

## SIXTEENTH DAY

## Friday, February 11, 2022

The Senate of the Thirty-First Legislature of the State of Hawai'i, Regular Session of 2022, convened at 11:49 a.m. with the Vice President in the Chair.

The Roll was called showing all Senators present, with Senators Acasio, Chang, DeCoite, Dela Cruz, Gabbard, Ihara, Keith-Agaran, Kouchi, Moriwaki, Rhoads, Shimabukuro, Taniguchi, and Wakai present and participating via videoconference.

The Vice President announced that she had read and approved the Journal of the Fifteenth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 652 to 680) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 652, submitting for consideration and confirmation to the Enhanced 911 Board, the nomination of STEPHEN COURTNEY, term to expire June 30, 2025, was referred to the Committee on Government Operations.

Gov. Msg. No. 653, submitting for consideration and confirmation to the Advisory Committee On Pesticides, the nomination of MELVIN TOKUDA, term to expire June 30, 2023, was referred to the Committee on Agriculture and Environment.

Gov. Msg. No. 654, submitting for consideration and confirmation to the Advisory Committee On Pesticides, the nomination of TROY SAKIHARA, term to expire June 30, 2025, was referred to the Committee on Agriculture and Environment.

Gov. Msg. No. 655, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nomination of BRIAN FUJIWARA, term to expire June 30, 2026, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 656, submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, the nomination of MARK BAKER, term to expire June 30, 2026, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 657, submitting for consideration and confirmation to the Pest Control Board, the nomination of TERRANCE MANAGO, term to expire June 30, 2025, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 658, submitting for consideration and confirmation to the State Board of Public Accountancy, the nomination of CHRISTOPHER LEE, term to expire June 30, 2026, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 659, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of ROSELANI ROWE, term to expire June 30, 2025, was referred to the Committee on Human Services.

Gov. Msg. No. 660, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of EVALINA WATANABE, term to expire June 30, 2025, was referred to the Committee on Human Services.

Gov. Msg. No. 661, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of STANLEY YOUNG, term to expire June 30, 2025, was referred to the Committee on Human Services.

Gov. Msg. No. 662, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of WALTER SOARES, term to expire June 30, 2025, was referred to the Committee on Human Services.

Gov. Msg. No. 663, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of ANNETTE TASHIRO, term to expire June 30, 2025, was referred to the Committee on Human Services.

Gov. Msg. No. 664, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of CATHERINE TAYLOR, term to expire June 30, 2025, was referred to the Committee on Human Services.

Gov. Msg. No. 665, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of HEATHER CHAPMAN, term to expire June 30, 2023, was referred to the Committee on Human Services.

Gov. Msg. No. 666, submitting for consideration and confirmation to the Board of Trustees of the Deferred Compensation Plan, the nomination of KALBERT YOUNG, term to expire June 30, 2026, was referred to the Committee on Labor, Culture and the Arts.

Gov. Msg. No. 667, submitting for consideration and confirmation to the Board of Certification of Operating Personnel In Wastewater Treatment Plants, the nomination of EMILY DONG, term to expire June 30, 2026, was referred to the Committee on Health.

Gov. Msg. No. 668, submitting for consideration and confirmation to the Board of Certification of Operating Personnel In Wastewater Treatment Plants, the nomination of MARIA YAMASHITA, term to expire June 30, 2023, was referred to the Committee on Health.

Gov. Msg. No. 669, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of ANTHONY AKAMINE, term to expire June 30, 2026, was referred to the Committee on Health.

Gov. Msg. No. 670, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of ROSANNA DANIEL-KANETAKE, term to expire June 30, 2026, was referred to the Committee on Health.

Gov. Msg. No. 671, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of VIOLET HORVATH, term to expire June 30, 2026, was referred to the Committee on Health.

Gov. Msg. No. 672, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of RONALD AWA, term to expire June 30, 2026, was referred to the Committee on Health.

Gov. Msg. No. 673, submitting for consideration and confirmation to the Language Access Advisory Council, the nomination of BARBARA TOM, term to expire June 30, 2024, was referred to the Committee on Health.

Gov. Msg. No. 674, submitting for consideration and confirmation to the Language Access Advisory Council, the nomination of LYDIA PAVON, term to expire June 30, 2024, was referred to the Committee on Health.

Gov. Msg. No. 675, submitting for consideration and confirmation to the Language Access Advisory Council, the nomination of CHARLOTTE HUANG, term to expire June 30, 2022, was referred to the Committee on Health.

Gov. Msg. No. 676, submitting for consideration and confirmation to the Language Access Advisory Council, the nomination of CHARLOTTE HUANG, term to expire June 30, 2026, was referred to the Committee on Health.

Gov. Msg. No. 677, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of SUZANNE SCHULBERG, term to expire June 30, 2024, was referred to the Committee on Health.

Gov. Msg. No. 678, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of SHELLY OGATA, term to expire June 30, 2026, was referred to the Committee on Health.

Gov. Msg. No. 679, informing the Senate that on February 9, 2022, the Governor withdrew the nomination of TARA CHAR to the State Council on Mental Health, under Gov. Msg. No. 545, from consideration by the Senate, was placed on file.

In compliance with Gov. Msg. No. 679, the nomination listed under Gov. Msg. No. 545 was returned.

Gov. Msg. No. 680, informing the Senate that on February 9, 2022, the Governor withdrew the nomination of TARA CHAR to the State Council on Mental Health, under Gov. Msg. No. 546, from consideration by the Senate, was placed on file.

In compliance with Gov. Msg. No. 680, the nomination listed under Gov. Msg. No. 546 was returned.

#### HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 3) was read by the Clerk and was disposed of as follows:

Hse. Com. No. 3, transmitting H.B. No. 2500, H.D. 1, which passed Third Reading in the House of Representatives on February 10, 2022, was placed on file.

On motion by Senator Kanuha, seconded by Senator Fevella and carried, H.B. No. 2500, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, THE OMBUDSMAN, AND THE ETHICS COMMISSION," passed First Reading by title and was referred to the Committee on Ways and Means.

#### SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 6) was read by the Clerk and was referred to committee:

S.C.R. No. 6 "SENATE CONCURRENT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS."

Offered by: Senators Wakai, Gabbard, Riviere.

Referred to: Committee on Judiciary, then to the Committee on Ways and Means

#### SENATE RESOLUTION

The following resolution (S.R. No. 1) was read by the Clerk and was referred to committee:

S.R. No. 1 "SENATE RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS."

Offered by: Senators Wakai, Riviere.

Referred to: Committee on Judiciary, then to the Committee on Ways and Means

#### STANDING COMMITTEE REPORTS

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2222) recommending that S.B. No. 3190, 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. 3190, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISH HATCHERY EDUCATION," 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. 2223) recommending that S.B. No. 2545, 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. 2545, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPOSTING GRANT PROGRAM," 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. 2224) recommending that S.B. No. 2891, 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. 2891, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," 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. 2225) recommending that S.B. No. 3090, 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. 3090, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL INDIRECT OVERHEAD REIMBURSEMENTS," 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. 2226) recommending that S.B. No. 3091, 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. 3091, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPTIONS FOR STUDENTS IN DEPARTMENT OF EDUCATION SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2227) recommending that S.B. No. 2210, 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. 2210, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2228) recommending that S.B. No. 3215, 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. 3215, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GARNISHMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2229) recommending that S.B. No. 2277, 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. 2277, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR PRACTICES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2230) recommending that S.B. No. 2917, 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. 2917, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY PLANNING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2231) recommending that S.B. No. 2669, 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. 2669, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IN VITRO FERTILIZATION INSURANCE COVERAGE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2232) recommending that S.B. No. 2494, 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. 2494, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO THE RESIDENTIAL LANDLORD-TENANT CODE," 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. 2233) recommending that S.B. No. 2928, as amended in S.D. 1, be recommitted to the Committee on Education.

On motion by Senator Kanuha, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 2928, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was recommitted to the Committee on Education.

Senators Inouye and Shimabukuro, for the Committee on Water and Land and the Committee on Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2234) recommending that S.B. No. 872, 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 joint report of the Committees was adopted and S.B. No. 872, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 2235) recommending that S.B. No. 2814, 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. 2814, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A COASTAL ZONE PROGRAM," 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. 2236) recommending that S.B. No. 2860, 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. 2860, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER CONSERVATION," 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. 2237) recommending that S.B. No. 3320, 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. 3320, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FERAL PIG CONTROL PERMITS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Wakai and Gabbard, for the Committee on Energy, Economic Development, and Tourism and the Committee on Agriculture and Environment, presented a joint report (Stand. Com. Rep. No. 2238) recommending that S.B. No. 2287 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. 2287, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Wakai and Gabbard, for the Committee on Energy, Economic Development, and Tourism and the majority of the Committee on Agriculture and Environment, presented a joint report (Stand. Com. Rep. No. 2239) recommending that S.B. No. 2473, 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 joint report of the majority of the Committees was adopted and S.B. No. 2473, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Wakai and Shimabukuro, for the Committee on Energy, Economic Development, and Tourism and the Committee on Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2240) recommending that S.B. No. 2035, 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 joint report of the Committees was adopted and S.B. No. 2035, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGENERATIVE TOURISM," 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. 2241) recommending that S.B. No. 2205, 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. 2205, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUICIDE PREVENTION," 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. 2242) recommending that S.B. No. 2280, 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. 2280, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL ASSISTANTS," 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. 2243) recommending that S.B. No. 2439, 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. 2439, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEARING AIDS," 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. 2244) recommending that S.B. No. 2460, 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. 2460, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSES," 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. 2245) recommending that S.B. No. 2609 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. 2609, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NONPROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," 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. 2246) recommending that S.B. No. 2661, 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. 2661, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MIDWIVES," 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. 2247) recommending that S.B. No. 2666, 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. 2666, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER EMERGENCY DEPARTMENT," 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. 2248) recommending that S.B. No. 2735, 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. 2735, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEHAVIORAL HEALTH CRISIS STABILIZATION BEDS," 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. 2249) recommending that S.B. No. 2736, 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. 2736, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRISIS OUTREACH PROGRAMS," 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. 2250) recommending that S.B. No. 2804, 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. 2804, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO POOLS,” 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. 2251) recommending that S.B. No. 2829, 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. 2829, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MENTAL HEALTH,” 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. 2252) recommending that S.B. No. 3118, 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. 3118, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS,” 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. 2253) recommending that S.B. No. 3210, 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. 3210, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO FAMILY GUIDANCE CENTERS,” 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. 2254) recommending that S.B. No. 3367, 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. 3367, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HEALTH,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2255) recommending that S.B. No. 629, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2255 and S.B. No. 629, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO MEDICAL CANNABIS,” was deferred until Monday, February 14, 2022.

## ORDER OF THE DAY

### THIRD READING

S.B. No. 312, S.D. 1:

Senator Rhoads moved that S.B. No. 312, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Keohokalole.

Senator Rhoads spoke in support of the measure as follows:

“Just wanted to quickly read the proposed amendment, and this is for the Hawai‘i State Constitution: ‘The freedom of speech shall not include the expenditure of money to influence elections.’ As many of you know, since the *Citizens United* case about 10 years ago at the federal level, millions of dollars of

often unaccounted-for dark money has poured into the system. While this amendment—if it’s approved by the Senate and the House and the voters of the State of Hawai‘i—will not have any immediate effect, it certainly sends the message to the federal government that we think the *Citizens United* decision is untenable, has led to money just washing over the political system in ways that are detrimental to the measures we pass, detrimental to the way American democracy has functioned for a long time. So with my support, I hope we move this forward. Mahalo.”

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

“Madam President, I also voted ‘with reservations’ in committee, and I wanted to explain my vote. It’s not that I disagree with what is being asked in the question itself; I am concerned because this is the constitution and, as the chair of the committee had said, that this would have no immediate effect and it sends a message. I don’t believe we should be using our constitution to send messages—I think our constitution is a very sacred document, and we have to take it very seriously and shouldn’t be using it for symbolic reasons, and that is why I’m voting with strong reservations. Thank you.”

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

“I also rise to voice my reservations, and I would like to insert comments into the Journal as my own as stated by my colleague from Kalihi Valley. Thank you.”

The motion was put by the Chair and carried, S.B. No. 312, S.D. 1, entitled: “A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION REGARDING THE FREEDOM OF SPEECH,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Acasio, DeCoite, Fevella, Ihara, Inouye, Kim, Misalucha, Moriwaki, Riviere). Noes, none.

S.B. No. 2388, S.D. 1:

On motion by Senator Rhoads, seconded by Senator Keohokalole and carried, S.B. No. 2388, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ELECTIONEERING COMMUNICATIONS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Ihara). Noes, none.

### RE-REFERRAL OF SENATE BILLS

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

S.B. No.: Re-referred to:

S.B. No. 2768 Jointly to the Committee on Water and Land and the Committee on Agriculture and Environment, then to the Committee on Ways and Means

S.B. No. 2928, Jointly to the Committee on Education and the S.D. 1 Committee on Higher Education, then to the Committee on Ways and Means

### ADJOURNMENT

At 11:57 a.m., on motion by Senator Kanuha, seconded by Senator Fevella and carried, the Senate adjourned until 11:30 a.m., Monday, February 14, 2022.