

SEVENTEENTH DAY

Monday, February 13, 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.

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

At this time, Senator Wakai acknowledged students and administrators from Okinawa who were participating in the Hawai'i–Okinawa Student Exchange Program, which had been established in 1990 and constitutes the longest relationship between the educational institutions of Hawai'i and Okinawa. Seated in the gallery were deputy superintendent of Okinawa Prefectural Board of Education Mr. Kaoru Sashida; teachers' consultant Ms. Shinako Fukumura; teacher Ms. Wakana Kamiyama; and students Namika Miyagi, Jion Izuhara, Yohka Hoshino, Sumire Shinzato, Yurina Tokumoto, Bunya Akamine, Morihisa Ota, Miyuu Kannna, Shotatsu Nakanishi, Koharu Arakaki, Hina Sugama, Junji Yamamoto, Kanoha Miyakuni, Arisa Sakima, and Mai Shoichishi. Senator Wakai also recognized local friends Jon Itomura and David Arakawa, who were present in the gallery.

Senator Elefante recognized faculty, staff, executive director Claire Tamamoto, and students from Aiea Hongwanji Preschool who were seated in the gallery.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 23 and 24) were read by the Clerk and were deferred:

S.C.R. No. 23 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE OF HAWAII TO RECOGNIZE THE FOURTH SATURDAY OF EVERY SEPTEMBER AS "TRASH FISHING DAY"."

Offered by: Senators Shimabukuro, Gabbard, San Buenaventura.

S.C.R. No. 24 "SENATE CONCURRENT RESOLUTION URGING THE STATE TO PURSUE AN EXEMPTION TO THE COMMERCE CLAUSE OF THE UNITED STATES CONSTITUTION FOR AGRICULTURAL PRODUCE GROWN OR RAISED IN THE STATE OF HAWAII."

Offered by: Senators Shimabukuro, Kim, San Buenaventura, Wakai.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 18 and 19) were read by the Clerk and were deferred:

S.R. No. 18 "SENATE RESOLUTION REQUESTING THE STATE OF HAWAII TO RECOGNIZE THE FOURTH SATURDAY OF EVERY SEPTEMBER AS "TRASH FISHING DAY"."

Offered by: Senators Shimabukuro, Gabbard, San Buenaventura.

S.R. No. 19 "SENATE RESOLUTION URGING THE STATE TO PURSUE AN EXEMPTION TO THE COMMERCE CLAUSE OF THE UNITED STATES CONSTITUTION FOR AGRICULTURAL PRODUCE GROWN OR RAISED IN THE STATE OF HAWAII."

Offered by: Senators Shimabukuro, Kim, San Buenaventura, Wakai.

STANDING COMMITTEE REPORTS

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 171) recommending that S.B. No. 79, 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. 79, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Judiciary and the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 172) recommending that S.B. No. 82, 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. 82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF LAND AND NATURAL RESOURCES," 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. 173) recommending that S.B. No. 97, 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. 97, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Judiciary and the Committee on Ways and Means.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 174) recommending that S.B. No. 417, 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. 417, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORAL REEF ECOSYSTEMS," 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. 175) recommending that S.B. No. 1028, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection 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. 1028, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VESSELS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 176) recommending that S.B. No. 1068, 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. 1068, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO BEACHES," 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. 177) recommending that S.B. No. 1265, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection 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. 1265, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means.

Senator Kim, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 178) recommending that S.B. No. 959 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. 959, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kim, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 179) recommending that S.B. No. 236 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. 236, entitled: "A BILL FOR AN ACT RELATING TO VICTIM-COUNSELOR PRIVILEGE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chang, for the majority of the Committee on Housing, presented a report (Stand. Com. Rep. No. 180) recommending that S.B. No. 764 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 majority of the Committee was adopted and S.B. No. 764, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 181) recommending that S.B. No. 999 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. 999, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 182) recommending that S.B. No. 864, 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. 864, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," 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. 183)

recommending that S.B. No. 1398 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. 1398, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 184) recommending that S.B. No. 362, 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. 362, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 185) recommending that S.B. No. 363, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection 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. 363, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 186) recommending that S.B. No. 859, 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. 859, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kim, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 187) recommending that S.B. No. 391, 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. 391, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII COMMUNITY COLLEGE WORKFORCE TRAINING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kim, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 188) recommending that S.B. No. 742, 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. 742, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kim, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 189) recommending that S.B. No. 1413, 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. 1413, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII RESIDENT TUITION FEE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 190) recommending that S.B. No. 55, 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. 55, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 191) recommending that S.B. No. 327, 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. 327, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING DISCRIMINATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chang, for the majority of the Committee on Housing, presented a report (Stand. Com. Rep. No. 192) recommending that S.B. No. 336, 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. 336, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 193) recommending that S.B. No. 340, 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. 340, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the majority of the Committee on Housing, presented a report (Stand. Com. Rep. No. 194) recommending that S.B. No. 763, 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. 763, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Judiciary and the Committee on Ways and Means.

Senator McKelvey, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 195) recommending that S.B. No. 291, 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. 291, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO BUDGET-RELATED REPORTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator McKelvey, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 196) recommending that S.B. No. 292, 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. 292, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUDGET-RELATED REPORTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator McKelvey, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 197) recommending that S.B. No. 293, 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. 293, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUDGET-RELATED REPORTS," passed Second Reading and was referred to the Committee on Ways and Means.

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. 198) recommending that S.B. No. 735, 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 joint report of the Committees was adopted and S.B. No. 735, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF WATER RIGHTS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Inouye and McKelvey, for the Committee on Water and Land and the Committee on Government Operations, presented a joint report (Stand. Com. Rep. No. 199) recommending that S.B. No. 1291, 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 joint report of the Committees was adopted and S.B. No. 1291, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEA LEVEL RISE ADAPTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Wakai and Lee, for the Committee on Public Safety and Intergovernmental and Military Affairs and the Committee on Transportation and Culture and the Arts, presented a joint report (Stand. Com. Rep. No. 200) recommending that S.B. No. 374 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 joint report of the Committees was adopted and S.B. No. 374, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL LICENSE PLATES FOR IRAQ AND AFGHANISTAN WAR VETERANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Wakai and Lee, for the majority of the Committee on Public Safety and Intergovernmental and Military Affairs and the majority of the Committee on Transportation and Culture and the Arts, presented a joint report (Stand. Com. Rep. No. 201) recommending that S.B. No. 366 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 joint report of the majority of the Committees was adopted and S.B. No. 366, entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES," passed Second Reading and was referred to the Committee on Judiciary and the Committee on Ways and Means.

Senator McKelvey, for the majority of the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 202) recommending that S.B. No. 699, 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. 699, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE CAPITOL TOURS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator McKelvey, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 203) recommending that S.B. No. 749, 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. 749, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCING CIVIC ENGAGEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators McKelvey and Inouye, for the Committee on Government Operations and the Committee on Water and Land, presented a joint report (Stand. Com. Rep. No. 204) recommending that S.B. No. 1485, 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 joint report of the Committees was adopted and S.B. No. 1485, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS AT STATE SMALL BOAT HARBORS AND STATE PARKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators McKelvey and San Buenaventura, for the Committee on Government Operations and the Committee on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 205) recommending that S.B. No. 894, 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 joint report of the Committees was adopted and S.B. No. 894, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF WELLNESS AND RESILIENCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators McKelvey and San Buenaventura, for the majority of the Committee on Government Operations and the majority of the Committee on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 206) recommending that S.B. No. 891, 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 joint report of the majority of the Committees was adopted and S.B. No. 891, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENSTRUAL PRODUCTS," 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. 207) recommending that S.B. No. 203, as amended in S.D. 1, 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. 203, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPLAINTS ALLEGING VIOLATIONS OF CAMPAIGN SPENDING LAWS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 15, 2023.

ADJOURNMENT

At 11:40 a.m., on motion by Senator Wakai, seconded by Senator DeCoite and carried, the Senate adjourned until 11:30 a.m., Tuesday, February 14, 2023.