

FIFTEENTH DAY

Thursday, February 9, 2023

The Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2023, convened at 11:34 a.m. with the President in the Chair.

The Roll was called showing all Senators present.

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

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 9 and 10) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 9, transmitting H.B. No. 91, H.D. 1, which passed Third Reading in the House of Representatives on February 8, 2023, was placed on file.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, H.B. No. 91, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ORDERS OF THE CAMPAIGN SPENDING COMMISSION," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 10, transmitting H.B. No. 97, H.D. 1, which passed Third Reading in the House of Representatives on February 8, 2023, was placed on file.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, H.B. No. 97, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRELIMINARY DETERMINATION OF PROBABLE CAUSE," passed First Reading by title and was referred to the Committee on Judiciary.

STANDING COMMITTEE REPORTS

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 107) recommending that S.B. No. 731 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 731, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN INDEPENDENCE DAY," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 10, 2023.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 108) recommending that S.B. No. 733 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 733, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN CULTURE," 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. 109) recommending that S.B. No. 732, 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 DeCoite and carried, the report of the Committee was adopted and S.B. No. 732, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE HOLIDAYS," 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. 110) recommending that S.B. No. 740, 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 DeCoite and carried, the report of the Committee was adopted and S.B. No. 740, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN BENEFICIARIES," 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. 111) recommending that S.B. No. 741, 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 DeCoite and carried, the report of the Committee was adopted and S.B. No. 741, 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 Judiciary.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 112) recommending that S.B. No. 1014, 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 DeCoite and carried, the report of the Committee was adopted and S.B. No. 1014, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDEPENDENT LEGAL COUNSEL," passed Second Reading and was referred to the Committee on Judiciary and the Committee on Ways and Means.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 113) recommending that S.B. No. 200, 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 DeCoite and carried, the report of the Committee was adopted and S.B. No. 200, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARTIAL PUBLIC FINANCING OF ELECTIONS," passed Second Reading and was referred to the Committee on Judiciary and the Committee on Ways and Means.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 114) recommending that S.B. No. 917, 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 DeCoite and carried, the report of the Committee was adopted and S.B. No. 917, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII STATE CONSTITUTION REGARDING THE FREEDOM OF SPEECH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 115) recommending that S.B. No. 1167, 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 DeCoite and carried, the report of the majority of the Committee was

adopted and S.B. No. 1167, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII STATE CONSTITUTION TO PROTECT INDIVIDUAL REPRODUCTIVE RIGHTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 116) recommending that S.B. No. 992 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the majority of the Committee was adopted and S.B. No. 992, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII STATE CONSTITUTION TO INCREASE THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES," 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. 117) recommending that S.B. No. 105 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 105, entitled: "A BILL FOR AN ACT RELATING TO 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. 118) recommending that S.B. No. 830, 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 DeCoite and carried, the report of the Committee was adopted and S.B. No. 830, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL RESPONSE," 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. 119) recommending that S.B. No. 290, 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 DeCoite and carried, the report of the Committee was adopted and S.B. No. 290, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DIRECT INSTRUCTIONAL SERVICES TO STUDENTS," 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. 120) recommending that S.B. No. 1609, 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 DeCoite and carried, the report of the Committee was adopted and S.B. No. 1609, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN AFFAIRS," 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. 121) recommending that S.B. No. 580, as amended in S.D. 1, be recommitted to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 580, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO LAND USE," was recommitted to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 122) recommending that S.B. No. 551, as amended in S.D. 1, be recommitted to the Committee on Housing.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 551, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was recommitted to the Committee on Housing.

Senator Wakai, for the Committee on Public Safety and Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 123) recommending that S.B. No. 875 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 875, entitled: "A BILL FOR AN ACT RELATING TO THE COUNTIES," 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. 124) recommending that S.B. No. 821 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the majority of the Committee was adopted and S.B. No. 821, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Wakai, for the majority of the Committee on Public Safety and Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 125) recommending that S.B. No. 1332 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the majority of the Committee was adopted and S.B. No. 1332, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MANAGEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Wakai, for the majority of the Committee on Public Safety and Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 126) recommending that S.B. No. 922 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the majority of the Committee was adopted and S.B. No. 922, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT REFORM," 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. 127) recommending that S.B. No. 1099 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 1099, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," 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. 128) recommending that S.B. No. 1112 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 1112, entitled: "A BILL FOR AN ACT RELATING TO SHORT-TERM RENTALS," 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. 129) recommending that S.B. No. 1163 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 1163, entitled: "A BILL FOR AN ACT RELATING TO CIVIL AIR PATROL," 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. 130) recommending that S.B. No. 862 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 862, entitled: "A BILL FOR AN ACT RELATING TO THE COUNTIES," 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. 131) recommending that S.B. No. 1470, 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 DeCoite and carried, the report of the Committee was adopted and S.B. No. 1470, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," 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. 132) recommending that S.B. No. 1161, 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 DeCoite and carried, the report of the Committee was adopted and S.B. No. 1161, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACTIVE DUTY MILITARY ENTITLEMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Wakai, for the majority of the Committee on Public Safety and Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 133) recommending that S.B. No. 1018, 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 DeCoite and carried, the report of the majority of the Committee was adopted and S.B. No. 1018, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY POWERS," 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. 134) recommending that S.B. No. 1059, 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 DeCoite and carried, the report of the Committee was adopted and S.B. No. 1059, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY WORKERS," 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. 135) recommending that S.B. No. 1091, 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 DeCoite and carried, the report of the Committee was adopted and S.B. No. 1091, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COUNTIES," 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. 136) recommending that S.B. No. 808 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 808, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY INSPECTIONS," 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. 137) recommending that S.B. No. 1086, 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 DeCoite and carried, the report of the Committee was adopted and S.B. No. 1086, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," 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. 138) recommending that S.B. No. 497, 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 DeCoite and carried, the report of the majority of the Committee was adopted and S.B. No. 497, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL VEHICLES," 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. 139) recommending that S.B. No. 1389, 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 DeCoite and carried, the report of the Committee was adopted and S.B. No. 1389, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY DISCLOSURES WITHIN SHORELINE AREAS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

ORDER OF THE DAY**THIRD READING**

S.B. No. 432:

On motion by Senator Gabbard, seconded by Senator Inouye and carried, S.B. No. 432, entitled: "A BILL FOR AN ACT RELATING TO THE DESIGNATION OF HAWAII CORAL REEFS AS CRITICAL NATURAL INFRASTRUCTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

REFERRAL OF HOUSE BILLS

The President made the following committee assignments of House bills received on Wednesday, February 8, 2023:

H.B. No.:	Referred to:
H.B. No. 89	Committee on Judiciary
H.B. No. 90	Committee on Judiciary
H.B. No. 93	Committee on Judiciary
H.B. No. 99	Committee on Judiciary

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. 551, S.D. 1	Committee on Housing, then to the Committee on Judiciary
S.B. No. 580, S.D. 1	Jointly to the Committee on Energy, Economic Development, and Tourism and the Committee on Water and Land, then to the Committee on Ways and Means
S.B. No. 1458	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 Gabbard invited the members to join him at the 13th annual Ag Day, which would be taking place on the fourth floor until 1:00 p.m. Senator Gabbard noted that Ag Day was sponsored by the Hawai'i Farm Bureau and co-hosted by Representative Gates, Representative Kahaloa, Senator Richards, and himself.

ADJOURNMENT

At 11:37 a.m., on motion by Senator Wakai, seconded by Senator DeCoite and carried, the Senate adjourned until 11:30 a.m., Friday, February 10, 2023.