

FORTY-EIGHTH DAY

Thursday, April 11, 2024

The Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2024, convened at 11:32 a.m. with the President in the Chair.

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

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

At this time, Senator Richards welcomed the Grammy Award-winning and Nā Hōkū Hanohano Awards nominee Honoka'a Jazz Band, a group of advanced high school musicians who have upheld a tradition of excellence on the Big Island since 1978. Senator Richards explained that what started as a small ensemble of 13 students expanded to 42 under the guidance of Gary Washburn, a dedicated educator and accomplished jazz musician, and that the band is considered one of the top high school bands in the state. Senator Richards noted that, for the first time since the COVID-19 pandemic began, the band was touring O'ahu. Senator Richards then invited the members to a concert experience that afternoon at 2:00 p.m. Seated in the gallery were band members Alexander Santiago, Brandon E. Gonzalez, Chance Kim, Cheyne Ah Puck, Daniel A.Candelario, Gabriel Motas, Jhaycee Khazheima Queja, Jilleane Marie Gonzales, Jurrel Bielza, Kaile Hinokawa, Kalan Matsumoto, Kaysen K.K Takamine, Khamryan Bragado, Reese Todd, River Aitken, Sante K.Ragpala, Seda Lee, and Sunny Zook and band director Gary Washburn.

The Chair noted that his mother was a proud alumna of Honoka'a High School.

Senator Dela Cruz introduced the bills staff members of the Committee on Ways and Means who were present in the gallery: committee clerk Scott Fuji; bills chief David Cho; legislative aides Emma Shirai, Akira Pescador, and Allurie Almogela; and bills researchers Sean Companion, George Hooker, and Netty Leviticus.

The Chair thanked Senator Dela Cruz and his staff.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 755 to 757) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 755, letter dated April 9, 2024, correcting the role of the nomination of MUFU HANNEMANN as Chairperson of the Board of Directors of the Hawai'i Tourism Authority, under Gov. Msg. No. 702 (designation of Chairperson removed), was placed on file.

Gov. Msg. No. 756, letter dated April 9, 2024, correcting the terms for the nominations of NEIL HANNAHS; JOSHUA MANGAUIL; GARY KRUG, JR.; and POMAICALANI BERTELMANN to the Mauna Kea Stewardship and Oversight Authority, under Gov. Msg. No. 728, Gov. Msg. No. 729, Gov. Msg. No. 730, and Gov. Msg. No. 731 (terms to expire amended to June 30, 2027), was placed on file.

Gov. Msg. No. 757, informing the Senate that on April 9, 2024, the Governor withdrew the nomination of ERICA MAUSCHANK to the Early Learning Board, under Gov. Msg. No. 719, from consideration by the Senate, was placed on file.

In compliance with Gov. Msg. No. 757, the nomination listed under Gov. Msg. No. 719 was returned.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 691 to 730) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 691, informing the Senate that on April 9, 2024, the House disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 1758, H.D. 1 (S.D. 1);
H.B. No. 1884, H.D. 1 (S.D. 1);
H.B. No. 2184, H.D. 1 (S.D. 1);
H.B. No. 2192, H.D. 1 (S.D. 1); and
H.B. No. 2657, H.D. 1 (S.D. 1),

was placed on file.

Hse. Com. No. 692, returning S.B. No. 572, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 9, 2024, was placed on file.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 572, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 693, returning S.B. No. 582, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 9, 2024, was placed on file.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 582, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 694, returning S.B. No. 1099, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 9, 2024, was placed on file.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1099, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 695, returning S.B. No. 1511, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 9, 2024, was placed on file.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1511, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 696, returning S.B. No. 2170, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 9, 2024, was placed on file.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2170, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 697, returning S.B. No. 2245, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 9, 2024, was placed on file.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2245, S.D. 1, and requested a conference on the subject matter thereof.

STANDING COMMITTEE REPORT

Senator McKelvey, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 3820) recommending that the Senate advise and consent to the nomination of BONNIE KAHAKUI as Administrator of the State Procurement Office, in accordance with Gov. Msg. No. 626.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3820 and Gov. Msg. No. 626 was deferred until Friday, April 12, 2024.

ORDER OF THE DAY**THIRD READING**

H.B. No. 2278, H.D. 2, S.D. 3:

On motion by Senator Keohokalole, seconded by Senator Kanuha and carried, H.B. No. 2278, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO LABELING OF MACADAMIA NUTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Elefante, McKelvey, San Buenaventura, Wakai). Noes, none. Excused, 1 (Ihara).

**RE-REFERRAL OF
HOUSE CONCURRENT RESOLUTIONS**

The Chair re-referred the following House concurrent resolutions that were received:

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

H.C.R. No. 117, Committee on Government Operations, then H.D. 1 to the Committee on Ways and Means

H.C.R. No. 118, Jointly to the Committee on Government Operations and the Committee on Housing H.D. 1

H.C.R. No. 122 Jointly to the Committee on Government Operations and the Committee on Housing

MISCELLANEOUS BUSINESS**WAIVER OF REFERRAL
AND
THIRD READING**

Senator Dela Cruz, Chair of the Committee on Ways and Means, rose to request that the referral of H.B. No. 2509, H.D. 1, S.D. 1 to the Committee on Ways and Means be waived.

Senator Dela Cruz noted:

"Your Committee on Ways and Means requests this waiver to meet the Second Decking deadline."

The Chair granted the waiver.

The Chair then stated:

"Members, the Senate draft of this measure has been available for more than 48 hours and today is the Second Crossover deadline. Therefore, if there are no objections, we will proceed with the Third Reading vote on this measure at this time in order to meet today's deadline."

H.B. No. 2509, H.D. 1, S.D. 1:

On motion by Senator Rhoads, seconded by Senator Gabbard and carried, H.B. No. 2509, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3 OF THE HAWAII STATE CONSTITUTION TO INCREASE THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES,"

having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Awa). Excused, 1 (Ihara).

At this time, the Chair made the following announcement:

"For the duration of the 2024 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."

ADJOURNMENT

At 11:40 a.m., on motion by Senator Wakai, seconded by Senator DeCoite and carried, the Senate adjourned until 11:30 a.m., Friday, April 12, 2024.