

FORTY-THIRD DAY

Monday, April 3, 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 Forty-Second Day.

At this time, Senator Keith-Agaran introduced members of his staff who were present in the gallery: office manager Susan Wong; Jimmy Nelson, who had offered a moment of contemplation prior to the Senate's floor session; and CIP specialist Robert Nishimoto.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 673 and 1104 to 1110) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 673, informing the Senate that on March 31, 2023, the Governor withdrew the nomination of MORRIS ATTA as Deputy to the Chairperson of the Department of Agriculture, under Gov. Msg. No. 525, from consideration by the Senate, was placed on file.

In compliance with Gov. Msg. No. 673, the nomination listed under Gov. Msg. No. 525 was returned.

Gov. Msg. No. 1104, informing the Senate that on March 31, 2023, the Governor signed into law House Bill No. 90 as Act 4, entitled: "RELATING TO COMMITTEE FUNDRAISERS," was placed on file.

Gov. Msg. No. 1105, informing the Senate that on March 31, 2023, the Governor signed into law House Bill No. 93 as Act 5, entitled: "RELATING TO ORGANIZATIONAL REPORTS," was placed on file.

Gov. Msg. No. 1106, informing the Senate that on March 31, 2023, the Governor signed into law House Bill No. 99 as Act 6, entitled: "RELATING TO LIMITING A CAMPAIGN'S ACCEPTANCE OF CASH CONTRIBUTIONS," was placed on file.

Gov. Msg. No. 1107, informing the Senate that on March 31, 2023, the Governor signed into law House Bill No. 130, H.D. 1 as Act 7, entitled: "RELATING TO VALIDATION OF BALLOTS," was placed on file.

Gov. Msg. No. 1108, informing the Senate that on March 31, 2023, the Governor signed into law House Bill No. 137, H.D. 1 as Act 8, entitled: "RELATING TO LOBBYISTS," was placed on file.

Gov. Msg. No. 1109, informing the Senate that on March 31, 2023, the Governor signed into law House Bill No. 140 as Act 9, entitled: "RELATING TO RECORD DISPOSITION," was placed on file.

Gov. Msg. No. 1110, informing the Senate that on March 31, 2023, the Governor signed into law House Bill No. 142 as Act 10, entitled: "RELATING TO GIFTS FROM LOBBYISTS," was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 512 to 522) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 512, informing the Senate that on March 31, 2023, the House disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 384, H.D. 2 (S.D. 1);
H.B. No. 724 (S.D. 1);
H.B. No. 794, H.D. 1 (S.D. 1);
H.B. No. 980 (S.D. 1); and
H.B. No. 1097, H.D. 2 (S.D. 1)

was placed on file.

Hse. Com. No. 513, transmitting H.C.R. No. 18, which was adopted by the House of Representatives on March 31, 2023, was placed on file.

By unanimous consent, H.C.R. No. 18, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTIES TO IMPLEMENT AND ENFORCE REGULATIONS THAT ENSURE CAR SHARING SERVICES AND OPERATIONS DO NOT NEGATIVELY IMPACT THE TRAFFIC, PARKING, AND CHARACTER OF RESIDENTIAL NEIGHBORHOODS," was referred jointly to the Committee on Public Safety and Intergovernmental and Military Affairs and the Committee on Transportation and Culture and the Arts.

Hse. Com. No. 514, transmitting H.C.R. No. 19, which was adopted by the House of Representatives on March 31, 2023, was placed on file.

By unanimous consent, H.C.R. No. 19, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION SERVICES OF THE CITY AND COUNTY OF HONOLULU TO CONDUCT A FEASIBILITY STUDY OF WIDENING THE PORTION OF UNIVERSITY AVENUE BETWEEN MAILE WAY AND OAHU AVENUE," was referred to the Committee on Transportation and Culture and the Arts.

Hse. Com. No. 515, transmitting H.C.R. No. 31, which was adopted by the House of Representatives on March 31, 2023, was placed on file.

By unanimous consent, H.C.R. No. 31, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO CONSTRUCT AN ALL-WAY CROSSWALK ALONG THE CROSS-STREETS OF KAHUALII STREET, WAIPIO POINT ACCESS ROAD, AND FARRINGTON HIGHWAY," was referred to the Committee on Transportation and Culture and the Arts.

Hse. Com. No. 516, transmitting H.C.R. No. 38, which was adopted by the House of Representatives on March 31, 2023, was placed on file.

By unanimous consent, H.C.R. No. 38, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE NATIONAL INSTITUTE OF FOOD AND AGRICULTURE OF THE UNITED STATES DEPARTMENT OF AGRICULTURE TO ISSUE ADDITIONAL FUNDING FOR THE GUS SCHUMACHER NUTRITION INCENTIVE PROGRAM TO PROVIDE MATCHING FUNDS FOR THE EXPANSION OF THE STATE DOUBLE UP FOOD BUCKS PROGRAM TO ALL APPROVED SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM RETAIL OUTLETS THROUGHOUT THE STATE," was referred to the Committee on Agriculture and Environment.

Hse. Com. No. 517, transmitting H.C.R. No. 55, which was adopted by the House of Representatives on March 31, 2023, was placed on file.

By unanimous consent, H.C.R. No. 55, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII AT MANOA JOHN A. BURNS SCHOOL OF MEDICINE TO PRIORITIZE EFFORTS TO STRENGTHEN HAWAII'S REPRODUCTIVE CARE WORKFORCE, PARTICULARLY FOR RURAL AND REMOTE AREAS OF THE STATE," was referred to the Committee on Higher Education.

Hse. Com. No. 518, transmitting H.C.R. No. 83, H.D. 1, which was adopted by the House of Representatives on March 31, 2023, was placed on file.

By unanimous consent, H.C.R. No. 83, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING MICROSOFT TO CONSIDER BUILDING A DATA CENTER IN HAWAII," was referred to the Committee on Energy, Economic Development, and Tourism.

Hse. Com. No. 519, transmitting H.C.R. No. 90, which was adopted by the House of Representatives on March 31, 2023, was placed on file.

By unanimous consent, H.C.R. No. 90, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN COORDINATION WITH THE DEPARTMENT OF TRANSPORTATION SERVICES OF THE CITY AND COUNTY OF HONOLULU, TO INSTALL SPEED BUMPS AND OTHER TRAFFIC CALMING STRUCTURES ON ALA AOLANI STREET IN MOANALUA VALLEY AND OTHER SURROUNDING STREETS DEEMED APPROPRIATE TO DETER SPEEDING," was referred to the Committee on Transportation and Culture and the Arts.

Hse. Com. No. 520, transmitting H.C.R. No. 150, H.D. 1, which was adopted by the House of Representatives on March 31, 2023, was placed on file.

By unanimous consent, H.C.R. No. 150, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF TRANSPORTATION ESTABLISH AN AIR SERVICE TASK FORCE TO PROVIDE RECOMMENDATIONS FOR IMPROVING COMMERCIAL AIR TRAVEL TO AND FROM MOLOKAI AND LANAI," was referred to the Committee on Transportation and Culture and the Arts.

Hse. Com. No. 521, transmitting H.C.R. No. 151, which was adopted by the House of Representatives on March 31, 2023, was placed on file.

By unanimous consent, H.C.R. No. 151, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE FEDERAL AVIATION ADMINISTRATION AND HAWAII'S CONGRESSIONAL DELEGATION TO TAKE ANY ACTIONS NECESSARY TO ESTABLISH AN AIR TRAFFIC CONTROL TOWER AT LANAI AIRPORT," was referred to the Committee on Transportation and Culture and the Arts.

Hse. Com. No. 522, transmitting H.C.R. No. 160, H.D. 1, which was adopted by the House of Representatives on March 31, 2023, was placed on file.

By unanimous consent, H.C.R. No. 160, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE MAYORS AND COUNCILS OF THE CITY AND COUNTY OF HONOLULU, COUNTY OF MAUI, COUNTY OF HAWAII, AND COUNTY OF KAUAI TO ESTABLISH BUSINESS IMPROVEMENT DISTRICTS AS SPECIAL IMPROVEMENT DISTRICTS," was referred jointly to the Committee on Public Safety and Intergovernmental and Military Affairs and the Committee on Energy, Economic Development, and Tourism.

STANDING COMMITTEE REPORTS

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1484) recommending that H.B. No. 138 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1484 and H.B. No. 138, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY LOBBYIST TRAINING," was deferred until Tuesday, April 4, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1485) recommending that H.B. No. 923, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1485 and H.B. No. 923, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BONDS," was deferred until Tuesday, April 4, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1486) recommending that H.B. No. 201, H.D. 2, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1486 and H.B. No. 201, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," was deferred until Tuesday, April 4, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1487) recommending that H.B. No. 1045, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1487 and H.B. No. 1045, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 4, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1488) recommending that H.B. No. 1132, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1488 and H.B. No. 1132, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION," was deferred until Tuesday, April 4, 2023.

Senators Lee and Wakai, for the Committee on Transportation and Culture and the Arts and the Committee on Public Safety and Intergovernmental and Military Affairs, presented a joint report (Stand. Com. Rep. No. 1489) recommending that S.C.R. No. 100 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1489 and S.C.R. No. 100, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO COLLABORATE WITH THE OFFICE OF VETERANS' SERVICES TO PLAN AND CONSTRUCT MEMORIALS TO HONOR THE SACRIFICES AND CONTRIBUTIONS OF VETERANS FROM HAWAII," was deferred until Tuesday, April 4, 2023.

Senators Lee and Wakai, for the Committee on Transportation and Culture and the Arts and the Committee on Public Safety and Intergovernmental and Military Affairs, presented a joint report (Stand. Com. Rep. No. 1490) recommending that S.R. No. 110 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1490 and S.R. No. 110, entitled: "SENATE RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO COLLABORATE WITH THE OFFICE OF VETERANS' SERVICES TO PLAN AND CONSTRUCT MEMORIALS TO HONOR THE SACRIFICES AND

CONTRIBUTIONS OF VETERANS FROM HAWAII,” was deferred until Tuesday, April 4, 2023.

Senator Chang, for the majority of the Committee on Housing, presented a report (Stand. Com. Rep. No. 1491) recommending that S.C.R. No. 166 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1491 and S.C.R. No. 166, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON REDEVELOPING LANDS SITUATED AT TMK (1) 2-8-015:001 INTO WORKFORCE HOUSING AND OTHER AFFILIATED USES,” was deferred until Tuesday, April 4, 2023.

Senator Chang, for the majority of the Committee on Housing, presented a report (Stand. Com. Rep. No. 1492) recommending that S.R. No. 192 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1492 and S.R. No. 192, entitled: “SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY ON REDEVELOPING LANDS SITUATED AT TMK (1) 2-8-015:001 INTO WORKFORCE HOUSING AND OTHER AFFILIATED USES,” was deferred until Tuesday, April 4, 2023.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1493) recommending that S.C.R. No. 212, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1493 and S.C.R. No. 212, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION URGING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO ADOPT ADMINISTRATIVE RULES TO CREATE A PROCESS UNDER SECTION 201H-38, HAWAII REVISED STATUTES, FOR HOUSING PROJECTS EXCLUSIVELY OCCUPIED BY HAWAII RESIDENTS WHO OWN NO OTHER REAL PROPERTY,” was deferred until Tuesday, April 4, 2023.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1494) recommending that S.R. No. 203, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1494 and S.R. No. 203, S.D. 1, entitled: “SENATE RESOLUTION URGING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO ADOPT ADMINISTRATIVE RULES TO CREATE A PROCESS UNDER SECTION 201H-38, HAWAII REVISED STATUTES, FOR HOUSING PROJECTS EXCLUSIVELY OCCUPIED BY HAWAII RESIDENTS WHO OWN NO OTHER REAL PROPERTY,” was deferred until Tuesday, April 4, 2023.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1495) recommending that S.C.R. No. 213, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1495 and S.C.R. No. 213, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION URGING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO PRIORITIZE THE ALLOCATION OF FUNDS FROM THE RENTAL HOUSING REVOLVING FUND, DWELLING UNIT REVOLVING FUND, AND LOW-INCOME HOUSING TAX CREDITS FOR PROJECTS THAT WILL MAKE THE MOST EFFICIENT USE OF TAXPAYER FUNDS AND ADDRESS THE MOST URGENT STATE PRIORITIES,” was deferred until Tuesday, April 4, 2023.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1496) recommending that S.R. No. 204, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1496 and S.R. No. 204, S.D. 1, entitled: “SENATE RESOLUTION URGING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO PRIORITIZE THE ALLOCATION OF FUNDS FROM THE RENTAL HOUSING REVOLVING FUND, DWELLING UNIT REVOLVING FUND, AND LOW-INCOME HOUSING TAX CREDITS FOR PROJECTS THAT WILL MAKE THE MOST EFFICIENT USE OF TAXPAYER FUNDS AND ADDRESS THE MOST URGENT STATE PRIORITIES,” was deferred until Tuesday, April 4, 2023.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1497) recommending that S.C.R. No. 214, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1497 and S.C.R. No. 214, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION URGING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO ISSUE LOANS OR GRANTS TO BUYERS IN HIGH PRIORITY HOUSING CATEGORIES, INCLUDING BUT NOT LIMITED TO BUYERS WITH INCOMES ABOVE SIXTY AND AT OR BELOW ONE HUNDRED FORTY PERCENT OF THE MEDIAN FAMILY INCOME FOR THE STATE, OWNER-OCCUPANTS WHO OWN NO OTHER REAL PROPERTY, INDIVIDUALS ON THE DEPARTMENT OF HAWAIIAN HOME LANDS WAITLIST, AND PUBLIC EMPLOYEES,” was deferred until Tuesday, April 4, 2023.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1498) recommending that S.R. No. 205, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1498 and S.R. No. 205, S.D. 1, entitled: “SENATE RESOLUTION URGING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO ISSUE LOANS OR GRANTS TO BUYERS IN HIGH PRIORITY HOUSING CATEGORIES, INCLUDING BUT NOT LIMITED TO BUYERS WITH INCOMES ABOVE SIXTY AND AT OR BELOW ONE HUNDRED FORTY PERCENT OF THE MEDIAN FAMILY INCOME FOR THE STATE, OWNER-OCCUPANTS WHO OWN NO OTHER REAL PROPERTY, INDIVIDUALS ON THE DEPARTMENT OF HAWAIIAN HOME LANDS WAITLIST, AND PUBLIC EMPLOYEES,” was deferred until Tuesday, April 4, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1499) recommending that H.B. No. 609, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1499 and H.B. No. 609, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURE,” was deferred until Wednesday, April 5, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1500) recommending that H.B. No. 1087, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1500 and H.B. No. 1087, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE WAGE AND HOUR LAW,” was deferred until Wednesday, April 5, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1501) recommending that H.B. No. 1149, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1501 and H.B. No. 1149, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COCONUT RHINOCEROS BEETLE PROGRAM," was deferred until Wednesday, April 5, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1502) recommending that H.B. No. 1246, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1502 and H.B. No. 1246, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Wednesday, April 5, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1503) recommending that H.B. No. 717, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1503 and H.B. No. 717, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEPOTISM," was deferred until Wednesday, April 5, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1504) recommending that H.B. No. 306, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1504 and H.B. No. 306, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ORNAMENTAL GINGER," was deferred until Wednesday, April 5, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1505) recommending that H.B. No. 314, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1505 and H.B. No. 314, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FOOD BANKS," was deferred until Wednesday, April 5, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1506) recommending that H.B. No. 1100, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1506 and H.B. No. 1100, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE," was deferred until Wednesday, April 5, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1507) recommending that H.B. No. 1357, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1507 and H.B. No. 1357, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CARE HOMES," was deferred until Wednesday, April 5, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1508) recommending that H.B. No. 1382, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1508 and H.B. No. 1382, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEAT DONATION," was deferred until Wednesday, April 5, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1509) recommending that H.B. No. 1395, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1509 and H.B. No. 1395, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Wednesday, April 5, 2023.

Senator Dela Cruz, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1510) recommending that H.B. No. 1426, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1510 and H.B. No. 1426, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VALUE-ADDED PRODUCTS," was deferred until Wednesday, April 5, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1511) recommending that H.B. No. 494, H.D. 1, 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 H.B. No. 494, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 5, 2023.

Senator Rhoads, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1512) recommending that H.B. No. 732, H.D. 1, 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 H.B. No. 732, H.D. 1, 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, April 5, 2023.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1482 (Gov. Msg. No. 504):

Senator DeCoite moved that Stand. Com. Rep. No. 1482 be received and placed on file, seconded by Senator Wakai and carried.

Senator DeCoite then moved that the Senate advise and consent to the nomination of MARK GLICK as Chief Energy Officer of the Hawai'i State Energy Office, term to expire at noon on December 7, 2026, seconded by Senator Wakai.

Senator Fevella rose to speak in opposition to the nominee as follows:

"Colleagues, the nominee came before the committee, and I had concerns of the ongoing pursuit of offshore wind turbines and the need for more solar farms on ag land and not having an opportunity to close down our landfills in our community and not having the opportunity of having the energy chair to look into another alternative of having a waste-to-energy plant. We continue to kick the can down the road, and I don't want to use the word 'impressed,' but I continue to look in my community, where I'm very in tune in my community, how, when they tell me they're in opposition to something, I try to be the voice in their chamber. Having these solar farms on Makakilo mountain, trying to put windmills on top of Camp Pālehua—all of these

things that is trying to be put in into our community is not pono. There should be a better solution. We should be holding the City and County of Honolulu more accountable because they pick and choose how to burn their rubbish, and they never, ever found a new area for a new landfill. So, again, we need somebody that's going to come and give more innovations and not same creations of windmills and solar farms that are not helping nobody because none of that is firm energy; my colleague, Senator Dela Cruz, always talks about firm energy. Now the Hawaiian Electric is putting out a proposal for firm energy. Before that, we never had that, and I didn't see anything in his plan or his comprehensive plan that he's going to be pursuing any of that, and that's the reason why I'm in opposition. Thank you, Senate President."

Senator DeCoite rose to speak in support of the nominee as follows:

"As chair of your Committee on Energy, Economic Development, and Tourism, I carefully reviewed Mr. Glick's personal history, résumé, and statement along with my EET committee members. He received 53 pieces of testimony, all in support, which specified his various skills and strengths. Upon review of the testimony, your Committee finds that Mr. Glick's professional background, knowledge of energy policy, and experience in the development of projects for the private and public sectors qualify him for appointment as the chief energy officer of the Hawai'i State Energy Office.

"His experience in public service in the state spans nearly two decades. Having served in several capacities and multiple state agencies, most recently, he served as a specialist on energy policy and innovation at the University of Hawai'i's Hawai'i Natural Energy Institute, where he led the Hawai'i Energy Policy Forum and Hawai'i Natural Energy Institute's energy policy practice in support of energy transitions and decarbonization efforts in the state through projects, publications, technical assistance, and consulting. Furthermore, Mr. Glick previously served as the Hawai'i State Energy Office's energy administrator and as an energy project manager and senior advisor. During his previous roles with the Hawai'i State Energy Office, he contributed to the drafting of Hawai'i's 100 percent renewable portfolio standard goal and helped the state exceed its 2015 interim renewable portfolio and energy-efficiency portfolio standards by nearly 10 percent. He also managed over \$9 million in federally funded projects to increase the number of renewable energy and energy-efficiency installations in the state.

"Prior to his work in the public sector in Hawai'i, he co-founded and led a business system integration and consulting firm in Austin, Texas, that was dedicated to establishing alternative fuel transportation and pioneered efforts. Your Committee believes that Mr. Glick's work experience in both the public and private sectors demonstrate his ability to be an effective leader and provide guidance on clean energy infrastructure as a catalyst for economic growth and energy security. He brings more than 40 years of experience working with energy issues and has published exclusively on the topic. He holds a bachelor of arts in mathematics from Lamar University and a master of science in public management and policy from Carnegie Mellon University and has authored more than 10 publications on energy issues since 2000. Additionally, Mr. Glick has testified before the Hawai'i Legislature on more than 200 legislative proposals relating to energy, economic development, and the environment, and was the Hawai'i state energy administrator before the United States Senate Energy Subcommittee on issues such as energy and infrastructure challenges in the state and suggested actions the federal government could take to support job creation and innovation at the state and local level. His wealth of subject-matter expertise gives your Committee great confidence that he will serve the

state well as chief energy officer and provide the Hawai'i State Energy Office excellent policy guidance on clean energy infrastructure to help the state reach its renewable energy goals.

"I would also like to add that Mr. Glick personally attended the second annual Molokai Community Resource Fair and met with many residents on the Friendly Isle who were very friendly to him, and he actually engaged them. I deeply appreciate the time he took to fly over for the day. It made a big impact on a rural community, and I am very thankful. Based on this information, Mr. President, I ask for your support on the decision made by your Committee on Energy, Economic Development, and Tourism to advise and consent on this nominee. I ask that my colleagues support. Mahalo."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Awa, Fevella).

Senator DeCoite introduced Chief Energy Officer Mark Glick, who was present in the gallery.

Stand. Com. Rep. No. 1483 (Gov. Msg. No. 534):

Senator DeCoite moved that Stand. Com. Rep. No. 1483 be received and placed on file, seconded by Senator Wakai and carried.

Senator DeCoite then moved that the Senate advise and consent to the nomination of DANE WICKER as Deputy Director of the Department of Business, Economic Development, and Tourism, term to expire December 7, 2026, seconded by Senator Wakai.

Senator DeCoite rose to speak in support of the nominee as follows:

"As chair of your Committee on Energy, Economic Development, and Tourism, I carefully reviewed Mr. Wicker's personal history, résumé, and statement along with my EET committee members. He received 93 pieces of testimony, all in support, which specified his various skills and strengths. Upon review of the testimony, your Committee finds that Mr. Wicker's background, government work experience, and business knowledge qualify him for appointment as the deputy director of the Department of Business, Economic Development, and Tourism.

"Mr. Wicker has over a decade of experience and understanding of government and its processes, budgeting, and public policy. He previously served as chief of staff and committee clerk to the chairperson of the Senate's Committee on Ways and Means for 11 years, where he gained valuable experience with budgets, economic development, office management, and governmental administrative procedures. Mr. Wicker further directed the operating and capital improvement projects and oversaw the review of the governor's executive operating budget of approximately \$16 billion. Your Committee believes that Mr. Wicker's understanding of departmental operations, the budgeting process, and financial impact analysis will be invaluable to the Department of Business, Economic Development, and Tourism and its attached agencies to prepare for their budget briefings, and will be crucial to assist the department in revitalizing and diversifying the state's economy.

"Your Committee further finds that, most recently, Mr. Wicker served as an executive assistant at the Department of Planning and Permitting for the City and County of Honolulu, where he coordinated and communicated administrative decisions, work programs, budgets, and objectives to all stakeholders. Mr. Wicker also previously served as assistant to the director of Pacific Asian studies at the University of Hawai'i's East-West Center, where he pursued

federal grants and supported the creation of programs in schools to spread awareness of climate change. Having worked at both the state and county levels of government, your Committee believes that Mr. Wicker has acquired the necessary leadership and professional attributes that will enable him to serve the state and community well at the departmental level.

“Mr. Wicker also holds a bachelor of arts degree in political science from the University of Hawai‘i at West O‘ahu and is currently pursuing a master’s in urban and regional planning from the University of Hawai‘i at Mānoa. Additionally, he is a small business owner and operates businesses in retail and farming. Your Committee believes that Mr. Wicker’s business experience and his current efforts to further his education by attaining a master’s degree are indicative of his desire to continually challenge and improve himself. These qualities demonstrate that Mr. Wicker will make an excellent leader at the Department of Business, Economic Development, and Tourism, where he will be required to think productively and innovate to move the department forward in a positive manner. Based on this information, Mr. President, I ask for your support as well as my colleagues’ in the decision made by your Committee on Energy, Economic Development, and Tourism to advise and consent on this nominee. Mahalo.”

Senator Dela Cruz rose to seek a ruling on a potential conflict of interest as follows:

“The nominee and I own a māmaki tea farm.”

The Chair responded:

“Since there is no direct appropriation related to this that would be of a direct financial benefit to you or Mr. Wicker, there would be no conflict on this vote. If it’s about the 11-year relationship, he’s worked for me, as the president, a majority of those years, and I don’t feel I have any conflict in voting on Mr. Wicker’s nomination.”

Senator Keohokalole rose to speak in strong support of the nominee as follows:

“As someone who the nominee has never worked for, I would like to just voice my strong support for the confirmation of Dane Wicker as deputy director. Having come to know and work with him over my five years in the Senate—not as a member in any of those years of the Ways and Means committee, I don’t own any businesses, he doesn’t live in my district—there’s no personal connection other than the one that I’ve gained through working with him as a member of the Senate, and I can tell you that we have a desperate shortage of leaders with energy who are responsive and can help us get things done. That’s all I’ve known him to do, especially during our tenure as members of the Special Committee on COVID-19, where he was a fundamental part of making sure we were organized and doing the people’s business. I’m really happy that he stepped forward. I thought it was a loss for us in the Senate when he left the Ways and Means committee, and I enthusiastically support his nomination. Thank you.”

Senator Fevella rose to speak in strong support of the nominee as follows:

“In the short time that I’ve been here, he’s just a breath of fresh air. I’ve never seen anybody so prepared in coming to a committee hearing or info briefing and giving us his full scope of, not only his job, but the job that he wants to accomplish in his position. Knowing him through the task force and through Ways and Means and pretty much no other connection because I’m still new here, but he was just always professional and always willing to do the job and get the job done. And I’m very happy for him that he is moving on, but also I was one of the other ones that was very sad that he did leave because of his great works and great into detailing and always having an ear

when you have questions on certain CIPs or certain bills; he was always there to guide us and keep us informed, so I’m in strong support, Senate President. Thank you.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator DeCoite introduced Deputy Director Dane Wicker, who was present in the gallery.

RE-REFERRAL OF A HOUSE CONCURRENT RESOLUTION

The Chair re-referred the following House concurrent resolution that was received:

H.C.R. No.: Re-referred to:

H.C.R. No. 139, Committee on Housing
H.D. 1

At this time, Senator Keohokalole, Chair of the Committee on Commerce and Consumer Protection, requested a waiver of the public notice requirement pursuant to Senate Rule 21 for H.B. No. 1509, H.D. 2.

Senator Keohokalole noted:

“The reason is, after reconsidering scheduling, I think it is necessary that we keep the conversation on this measure going and move on into conference.”

The Chair granted the waiver.

Senator Keohokalole announced that the Committee on Commerce and Consumer Protection would be holding a public hearing on the measure on Wednesday, April 5, 2023, at 10:15 a.m. in Conference Room 229.

The Chair extended his congratulations to the LSU women’s basketball team, which had won the national championship over Iowa by 17 points the day before. The Chair noted that the Rainbow Wahine basketball team had opened the tournament by traveling to LSU and losing by about 20 points. The Chair stated that, in light of what LSU had accomplished, Coach Beeman and the Rainbow Wahine, with their injury-shortened lineup, had represented Hawai‘i well.

ADJOURNMENT

At 11:56 a.m., on motion by Senator Wakai, seconded by Senator DeCoite and carried, the Senate adjourned until 11:30 a.m., Tuesday, April 4, 2023.