

ELEVENTH DAY

Friday, February 4, 2022

The Senate of the Thirty-First Legislature of the State of Hawai'i, Regular Session of 2022, convened at 11:38 a.m. with the President in the Chair.

The Roll was called showing all Senators present, with Senators Chang, Gabbard, Keohokalole, Kim, Lee, Moriwaki, Rhoads, Shimabukuro, and Wakai present and participating via videoconference, and with the exception of Senators Acasio and DeCoite who were excused.

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

At this time, Senator Kanuha introduced members of his staff who were seated in the gallery: Tonga Hopoi, who had offered a moment of contemplation prior to the Senate's floor session; Marlene Sai; and Iokepa Command.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 183 to 191) were read by the Clerk and were placed on file:

Dept. Com. No. 183, from the Office of the County Clerk of the County of Maui, dated November 24, 2021, transmitting Resolution No. 21-182, which was adopted by the Council of the County of Maui on November 19, 2021.

Dept. Com. No. 184, from Hawaii State Public Library System, dated October 8, 2021, transmitting the Hawaii State Public Library System's Annual Report for fiscal year ending June 30, 2021, pursuant to Sections 312-3.6 and 312-22, HRS.

Dept. Com. No. 185, from the Office of the County Clerk of the County of Maui, dated November 9, 2021, transmitting Resolution No. 21-166, which was adopted by the Council of the County of Maui on November 5, 2021.

Dept. Com. No. 186, from the Office of the County Clerk of the County of Hawai'i, dated November 12, 2021, transmitting Resolution No. 241-21, which was adopted by the Hawai'i County Council on November 3, 2021.

Dept. Com. No. 187, from the Office of the City Clerk of the City and County of Honolulu, dated December 21, 2021, transmitting Resolution No. 21-276, FD 1, which was adopted by the Council of the City and County of Honolulu on December 15, 2021.

Dept. Com. No. 188, from the Hawai'i Retirement Savings Task Force, dated December 22, 2021, transmitting Retirement Security in Hawai'i: Findings and Recommendations of the Hawai'i Retirement Savings Task Force pursuant to S.R. No. 76, S.D. 1 (2021).

Dept. Com. No. 189, from the Hawai'i County Police Department, dated January 3, 2022, transmitting the report on Electric Guns and Their Use pursuant to Section 134-16(d), HRS.

Dept. Com. No. 190, from the City and County of Honolulu Department of Transportation Services, dated January 24, 2022, transmitting a Report of the Task Force on North Road Management pursuant to Honolulu City Council Resolution No. 21-134.

Dept. Com. No. 191, from the Honolulu Police Department, dated January 31, 2022, transmitting the 2021 Annual Report to the Legislature pursuant to Section 52D-3.5, HRS.

STANDING COMMITTEE REPORTS

Senators Inouye and Gabbard, for the Committee on Water and Land and the Committee on Agriculture and Environment, presented a joint report (Stand. Com. Rep. No. 2057) recommending that S.B. No. 2056 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kanuha, seconded by Senator Fevella and carried, the joint report of the Committees was adopted and S.B. No. 2056, entitled: "A BILL FOR AN ACT RELATING TO SOIL CLASSIFICATIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 2058) recommending that S.B. No. 2626, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kanuha, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 2626, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 2059) recommending that S.B. No. 2659, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kanuha, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 2659, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 2060) recommending that S.B. No. 2760, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kanuha, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 2760, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAILS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Keohokalole and Gabbard, for the Committee on Health and the Committee on Agriculture and Environment, presented a joint report (Stand. Com. Rep. No. 2061) recommending that S.B. No. 2172, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and the Committee on Ways and Means.

On motion by Senator Kanuha, seconded by Senator Fevella and carried, the joint report of the Committees was adopted and S.B. No. 2172, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNDERGROUND FUEL STORAGE TANKS," passed Second Reading and was referred to the Committee on Judiciary and the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2062) recommending that S.B. No. 2334, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kanuha, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 2334, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO THE BOARD OF EDUCATION,” passed Second Reading and was referred to the Committee on Judiciary.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2063) recommending that S.B. No. 2188, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kanuha, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 2188, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SCHOOLS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2064) recommending that S.B. No. 2824, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kanuha, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 2824, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION,” passed Second Reading and was referred to the Committee on Judiciary.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2065) recommending that S.B. No. 2032, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection and the Committee on Judiciary.

On motion by Senator Kanuha, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 2032, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO GENETIC INFORMATION PRIVACY,” passed Second Reading and was referred to the Committee on Commerce and Consumer Protection and the Committee on Judiciary.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2066) recommending that S.B. No. 2132, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kanuha, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 2132, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ADULT MENTAL HEALTH,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2067) recommending that S.B. No. 2276, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Kanuha, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 2276, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ACUPUNCTURE,” passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2068) recommending that S.B. No. 3120, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kanuha, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 3120, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE OFFICE OF HEALTHCARE ASSURANCE SPECIAL FUND,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2069) recommending

that S.B. No. 3123, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection and the Committee on Judiciary and the Committee on Ways and Means.

On motion by Senator Kanuha, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 3123, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO FEES,” passed Second Reading and was referred to the Committee on Commerce and Consumer Protection and the Committee on Judiciary and the Committee on Ways and Means.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2070) recommending that S.B. No. 3114, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and the Committee on Ways and Means.

On motion by Senator Kanuha, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 3114, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MARRIAGE LICENSES,” passed Second Reading and was referred to the Committee on Judiciary and the Committee on Ways and Means.

Senator Keohokalole, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2071) recommending that S.B. No. 2241, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kanuha, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 2241, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MEDICAL CARE FOR MINORS,” passed Second Reading and was referred to the Committee on Judiciary.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2072) recommending that S.B. No. 118, as amended in S.D. 1, be recommitted to the Committee on Ways and Means.

On motion by Senator Kanuha, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 118, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE STATE BUDGET,” was recommitted to the Committee on Ways and Means.

ORDER OF THE DAY

THIRD READING

S.B. No. 449:

On motion by Senator Rhoads, seconded by Senator Keohokalole and carried, S.B. No. 449, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Acasio, DeCoite).

Stand. Com. Rep. No. 2054 (S.B. No. 204, S.D. 1):

On motion by Senator Rhoads, seconded by Senator Keohokalole and carried, Stand. Com. Rep. No. 2054 was adopted and S.B. No. 204, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Acasio, DeCoite).

Stand. Com. Rep. No. 2055 (S.B. No. 1141, S.D. 1):

On motion by Senator Rhoads, seconded by Senator Keohokalole and carried, Stand. Com. Rep. No. 2055 was

adopted and S.B. No. 1141, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEARING AND VISION PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Acasio, DeCoite).

RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

S.B. No.:	Re-referred to:
S.B. No. 2059	Committee on Labor, Culture and the Arts
S.B. No. 2801	Committee on Judiciary, then to the Committee on Ways and Means
S.B. No. 3084	Committee on Commerce and Consumer Protection
S.B. No. 3316	Committee on Labor, Culture and the Arts, then to the Committee on Ways and Means

At this time, Senator Baker rose to speak on a point of personal privilege as follows:

"Last night, I found myself confronted with a woman who had fallen down the ramp of our Punchbowl Street exit. I was leaving the Capitol—it was probably 8:00 or so—and as I struggled to try to help her up, somebody who was thinking faster than I was had called Public Safety. Public Safety arrived and was very gracious in helping her and getting her to a place where she would be safe. The only thing she had asked me for after I helped her up and was trying to get her to be not in the driveway area, was water. Unfortunately, I didn't have, but Public Safety did and fulfilled that need.

"This morning, when I returned to the Capitol, I noticed that this woman was on the grassy area across from the corner of Beretania and Punchbowl, and so I stopped into Sergeant-at-Arms office, and I spoke with Park and explained to her the situation—that the woman was still there. So Park, being the good soul and resourceful, called some of the agencies here in Honolulu. (Had I been on Maui, I could've made those calls myself, but I didn't know who to call here in Honolulu.) And hopefully, when the respondents came, the woman will take the assistance and either return to the hospital or to a safe place.

"I just wanted to rise on a point of personal privilege just to note how wonderful staff we have and agencies around who can come to the aid at 8:00 at night and later, this morning, to try to help someone in need when we find them on the steps of our building. Mahalo."

The Chair recounted Senator Baker's comments for those who had not heard her clearly, and expressed his appreciation, on behalf of the Hawai'i State Senate, to Senator Baker, Assistant Sergeant-at-Arms Park Kaleiwahea, and the Department of Public Safety sheriffs for their prompt response and the humanity they had exhibited in assisting that individual.

ADJOURNMENT

At 11:48 a.m., on motion by Senator Kanuha, seconded by Senator Fevella and carried, the Senate adjourned until 11:30 a.m., Monday, February 7, 2022.