

## TWENTY-FOURTH DAY

Thursday, March 2, 2023

The Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2023, convened at 11:39 a.m. with the President in the Chair.

The Roll was called showing all Senators present, with the exception of Senators Fukunaga and Ihara who were excused.

The President announced that he had read and approved the Journal of the Twenty-Third Day.

At this time, Senator Rhoads introduced an old friend, Blane Sardinha, who was joined in the gallery by his friend Lei.

Senator Gabbard noted that Goodwill has been serving people of Hawai'i for more than 60 years and that its mission is to help people reach their full potential and become self-sufficient. Senator Gabbard then acknowledged participants and staff from Goodwill's Ho'olana program, including his baby sister Barbara, who were seated in the gallery.

Senator DeCoite, on behalf of the Maui delegation, welcomed guests from the Self-Advocacy Advisory Council. Present in the gallery were Moloka'i representatives Mark Kay; Henry Freitas; Ernest Kapu, Jr.; Brandon Reny Wong; Lydell Kapu; and Rebecca Reich, and Maui representatives Andrew Maae, Natalie Greenleaf, Kami Satterlee, Daisy Alcaraz, Jessica Tavares, and Stephanie Kealoha.

Senator San Buenaventura explained that the State Council on Developmental Disabilities had sponsored the 23rd annual Day at the Capitol in celebration of contributions people with developmental disabilities make to the community. Senator San Buenaventura noted that March was Developmental Disabilities Awareness Month and that self-advocates from across the state had created their own theme to commemorate the month, "Friendship and Leadership, Forever." Senator San Buenaventura then introduced Big Island delegates Jesse Floyd, Maclisa Evangelista, Cheryl Obrero, Nikki Kiakona, Kahiau Kiakona, Hi'ilani Kiakona, Pualani Raposa, Kingston Pareisa, Penny Kindscuh, Kristian Kindscuh, and Lolini Latoa, who were seated in the gallery.

On behalf of Senate President Kouchi, Senator Kanuha welcomed the Kaua'i self-advocates and representatives of the Developmental Disabilities Council who were present in the gallery. Senator Kanuha requested that the names of the guests be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, the names of the guests from Kaua'i read as follows:

"Deziree Tacub, Robert Stuart, Travis Planas, Anne Hvizdak, Dylan Wasano, Philip Padilla-Contrades, Emma Iloreta, Joshua Iloreta, Marry Sunada, Ronalene Perono, Davlyn Brede, Carleen Yamamoto, Alexandra McClurg, Marry Sunada, Monalei Amulacian, Shana Cruz, and Frank Cruz."

The Chair acknowledged El Doi, who was seated with the Kaua'i delegation in the gallery. The Chair noted that Ms. Doi had worked for the State of Hawai'i and then County of Kaua'i in service of the developmental disabilities community and that she has continued to volunteer during retirement. The Chair expressed appreciation for Ms. Doi's efforts through the decades.

Senator Inouye acknowledged guests from Abilities Unlimited. Present in the gallery were program manager Cara Rosehill; support staff Donna Smith; vice president of programs Natasha Nakatsuka; and participants Gary Masumoto, Julie Kimoshita, William Cho, Tiare Cross, and Jon Miyake.

Senator Shimabukuro recognized Ron Shimabuku and other guests from the Alzheimer's Association as well as Gino Soquena from the Hawaii Building & Construction Trades Council, who were seated in the gallery.

The Chair led the members and audience in a round of applause for all the guests.

The Chair noted that during the welcome ceremony in the Auditorium that morning, the lieutenant governor had commented on the possibility of developmental disabilities self-advocates and advocates deciding on a color theme for their Day at the Capitol, much like purple had been worn that day to show support for Alzheimer's Day. The Chair stated that perhaps the following year, there would be a uniform sea of developmental disabilities shirts in the gallery.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 525 to 534) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 525, submitting for consideration and confirmation as Deputy to the Chairperson of the Department of Agriculture, the nomination of MORRIS ATTA, term to expire December 7, 2026, was referred to the Committee on Agriculture and Environment.

Gov. Msg. No. 526, submitting for consideration and confirmation as Deputy to the Chairperson of the Department of Hawaiian Homelands, the nomination of KATIE DUCATT, term to expire December 7, 2026, was referred to the Committee on Hawaiian Affairs.

Gov. Msg. No. 527, submitting for consideration and confirmation as Deputy Director of the Department of Health, the nomination of SUSAN FERNANDEZ, term to expire December 7, 2026, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 528, submitting for consideration and confirmation as Deputy to the Chairperson of the Department of Land and Natural Resources, the nomination of LAURA KAAKUA, term to expire December 7, 2026, was referred to the Committee on Water and Land.

Gov. Msg. No. 529, submitting for consideration and confirmation as Deputy Director of the Department of Labor and Industrial Relations, the nomination of WILLIAM KUNSTMAN, term to expire December 7, 2026, was referred to the Committee on Labor and Technology.

Gov. Msg. No. 530, submitting for consideration and confirmation as First Deputy Director for Administration of the Department of Transportation, the nomination of TAMMY LEE, term to expire December 7, 2026, was referred to the Committee on Transportation and Culture and the Arts.

Gov. Msg. No. 531, submitting for consideration and confirmation as Deputy Director of the Department of Budget and Finance, the nomination of SABRINA NASIR, term to expire December 7, 2026, was referred to the Committee on Ways and Means.

Gov. Msg. No. 532, submitting for consideration and confirmation as Deputy Director of the Department of Taxation, the nomination of KRISTEN SAKAMOTO, term to expire December 7, 2026, was referred to the Committee on Ways and Means.

Gov. Msg. No. 533, submitting for consideration and confirmation as Deputy Comptroller of the Department of

Accounting and General Services, the nomination of MEOHLENG SILLIMAN, term to expire December 7, 2026, was referred to the Committee on Government Operations.

Gov. Msg. No. 534, submitting for consideration and confirmation as Deputy Director of the Department of Business, Economic Development, and Tourism, the nomination of DANE WICKER, term to expire December 7, 2026, was referred to the Committee on Energy, Economic Development, and Tourism.

#### HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 20) was read by the Clerk and was disposed of as follows:

Hse. Com. No. 20, transmitting H.B. No. 262, H.D. 1, which passed Third Reading in the House of Representatives on February 22, 2023, was placed on file.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, H.B. No. 262, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was deferred.

#### SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 25 to 30) were read by the Clerk and were deferred:

S.C.R. No. 25 "SENATE CONCURRENT RESOLUTION DESIGNATING NOVEMBER 22, 2023, AS "KIMCHI DAY" IN THE STATE OF HAWAII."

Offered by: Senator Kim.

S.C.R. No. 26 "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT HAUULA, KOOLAULO, OAHU, FOR THE EXISTING RIPRAP REVETMENT, RAMP, AND ROCK GROIN, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON."

Offered by: Senator Awa.

S.C.R. No. 27 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO SUPPORT ENDING MENSTRUAL INEQUITY BY PROVIDING MENSTRUAL PRODUCTS TO ALL PERSONS, FREE OF CHARGE, IN ALL UNIVERSITY OF HAWAII RESTROOMS."

Offered by: Senators Kim, Fevella, Gabbard, Keith-Agaran, McKelvey, Moriwaki, Wakai.

S.C.R. No. 28 "SENATE CONCURRENT RESOLUTION DESIGNATING THE MONTH OF MARCH AS HAWAII KIDNEY AWARENESS MONTH."

Offered by: Senators Aquino, Awa, Elefante, Inouye, Keith-Agaran, Kim, Moriwaki, San Buenaventura, Shimabukuro, Wakai, Keohokalole.

S.C.R. No. 29 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SOCIAL AND FINANCIAL ASSESSMENT OF PROPOSED MANDATORY HEALTH INSURANCE COVERAGE FOR SERVICES PROVIDED BY PHARMACISTS."

Offered by: Senators San Buenaventura, Chang, Shimabukuro, Keith-Agaran, Kim.

S.C.R. No. 30 "SENATE CONCURRENT RESOLUTION REQUESTING EACH COUNTY TO ADOPT AN

ORDINANCE REQUIRING, AS A CONDITION OF ITS APPROVAL OF A SUBDIVISION OR ISSUANCE OF A BUILDING PERMIT FOR ANY NEW STRUCTURE OR UNIT WITHIN A STRUCTURE, THE SUBDIVIDER OR DEVELOPER TO OBTAIN ASSURANCE OF MAIL DELIVERY TO EACH PARCEL."

Offered by: Senators San Buenaventura, Chang, Gabbard, Inouye, McKelvey, Shimabukuro, Kim.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 21 to 24) were read by the Clerk and were deferred:

S.R. No. 21 "SENATE RESOLUTION AMENDING THE RULES OF THE SENATE OF THE THIRTY-SECOND LEGISLATURE OF THE STATE OF HAWAII, REGULAR SESSION OF 2023, BY ADOPTING A NEW RULE 27.5, FLOOR SESSION ATTIRE."

Offered by: Senator Awa.

S.R. No. 22 "SENATE RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT HAUULA, KOOLAULO, OAHU, FOR THE EXISTING RIPRAP REVETMENT, RAMP, AND ROCK GROIN, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON."

Offered by: Senator Awa.

S.R. No. 23 "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO SUPPORT ENDING MENSTRUAL INEQUITY BY PROVIDING MENSTRUAL PRODUCTS TO ALL PERSONS, FREE OF CHARGE, IN ALL UNIVERSITY OF HAWAII RESTROOMS."

Offered by: Senators Kim, Fevella, Gabbard, Keith-Agaran, McKelvey, Moriwaki, Wakai.

S.R. No. 24 "SENATE RESOLUTION REQUESTING EACH COUNTY TO ADOPT AN ORDINANCE REQUIRING, AS A CONDITION OF ITS APPROVAL OF A SUBDIVISION OR ISSUANCE OF A BUILDING PERMIT FOR ANY NEW STRUCTURE OR UNIT WITHIN A STRUCTURE, THE SUBDIVIDER OR DEVELOPER TO OBTAIN ASSURANCE OF MAIL DELIVERY TO EACH PARCEL."

Offered by: Senators San Buenaventura, Chang, Gabbard, Inouye, McKelvey, Shimabukuro, Kim.

#### STANDING COMMITTEE REPORTS

At this time, the Chair directed the Clerk to take Standing Committee Report No. 664 out of order.

Senator Dela Cruz moved that S.B. No. 1317, S.D. 2 be recommitted to the Committee on Ways and Means, seconded by Senator Keith-Agaran.

Senator Dela Cruz rose to speak in support of the recommittal as follows:

"Mr. President, your Committee on Ways and Means is requesting this recommittal to make further amendments to S.B. 1317."

By unanimous consent, Stand. Com. Rep. No. 664 was received and placed on file, and S.B. No. 1317, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BROADBAND," was recommitted to the Committee on Ways and Means.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 663) recommending that S.B. No. 93, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 663 and S.B. No. 93, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REUSE ZONES," was deferred until Tuesday, March 7, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 665) recommending that S.B. No. 1295, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 665 and S.B. No. 1295, S.D. 2, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE VII, SECTIONS 12 AND 13, OF THE HAWAII CONSTITUTION TO EXPRESSLY PROVIDE THAT THE LEGISLATURE MAY AUTHORIZE THE COUNTIES TO ISSUE TAX INCREMENT BONDS AND TO EXCLUDE TAX INCREMENT BONDS FROM DETERMINATIONS OF THE FUNDED DEBT OF THE COUNTIES," was deferred until Tuesday, March 7, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 666) recommending that S.B. No. 821, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 666 and S.B. No. 821, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," was deferred until Tuesday, March 7, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 667) recommending that S.B. No. 302, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 667 and S.B. No. 302, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 7, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 668) recommending that S.B. No. 290, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 668 and S.B. No. 290, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DIRECT INSTRUCTIONAL SERVICES TO STUDENTS," was deferred until Tuesday, March 7, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 669) recommending that S.B. No. 428, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 669 and S.B. No. 428, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CESSPOOLS," was deferred until Tuesday, March 7, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 670) recommending that S.B. No. 318, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 670 and S.B. No. 318, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FETAL ALCOHOL SPECTRUM DISORDERS," was deferred until Tuesday, March 7, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 671) recommending

that S.B. No. 833, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 671 and S.B. No. 833, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WAHIAWA IRRIGATION SYSTEM," was deferred until Tuesday, March 7, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 672) recommending that S.B. No. 1454, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 672 and S.B. No. 1454, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PSILOCYBIN," was deferred until Tuesday, March 7, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 673) recommending that S.B. No. 304, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 673 and S.B. No. 304, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VISITOR IMPACT FEES," was deferred until Tuesday, March 7, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 674) recommending that S.B. No. 1572, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 674 and S.B. No. 1572, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," was deferred until Friday, March 3, 2023.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 675) recommending that S.C.R. No. 14 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 675 and S.C.R. No. 14, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO ESTABLISH AND MAINTAIN HAWAIIAN CULTURAL CENTERS WITHIN THE STATE," was deferred until Friday, March 3, 2023.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 676) recommending that S.R. No. 12 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 676 and S.R. No. 12, entitled: "SENATE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO ESTABLISH AND MAINTAIN HAWAIIAN CULTURAL CENTERS WITHIN THE STATE," was deferred until Friday, March 3, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 677) recommending that S.B. No. 487 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. 487, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES OR THE SESSION LAWS OF HAWAII FOR THE PURPOSES OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, OR DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2023.

Senator Rhoads, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 678) recommending that S.B. No. 383 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 majority of the Committee was adopted and S.B. No. 383, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 679) recommending that S.B. No. 160 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. 160, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF INTOXICANTS WHILE OPERATING A VEHICLE," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 680) recommending that S.B. No. 179 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. 179, entitled: "A BILL FOR AN ACT RELATING TO ADVISORY COMMITTEES," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 681) recommending that S.B. No. 51, 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. 51, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 682) recommending that S.B. No. 130, 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. 130, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CHILD-CUSTODY JURISDICTION AND ENFORCEMENT ACT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2023.

Senator Rhoads, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 683) recommending that S.B. No. 141, 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 majority of the Committee was adopted and S.B. No. 141, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 684) recommending that S.B. No. 182, 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. 182, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURES OF FINANCIAL INTERESTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 685) recommending that S.B. No. 1212, 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. 1212, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2023.

Senator Rhoads, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 686) recommending that S.B. No. 483, 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 majority of the Committee was adopted and S.B. No. 483, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 687) recommending that S.B. No. 1220, 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. 1220, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 688) recommending that S.B. No. 1493, 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. 1493, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2023.

Senator Keohokalole, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 689) recommending that S.B. No. 395, 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. 395, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2023.

Senator Lee, for the Committee on Transportation and Culture and the Arts, presented a report (Stand. Com. Rep. No. 690) recommending that S.B. No. 403, 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. 403, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORAL," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2023.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 691) recommending that S.B. No. 831 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. 831, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2023.

Senators Gabbard and Rhoads, for the Committee on Agriculture and Environment and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 692) recommending that S.B. No. 388 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the joint report of the Committees was adopted and S.B. No. 388, entitled: "A BILL FOR AN ACT RELATING TO WASTE DISPOSAL FACILITIES," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 693) recommending that S.B. No. 1541 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. 1541, entitled: "A BILL FOR AN ACT RELATING TO VOTING MORE THAN ONCE DURING AN ELECTION," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2023.

Senator Rhoads, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 694) recommending that S.B. No. 45, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 694 and S.B. No. 45, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS," was deferred until Friday, March 3, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 695) recommending that S.B. No. 236 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 695 and S.B. No. 236, entitled: "A BILL FOR AN ACT RELATING TO VICTIM-COUNSELOR PRIVILEGE," was deferred until Friday, March 3, 2023.

Senator Rhoads, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 696) recommending that S.B. No. 105 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 696 and S.B. No. 105, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Friday, March 3, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 697) recommending that S.B. No. 158, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 697 and S.B. No. 158, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DECEPTIVE TRADE PRACTICES," was deferred until Friday, March 3, 2023.

Senator Keohokalole, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 698) recommending that S.B. No. 1370, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 698 and S.B. No. 1370, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSES TO SOLEMNIZE MARRIAGES," was deferred until Friday, March 3, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 699) recommending that S.B. No. 283 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 699 and S.B. No. 283, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CHARTER SCHOOL PER-PUPIL FUNDING," was deferred until Friday, March 3, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 700) recommending that S.B. No. 1535, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 700 and S.B. No. 1535, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred until Friday, March 3, 2023.

Senator Keohokalole, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 701) recommending that S.B. No. 973, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 701 and S.B. No. 973, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred until Tuesday, March 7, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 702) recommending that S.B. No. 646, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 702 and S.B. No. 646, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ORNAMENTAL GINGER," was deferred until Tuesday, March 7, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 703) recommending that S.B. No. 710, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 703 and S.B. No. 710, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INCARCERATED WOMEN," was deferred until Tuesday, March 7, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 704) recommending that S.B. No. 898, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 704 and S.B. No. 898, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KUPUNA HOUSING," was deferred until Tuesday, March 7, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 705) recommending that S.B. No. 1277, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 705 and S.B. No. 1277, S.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," was deferred until Tuesday, March 7, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 706) recommending that S.B. No. 1354, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 706 and S.B. No. 1354, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION REVIEWS," was deferred until Tuesday, March 7, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 707) recommending that S.B. No. 629, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 707 and S.B. No. 629, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," was deferred until Tuesday, March 7, 2023.

Senator Rhoads, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 708) recommending that S.B. No. 627 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 708 and S.B. No. 627, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE," was deferred until Friday, March 3, 2023.

Senator Rhoads, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 709) recommending that S.B. No. 455, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 709 and S.B. No. 455, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION," was deferred until Friday, March 3, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 710) recommending that S.B. No. 422, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 710 and S.B. No. 422, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL ADVISORY COUNCIL," was deferred until Friday, March 3, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 711) recommending that S.B. No. 156, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 711 and S.B. No. 156, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," was deferred until Friday, March 3, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 712) recommending that S.B. No. 107, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 712 and S.B. No. 107, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," was deferred until Friday, March 3, 2023.

Senator Rhoads, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 713) recommending that S.B. No. 54, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 713 and S.B. No. 54, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO GASOLINE-POWERED LEAF BLOWERS," was deferred until Friday, March 3, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 714) recommending that S.B. No. 22, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 714 and S.B. No. 22, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BED BUGS," was deferred until Friday, March 3, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 715) recommending that S.B. No. 7 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 715 and S.B. No. 7, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL FACILITIES AUTHORITY," was deferred until Friday, March 3, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 716) recommending that S.B. No. 1396 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. 1396, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 717) recommending that S.B. No. 739 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. 739, entitled: "A BILL FOR AN ACT RELATING TO DESECRATION," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2023.

Senator Rhoads, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 718) recommending that S.B. No. 47 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 majority of the Committee was adopted and S.B. No. 47, entitled: "A BILL FOR AN ACT RELATING TO ARRANGEMENT OF CANDIDATE NAMES ON BALLOTS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 719) recommending that S.B. No. 466, 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. 466, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 720) recommending that S.B. No. 228, 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. 228, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO FRAUD,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 721) recommending that S.B. No. 911, 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. 911, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO JURORS,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 722) recommending that S.B. No. 410, 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. 410, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EXPUNGEMENT,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2023.

Senator Rhoads, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 723) recommending that S.B. No. 109, 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 majority of the Committee was adopted and S.B. No. 109, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO GENDER-NEUTRAL TERMINOLOGY,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2023.

#### ORDER OF THE DAY

#### ADOPTION OF A RESOLUTION

#### MATTER DEFERRED FROM WEDNESDAY, FEBRUARY 22, 2023

S.R. No. 20:

Senator Awa moved that S.R. No. 20 be adopted, seconded by Senator Wakai.

Senator Awa rose to speak in support of the measure as follows:

“This measure is to hold us at a higher standard. I think we can all say that drinking and driving is unacceptable, it’s no good, and, being leaders of our community, I feel that if you’re pulled over by a police officer, you should have to take the sobriety test. If you don’t, you should lose your job here. This is not just Senate—it’s House, too. I feel like we should set an example and hold us at a higher standard.”

Senator Rhoads rose to speak in opposition to the measure as follows:

“Article III, Section 12, of the constitution gives the Senate and House authority to discipline and suspend and expel their members in extreme cases, and there’s nothing in there that says that we can’t take a negative inference from someone who refuses to take their breathalyzer test and use that as the basis for expulsion, so, in my opinion, this measure is unnecessary. Mahalo.”

The motion was put by the Chair and failed to carry, and S.R. No. 20, entitled: “SENATE RESOLUTION AMENDING THE RULES OF THE SENATE TO ESTABLISH THAT A FAILURE TO SUBMIT TO A BREATHALYZER TEST, BLOOD TEST, OR FIELD SOBRIETY TEST DURING A

LAWFUL STOP SHALL BE GROUNDS FOR EXPULSION,” failed to be adopted.

#### THIRD READING

Stand. Com. Rep. No. 658 (S.B. No. 296, S.D. 2):

On motion by Senator Dela Cruz, seconded by Senator Keith-Agaran and carried, Stand. Com. Rep. No. 658 was adopted and S.B. No. 296, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO SUBMISSION DEADLINES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Ihara).

Stand. Com. Rep. No. 659 (S.B. No. 299, S.D. 2):

On motion by Senator Dela Cruz, seconded by Senator Keith-Agaran and carried, Stand. Com. Rep. No. 659 was adopted and S.B. No. 299, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO BUDGET-RELATED SUBMISSIONS TO THE LEGISLATURE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Ihara).

Stand. Com. Rep. No. 660 (S.B. No. 795, S.D. 2):

On motion by Senator Dela Cruz, seconded by Senator Keith-Agaran and carried, Stand. Com. Rep. No. 660 was adopted and S.B. No. 795, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TAXES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Ihara).

Stand. Com. Rep. No. 661 (S.B. No. 1456, S.D. 1):

On motion by Senator Dela Cruz, seconded by Senator Keith-Agaran and carried, Stand. Com. Rep. No. 661 was adopted and S.B. No. 1456, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO HONOKAA LAND COMPANY, LLC,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Elefante). Noes, 1 (Awa). Excused, 2 (Fukunaga, Ihara).

Stand. Com. Rep. No. 662 (S.B. No. 1457, S.D. 1):

On motion by Senator Dela Cruz, seconded by Senator Keith-Agaran and carried, Stand. Com. Rep. No. 662 was adopted and S.B. No. 1457, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST KOHALA MOUNTAIN FISH COMPANY, LLC,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Elefante). Noes, 1 (Awa). Excused, 2 (Fukunaga, Ihara).

#### 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. 637	Committee on Agriculture and Environment
S.B. No. 1197, S.D. 1	Committee on Higher Education, then to the Committee on Ways and Means

At this time, Senator Dela Cruz, Chair of the Committee on Ways and Means, rose to request a waiver of the public notice requirement pursuant to Senate Rule 21 for the following measures:

S.B. No. 449, S.D. 1;  
S.B. No. 865, S.D. 1;  
S.B. No. 900, S.D. 1;  
S.B. No. 1027, S.D. 1;  
S.B. No. 1197, S.D. 1; and  
S.B. No. 1317, S.D. 2.

The Chair granted the waiver.

Senator Dela Cruz announced that the Committee on Ways and Means would be holding a decision-making meeting on the measures the following morning at 10:20 a.m. in Conference Room 211.

Senator San Buenaventura announced that, as part of Developmental Disabilities Awareness Month, State Council on Developmental Disabilities executive administrator Daintry Bartoldus and staff had coordinated the annual Day at the Capitol to provide opportunities for individuals with developmental disabilities and their family members to participate in the legislative process. Senator San Buenaventura requested that members visit the resources tables on the fourth floor of the Capitol to see the services and supports agencies offer the developmental disabilities community.

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 Mark Ellman, a family friend, a leader in the culinary community of Pacific Rim cuisine, who was suddenly taken away from us last weekend.”

The Chair made the following announcement:

“The deadline for filing standing committee reports on Senate bills for Second Reading is 8:00 p.m. tonight.”

#### ADJOURNMENT

At 11:58 a.m., on motion by Senator Wakai, seconded by Senator DeCoite and carried, the Senate adjourned until 11:30 a.m., Friday, March 3, 2023, on a rising vote, observing a moment of silence in memory of Mark Ellman.