

## FORTY-NINTH DAY

## Friday, April 12, 2024

The Senate of the Thirty-Second Legislature of the State of Hawai‘i, Regular Session of 2024, convened at 11:37 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-Eighth Day.

At this time, Senator Keohokalole recognized teachers, chaperones, and second- and third-grade students from Le Jardin Academy’s kāhuli hui advocacy club who were seated in the gallery. Senator Keohokalole noted that the visitors had attended the signing of the kāhuli snail bill earlier that day.

Senator DeCoite, on behalf of the Maui delegation, introduced dedicated teachers and Hawai‘i State Teachers Association members from Maui who were present in the gallery: Hillary Watt, special education teacher for the Baldwin–Kekaulike–Kūlanihāko‘i–Maui Complex Area; John “Fitz” Fitzpatrick from Kūlanihāko‘i High School; and Carol Holland from Maui High School.

Senator Elefante, on behalf of the Filipino Caucus, welcomed Jeff and Carol Yaranon, who were visiting from the Philippines and celebrating their 25th wedding anniversary. Accompanying them in the gallery were Virginia “Virgie” Mabellos from the Senate Clerk’s office; her sister Marjorie Madamba; and her niece Erica Yaranon.

Senator Ihara introduced a group of students from ‘Iolani School who had advocated for House Bill 1899, which designated certain native snail species as official state snails. Senator Ihara noted that the bill was part of the Year of the Kāhuli campaign proclaimed by Governor Green the previous year and that it sought to raise awareness and action toward saving the imperiled kāhuli of the forests. Senator Ihara explained that the students had succeeded in their advocacy and had witnessed the signing of the bill by the governor that day. Seated in the gallery were students Miley Cox, Hailee Goo, Landon Hirata, Hoku Hulihee, Cole Ide, Ashton Kim, Paula Kong-Mercado, Logan Lee, Carter Matsuwaki, Gervase Ngo, Nicholas Petersen, Luke Tobin, and Sophia Victorino and teachers Yvonne Chan and Candice Sakuda. Senator Ihara then introduced Kailee Lefebvre from the Coordinating Group on Alien Pest Species, a project of the Pacific Cooperative Studies Unit at the University of Hawai‘i at Mānoa.

Senator Dela Cruz acknowledged Ford Fuchigami, the Airports deputy director, who was present in the gallery.

Senator McKelvey introduced Department of Accounting and General Services director Mr. Keith Regan and deputy director Ms. Meoh-Leng Silliman, who were seated in the gallery.

## MESSAGE FROM THE GOVERNOR

The following message from the Governor (Gov. Msg. No. 1103) was read by the Clerk and was placed on file:

Gov. Msg. No. 1103, informing the Senate that on April 11, 2024, the Governor signed into law Senate Bill No. 2387 as Act 3, entitled: “RELATING TO OWNERS OF LAND.”

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 731 to 733) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 731, informing the Senate that on April 11, 2024, the House disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 500, H.D. 1 (S.D. 1);  
 H.B. No. 1527, H.D. 1 (S.D. 2);  
 H.B. No. 1529, H.D. 2 (S.D. 2);  
 H.B. No. 1533, H.D. 2 (S.D. 1);  
 H.B. No. 1539, H.D. 1 (S.D. 2);  
 H.B. No. 1554, H.D. 1 (S.D. 1);  
 H.B. No. 1577, H.D. 1 (S.D. 2);  
 H.B. No. 1578, H.D. 2 (S.D. 1);  
 H.B. No. 1595, H.D. 1 (S.D. 1);  
 H.B. No. 1597, H.D. 1 (S.D. 1);  
 H.B. No. 1598, H.D. 1 (S.D. 2);  
 H.B. No. 1599, H.D. 1 (S.D. 2);  
 H.B. No. 1600, H.D. 1 (S.D. 2);  
 H.B. No. 1604, H.D. 1 (S.D. 1);  
 H.B. No. 1611, H.D. 2 (S.D. 2);  
 H.B. No. 1624, H.D. 1 (S.D. 1);  
 H.B. No. 1633, H.D. 1 (S.D. 1);  
 H.B. No. 1639, H.D. 1 (S.D. 1);  
 H.B. No. 1640, H.D. 1 (S.D. 1);  
 H.B. No. 1642, H.D. 1 (S.D. 1);  
 H.B. No. 1686, H.D. 1 (S.D. 1);  
 H.B. No. 1760, H.D. 1 (S.D. 1);  
 H.B. No. 1763, H.D. 1 (S.D. 2);  
 H.B. No. 1772, H.D. 1 (S.D. 1);  
 H.B. No. 1827, H.D. 2 (S.D. 1);  
 H.B. No. 1828, H.D. 1 (S.D. 2);  
 H.B. No. 1830, H.D. 2 (S.D. 1);  
 H.B. No. 1831, H.D. 1 (S.D. 2);  
 H.B. No. 1832, H.D. 1 (S.D. 2);  
 H.B. No. 1838, H.D. 2 (S.D. 2);  
 H.B. No. 1842, H.D. 1 (S.D. 1);  
 H.B. No. 1861, H.D. 2 (S.D. 2);  
 H.B. No. 1869, H.D. 1 (S.D. 2);  
 H.B. No. 1881, H.D. 1 (S.D. 1);  
 H.B. No. 1886, H.D. 1 (S.D. 2);  
 H.B. No. 1889, H.D. 1 (S.D. 2);  
 H.B. No. 1892, H.D. 2 (S.D. 1);  
 H.B. No. 1896, H.D. 2 (S.D. 1);  
 H.B. No. 1902, H.D. 1 (S.D. 2);  
 H.B. No. 1912, H.D. 1 (S.D. 1);  
 H.B. No. 1913, H.D. 1 (S.D. 2);  
 H.B. No. 1914, H.D. 1 (S.D. 2);  
 H.B. No. 1916, H.D. 1 (S.D. 1);  
 H.B. No. 1917, H.D. 1 (S.D. 1);  
 H.B. No. 1919, H.D. 1 (S.D. 2);  
 H.B. No. 1922, H.D. 2 (S.D. 1);  
 H.B. No. 1923, H.D. 1 (S.D. 2);  
 H.B. No. 1925, H.D. 2 (S.D. 1);  
 H.B. No. 1927, H.D. 1 (S.D. 1);  
 H.B. No. 1932, H.D. 2 (S.D. 1);  
 H.B. No. 1936, H.D. 2 (S.D. 2);  
 H.B. No. 1944, H.D. 2 (S.D. 1);  
 H.B. No. 1953, H.D. 1 (S.D. 2);  
 H.B. No. 1964, H.D. 2 (S.D. 2);  
 H.B. No. 1974, H.D. 1 (S.D. 1);  
 H.B. No. 1997, H.D. 1 (S.D. 1);  
 H.B. No. 2020, H.D. 2 (S.D. 2);  
 H.B. No. 2042, H.D. 1 (S.D. 1);  
 H.B. No. 2058, H.D. 1 (S.D. 1);  
 H.B. No. 2069, H.D. 1 (S.D. 1);  
 H.B. No. 2070, H.D. 1 (S.D. 2);  
 H.B. No. 2071, H.D. 1 (S.D. 1);  
 H.B. No. 2074, H.D. 2 (S.D. 1);  
 H.B. No. 2083, H.D. 3 (S.D. 1);

H.B. No. 2090, H.D. 1 (S.D. 2);  
 H.B. No. 2107, H.D. 2 (S.D. 1);  
 H.B. No. 2131, H.D. 2 (S.D. 1);  
 H.B. No. 2136, H.D. 2 (S.D. 2);  
 H.B. No. 2144, H.D. 1 (S.D. 2);  
 H.B. No. 2159, H.D. 2 (S.D. 2);  
 H.B. No. 2183, H.D. 1 (S.D. 2);  
 H.B. No. 2193, H.D. 1 (S.D. 2);  
 H.B. No. 2216, H.D. 2 (S.D. 2);  
 H.B. No. 2218, H.D. 1 (S.D. 2);  
 H.B. No. 2224, H.D. 2 (S.D. 1);  
 H.B. No. 2227, H.D. 2 (S.D. 1);  
 H.B. No. 2231, H.D. 1 (S.D. 1);  
 H.B. No. 2241, H.D. 1 (S.D. 2);  
 H.B. No. 2248, H.D. 1 (S.D. 1);  
 H.B. No. 2253, H.D. 2 (S.D. 1);  
 H.B. No. 2278, H.D. 2 (S.D. 3);  
 H.B. No. 2295, H.D. 1 (S.D. 1);  
 H.B. No. 2298, H.D. 1 (S.D. 2);  
 H.B. No. 2315, H.D. 1 (S.D. 2);  
 H.B. No. 2316, H.D. 1 (S.D. 1);  
 H.B. No. 2317, H.D. 1 (S.D. 1);  
 H.B. No. 2318, H.D. 1 (S.D. 1);  
 H.B. No. 2328, H.D. 2 (S.D. 1);  
 H.B. No. 2329, H.D. 1 (S.D. 1);  
 H.B. No. 2337, H.D. 1 (S.D. 2);  
 H.B. No. 2339, H.D. 1 (S.D. 2);  
 H.B. No. 2340, H.D. 2 (S.D. 2);  
 H.B. No. 2342, H.D. 1 (S.D. 2);  
 H.B. No. 2343, H.D. 1 (S.D. 1);  
 H.B. No. 2352, H.D. 1 (S.D. 2);  
 H.B. No. 2354, H.D. 1 (S.D. 2);  
 H.B. No. 2359, H.D. 2 (S.D. 1);  
 H.B. No. 2361, H.D. 1 (S.D. 1);  
 H.B. No. 2365, H.D. 1 (S.D. 1);  
 H.B. No. 2369, H.D. 1 (S.D. 1);  
 H.B. No. 2370, H.D. 1 (S.D. 2);  
 H.B. No. 2372, H.D. 1 (S.D. 2);  
 H.B. No. 2373, H.D. 1 (S.D. 1);  
 H.B. No. 2374, H.D. 1 (S.D. 2);  
 H.B. No. 2376, H.D. 1 (S.D. 1);  
 H.B. No. 2377, H.D. 1 (S.D. 1);  
 H.B. No. 2380, H.D. 2 (S.D. 1);  
 H.B. No. 2384, H.D. 2 (S.D. 2);  
 H.B. No. 2393, H.D. 1 (S.D. 1);  
 H.B. No. 2394, H.D. 1 (S.D. 1);  
 H.B. No. 2395, H.D. 1 (S.D. 2);  
 H.B. No. 2396, H.D. 1 (S.D. 2);  
 H.B. No. 2399, H.D. 1 (S.D. 1);  
 H.B. No. 2400, H.D. 2 (S.D. 2);  
 H.B. No. 2404, H.D. 1 (S.D. 1);  
 H.B. No. 2415, H.D. 2 (S.D. 2);  
 H.B. No. 2420, H.D. 2 (S.D. 2);  
 H.B. No. 2425, H.D. 2 (S.D. 2);  
 H.B. No. 2426, H.D. 2 (S.D. 2);  
 H.B. No. 2430, H.D. 2 (S.D. 1);  
 H.B. No. 2435, H.D. 1 (S.D. 2);  
 H.B. No. 2443, H.D. 2 (S.D. 1);  
 H.B. No. 2444, H.D. 1 (S.D. 1);  
 H.B. No. 2446, H.D. 2 (S.D. 2);  
 H.B. No. 2451, H.D. 3 (S.D. 1);  
 H.B. No. 2453, H.D. 1 (S.D. 2);  
 H.B. No. 2457, H.D. 2 (S.D. 1);  
 H.B. No. 2458, H.D. 1 (S.D. 2);  
 H.B. No. 2463, H.D. 2 (S.D. 2);  
 H.B. No. 2467, H.D. 1 (S.D. 1);  
 H.B. No. 2471, H.D. 2 (S.D. 2);  
 H.B. No. 2475, H.D. 2 (S.D. 1);  
 H.B. No. 2478, H.D. 1 (S.D. 1);  
 H.B. No. 2480, H.D. 1 (S.D. 2);  
 H.B. No. 2481, H.D. 1 (S.D. 1);

H.B. No. 2482, H.D. 1 (S.D. 2);  
 H.B. No. 2483, H.D. 1 (S.D. 2);  
 H.B. No. 2484, H.D. 1 (S.D. 1);  
 H.B. No. 2485, H.D. 1 (S.D. 2);  
 H.B. No. 2486, H.D. 1 (S.D. 1);  
 H.B. No. 2488, H.D. 1 (S.D. 1);  
 H.B. No. 2489, H.D. 1 (S.D. 2);  
 H.B. No. 2490, H.D. 2 (S.D. 1);  
 H.B. No. 2491, H.D. 2 (S.D. 1);  
 H.B. No. 2492, H.D. 2 (S.D. 1);  
 H.B. No. 2493, H.D. 2 (S.D. 1);  
 H.B. No. 2496, H.D. 1 (S.D. 1);  
 H.B. No. 2499, H.D. 2 (S.D. 2);  
 H.B. No. 2501, H.D. 1 (S.D. 2);  
 H.B. No. 2504, H.D. 2 (S.D. 2);  
 H.B. No. 2505, H.D. 1 (S.D. 1);  
 H.B. No. 2509, H.D. 1 (S.D. 1);  
 H.B. No. 2526, H.D. 2 (S.D. 1);  
 H.B. No. 2546, H.D. 1 (S.D. 1);  
 H.B. No. 2553, H.D. 2 (S.D. 2);  
 H.B. No. 2563, H.D. 2 (S.D. 2);  
 H.B. No. 2570, H.D. 1 (S.D. 2);  
 H.B. No. 2577, H.D. 1 (S.D. 1);  
 H.B. No. 2581, H.D. 1 (S.D. 1);  
 H.B. No. 2582, H.D. 1 (S.D. 2);  
 H.B. No. 2614, H.D. 1 (S.D. 2);  
 H.B. No. 2619, H.D. 1 (S.D. 1);  
 H.B. No. 2626, H.D. 1 (S.D. 1);  
 H.B. No. 2641, H.D. 1 (S.D. 1);  
 H.B. No. 2644, H.D. 2 (S.D. 1);  
 H.B. No. 2653, H.D. 1 (S.D. 1);  
 H.B. No. 2662, H.D. 1 (S.D. 2);  
 H.B. No. 2685, H.D. 2 (S.D. 1);  
 H.B. No. 2686, H.D. 1 (S.D. 2);  
 H.B. No. 2690, H.D. 2 (S.D. 1);  
 H.B. No. 2700, H.D. 3 (S.D. 2);  
 H.B. No. 2712, H.D. 1 (S.D. 1);  
 H.B. No. 2715, H.D. 1 (S.D. 1);  
 H.B. No. 2720, H.D. 3 (S.D. 1);  
 H.B. No. 2742, H.D. 1 (S.D. 2);  
 H.B. No. 2743, H.D. 2 (S.D. 1);  
 H.B. No. 2774, H.D. 2 (S.D. 1);  
 H.B. No. 2790, H.D. 1 (S.D. 1);  
 H.B. No. 2801, H.D. 1 (S.D. 1); and  
 H.B. No. 2805, H.D. 1 (S.D. 1),

was placed on file.

Hse. Com. No. 732, returning S.B. No. 2342, S.D. 2, as amended in H.D. 3, which passed Third Reading in the House of Representatives on April 11, 2024, was placed on file.

On motion by Senator Wakai, seconded by Senator DeCoite and carried on April 11, 2024, the Senate disagreed to the amendments proposed by the House to S.B. No. 2342, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 733, returning S.B. No. 2513, S.D. 2, as amended in H.D. 3, which passed Third Reading in the House of Representatives on April 11, 2024, was placed on file.

On motion by Senator Wakai, seconded by Senator DeCoite and carried on April 11, 2024, the Senate disagreed to the amendments proposed by the House to S.B. No. 2513, S.D. 2, and requested a conference on the subject matter thereof.

#### SENATE COMMUNICATION

The following communication (Sen. Com. No. 2) was read by the Clerk and was placed on file:

Sen. Com. No. 2, notice to Governor dated April 11, 2024, transmitting H.B. No. 2509, H.D. 1, S.D. 1, which proposes an

amendment to the Hawai'i State Constitution and reads as follows:

"April 11, 2024

The Honorable Josh Green  
Governor of the State of Hawai'i  
State Capitol  
Honolulu, Hawai'i 96813

Dear Governor Green:

In accordance with the provisions of Article XVII, Section 3 of the Hawai'i State Constitution, written notice is hereby given of the final form of the following bill, copies of which are attached hereto:

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

"PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3 OF THE HAWAII STATE CONSTITUTION TO INCREASE THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES."

Respectfully,  
/s/ Carol Taniguchi  
CAROL TANIGUCHI  
Clerk of the Senate"

#### STANDING COMMITTEE REPORT

Senator Keohokalole, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3821) recommending that the Senate advise and consent to the nominations to the Board of Physical Therapy of the following:

CYNTHIA TAMAYO, in accordance with Gov. Msg. No. 508; and

MICHELE CHEE, in accordance with Gov. Msg. No. 612.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3821 and Gov. Msg. Nos. 508, and 612 was deferred until Monday, April 15, 2024.

#### ORDER OF THE DAY

##### ADVISE AND CONSENT

Stand. Com. Rep. No. 3820 (Gov. Msg. No. 626):

Senator McKelvey moved that Stand. Com. Rep. No. 3820 be received and placed on file, seconded by Senator Gabbard and carried.

Senator McKelvey then moved that the Senate advise and consent to the nomination of BONNIE KAHAKUI as Administrator of the State Procurement Office, term to expire in four years, seconded by Senator Gabbard.

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

"She's had 27 years' experience with DAGS, nearly 20 of them with the Procurement Office. She's been our acting SPO, and she has an understanding of procurement law, quite frankly, like no other. She understands the balance of having the integrity of the procurement code, which protects the public, but also the need for agencies to get projects out. She's earned the respect of the agencies in being fair and tough but pragmatic. Her work with your Committee on legislation continues to improve the procurement code and create a more responsive environment and a more open environment where competition can be allowed to thrive while projects get done and oversight is created. I'm proud to stand here and recommend to the body that we approve her for a tenure as our SPO and that she will continue the good work that she has done to open

communication with us and our constituents, and I'm proud to be here to speak in favor of the nomination today. Thank you."

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

Ayes, 25. Noes, none.

Senator McKelvey introduced Administrator Bonnie Kahakui, who was present in the gallery with her family and supporters.

The Chair extended congratulations to Administrator Kahakui.

#### APPOINTMENT OF CONFEREES

H.B. No. 1800, 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. 1800, H.D. 1, and the request for a conference on the subject matter thereof, on April 11, 2024, the President appointed Senators Dela Cruz, chair; Moriwaki, co-chair; Aquino, DeCoite, Hashimoto, Inouye, Kanuha, Kidani, Kim, Lee, Shimabukuro, Wakai, Fevella as managers on the part of the Senate at such conference.

H.B. No. 1911, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1911, H.D. 2, and the request for a conference on the subject matter thereof, on April 11, 2024, the President appointed Senators Rhoads, chair; Dela Cruz, co-chair; Elefante, Awa as managers on the part of the Senate at such conference.

#### ADJOURNMENT

At 11:48 a.m., on motion by Senator Wakai, seconded by Senator DeCoite and carried, the Senate adjourned until 11:30 a.m., Monday, April 15, 2024.