

## SEVENTEENTH DAY

**Monday, February 12, 2024**

The Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2024, convened at 11:48 a.m. with the President in the Chair.

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

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

At this time, Senator Chang introduced guests from Seoul, South Korea. Present in the gallery were Jennifer Flinn, a university professor; and her husband, Kabkyu Noh, a tea master of the Lamhwa Tea School who would be offering a demonstration of an ancient Korean tea ceremony that day at noon in Conference Room 016.

Senator Fevella welcomed Robert Imose from the Korean War Veterans Association; Rodney Sato; Joanne Trask; Ms. Yu Su Hyeon from the South Korea Ministry of Patriots and Veterans Affairs; and Mr. Yi Yoon-Kyo from the Association of Korea-U.S.A. Friendship Alliance, who were seated in the gallery.

Senator DeCoite recognized a constituent, Mr. Godfrey Kahikina Akaka. Seated next to him in the gallery was Mr. Klayton Kubo from Kaua'i.

**MESSAGE FROM THE GOVERNOR**

The following message from the Governor (Gov. Msg. No. 618) was read by the Clerk and was disposed of as follows:

Gov. Msg. No. 618, informing the Senate that on February 9, 2024, the Governor withdrew the nomination of SCOTT TERUYA to the Board of Trustees of the Deferred Compensation Plan, under Gov. Msg. No. 611, from consideration by the Senate, was placed on file.

In compliance with Gov. Msg. No. 618, the nomination listed under Gov. Msg. No. 611 was returned.

**STANDING COMMITTEE REPORTS**

Senator San Buenaventura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2229) recommending that S.B. No. 3142, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means and 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. 3142, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER INFRASTRUCTURE," passed Second Reading and was referred to the Committee on Ways and Means and the Committee on Judiciary.

Senator San Buenaventura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2230) recommending that S.B. No. 238, 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. 238, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ABUSE OF MINORS," passed Second Reading and was referred to the Committee on Judiciary.

Senator San Buenaventura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep.

No. 2231) recommending that S.B. No. 849, 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. 849, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator San Buenaventura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2232) recommending that S.B. No. 3124 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. 3124, entitled: "A BILL FOR AN ACT RELATING TO LICENSING," passed Second Reading and was referred to the Committee on Judiciary.

Senators Shimabukuro and Chang, for the Committee on Hawaiian Affairs and the Committee on Housing, presented a joint report (Stand. Com. Rep. No. 2233) recommending that S.B. No. 3213 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. 3213, 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 Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2234) recommending that S.B. No. 2397, 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. 2397, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," passed Second Reading and was referred to the Committee on Judiciary.

Senators Chang and Inouye, for the Committee on Housing and the Committee on Water and Land, presented a joint report (Stand. Com. Rep. No. 2235) recommending that S.B. No. 1587, 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. 1587, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kidani and Aquino, for the Committee on Education and the Committee on Labor and Technology, presented a joint report (Stand. Com. Rep. No. 2236) recommending that S.B. No. 2475, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means and the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the joint report of the Committees was adopted and S.B. No. 2475, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means and the Committee on Judiciary.

Senators Kidani and Aquino, for the Committee on Education and the Committee on Labor and Technology, presented a joint report (Stand. Com. Rep. No. 2237) recommending that S.B. No. 3089, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the joint report of the Committees was adopted and S.B. No. 3089, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Gabbard, for the majority of the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 2238) recommending that S.B. No. 2106, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the majority of the Committee was adopted and S.B. No. 2106, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VALUE-ADDED PRODUCTION," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means.

Senators Chang and Keohokalole, for the Committee on Housing and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2239) recommending that S.B. No. 2065, 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. 2065, 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 Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2240) recommending that S.B. No. 3087, 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. 3087, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2241) recommending that S.B. No. 3328, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means and 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. 3328, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means and the Committee on Judiciary.

Senators Wakai and Keohokalole, for the Committee on Public Safety and Intergovernmental and Military Affairs and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2242) recommending that S.B. No. 2843, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the joint report of the Committees was adopted and S.B. No. 2843, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MANAGEMENT," passed

Second Reading and was referred to the Committee on Judiciary.

Senators Wakai and Keohokalole, for the Committee on Public Safety and Intergovernmental and Military Affairs and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2243) recommending that S.B. No. 2904, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the joint report of the Committees was adopted and S.B. No. 2904, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MANAGEMENT," passed Second Reading and was referred to the Committee on Judiciary.

Senators Wakai and Keohokalole, for the Committee on Public Safety and Intergovernmental and Military Affairs and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2244) recommending that S.B. No. 2908, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the joint report of the Committees was adopted and S.B. No. 2908, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MANAGEMENT," passed Second Reading and was referred to the Committee on Judiciary.

Senators Wakai and Keohokalole, for the Committee on Public Safety and Intergovernmental and Military Affairs and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2245) recommending that S.B. No. 2977 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the joint report of the Committees was adopted and S.B. No. 2977, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Wakai and Keohokalole, for the Committee on Public Safety and Intergovernmental and Military Affairs and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2246) recommending that S.B. No. 2983, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the joint report of the Committees was adopted and S.B. No. 2983, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS FROM THE PUBLIC," passed Second Reading and was referred to the Committee on Judiciary.

Senators Wakai and Inouye, for the Committee on Public Safety and Intergovernmental and Military Affairs and the Committee on Water and Land, presented a joint report (Stand. Com. Rep. No. 2247) recommending that S.B. No. 2141, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the joint report of the Committees was adopted and S.B. No. 2141, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC GRID RESILIENCY," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means.

Senators Wakai and Inouye, for the Committee on Public Safety and Intergovernmental and Military Affairs and the Committee on Water and Land, presented a joint report (Stand. Com. Rep. No. 2248) recommending that S.B. No. 2145, 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. 2145, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE CODE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Wakai and Inouye, for the Committee on Public Safety and Intergovernmental and Military Affairs and the majority of the Committee on Water and Land, presented a joint report (Stand. Com. Rep. No. 2249) recommending that S.B. No. 2331 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. 2331, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Judiciary.

Senators Wakai and Inouye, for the Committee on Public Safety and Intergovernmental and Military Affairs and the Committee on Water and Land, presented a joint report (Stand. Com. Rep. No. 2250) recommending that S.B. No. 3064 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. 3064, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Wakai, for the Committee on Water and Land and the Committee on Public Safety and Intergovernmental and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2251) recommending that S.B. No. 2143 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. 2143, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Wakai, for the Committee on Water and Land and the Committee on Public Safety and Intergovernmental and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2252) recommending that S.B. No. 3327, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means and the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the joint report of the Committees was adopted and S.B. No. 3327, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT," passed Second Reading and was referred to the Committee on Ways and Means and the Committee on Judiciary.

Senator Inouye, for the majority of the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 2253) recommending that S.B. No. 3157, as amended in S.D. 1, pass

Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the majority of the Committee was adopted and S.B. No. 3157, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DIRECT NEGOTIATION FOR PUBLIC LAND LEASES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 2254) recommending that S.B. No. 2151, 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. 2151, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVOCABLE PERMITS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 2255) recommending that S.B. No. 2152, 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. 2152, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF LAND AND NATURAL RESOURCES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the majority of the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 2256) recommending that S.B. No. 2204, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the majority of the Committee was adopted and S.B. No. 2204, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the majority of the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 2257) recommending that S.B. No. 2129, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the report of the majority of the Committee was adopted and S.B. No. 2129, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 2258) recommending that S.B. No. 2300, 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. 2300, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Gabbard, for the Committee on Water and Land and the Committee on Agriculture and Environment, presented a joint report (Stand. Com. Rep. No. 2259) recommending that S.B. No. 2184, 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. 2184, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADAPTATION PATHWAYS PLANNING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Gabbard, for the Committee on Water and Land and the Committee on Agriculture and Environment, presented a joint report (Stand. Com. Rep. No. 2260) recommending that S.B. No. 2960, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the joint report of the Committees was adopted and S.B. No. 2960, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FARMERS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Inouye and Gabbard, for the Committee on Water and Land and the Committee on Agriculture and Environment, presented a joint report (Stand. Com. Rep. No. 2261) recommending that S.B. No. 3300, 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. 3300, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

**ORDER OF THE DAY**

**THIRD READING**

S.B. No. 2072, S.D. 1:

On motion by Senator Kidani, seconded by Senator Kim and carried, S.B. No. 2072, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hashimoto, McKelvey, Richards).

**REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of Senate concurrent resolutions offered on Wednesday, January 17, 2024; Monday, January 22, 2024; Wednesday, January 24, 2024; and Thursday, February 8, 2024:

- S.C.R. No.: Referred to:
- S.C.R. No. 1 Committee on Transportation and Culture and the Arts
- S.C.R. No. 2 Committee on Transportation and Culture and the Arts
- S.C.R. No. 3 Committee on Public Safety and Intergovernmental and Military Affairs
- S.C.R. No. 4 Jointly to the Committee on Education and the Committee on Health and Human Services
- S.C.R. No. 5 Committee on Labor and Technology
- S.C.R. No. 6 Committee on Housing, then to the Committee on Ways and Means
- S.C.R. No. 7 Committee on Water and Land, then to the Committee on Ways and Means

- S.C.R. No. 8 Committee on Water and Land, then to the Committee on Ways and Means
- S.C.R. No. 9 Committee on Water and Land, then to the Committee on Ways and Means
- S.C.R. No. 10 Committee on Water and Land, then to the Committee on Ways and Means
- S.C.R. No. 11 Committee on Water and Land, then to the Committee on Ways and Means
- S.C.R. No. 12 Committee on Water and Land, then to the Committee on Ways and Means
- S.C.R. No. 13 Committee on Public Safety and Intergovernmental and Military Affairs

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- S.R. No. 1 Committee on Transportation and Culture and the Arts
- S.R. No. 2 Committee on Transportation and Culture and the Arts
- S.R. No. 3 Committee on Public Safety and Intergovernmental and Military Affairs
- S.R. No. 4 Jointly to the Committee on Education and the Committee on Health and Human Services
- S.R. No. 5 Committee on Labor and Technology
- S.R. No. 6 Committee on Public Safety and Intergovernmental and Military Affairs

**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. 2677 Jointly to the Committee on Energy, Economic Development, and Tourism and the Committee on Government Operations, then to the Committee on Ways and Means
- S.B. No. 2952 Jointly to the Committee on Agriculture and Environment and the Committee on Health and Human Services and the Committee on Government Operations, then to the Committee on Ways and Means
- S.B. No. 3014 Committee on Government Operations, then to the Committee on Judiciary

At this time, Senator San Buenaventura, Chair of the Committee on Health and Human Services, rose to request a waiver of the public notice requirement pursuant to Senate Rule 21 for S.B. No. 3200.

Senator San Buenaventura noted:

"Due to the high volume of bills and hearing notices being filed by the Health and Human Services committee, we had a last-minute decision to add S.B. 3200, S.D. 1, Relating to Smoking, to the agenda on Wednesday, February 14th, at 1:01 p.m. in Conference Room 225."

The Chair granted the waiver.

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Senator San Buenaventura announced that the Committee on Health and Human Services would be holding a public hearing on a proposed draft for the measure on Wednesday, February 14, 2024, at 1:01 p.m. in Conference Room 225.

**ADJOURNMENT**

At 11:53 a.m., on motion by Senator Wakai, seconded by Senator DeCoite and carried, the Senate adjourned until 11:30 a.m., Tuesday, February 13, 2024.