

## SIXTEENTH DAY

## Friday, February 9, 2024

The Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2024, convened at 11:33 a.m. with the President in the Chair.

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

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

At this time, Senator Rhoads welcomed Bart Dame, who was seated in the gallery.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 611 to 617) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 611, submitting for consideration and confirmation to the Board of Trustees of the Deferred Compensation Plan, the nomination of SCOTT TERUYA, term to expire June 30, 2028, was referred to the Committee on Labor and Technology.

Gov. Msg. No. 612, submitting for consideration and confirmation to the Board of Physical Therapy, the nomination of MICHELE CHEE, term to expire June 30, 2028, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 613, submitting for consideration and confirmation to the State Board of Barbering & Cosmetology, the nomination of RAYNETTE HALL, term to expire June 30, 2028, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 614, submitting for consideration and confirmation to the Pest Control Board, the nomination of WILLIAM LEE, term to expire June 30, 2028, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 615, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors and Landscape Architects, the nomination of KEVIN KATAYAMA, term to expire June 30, 2028, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 616, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors and Landscape Architects, the nomination of ALAN INABA, term to expire June 30, 2028, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 617, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors and Landscape Architects, the nomination of JOEL KUROKAWA, term to expire June 30, 2028, was referred to the Committee on Commerce and Consumer Protection.

## DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 385 to 388) were read by the Clerk and were placed on file:

Dept. Com. No. 385, from the Hawai'i Police Department, dated January 12, 2024, transmitting the Legislature Disciplinary Report pursuant to Section 52D-3.5, HRS.

Dept. Com. No. 386, from the Hawai'i Police Department, dated January 2, 2024, transmitting the Electric Guns and Use Report pursuant to Section 134-87(b), HRS.

Dept. Com. No. 387, from the Maui Police Department, dated January 8, 2024, transmitting the 2023 Annual Report on the Use and Discharge of Electric Guns pursuant to Section 134-87, HRS.

Dept. Com. No. 388, from the Maui Police Department, dated January 8, 2024, transmitting the 2023 Legislature Disciplinary Report pursuant to Section 52D-3.5, HRS.

## HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 3) was read by the Clerk and was placed on file:

Hse. Com. No. 3, informing the Senate that on February 8, 2024, the House disagreed to the amendments proposed by the Senate to H.B. No. 824, H.D. 2 (S.D. 1).

## STANDING COMMITTEE REPORTS

Senator San Buenaventura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2206) recommending that S.B. No. 3137, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 3137, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH SERVICES FOR CHILDREN AND ADOLESCENTS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kim, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 2207) recommending that S.B. No. 2817, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 2817, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kim, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 2208) recommending that S.B. No. 2946, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 2946, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 2209) recommending that S.B. No. 1170, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 1170, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING CREDITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 2210) recommending that S.B. No. 1208, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 1208, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 2211) recommending that S.B. No. 1461, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 1461, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING INDUSTRY PROFESSIONALS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 2212) recommending that S.B. No. 2034, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 2034, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 2213) recommending that S.B. No. 2044, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 2044, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROLLING INTEREST TRANSFER TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kim, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 2214) recommending that S.B. No. 3187 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 3187, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII RESIDENT TUITION FEE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chang and Inouye, for the Committee on Housing and the majority of the Committee on Water and Land, presented a joint report (Stand. Com. Rep. No. 2215) recommending that S.B. No. 2018 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2018, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 2216) recommending that S.B. No. 2870 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 2870, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 2217) recommending that S.B. No. 2925 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 2925, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 2218) recommending that S.B. No. 2297, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the majority of the Committee was adopted and S.B. No. 2297, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATURAL RESOURCE MANAGEMENT," passed Second Reading and was referred to the Committee on Judiciary and the Committee on Ways and Means.

Senators San Buenaventura and Wakai, for the Committee on Health and Human Services and the Committee on Public Safety and Intergovernmental and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2219) recommending that S.B. No. 2854, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the joint report of the Committees was adopted and S.B. No. 2854, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators San Buenaventura and Wakai, for the Committee on Health and Human Services and the Committee on Public Safety and Intergovernmental and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2220) recommending that S.B. No. 3118, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the joint report of the Committees was adopted and S.B. No. 3118, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators San Buenaventura and Wakai, for the Committee on Health and Human Services and the Committee on Public Safety and Intergovernmental and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2221) recommending that S.B. No. 3126, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the joint report of the Committees was adopted and S.B. No. 3126, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY AEROMEDICAL SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2222) recommending that S.B. No. 3363, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 3363, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2223) recommending that S.B. No. 3336, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 3336, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Shimabukuro, for the majority of the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2224) recommending that S.B. No. 3308 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the majority of the Committee was adopted and S.B. No. 3308, entitled: "A BILL FOR AN ACT RELATING TO THE STATE SEAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Shimabukuro and Chang, for the Committee on Hawaiian Affairs and the Committee on Housing, presented a joint report (Stand. Com. Rep. No. 2225) recommending that S.B. No. 2654, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the joint report of the Committees was adopted and S.B. No. 2654, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Shimabukuro and Chang, for the Committee on Hawaiian Affairs and the majority of the Committee on Housing, presented a joint report (Stand. Com. Rep. No. 2226) recommending that S.B. No. 2779, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2779, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2227) recommending that S.B. No. 2523, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 2523, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aquino, for the Committee on Labor and Technology, presented a report (Stand. Com. Rep. No. 2228) recommending that S.B. No. 560, as amended in S.D. 1, be recommitted to the Committee on Labor and Technology.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the Committee was adopted and S.B. No. 560, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," was recommitted to the Committee on Labor and Technology.

#### ORDER OF THE DAY

##### RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

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|--------------------------|---|
| S.B. No.:                | Re-referred to:   |
| S.B. No. 560,<br>S.D. 1  | Committee on Labor and Technology, then to the Committee on Ways and Means  |
| S.B. No. 2111            | Committee on Transportation and Culture and the Arts, then jointly to the Committee on Judiciary and the Committee on Ways and Means                      |
| S.B. No. 2447            | Jointly to the Committee on Agriculture and Environment and the Committee on Judiciary  |
| S.B. No. 2504,<br>S.D. 1 | Committee on Energy, Economic Development, and Tourism, then to the Committee on Ways and Means   |
| S.B. No. 2513            | Jointly to the Committee on Agriculture and Environment and the Committee on Higher Education, then to the Committee on Ways and Means                    |
| S.B. No. 2770            | Jointly to the Committee on Government Operations and the Committee on Energy, Economic Development, and Tourism, then to the Committee on Ways and Means |

##### RE-REFERRAL OF MESSAGES FROM THE GOVERNOR

The Chair re-referred the following messages from the Governor that were received:

|                |  |
|----------------|--|
| Gov. Msg. No.: | Re-referred to:  |
| G.M. No. 608   | Committee on Energy, Economic Development, and Tourism |
| G.M. No. 609   | Committee on Energy, Economic Development, and Tourism |

At this time, Senator McKelvey rose to speak on a point of personal privilege as follows:

"When you watch the Super Bowl this weekend and you root on the 49ers, check out the coin toss because our own Lahainaluna kids are going to be there to be part of the coin toss—to bring great honor, I think, to everybody in Hawai'i in doing so. I wanted to give a special shoutout to the NFL and their charity partners. They've made an amazing donation to the kids, both them and the little ones (the Pop Warner guys). And so, on behalf of the community and everybody, it'll be a great moment, but it'll be for all of Hawai'i, so thank you. Go, Niners."

The Chair made the following comments:

"Along those lines, Senator McKelvey, I got home in time to turn my television on, and it went to KGMB and CBS broadcasts of the NFL Honors, and their morning news anchor, Gayle King, introduced a segment featuring the total devastation and what occurred in Lahaina six months ago. And in the segment, it then went into the Lahainaluna football team players and coaches—what they meant to the community and how the community is now trying to heal and rebuild. So, if you

have an opportunity to find that NFL awards segment, toward the last 20 minutes, I believe, of the broadcast, they did feature both Lahaina and the Lahainaluna football team. It was done very tastefully and, I think, really put the best of Lahainaluna, the football team, and the community of Lahaina forward, and I appreciate them featuring what has happened in that light. And then the young men were there introduced and the coaches and received a standing ovation from those in attendance for the event.”

**ADJOURNMENT**

At 11:38 a.m., on motion by Senator Wakai, seconded by Senator DeCoite and carried, the Senate adjourned until 11:30 a.m., Monday, February 12, 2024.