

## FORTY-NINTH DAY

## Friday, April 14, 2023

The Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2023, convened at 11:35 a.m. with the President in the Chair.

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

The President announced that he had read and approved the Journal of the Forty-Eighth Day.

At this time, on behalf of Senate President Kouchi, Senator Kanuha introduced constituents from Kaua'i. Present in the gallery were Island School Middle School History Day seventh- and eighth-grade winners and chaperones. Senator Kanuha then requested that the names of the students and chaperones be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, the names of the students and chaperones read as follows:

“Eighth graders: Oliver (Emma) Jordan, Berkley Feutz, Sadie Stiglmeier, Ellen Conway, Sean Lottermoster, Callum Raine, Mohalapua Silverston, Tzuf Ruck, Pheonix Ma, and Kolohai Kuhaulua.

“Seventh graders: Bradyn Nakayama, Luahn Luz, Tristen Godinez, Kaia Haugh, Mehana Dameron, and Max Fazio.

“Chaperones: Pat Gegen, Jamie Fesinstine, Jenn Haugh, Lyndsey Haraguchi-Nakayama, Tim Feutz, Kimberley Feutz, and Karson Feutz.”

Senator McKelvey introduced members of his staff who were present in the gallery: office manager Wendee Wilson and Raquel Cabradilla, who had offered a moment of contemplation prior to the Senate's floor session.

## MESSAGE FROM THE GOVERNOR

The following message from the Governor (Gov. Msg. No. 6) was read by the Clerk and was placed on file:

Gov. Msg. No. 6, letter dated April 13, 2023, transmitting proposed changes to the FB 2023-25 Executive Budget Request.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 799 and 800) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 799, returning S.B. No. 47, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 13, 2023, was placed on file.

On motion by Senator Wakai, seconded by Senator Kanuha and carried on April 13, 2023, the Senate disagreed to the amendments proposed by the House to S.B. No. 47, and requested a conference on the subject matter thereof.

Hse. Com. No. 800, informing the Senate that on April 13, 2023, the House disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 11, H.D. 2 (S.D. 1);  
H.B. No. 16, H.D. 2 (S.D. 1);  
H.B. No. 24, H.D. 1 (S.D. 2);  
H.B. No. 27, H.D. 1 (S.D. 1);  
H.B. No. 28, H.D. 1 (S.D. 1);  
H.B. No. 33, H.D. 1 (S.D. 1);  
H.B. No. 67, H.D. 1 (S.D. 2);

H.B. No. 68, H.D. 1 (S.D. 1);  
H.B. No. 69, H.D. 1 (S.D. 1);  
H.B. No. 74, H.D. 1 (S.D. 2);  
H.B. No. 92 (S.D. 1);  
H.B. No. 110, H.D. 1 (S.D. 1);  
H.B. No. 118 (S.D. 2);  
H.B. No. 133, H.D. 1 (S.D. 2);  
H.B. No. 153, H.D. 1 (S.D. 1);  
H.B. No. 163, H.D. 1 (S.D. 1);  
H.B. No. 192, H.D. 2 (S.D. 1);  
H.B. No. 193, H.D. 1 (S.D. 1);  
H.B. No. 197, H.D. 1 (S.D. 1);  
H.B. No. 217, H.D. 1 (S.D. 2);  
H.B. No. 218, H.D. 2 (S.D. 2);  
H.B. No. 222, H.D. 2 (S.D. 2);  
H.B. No. 224, H.D. 2 (S.D. 2);  
H.B. No. 259, H.D. 1 (S.D. 1);  
H.B. No. 278, H.D. 1 (S.D. 2);  
H.B. No. 300, H.D. 1 (S.D. 1);  
H.B. No. 339, H.D. 2 (S.D. 1);  
H.B. No. 340, H.D. 2 (S.D. 1);  
H.B. No. 346, H.D. 2 (S.D. 2);  
H.B. No. 353, H.D. 1 (S.D. 1);  
H.B. No. 361, H.D. 1 (S.D. 1);  
H.B. No. 369, H.D. 1 (S.D. 1);  
H.B. No. 378, H.D. 2 (S.D. 2);  
H.B. No. 382, H.D. 1 (S.D. 3);  
H.B. No. 388, H.D. 1 (S.D. 2);  
H.B. No. 406, H.D. 2 (S.D. 2);  
H.B. No. 415, H.D. 2 (S.D. 2);  
H.B. No. 451, H.D. 1 (S.D. 1);  
H.B. No. 473, H.D. 1 (S.D. 1);  
H.B. No. 475, H.D. 1 (S.D. 2);  
H.B. No. 478, H.D. 1 (S.D. 2);  
H.B. No. 503, H.D. 2 (S.D. 1);  
H.B. No. 522, H.D. 1 (S.D. 1);  
H.B. No. 525, H.D. 2 (S.D. 2);  
H.B. No. 541, H.D. 1 (S.D. 1);  
H.B. No. 546, H.D. 1 (S.D. 1);  
H.B. No. 547, H.D. 1 (S.D. 2);  
H.B. No. 554, H.D. 2 (S.D. 2);  
H.B. No. 564, H.D. 1 (S.D. 1);  
H.B. No. 579, H.D. 2 (S.D. 1);  
H.B. No. 581, H.D. 2 (S.D. 2);  
H.B. No. 600, H.D. 1 (S.D. 2);  
H.B. No. 610, H.D. 2 (S.D. 1);  
H.B. No. 612, H.D. 2 (S.D. 2);  
H.B. No. 615, H.D. 1 (S.D. 1);  
H.B. No. 622, H.D. 2 (S.D. 2);  
H.B. No. 647, H.D. 1 (S.D. 1);  
H.B. No. 650, H.D. 2 (S.D. 1);  
H.B. No. 660, H.D. 1 (S.D. 2);  
H.B. No. 668, H.D. 1 (S.D. 1);  
H.B. No. 675, H.D. 1 (S.D. 2);  
H.B. No. 676, H.D. 1 (S.D. 2);  
H.B. No. 677, H.D. 1 (S.D. 2);  
H.B. No. 678, H.D. 1 (S.D. 2);  
H.B. No. 690, H.D. 1 (S.D. 2);  
H.B. No. 692, H.D. 1 (S.D. 1);  
H.B. No. 695, H.D. 2 (S.D. 1);  
H.B. No. 704, H.D. 1 (S.D. 1);  
H.B. No. 710, H.D. 1 (S.D. 2);  
H.B. No. 712, H.D. 1 (S.D. 1);  
H.B. No. 714, H.D. 1 (S.D. 1);  
H.B. No. 717, H.D. 1 (S.D. 2);  
H.B. No. 719, H.D. 1 (S.D. 2);  
H.B. No. 727, H.D. 1 (S.D. 1);  
H.B. No. 777, H.D. 2 (S.D. 2);

H.B. No. 781, H.D. 2 (S.D. 1);  
 H.B. No. 819, H.D. 2 (S.D. 1);  
 H.B. No. 837, H.D. 1 (S.D. 2);  
 H.B. No. 852, H.D. 1 (S.D. 1);  
 H.B. No. 870, H.D. 2 (S.D. 1);  
 H.B. No. 872, H.D. 1 (S.D. 1);  
 H.B. No. 884, H.D. 1 (S.D. 2);  
 H.B. No. 907, H.D. 2 (S.D. 2);  
 H.B. No. 908, H.D. 2 (S.D. 1);  
 H.B. No. 933, H.D. 2 (S.D. 1);  
 H.B. No. 947, H.D. 1 (S.D. 2);  
 H.B. No. 950, H.D. 1 (S.D. 1);  
 H.B. No. 953, H.D. 1 (S.D. 1);  
 H.B. No. 954, H.D. 2 (S.D. 2);  
 H.B. No. 960, H.D. 1 (S.D. 2);  
 H.B. No. 961, H.D. 1 (S.D. 2);  
 H.B. No. 963, H.D. 1 (S.D. 1);  
 H.B. No. 964, H.D. 1 (S.D. 2);  
 H.B. No. 968, H.D. 1 (S.D. 1);  
 H.B. No. 973, H.D. 2 (S.D. 1);  
 H.B. No. 974, H.D. 1 (S.D. 1);  
 H.B. No. 977, H.D. 1 (S.D. 1);  
 H.B. No. 978, H.D. 2 (S.D. 2);  
 H.B. No. 982, H.D. 1 (S.D. 2);  
 H.B. No. 983 (S.D. 2);  
 H.B. No. 989, H.D. 1 (S.D. 1);  
 H.B. No. 991, H.D. 1 (S.D. 1);  
 H.B. No. 992, H.D. 1 (S.D. 1);  
 H.B. No. 994, H.D. 1 (S.D. 1);  
 H.B. No. 995, H.D. 2 (S.D. 1);  
 H.B. No. 999, H.D. 1 (S.D. 2);  
 H.B. No. 1000, H.D. 1 (S.D. 1);  
 H.B. No. 1001, H.D. 1 (S.D. 1);  
 H.B. No. 1002, H.D. 1 (S.D. 1);  
 H.B. No. 1003, H.D. 1 (S.D. 1);  
 H.B. No. 1004, H.D. 1 (S.D. 1);  
 H.B. No. 1005, H.D. 1 (S.D. 1);  
 H.B. No. 1006, H.D. 1 (S.D. 1);  
 H.B. No. 1007, H.D. 1 (S.D. 1);  
 H.B. No. 1008, H.D. 1 (S.D. 1);  
 H.B. No. 1009, H.D. 1 (S.D. 1);  
 H.B. No. 1010, H.D. 1 (S.D. 1);  
 H.B. No. 1011, H.D. 1 (S.D. 1);  
 H.B. No. 1012, H.D. 1 (S.D. 1);  
 H.B. No. 1018, H.D. 1 (S.D. 1);  
 H.B. No. 1020 (S.D. 1);  
 H.B. No. 1022, H.D. 1 (S.D. 1);  
 H.B. No. 1027, H.D. 2 (S.D. 1);  
 H.B. No. 1036, H.D. 1 (S.D. 1);  
 H.B. No. 1037, H.D. 2 (S.D. 1);  
 H.B. No. 1046, H.D. 2 (S.D. 2);  
 H.B. No. 1049, H.D. 2 (S.D. 2);  
 H.B. No. 1058, H.D. 1 (S.D. 1);  
 H.B. No. 1079, H.D. 2 (S.D. 2);  
 H.B. No. 1081, H.D. 1 (S.D. 1);  
 H.B. No. 1082, H.D. 3 (S.D. 2);  
 H.B. No. 1088, H.D. 1 (S.D. 1);  
 H.B. No. 1090, H.D. 1 (S.D. 1);  
 H.B. No. 1091, H.D. 2 (S.D. 2);  
 H.B. No. 1101, H.D. 1 (S.D. 1);  
 H.B. No. 1104, H.D. 1 (S.D. 1);  
 H.B. No. 1108, H.D. 1 (S.D. 1);  
 H.B. No. 1113, H.D. 1 (S.D. 1);  
 H.B. No. 1131, H.D. 1 (S.D. 2);  
 H.B. No. 1134, H.D. 2 (S.D. 1);  
 H.B. No. 1148, H.D. 1 (S.D. 2);  
 H.B. No. 1156, H.D. 2 (S.D. 2);  
 H.B. No. 1183, H.D. 1 (S.D. 2);  
 H.B. No. 1184, H.D. 1 (S.D. 1);  
 H.B. No. 1193, H.D. 1 (S.D. 2);  
 H.B. No. 1194, H.D. 2 (S.D. 1);

H.B. No. 1200, H.D. 1 (S.D. 2);  
 H.B. No. 1205, H.D. 1 (S.D. 1);  
 H.B. No. 1217, H.D. 2 (S.D. 1);  
 H.B. No. 1245, H.D. 1 (S.D. 1);  
 H.B. No. 1248, H.D. 1 (S.D. 1);  
 H.B. No. 1250, H.D. 1 (S.D. 1);  
 H.B. No. 1263, H.D. 2 (S.D. 2);  
 H.B. No. 1296, H.D. 1 (S.D. 1);  
 H.B. No. 1300, H.D. 2 (S.D. 1);  
 H.B. No. 1301, H.D. 1 (S.D. 1);  
 H.B. No. 1327, H.D. 2 (S.D. 1);  
 H.B. No. 1329, H.D. 1 (S.D. 2);  
 H.B. No. 1340, H.D. 2 (S.D. 2);  
 H.B. No. 1359, H.D. 2 (S.D. 2);  
 H.B. No. 1363, H.D. 3 (S.D. 2);  
 H.B. No. 1366, H.D. 1 (S.D. 2);  
 H.B. No. 1369, H.D. 1 (S.D. 2);  
 H.B. No. 1371, H.D. 1 (S.D. 1);  
 H.B. No. 1373, H.D. 2 (S.D. 2);  
 H.B. No. 1375, H.D. 3 (S.D. 3);  
 H.B. No. 1385, H.D. 2 (S.D. 2);  
 H.B. No. 1394, H.D. 1 (S.D. 1);  
 H.B. No. 1396, H.D. 2 (S.D. 2);  
 H.B. No. 1397, H.D. 1 (S.D. 2);  
 H.B. No. 1408, H.D. 3 (S.D. 1);  
 H.B. No. 1412, H.D. 1 (S.D. 2);  
 H.B. No. 1430, H.D. 1 (S.D. 1);  
 H.B. No. 1439, H.D. 2 (S.D. 2);  
 H.B. No. 1442, H.D. 2 (S.D. 1);  
 H.B. No. 1458, H.D. 1 (S.D. 1);  
 H.B. No. 1486, H.D. 1 (S.D. 1);  
 H.B. No. 1508, H.D. 1 (S.D. 1);  
 H.B. No. 1509, H.D. 2 (S.D. 1); and  
 H.B. No. 1511, H.D. 1 (S.D. 2),

was placed on file.

#### STANDING COMMITTEE REPORTS

Senator Moriwaki, for the Committee on Labor and Technology, presented a report (Stand. Com. Rep. No. 1900) recommending that the Senate advise and consent to the nominations to the Enhanced 911 Board of the following:

GREGG OKAMOTO, in accordance with Gov. Msg. No. 545;

KEOLA TOM, in accordance with Gov. Msg. No. 546;

ELIZABETH GREGG, in accordance with Gov. Msg. No. 547; and

REED MAHUNA, in accordance with Gov. Msg. No. 578.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1900 and Gov. Msg. Nos. 545, 546, 547, and 578 was deferred until Monday, April 17, 2023.

Senator Wakai, for the Committee on Public Safety and Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 1901) recommending that the Senate advise and consent to the nomination of WILLIAM BERGIN to the Hawaii Advisory Council on Emergency Management, in accordance with Gov. Msg. No. 551.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1901 and Gov. Msg. No. 551 was deferred until Monday, April 17, 2023.

Senator Moriwaki, for the Committee on Labor and Technology, presented a report (Stand. Com. Rep. No. 1902) recommending that the Senate advise and consent to the nominations to the Hoisting Machine Operators Advisory Board of the following:

JOHN MIHLBAUER, JR., in accordance with Gov. Msg. No. 596; and

JACOB RYAN PRICE, in accordance with Gov. Msg. No. 597.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1902 and Gov. Msg. Nos. 596 and 597 was deferred until Monday, April 17, 2023.

**ORDER OF THE DAY  
ADVISE AND CONSENT**

Stand. Com. Rep. No. 1892 (Gov. Msg. No. 517):

Senator Wakai moved that Stand. Com. Rep. No. 1892 be received and placed on file, seconded by Senator Elefante and carried.

Senator Wakai then moved that the Senate advise and consent to the nomination of TOMMY JOHNSON as Director of the Department of Public Safety, term to expire at noon on December 7, 2026, seconded by Senator Elefante.

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

“Mr. President and colleagues, watching over criminals and straightening them out is a daunting task; very few of us would want this job. Thank goodness we have Tommy Johnson, because he wants it, and he thrives in this environment. He’s the right man to guide the department to successfully transition from the Department of Public Safety to the Department of Corrections and Rehabilitation: agencies undergoing a paradigm shift under his guidance from a punitive model (lock ‘em up and toss out the keys) to a more treatment- and program-oriented approach. During his confirmation hearing, a couple of former inmates testified in favor of Mr. Johnson. They said he was strict, but he was always fair. This is the kind of leadership necessary to turn lives around: tough love for tough dudes. In the past, inmates walked out of jail with no identification and had to reintegrate into society somehow on their own. A small but significant change was to provide inmates with proper documentation upon their release so they could apply for jobs and safety net programs—small, but significant.

“Mr. Johnson has his detractors: About six guards showed up at his confirmation hearing to talk about how they believed he was unfair and played favorites. For years, staffing and morale have been significant challenges at DPS, and the correctional system has about 300 vacancies out of their 1,500 officer positions. The situation is aggravated by corrections officers who repeatedly fail to show up to work. This forces others to work longer shifts to cover absent staff. Guards complain about working 16- or even 24-hour shifts. In a few months on the job, Mr. Johnson has already increased recruitment hirings by 50 percent to address part of this issue. But the bigger issue is ACOs often out sick, on family leave, vacation; many game the system so they really only work seven months out of the year and pocket loads of overtime pay. Last year, overtime cost taxpayers \$34 million. Mr. Johnson has assembled a management team to address this lingering issue. If you benefited from the old way of getting more by doing less, you are not going to welcome Mr. Johnson’s style, but the public deserves better, and he’s delivering.

“Changing the work ethic in any environment is not easy. Mr. Johnson assured the PSM committee that he would reach out and build bridges with the union, and he met with those union leaders this past week to iron out those differences. They discussed several issues, including joint recruitment efforts and employee incentives for those who actually show up to work. I admire Mr. Johnson’s willingness to make peace with his adversaries. His word is good.

“Tommy Johnson has been a deputy director of corrections at the Department of Public Safety since 2017. He has more than 25 years of experience in corrections: 10 years in Hawai‘i, 15 years with the military. He understands corrections on many different levels. He’s a graduate of the University of Hawai‘i at Mānoa with a bachelor’s degree in criminal justice.

“Under Mr. Johnson’s stewardship, we can expect to see a number of improvements, including continued advancements in public safety initiatives, reduced recidivism, lowering of overtime costs, betterment of morale, improvements to correctional facilities across the state. Mr. Johnson’s outstanding accomplishments coupled with his unyielding dedication to the betterment of our community make him a beacon of hope for a safer Hawai‘i. I encourage you, colleagues, to join me in voting in favor of Tommy Johnson’s confirmation to be the director of the Department of Public Safety.”

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

Ayes, 22. Noes, 1 (Rhoads). Excused, 2 (DeCoite, Fevella).

Senator Wakai introduced Director Tommy Johnson, who was present in the gallery with his wife, Ronalyn Johnson; their daughters Precious Leigh and Andrea; and his mother-in-law, Corazon Watson.

Stand. Com. Rep. No. 1893 (Gov. Msg. No. 526):

Senator Shimabukuro moved that Stand. Com. Rep. No. 1893 be received and placed on file, seconded by Senator Ihara and carried.

Senator Shimabukuro then moved that the Senate advise and consent to the nomination of KATIE DUCATT as Deputy to the Chairperson of the Department of Hawaiian Home Lands, term to expire December 7, 2026, seconded by Senator Ihara.

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

“Your Committee on Hawaiian Affairs notes that, during and after the hearing, Ms. Ducatt took the time to recognize and directly address the testimony in opposition to her nomination, displaying a strong willingness to listen to the concerns of all beneficiaries. Your Committee finds that Ms. Ducatt, with her extensive legal background, deep understanding of real property law and Native Hawaiian issues, and core institutional knowledge gained through eight years of dedicated service, possesses the requisite qualifications to serve as deputy to the chairperson of the Department of Hawaiian Home Lands. Your Committee believes that Ms. Ducatt’s legal expertise and knowledge of the Department is a tremendous asset and will help Ms. Ducatt carry out her expressed intent to implement formal training, internal policies, and workflows to minimize gaps in current processes to ultimately help reduce the number of beneficiaries on the waiting list. Your Committee believes that Ms. Ducatt, with a reputation as a trustworthy, highly organized, and detail-oriented public servant, will greatly complement Chairperson Watson as he seeks to take immediate action on the 20 projects identified in the strategic plan approved by the Hawaiian Homes Commission. And, therefore, your Hawaiian Affairs committee recommends that Katie Ducatt be appointed as the deputy to the chairperson of the Department of Hawaiian Home Lands based on her knowledge, experience, and commitment to public service. Mahalo.”

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

Ayes, 23. Noes, none. Excused, 2 (DeCoite, Fevella).

Senator Shimabukuro introduced Deputy Katie Ducatt, who was present in the gallery with her husband, Dennis Ducatt; son Holokai Ducatt; parents, John and Gay-Ann Lambert; aunt Linda Rosehill; brothers Mike Lambert, Nohea Westcoat, Arie Lambert; and the hard-working and dedicated staff of the Department of Hawaiian Home Lands.

Stand. Com. Rep. No. 1895 (Gov. Msg. Nos. 535 and 536):

The Chair stated:

“Before considering the reports, I want Mr. Brian Lee to know that there is no trouble with his nomination, but there are members who would like the opportunity to meet with him before casting the vote. The Land Use Commission is certainly an important position, so if there are no objections, I’m going to ask that Standing Committee Report 1895, Governor’s Message 535 and 536 be deferred till Monday, until we figure out how to get the meeting scheduled and the members an opportunity to talk to him.”

By unanimous consent, action on Stand. Com. Rep. No. 1895 and Gov. Msg. Nos. 535 and 536 was deferred until Monday, April 17, 2023.

Stand. Com. Rep. No. 1894 (Gov. Msg. Nos. 563 and 564):

Senator Inouye moved that Stand. Com. Rep. No. 1894 be received and placed on file, seconded by Senator Elefante and carried.

Senator Inouye then moved that the Senate advise and consent to the nominations to the Hawaii Historic Places Review Board of the following:

RALPH KAM, term to expire June 30, 2026 (Gov. Msg. No. 563); and

GRAHAM HART, term to expire June 30, 2026 (Gov. Msg. No. 564),

seconded by Senator Elefante.

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

Ayes, 23. Noes, none. Excused, 2 (DeCoite, Fevella).

Stand. Com. Rep. No. 1896 (Gov. Msg. No. 598):

Senator Inouye moved that Stand. Com. Rep. No. 1896 be received and placed on file, seconded by Senator Elefante and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of KIM FALINSKI to the Legacy Land Conservation Commission, term to expire June 30, 2026, seconded by Senator Elefante.

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

Ayes, 23. Noes, none. Excused, 2 (DeCoite, Fevella).

Stand. Com. Rep. No. 1897 (Gov. Msg. Nos. 580, 581, and 582):

Senator Inouye moved that Stand. Com. Rep. No. 1897 be received and placed on file, seconded by Senator Elefante and carried.

Senator Inouye then moved that the Senate advise and consent to the nominations to the Kane’ohe Bay Regional Council of the following:

SYLVIA HUSSEY, term to expire June 30, 2023 (Gov. Msg. No. 580);

SYLVIA HUSSEY, term to expire June 30, 2027 (Gov. Msg. No. 581); and

JOSEPH PICKARD, term to expire June 30, 2025 (Gov. Msg. No. 582),

seconded by Senator Elefante.

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

Ayes, 23. Noes, none. Excused, 2 (DeCoite, Fevella).

Stand. Com. Rep. No. 1898 (Gov. Msg. Nos. 565, 566, and 599):

Senator Shimabukuro moved that Stand. Com. Rep. No. 1898 be received and placed on file, seconded by Senator Ihara and carried.

Senator Shimabukuro then moved that the Senate advise and consent to the nominations to the Island Burial Council, Islands of Maui and Lana’i of the following:

MICHELE HOOPII, term to expire June 30, 2025 (Gov. Msg. No. 565);

SCOTT FISHER, term to expire June 30, 2026 (Gov. Msg. No. 566); and

DIANE PREZA, term to expire June 30, 2025 (Gov. Msg. No. 599),

seconded by Senator Ihara.

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

Ayes, 23. Noes, none. Excused, 2 (DeCoite, Fevella).

Stand. Com. Rep. No. 1899 (Gov. Msg. No. 608):

Senator Rhoads moved that Stand. Com. Rep. No. 1899 be received and placed on file, seconded by Senator Gabbard and carried.

Senator Rhoads then moved that the Senate consent to the appointment of MICHELLE L. DREWYER as Judge of the Circuit Court of the Second Circuit, State of Hawai’i, for a term of 10 years, seconded by Senator Gabbard.

Senator Rhoads rose to speak in support of the appointee as follows:

“Michelle Drewyer has been licensed to practice law in the state of Hawai’i since 1991. She started her legal career on Maui as a deputy prosecuting attorney for five years followed by two years as a deputy public defender. She has since spent more than 20 years in private practice handling criminal and civil litigation. She was a named partner in the firm Ranken & Drewyer, LLC, and later served in her own solo practice.

“Judge Drewyer additionally has experience as a per diem judge in the family and district courts of the Second Circuit. She has presided over various calendars and cases including child protective services, criminal juvenile matters, family court drug court, adoptions, guardianships, temporary restraining orders and protective orders, divorce, and landlord–tenant issues as well. She has also traveled around the circuit as a per diem judge including sitting on Moloka’i and Lāna’i.

“Judge Drewyer received her bachelor of arts degree from Western Michigan University in 1986 and her juris doctor degree from Thomas M. Cooley Law School in Lansing, Michigan, in 1991.

“After having reviewed the testimony, which was overwhelmingly in support of her confirmation, and other materials submitted to the committee and having examined the

appointee in a hearing, your Judiciary committee finds that Michelle L. Drewyer is qualified to serve as a circuit court judge of the Second Circuit, and recommends that the Senate consent to the appointment. Mahalo.”

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

Ayes, 23. Noes, none. Excused, 2 (DeCoite, Fevella).

Senator Rhoads introduced Judge Michelle L. Drewyer, who was present in the gallery with her partner, Joel Katz; and friends and colleagues Wendy Hudson, Amber Alexander, per diem judge Lance Collins, per diem judge Lauren Akitake, and Jason Watts. Senator Rhoads added that Judge Drewyer wished to acknowledge friends and family in Michigan, Arizona, and California, and her Maui ‘ohana. Senator Rhoads also recognized administrator of the courts Rod Maile and Chief Justice Mark E. Recktenwald, who were seated in the gallery. Senator Rhoads then acknowledged his staff attorneys Dave Nagaji and Jessica Faige, who were accompanying the nominee.

Senator Rhoads continued, speaking on a point of personal privilege as follows:

“Members, I would like to share the following about the composition of our state judges and justices: With this confirmation, the Maui Circuit Court achieves gender parity with two female and two male judges. The number of state court judges and justices overall will also be equally split, with 40 sitting female judges and justices and 40 sitting male judges and justices. Should the governor’s recent appointment of Kimberly Tsumoto Guidry to the Intermediate Court of Appeals also be confirmed by the Senate, it would be the first time in Hawai‘i history that more than 50 percent of sitting judges and justices are female. Mahalo.”

#### **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. 107, Committee on Agriculture and Environment  
H.D. 1

At this time, Senator Lee reminded the members that it was Art at the Capitol Day, and thanked the offices of the Chief Clerk, Sergeant-at-Arms, and others for their help in coordinating with the Department of Accounting and General Services (DAGS) and the State Foundation on Culture and the Arts. Senator Lee explained that something different this year would be the food out in the Rotunda thanks to DAGS. Senator Lee expressed his hope that that would be a new trend of bringing people in and giving folks the opportunity to partake. Senator Lee thanked those who were opening up their offices as well as the Chair.

The Chair thanked Senator Lee for his hard work in helping coordinate on behalf of the Senate.

The Chair then made the following announcement:

“For the duration of the 2023 Conference period, conferees will be named and revised in accordance with the Action Sheet Reports on the Capitol website, and said actions will be reflected in the Journal.”

#### **APPOINTMENT OF CONFEREES**

H.B. No. 33, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 33, H.D. 1, and the request for a conference on the subject matter thereof,

the President appointed Senators Dela Cruz, chair; Keith-Agaran, co-chair; Fevella as manager on the part of the Senate at such conference.

H.B. No. 300, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 300, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Dela Cruz, chair; Keith-Agaran, co-chair; Aquino, DeCoite, Inouye, Kanuha, Kidani, Kim, Lee, Moriwaki, Shimabukuro, Wakai, Fevella as managers on the part of the Senate at such conference.

#### **ADJOURNMENT**

At 11:53 a.m., on motion by Senator Wakai, seconded by Senator Kanuha and carried, the Senate adjourned until 11:30 a.m., Monday, April 17, 2023.