

## TWELFTH DAY

## Monday, February 6, 2023

The Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2023, convened at 11:36 a.m. with the President in the Chair.

The Roll was called showing all Senators present, with the exception of Senator DeCoite who was excused.

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

## STANDING COMMITTEE REPORTS

Senator McKelvey, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 16) recommending that S.B. No. 296, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 296, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBMISSION DEADLINES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 17) recommending that S.B. No. 576, as amended in S.D. 1, be recommitted to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 576, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was recommitted to the Committee on Ways and Means.

Senator DeCoite, for the Committee on Energy, Economic Development, and Tourism, presented a report (Stand. Com. Rep. No. 18) recommending that S.B. No. 703 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 703, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TECHNOLOGY DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator DeCoite, for the Committee on Energy, Economic Development, and Tourism, presented a report (Stand. Com. Rep. No. 19) recommending that S.B. No. 72, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 72, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator DeCoite, for the Committee on Energy, Economic Development, and Tourism, presented a report (Stand. Com. Rep. No. 20) recommending that S.B. No. 706, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 706, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Wakai, for the Committee on Public Safety and Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 21) recommending that S.B. No. 210, 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 Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 210, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL JUSTICE DATA SHARING," passed Second Reading and was referred to the Committee on Judiciary and the Committee on Ways and Means.

Senator Wakai, for the Committee on Public Safety and Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 22) recommending that S.B. No. 372, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 372, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT SERVICES RELATING TO THE LAW," passed Second Reading and was referred to the Committee on Judiciary.

Senator Wakai, for the Committee on Public Safety and Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 23) recommending that S.B. No. 454, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 454, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Wakai, for the Committee on Public Safety and Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 24) recommending that S.B. No. 786, 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 Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 786, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEARCH AND RESCUE," passed Second Reading and was referred to the Committee on Judiciary and the Committee on Ways and Means.

Senator Lee, for the majority of the Committee on Transportation and Culture and the Arts, presented a report (Stand. Com. Rep. No. 25) recommending that S.B. No. 588, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the majority of the Committee was adopted and S.B. No. 588, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCESSIVE NOISE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Lee, for the Committee on Transportation and Culture and the Arts, presented a report (Stand. Com. Rep. No. 26) recommending that S.B. No. 365, as amended in S.D. 1,

pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 365, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Lee, for the Committee on Transportation and Culture and the Arts, presented a report (Stand. Com. Rep. No. 27) recommending that S.B. No. 346, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 346, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY VEHICLES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Lee, for the majority of the Committee on Transportation and Culture and the Arts, presented a report (Stand. Com. Rep. No. 28) recommending that S.B. No. 341, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the majority of the Committee was adopted and S.B. No. 341, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Lee, for the majority of the Committee on Transportation and Culture and the Arts, presented a report (Stand. Com. Rep. No. 29) recommending that S.B. No. 56, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the majority of the Committee was adopted and S.B. No. 56, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIBLE VEHICLE REVERSE WARNING SYSTEMS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 30) recommending that S.B. No. 467, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 467, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II OF THE CONSTITUTION OF THE STATE OF HAWAII," 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. 31) recommending that S.B. No. 486 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 486, entitled: "A BILL FOR AN ACT RELATING TO THE SAFETY OF JUDICIARY PERSONNEL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 32) recommending that S.B. No. 261, as amended in S.D. 1, pass

Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 261, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 33) recommending that S.B. No. 278, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 278, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRINCE JONAH KUHIO KALANIANA'OLE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Shimabukuro, for the majority of the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 34) recommending that S.B. No. 437, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the majority of the Committee was adopted and S.B. No. 437, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERIM ADMINISTRATIVE RULES OF THE DEPARTMENT OF HAWAIIAN HOME LANDS," 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. 35) recommending that S.B. No. 730, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 730, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHPONDS," 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. 36) recommending that S.B. No. 70, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 70, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONSERVATION AND RESOURCES ENFORCEMENT PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Wakai, for the Committee on Public Safety and Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 37) recommending that S.B. No. 455, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 455, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Wakai, for the majority of the Committee on Public Safety and Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 38) recommending that S.B. No. 708, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means and the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the majority of the Committee was adopted and S.B. No. 708, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Second Reading and was referred to the Committee on Ways and Means and the Committee on Judiciary.

Senator Moriwaki, for the Committee on Labor and Technology, presented a report (Stand. Com. Rep. No. 39) recommending that S.B. No. 302, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 302, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Moriwaki, for the Committee on Labor and Technology, presented a report (Stand. Com. Rep. No. 40) recommending that S.B. No. 435, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 435, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Moriwaki, for the Committee on Labor and Technology, presented a report (Stand. Com. Rep. No. 41) recommending that S.B. No. 597, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 597, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Moriwaki, for the Committee on Labor and Technology, presented a report (Stand. Com. Rep. No. 42) recommending that S.B. No. 726, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator Kanuha and carried, the report of the Committee was adopted and S.B. No. 726, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

**ORDER OF THE DAY**

**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. 576, S.D. 1 Committee on Government Operations, then to the Committee on Ways and Means
- S.B. No. 1130 Committee on Commerce and Consumer Protection, then to the Committee on

Judiciary

- S.B. No. 1271 Committee on Agriculture and Environment, then to the Committee on Commerce and Consumer Protection
- S.B. No. 1464 Committee on Housing, then jointly to the Committee on Commerce and Consumer Protection and the Committee on Judiciary
- S.B. No. 1590 Committee on Agriculture and Environment, then jointly to the Committee on Ways and Means and the Committee on Commerce and Consumer Protection

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

"I would like to request that the Senate adjourn on a rising vote and observe a moment of silence in honor and memory of Tre' Evans-Dumaran. Tre' was a three-year veteran of the Maui Fire Department, and at 24 years of age, he gave his life to help our community during the massive floods. If not for his heroic acts in removing the debris, many other families would have suffered. We express our heartfelt condolences to his family and his friends, and we'll remember him as a true friend and hero of the community."

Senator Kidani congratulated the PAC-5 varsity wāhine, including her granddaughter Kamalani Marlier, for winning the Division II soccer championship by defeating Kapa'a.

Senator Fevella introduced staff members of the Senate Minority Research Office: Joyce Oliveira, Tesha Malama, Elizabeth Tatofi, Nia Tatofi, and Raiza Dalofin. Senator Fevella also recognized members of his office staff who were seated in the gallery: Kona Purdy, Christian Ulufanua, and Christopher Shellko. Senator Fevella then acknowledged Ernest Chang, who had offered a moment of contemplation prior to the Senate's floor session.

The Chair noted that the Kapa'a girls basketball team had won its first Division II state championship, a first for Kaua'i. The Chair then observed that, by beating Konawaena, 'Iolani had won its fourth consecutive Division I girls basketball championship, and that for the last eight or nine years, that title had been won by either 'Iolani or Konawaena. The Chair concluded that young ladies in Hawai'i high schools had achieved great things over the past weekend.

**ADJOURNMENT**

At 11:42 a.m., on motion by Senator Wakai, seconded by Senator Kanuha and carried, the Senate adjourned until 11:30 a.m., Tuesday, February 7, 2023, on a rising vote, observing a moment of silence in memory of firefighter Tre' Evans-Dumaran.