oppose this measure and would urge others to join me. Mahalo."

Senator Rhoads rose to speak in opposition to the measure as follows:

"Could I just join the previous speaker and treat the previous speaker's remarks as my own, please?" (The Chair so ordered, by reference only.)

Senator Dela Cruz rose to speak in support of the measure as follows:

"When the Finance chair and myself met with the attorney general, the Budget department, the Department of Health, they explained to us that, over time, spending will exceed the revenues that are generated from the trust fund. The reason why

it's being repealed in 2025 is because the contracts don't end until 2025. This is a suspension of additional funds going into the trust fund, and at such time, the Legislature can appropriate the needed funds to continue the programs. There will not be a disruption in programs; this bill will allow the programs to continue as they currently are. I hear the senators' concerns, which is why, in the S.D. 1, we did have \$7.3 million in the general fund in the base budget to pay for these programs. Based on what happened in the conference committee, those funds are no longer needed because there are monies in the trust funds that will continue to pay for these programs for the time being. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 169 was adopted and H.B. No. 1296, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21; Ayes with Reservations (Chang, Fevella, Ihara, Misalucha, Moriwaki, Nishihara, San Buenaventura, Shimabukuro). Noes, 4 (Acasio, Baker, Rhoads, Taniguchi).

Conf. Com. Rep. No. 174 (H.B. No. 1348, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Wakai, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 174 was adopted and H.B. No. 1348, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STADIUM DEVELOPMENT DISTRICT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Fevella, Ihara, Kim). Noes, 1 (Acasio).

Conf. Com. Rep. No. 184 (H.B. No. 862, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Wakai, seconded by Senator Kim and carried, Conf. Com. Rep. No. 184 was adopted and H.B. No. 862, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Chang, Ihara, Taniguchi). Noes, 2 (Acasio, Fevella).

RECONSIDERATION OF ACTIONS TAKEN EARLIER ON THE CALENDAR

Conf. Com. Rep. No. 72 (S.B. No. 726, H.D. 1, C.D. 1):

On motion by Senator Dela Cruz, seconded by Senator English and carried, the Senate reconsidered its action taken on April 27, 2021, in adopting Conf. Com. Rep. No. 72 and passing S.B. No. 726, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICING," on Final Reading.

The Chair then ordered Conf. Com. Rep. No. 72 and S.B. No. 726, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICING," to be recommitted to the Committee on Conference, with Senators Acasio, Chang, Rhoads, and San Buenaventura voting "No."

MISCELLANEOUS COMMUNICATION

The following communication (Misc. Com. No. 3) was read by the Clerk and was placed on file:

Misc. Com. No. 3, from the Honorable Ronald D. Kouchi, President of the Senate, and the Honorable Scott K. Saiki, Speaker of the House of Representatives, dated April 23, 2021, transmitting a Legislative Communication amending the conference procedures for the 2021 Regular Session

Committees on Conference to allow for an expanded period of time from 8 a.m. on Monday, April 19, 2021, through 6 a.m. Saturday, April 24, 2021, solely to allow conference and consideration by the Committee on Conference assigned to H.B. No. 862, H.D. 2, S.D. 2; H.B. No. 1281, H.D. 1, S.D. 2; and H.B. No. 1297, H.D. 2, S.D. 2.

MISCELLANEOUS BUSINESS

RECONSIDERATION OF ACTIONS TAKEN

S.C.R. No. 26, S.D. 1 (H.D. 1):

Senator Moriwaki moved that the Senate reconsider its action taken on April 20, 2021, in disagreeing to the amendments proposed by the House to S.C.R. No. 26, S.D. 1, seconded by Senator Keohokalole and carried.

Senator Moriwaki then moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 26, S.D. 1, seconded by Senator Keohokalole.

Senator Moriwaki noted:

“This resolution urges the empowerment of young women by recognizing October 11th as the International Day of the Girl. The Senate version would have this day as an annual recognition in perpetuity; however, the House amended it to only apply to October 11, 2021. Mr. President, there are no hard and fast rules that resolutions can only be for a one-time action, however, Senate Rule 88 provides that the *Mason’s Manual of Legislative Procedure*, 2010 edition, where not inconsistent with the rules and practices of the Senate, shall govern. While *Mason’s* does not mandate that a resolution may only be for one-time action, it does provide the guidance that, generally, a resolution does not prescribe a continuing rule of conduct for government. This is why we agree with the House amendment and move to reconsider.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 26, S.D. 1, and S.C.R. No. 26, S.D. 1, H.D. 1, entitled: “SENATE CONCURRENT RESOLUTION URGING THE EMPOWERMENT OF YOUNG WOMEN BY RECOGNIZING OCTOBER 11, 2021, AS THE INTERNATIONAL DAY OF THE GIRL,” was placed on the calendar for Final Adoption on Thursday, April 29, 2021.

S.C.R. No. 219 (H.D. 1):

Senator San Buenaventura moved that the Senate reconsider its action taken on April 20, 2021, in disagreeing to the amendments proposed by the House to S.C.R. No. 219, seconded by Senator Keohokalole and carried.

Senator San Buenaventura then moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 219, seconded by Senator Keohokalole.

Senator San Buenaventura noted:

“The House version of changing this resolution to require the Broadband Hui to collaborate with the Executive Office on Aging strengthens the resolution, and, as such, we request that it be adopted. Thank you.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 219, and S.C.R. No. 219, H.D. 1, entitled: “SENATE CONCURRENT RESOLUTION URGING THE BROADBAND HUI TO INCLUDE A REPRESENTATIVE OF THE EXECUTIVE OFFICE ON AGING AS A MEMBER OF THE HUI TO REPRESENT THE NEEDS OF KUPUNA WITH REGARD TO DIGITAL LITERACY, BROADBAND ACCESS, AND COMPUTER EQUIPMENT,” was placed on the calendar for Final Adoption on Thursday, April 29, 2021.

At 12:19 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:21 p.m.

S.C.R. No. 164, S.D. 1 (H.D. 1):

Senator Taniguchi moved that the Senate reconsider its action taken on April 19, 2021, in disagreeing to the amendments proposed by the House to S.C.R. No. 164, S.D. 1, seconded by Senator Keohokalole and carried.

Senator Taniguchi then moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 164, S.D. 1, seconded by Senator Keohokalole.

Senator Taniguchi noted:

“The House amendments to S.C.R. 164—this is the Protecting the Right to Organize Act—updated legislative references to include action taken by the U.S. House of Representatives on March 9, 2021, and made other technical, nonsubstantive changes.

“These amendments to both S.C.R. 164 and S.C.R. 242 are acceptable to your Committee on Labor, Culture and the Arts.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 164, S.D. 1, and S.C.R. No. 164, S.D. 1, H.D. 1, entitled: “SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES SENATE AND PRESIDENT OF THE UNITED STATES TO ENACT THE PROTECTING THE RIGHT TO ORGANIZE ACT AS EXPEDITIOUSLY AS POSSIBLE,” was placed on the calendar for Final Adoption on Thursday, April 29, 2021.

S.C.R. No. 242, S.D. 1 (H.D. 1):

Senator Taniguchi moved that the Senate reconsider its action taken on April 20, 2021, in disagreeing to the amendments proposed by the House to S.C.R. No. 242, S.D. 1, seconded by Senator Keohokalole and carried.

Senator Taniguchi then moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 242, S.D. 1, seconded by Senator Keohokalole.

Senator Taniguchi noted:

“The House amendments to Senate Concurrent Resolution 242, which is regarding creative resurgence task force, only made technical, nonsubstantive changes.

“These amendments to both S.C.R. 164 and S.C.R. 242 are acceptable to your Committee on Labor, Culture and the Arts.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 242, S.D. 1, and S.C.R. No. 242, S.D. 1, H.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A CREATIVE RESURGENCE TASK FORCE TO BUILD AND FOSTER CREATIVITY AND INNOVATION THROUGH THE ARTS, CULTURE, AND HUMANITIES,” was placed on the calendar for Final Adoption on Thursday, April 29, 2021.

S.C.R. No. 190, S.D. 1 (H.D. 2):

Senator Lee moved that the Senate reconsider its action taken on April 19, 2021, in disagreeing to the amendments proposed by the House to S.C.R. No. 190, S.D. 1, seconded by Senator Keohokalole and carried.

Senator Lee then moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 190, S.D. 1, seconded by Senator Keohokalole.

Senator Lee noted:

“The amendments made by the House to this particular measure were technical, friendly amendments, so it’s the recommendation of your committee that we proceed.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 190, S.D. 1, and S.C.R. No. 190, S.D. 1, H.D. 2, entitled: “SENATE CONCURRENT RESOLUTION CONVENING A WORKING GROUP TO UPDATE PLANS FOR THE MAUNALUA-MAKAPUU SCENIC BYWAY AND CONSOLIDATE MANAGEMENT ALONG THE KAIWI COAST SCENIC SHORELINE,” was placed on the calendar for Final Adoption on Thursday, April 29, 2021.

ADJOURNMENT

At 12:25 p.m., on motion by Senator Keohokalole, seconded by Senator Fevella and carried, the Senate adjourned until 11:30 a.m., Thursday, April 29, 2021.