

JOURNAL
of the
SENATE OF THE
THIRTY-SECOND LEGISLATURE
of the
STATE OF HAWAI‘I


Special Session of 2024

Convened Wednesday, June 26, 2024
Adjourned Thursday, June 27, 2024

CERTIFICATE

We hereby certify that the minutes for each day's session as appears in this Senate Journal are true and correct and a copy is on file in the Archives of the State of Hawai'i.


President of the Senate


Clerk of the Senate

OFFICERS OF THE SENATE

President

HONORABLE RONALD D. KOUCHIWaimea, Hawai'i

Vice President

HONORABLE MICHELLE N. KIDANI Mililani, Hawai'i

Clerk

CAROL T. TANIGUCHI.....Honolulu, Hawai'i

Assistant Clerk

JENNIFER T. CHOW.....Honolulu, Hawai'i

Sergeant-at-Arms

BIENVENIDO C. VILLAFLOR..... Honolulu, Hawai'i

Assistant Sergeant-at-Arms

C. M. PARK KALEIWAHEA.....Honolulu, Hawai'i

LIST OF MEMBERS
of the
SENATE OF THE THIRTY-SECOND LEGISLATURE
of the
STATE OF HAWAI‘I

DISTRICT NO.	NAME	DISTRICT
First	INOUYE, LORRAINE R. (D)	Hilo, Pauka‘a, Papaikou, Pepe‘ekeo
Second	SAN BUENAVENTURA, JOY A. (D)	Puna
Third	KANUHA, DRU MAMO (D)	Kona, Ka‘ū, Volcano
Fourth	RICHARDS, III, HERBERT M. “TIM” (D)	North Hilo, Hamākua, Kohala, Waimea, Waikoloa, North Kona
Fifth	HASHIMOTO, TROY N. (D)	Wailuku, Kahului, Waihe‘e, Waikapū Mauka, Waiehu
Sixth	MCKELVEY, ANGUS L.K. (D)	West Maui, Mā‘alaea, Waikapū, South Maui
Seventh	DECOITE, LYNN (D)	Hāna, East and Upcountry Maui, Moloka‘i, Lāna‘i, Kaho‘olawe and Molokini
Eighth	KOUCHI, RONALD D. (D)	Kaua‘i, Ni‘ihau

DISTRICT NO.	NAME	DISTRICT
Ninth	CHANG, STANLEY (D)	Hawai'i Kai, Kuli'ou'ou, Niu, 'Āina Haina, Wai'alae-Kāhala, Diamond Head, Kaimukī, Kapahulu
Tenth	IHARA, JR., LES (D)	Pālolo, St. Louis Heights, Maunalani Heights, Ala Wai mauka, portions of Kaimukī, Kapahulu, Mō'ili'ili, McCully
Eleventh	FUKUNAGA, CAROL (D)	Mānoa, Makiki/Punchbowl, Tantalus and Papakōlea
Twelfth	MORIWAKI, SHARON Y. (D)	Waikīkī, Ala Moana, Kaka'ako, McCully
Thirteenth	RHOADS, KARL (D)	Dowsett Highlands, Pu'unui, Nu'uauu, Pacific Heights, Pauoa, Punchbowl, Pālama, Liliha, Iwilei, Chinatown, and Downtown
Fourteenth	KIM, DONNA MERCADO (D)	Kapālama, 'Ālewa, Kalihi, Kalihi Valley, Ft. Shafter, Moanalua Gardens & Valley, Red Hill
Fifteenth	WAKAI, GLENN (D)	Kalihi, Māpunapuna, Airport, Salt Lake, Āliamanu, Foster Village, Hickam, Pearl Harbor, and portions of 'Aiea and Pearl City
Sixteenth	ELEFANTE, BRANDON J.C. (D)	'Aiea, 'Aiea Heights, Hālawa, Pearlridge, Newtown, Royal Summit, Waimalu, Waiau, Momilani, Pacific Palisades, and Pearl City

DISTRICT NO.	NAME	DISTRICT
Seventeenth	DELA CRUZ, DONOVAN M. (D)	Portion of Mililani, Mililani Mauka, portion of Waipi'o Acres, Launani Valley, Wahiawā, Whitmore Village
Eighteenth	KIDANI, MICHELLE N. (D)	Mililani Town, Waipi'o Gentry, Crestview, Waikele, portion of Waipahu, Village Park, Royal Kunia
Nineteenth	AQUINO, HENRY J.C. (D)	Pearl City, Waipahu, West Loch Estates, Honouliuli, Ho'opili
Twentieth	FEVELLA, KURT (R)	'Ewa Beach, Ocean Pointe, 'Ewa by Gentry, Iroquois Point, portion of 'Ewa Villages
Twenty-First	GABBARD, MIKE (D)	Kapolei, Makakilo, Kalaeloa, portions of Fernandez Village, and 'Ewa
Twenty-Second	(VACANT) *	Honokai Hale, Ko 'Olina, Nānākuli, Mā'ili, Wai'anae, Mākaha, Mākua
Twenty-Third	AWA, BRENTON (R)	Kāne'ohe, Kahalu'u thru Lā'ie, Kahuku to Mokolē'ia, Schofield Barracks, Kunia Camp
Twenty-Fourth	KEOHOKALOLE, JARRETT (D)	Kāne'ohe, Kailua
Twenty-Fifth	LEE, CHRIS (D)	Kailua, Lanikai, Enchanted Lake, Keolu Hills, Maunawili, Waimānalo, Hawai'i Kai, Portlock

* Vacancy created by the resignation of Maile S.L. Shimabukuro on May 31, 2024.

**MEMBERS OF THE SENATE
THIRTY-SECOND LEGISLATURE
STATE OF HAWAII
SPECIAL SESSION OF 2024**



RONALD D. KOUCHI
8th Senatorial District
President



MICHELLE N. KIDANI
18th Senatorial District
Vice President
Chair: Education



DRU MAMO KANUHA
3rd Senatorial District
Majority Leader



GLENN WAKAI
15th Senatorial District
Majority Floor Leader
Chair: Public Safety and Intergovernmental
and Military Affairs



LYNN DECOITE
7th Senatorial District
Assistant Majority Floor Leader
Chair: Energy, Economic Development,
and Tourism



LES IHARA, JR.
10th Senatorial District
Majority Policy Leader



LORRAINE R. INOUYE
1st Senatorial District
Majority Whip
Chair: Water and Land



HENRY J.C. AQUINO
19th Senatorial District
Assistant Majority Whip
Chair: Labor and Technology



TROY N. HASHIMOTO
5th Senatorial District
Assistant Majority Whip



JARRETT KEOHOKALOLE
24th Senatorial District
Assistant Majority Whip
Chair: Commerce and Consumer Protection



CHRIS LEE
25th Senatorial District
Assistant Majority Whip
Chair: Transportation and
Culture and the Arts



HERBERT M. "TIM" RICHARDS, III
4th Senatorial District
Assistant Majority Whip



BRENTON AWA
23rd Senatorial District



STANLEY CHANG
9th Senatorial District
Chair: Housing



DONOVAN M. DELA CRUZ
17th Senatorial District
Chair: Ways and Means



BRANDON J.C. ELEFANTE
16th Senatorial District



KURT FEVELLA
20th Senatorial District



CAROL FUKUNAGA
11th Senatorial District



MIKE GABBARD
21st Senatorial District
Chair: Agriculture and Environment



DONNA MERCADO KIM
14th Senatorial District
Chair: Higher Education



ANGUS L.K. MCKELVEY
6th Senatorial District
Chair: Government Operations



SHARON Y. MORIWAKI
12th Senatorial District



KARL RHOADS
13th Senatorial District
Chair: Judiciary



JOY A. SAN BUENAVENTURA
2nd Senatorial District
Chair: Health and Human Services



CAROL T. TANIGUCHI
Clerk



JENNIFER T. CHOW
Assistant Clerk



C.M. PARK KALEIWAHEA
Assistant Sergeant-at-Arms



BIENVENIDO C. VILLAFIOR
Sergeant-at-Arms

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THE
THIRTY-SECOND LEGISLATURE
STATE OF HAWAII
SPECIAL SESSION OF 2024
JOURNAL OF THE SENATE

FIRST DAY

Wednesday, June 26, 2024

The Senate of the Thirty-Second Legislature of the State of Hawai'i, Special Session of 2024, was called to order at 11:02 a.m., by Senator Ronald D. Kouchi, President of the Senate, in accordance with the following Proclamation, which was read by the Clerk and was placed on file:

“Proclamation

June 25, 2024

I, Ronald D. Kouchi, President of the Senate of the Thirty-Second Legislature of the State of Hawai'i, pursuant to the power vested in me by Section 10, Article III of the Constitution of the State of Hawai'i, and at the written request of two-thirds of the members to which the Senate is entitled, do hereby convene the Senate in Special Session as sought in the petition at 11:00 a.m. on Wednesday, June 26, 2024, in the State Capitol Senate Chamber, for the purpose of carrying out its responsibilities established by Section 3, Article VI of the Constitution of the State of Hawai'i.

/s/ Ronald D. Kouchi
RONALD D. KOUCHI
President of the Hawaii State Senate”

The Roll was called showing all Senators present, with the exception of Senators Fevella, Fukunaga, Gabbard, Ihara, Inouye, Kim, Richards, and San Buenaventura who were excused.

Senator Rhoads introduced Dale Arakaki, principal of Pauoa Elementary School, who had been named the state's 2024 National Distinguished Principal by the Hawai'i Elementary and Middle School Administrators Association. Senator Rhoads noted that Principal Arakaki had been the principal of Pauoa Elementary School for 10 years and was credited with the school's dramatic increases in academic achievement and its earning National Blue Ribbon School status in 2018. Accompanying Principal Arakaki in the gallery were communications specialists Kimberly Yuen and Kimi Takazawa and communications interns Tara Oyama and Kimi Maligaya from the Department of Education as well as legislative attorney Jessie Faige, a member of Senator Rhoads's staff. Senator Rhoads also recognized Joe Passantino, who had been named the 2024 Principal of the Year by the Hawaii Association of Secondary School Administrators. Senator Rhoads explained that Principal Passantino had been principal of Ke'elikōlani Middle School since 2020, where improvement in student achievement and staff morale was attributed to his sterling leadership.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 1 to 5) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 1, submitting for consideration and confirmation, the nomination of REBECCA COPELAND as Judge of the Circuit Court of the First Circuit (island of O'ahu), State of Hawai'i, for a term of ten years, was referred to the Committee on Judiciary.

Gov. Msg. No. 2, submitting for consideration and confirmation, the nomination of BRIAN COSTA as Judge of the Circuit Court of the First Circuit (island of O'ahu), State of Hawai'i, for a term of ten years, was referred to the Committee on Judiciary.

Gov. Msg. No. 3, submitting for consideration and confirmation, the nomination of DYAN MEDEIROS as Judge of the Circuit Court of the First Circuit (island of O'ahu), State of Hawai'i, for a term of ten years, was referred to the Committee on Judiciary.

Gov. Msg. No. 4, submitting for consideration and confirmation, the nomination of STEVEN NICHOLS as Judge of the Circuit Court of the First Circuit (island of O'ahu), State of Hawai'i, for a term of ten years, was referred to the Committee on Judiciary.

Gov. Msg. No. 5, letter dated June 10, 2024, clarifying that Judge Rebecca Copeland was nominated to replace Judge Gary Chang, Judge Brian Costa was nominated to replace Judge Jeffrey Crabtree, Judge Dyan Medeiros was nominated to replace Judge R. Mark Browning, and Judge Steven Nichols was nominated to replace Judge Edward Kubo, was placed on file.

At this time, Senator Rhoads announced that the Committee on Judiciary would be holding a decision-making meeting on the measures at 11:45 a.m. that morning in Conference Room 016.

The following standing committees of the Senate and their respective chairs and members, effective June 1, 2024, and June 14, 2024, were announced by Senate President Kouchi:

HAWAIIAN AFFAIRS

Senator Herbert M. “Tim” Richards, III, Chair
Senator Kurt Fevella, Vice Chair
Senator Les Ihara, Jr.
Senator Jarrett Keohokalole

JUDICIARY

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
Senator Brandon J.C. Elefante
Senator Dru Mamo Kanuha
Senator Jarrett Keohokalole
Senator Joy A. San Buenaventura
Senator Brenton Awa

The Chair then made the following announcement:

“The deadline to file standing committee reports on Gov. Msg. Nos. 1 to 4 is 4:30 p.m. this afternoon.”

The Chair also announced that there would be a leadership meeting immediately following adjournment.

STANDING COMMITTEE REPORTS

On motion by Senator Wakai, seconded by Senator DeCoite and carried unanimously, the Clerk was authorized to receive standing committee reports on Gov. Msg. Nos. 1 to 4. In consequence thereof, and subsequent to its recessing at 11:08 a.m., the Senate took the following actions:

Senator Rhoads, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1) recommending that the Senate consent to the appointment of REBECCA COPELAND as Judge of the Circuit Court of the First Circuit, in accordance with Gov. Msg. No. 1.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1 and Gov. Msg. No. 1 was deferred until Thursday, June 27, 2024.

Senator Rhoads, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2) recommending that the Senate consent to the appointment of BRIAN COSTA as Judge of the Circuit Court of the First Circuit, in accordance with Gov. Msg. No. 2.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2 and Gov. Msg. No. 2 was deferred until Thursday, June 27, 2024.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3) recommending that the Senate consent to the appointment of DYAN MEDEIROS as Judge of the Circuit Court of the First Circuit, in accordance with Gov. Msg. No. 3.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3 and Gov. Msg. No. 3 was deferred until Thursday, June 27, 2024.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 4) recommending that the Senate consent to the appointment of STEVEN NICHOLS as Judge of the Circuit Court of the First Circuit, in accordance with Gov. Msg. No. 4.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 4 and Gov. Msg. No. 4 was deferred until Thursday, June 27, 2024.

ADJOURNMENT

At 4:30 p.m., the Senate adjourned until 11:00 a.m., Thursday, June 27, 2024.

SECOND DAY

Thursday, June 27, 2024

The Senate of the Thirty-Second Legislature of the State of Hawai'i, Special Session of 2024, convened at 11:02 a.m. with the President in the Chair.

The Roll was called showing all Senators present, with the exception of Senators Fukunaga, Gabbard, Ihara, Kidani, Kim, Richards, and San Buenaventura who were excused.

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

Senator Keohokalole introduced Vincent Tan, a summer intern and Kalani High School graduate studying psychology at Connecticut College. Accompanying him in the gallery was committee clerk Jaymee Weisberg.

The Chair, in good humor, expressed his hope that Mr. Tan would not change his major after studying the members' psychology.

**ORDER OF THE DAY
ADVISE AND CONSENT**

Stand. Com. Rep. No. 1 (Gov. Msg. No. 1):

Senator Rhoads moved that Stand. Com. Rep. No. 1 be received and placed on file, seconded by Senator Elefante and carried.

Senator Rhoads then moved that the Senate consent to the appointment of REBECCA COPELAND as Judge of the Circuit Court of the First Circuit, for a term of 10 years, seconded by Senator Elefante.

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

"Rebecca Copeland has been a full-time judge in the First Circuit's District Family Court for over four years and currently is the presiding judge for Truancy Court and the Early Education Intervention Program. She previously was a per diem judge in the District Court for several years. As a result, Judge Copeland has presided over a range of civil and criminal cases including temporary restraining orders, paternities, adoptions, guardianships, involuntary hospitalizations, assisted community treatment orders, juvenile criminal matters, civil traffic infractions, petty misdemeanors, misdemeanors, summary possession, and small claims.

"For eight years, Judge Copeland had her own practice that focused on family and civil litigation. Prior to that, she was an associate at Damon Key Leong Kupchak Hastert, where she concentrated on litigation and appeals, and she was a deputy solicitor general for the Department of the Attorney General. She also was a law clerk at the Intermediate Court of Appeals. Early in her career, Judge Copeland worked for several years in Texas, where she had gone to law school, at two law firms and a county public defender's office handling appeals and as an adjunct professor at two universities. She was licensed to practice law in Hawai'i over 20 years ago.

"Judge Copeland has been an active member of the Hawai'i legal community, including serving on the Hawai'i Access to Justice Commission since 2011. She was a member of the board of directors for the Hawaii State Bar Association and founded and led their Appellate Section. Additionally, she has written a number of publications on appellate practice and has had numerous speaking engagements. She has also been active in other professional and community organizations, including serving as a board member on the City and County of

Honolulu's Zoning Board of Appeals, a board member of the Hawai'i LGBT Legacy Foundation, a board member of Equality Hawai'i, and a member of the Japanese American Citizens League Honolulu Chapter. In 2016, she received the Hawaii State Bar Association's President's Award and in 2018 was named the Hawaii Women Lawyers Outstanding Woman Lawyer of the Year.

"Judge Copeland graduated magna cum laude from Southwest Texas State University, where she received a bachelor of arts degree in psychology. Her juris doctor is from St. Mary's University School of Law, where she was a staff writer and senior associate editor for the school's law journal and participated in the External Advocacy Moot Court Team.

"After reviewing the testimony, which was all in support of the appointment, and other materials submitted to the Committee and having examined the appointee in a hearing, your Judiciary committee finds that Rebecca Copeland is qualified to serve as a circuit court judge of the First 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, 16. Noes, 1 (Awa). Excused, 7 (Fukunaga, Gabbard, Ihara, Kidani, Kim, Richards, San Buenaventura).

Senator Rhoads introduced Judge Rebecca Copeland, who was present in the gallery with her husband, Jesse; and their daughter, Maya. Senator Rhoads noted that Judge Copeland would be filling the vacancy created by the retirement of Judge Gary Chang.

Stand. Com. Rep. No. 2 (Gov. Msg. No. 2):

Senator Rhoads moved that Stand. Com. Rep. No. 2 be received and placed on file, seconded by Senator Elefante and carried.

Senator Rhoads then moved that the Senate consent to the appointment of BRIAN COSTA as Judge of the Circuit Court of the First Circuit, for a term of 10 years, seconded by Senator Elefante.

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

"Brian Costa has been a judge in the First Circuit's District Family Court for seven years as a full-time judge and two years previously as a per diem judge. In this capacity, he is the presiding judge of the Juvenile Drug Court and the lead judge of the Juvenile Division. He has presided over all matters in the District Family Court including divorce trials, paternity motions and trials, petitions for orders of protection, guardianship, involuntary hospitalization, assisted community treatment, and adoption, juvenile delinquency cases, child protective act cases, and child support enforcement agency appeals.

"Judge Costa previously had his own firm, Costa & DeLacy, for 14 years, and he handled a large case load representing hundreds of criminal defendants, respondents in administrative proceedings, and clients in appellate matters. Judge Costa also worked as a deputy prosecuting attorney in the Honolulu prosecuting attorney's office, where he prosecuted criminal and traffic offenses, and at the law firm Goodwill Anderson Quinn & Stifel, handling labor and employment law matters. Early in his legal career, he was a law clerk for Hawai'i Supreme Court Associate Justice Simeon Acoba, Jr.

“In addition to his professional work, Judge Costa has been an active volunteer with the Youth Challenge Academy since 2021. He recently received the Lokahi Award from the Youth Challenge Academy. He also is a commissioner on the Hawai‘i Access to Justice Commission and co-chair of the commission’s Pro Bono Initiatives Task Force.

“Judge Costa received a bachelor of science in management degree and graduated cum laude from Hawai‘i Pacific University. He received his juris doctor from the William S. Richardson School of Law at the University of Hawai‘i at Mānoa, where he graduated magna cum laude.

“After reviewing the testimony, which was all in support of the appointment, and other materials submitted to the Committee and having examined the appointee in a hearing, your Judiciary committee finds that Brian Costa is qualified to serve as a circuit court judge of the First 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, 16. Noes, 1 (Awa). Excused, 7 (Fukunaga, Gabbard, Ihara, Kidani, Kim, Richards, San Buenaventura).

Senator Rhoads introduced Judge Brian Costa, who was present in the gallery with his wife, Thuan Costa; and wished to acknowledge his late mother, Jeannette Costa; as well as his father, James Costa; and brother Perry Costa, who were watching the live stream online. Senator Rhoads noted that Judge Costa would be filling the vacancy created by the retirement of Judge Jeffrey Crabtree.

Stand. Com. Rep. No. 3 (Gov. Msg. No. 3):

Senator Rhoads moved that Stand. Com. Rep. No. 3 be received and placed on file, seconded by Senator Elefante and carried.

Senator Rhoads then moved that the Senate consent to the appointment of DYAN MEDEIROS as Judge of the Circuit Court of the First Circuit, for a term of 10 years, seconded by Senator Elefante.

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

“Dyan Medeiros has been a judge in the First Circuit’s District Family Court since 2015. She has been the presiding judge of Girls Court since 2019 and currently is the lead judge of the Domestic Division. During her tenure on the Family Court, Judge Medeiros has presided over divorce cases involving matters such as custody, timesharing, and support. She has also handled post-divorce cases including modification or enforcement of child custody and timesharing, property division, child support, and relocation; juvenile criminal cases; and child welfare and neglect cases as well.

“Before becoming a judge, Judge Medeiros worked for 19 years in private practice and was an experienced family law practitioner. From 2008 to 2015, she was a partner for Kleintop, Luria, and Medeiros, LLLP. Prior to that, she worked as an associate attorney at Stirling and Kleintop and at Damon Key Leong Kupchak Hastert.

“Judge Medeiros has also been an active participant in the legal community. She served as the chair, vice-chair, and treasurer of the Family Law Section of the Hawaii State Bar Association and has presented at numerous seminars and continuing legal education events. Before becoming a judge, she was a volunteer settlement master for the Family Court for over 10 years and volunteered for almost 20 years at Volunteer Legal Services of Hawai‘i.

“Judge Medeiros received her bachelor of arts degree in English from the University of Hawai‘i at Mānoa, where she was a University of Hawai‘i Regent’s Scholar, and her juris doctor from the William S. Richardson School of Law at the University of Hawai‘i at Mānoa. Judge Medeiros has been licensed to practice law in the state since 1996 (and I believe we were sworn in on the same day just a few feet from here over in the Auditorium).

“After having reviewed the testimony, which was all in support of the appointment, and other materials submitted to the Committee and having examined the appointee in a hearing, your Judiciary committee finds that Dyan Medeiros is qualified to serve as a circuit court judge of the First 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, 17. Noes, none. Excused, 7 (Fukunaga, Gabbard, Ihara, Kidani, Kim, Richards, San Buenaventura).

The Chair made the following comments:

“Before recognizing you, Senator Rhoads, I would say, now that the vote is done, I had the chance to meet with Judge Medeiros on Thursday morning a couple of weeks ago at 10:00. And at 10:10, in my big conference room, the power went out and the room was dark. Fortunately, there is an area in my office where there is natural lighting, and we moved to that spot and continued, and she was nonplussed by all of the activity and temporarily being in the dark and showed great composure. So, you know, just wanted to acknowledge that it was a very interesting meeting. The other three nominees I met with, there was no such excitement like there was with Judge Medeiros and pretty routine.”

Senator Rhoads introduced Judge Dyan Medeiros, who was present in the gallery and wished to recognize her late father, Albert Medeiros, Jr.; her ‘ohana; individuals from her Family Court ‘ohana, including Girls Court; her colleague Chuck Kleintop; and her sister. Senator Rhoads noted that Judge Medeiros would be filling the vacancy created by the retirement of Judge R. Mark Browning.

Stand. Com. Rep. No. 4 (Gov. Msg. No. 4):

Senator Rhoads moved that Stand. Com. Rep. No. 4 be received and placed on file, seconded by Senator Elefante and carried.

Senator Rhoads then moved that the Senate consent to the appointment of STEVEN NICHOLS as Judge of the Circuit Court of the First Circuit, for a term of 10 years, seconded by Senator Elefante.

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

“Steven Nichols is an experienced defense attorney. He was a deputy public defender for the Office of the Public Defender for 19 years, representing indigent defendants. By the time he left the office last year, Judge Nichols was a felony division supervisor and senior felony trial attorney. He handled a range of criminal cases including Class A, B, and C felonies and tried between 50 and 60 jury trials and between 30 and 40 bench trials. He also gained experience in District and Traffic Court with misdemeanor and petty misdemeanor crimes and represented the Office of the Public Defender on the O‘ahu Jail Diversion Circuit Court Team.

“In October 2023, Judge Nichols established his own law firm, the Law Office of Steven R. Nichols, where he has focused on criminal defense. Since April 2024, this year, he has

been a per diem judge in the District Family Court. At the start of his legal career, Judge Nichols was a law clerk in the First Circuit. He has been licensed to practice law in the state since 2002.

“Judge Nichols has also been an active participant in his community. He participated in the Hawai‘i Pacific University 2023 Crime and the Chinatown–Downtown Roundtable Event, the 2021 and 2019 Courts in the Community events, and was an assistant coach for the Mililani High School Mock Trial Team. He currently serves as the president of the Mililani Mauka Elementary Parent Teacher Organization and on the board of directors for the Mililani Community Athletic Association. Judge Nichols also coaches numerous sports, including having been the head coach for the Mililani Basketball Association, head coach of I9 Basketball, head coach of I9 Soccer, Mililani Community Athletic Association basketball head coach, and American Youth Soccer Organization head soccer coach.

“Judge Nichols received a bachelor of arts degree in history from the University of Hawai‘i at Mānoa, where he was a Regent’s Scholar and graduated summa cum laude. He received his juris doctor from the William S. Richardson School of Law at the University of Hawai‘i at Mānoa.

“After having reviewed the testimony, none of which was in opposition, and other materials submitted to the Committee and having examined the appointee in a hearing, your Judiciary committee finds that Steven Nichols is qualified to serve as a circuit court judge of the First 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, 17. Noes, none. Excused, 7 (Fukunaga, Gabbard, Ihara, Kidani, Kim, Richards, San Buenaventura).

Senator Rhoads introduced Judge Steven Nichols, who was present in the gallery with his wife, Dr. Sharon Nichols; their daughters, Arianna, Alexandria, and Aubree; and his parents, Richard and Cynthia Nichols. Senator Rhoads noted that Judge Nichols would be filling the vacancy created by the retirement of Judge Edward Kubo.

Senator Rhoads requested that, at the appropriate time, the new judges be invited to the floor to be congratulated by the members, and the Chair so ordered.

The Chair announced that the new judges and their families would be greeted and congratulated on the Senate floor immediately after adjournment.

SENATE RESOLUTION

The following resolution (S.R. No. 1) was read by the Clerk and was disposed of as follows:

S.R. No. 1 “SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THE SENATE ON THIS FINAL DAY OF THE FIRST SPECIAL SESSION OF 2024.”

Offered by: Senator Kanuha

On motion by Senator Wakai, seconded by Senator DeCoite and carried, S.R. No. 1 was adopted.

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

“I didn’t get to meet all the judges due to certain circumstances, but I just wanted to talk about two. My colleagues, I like explain to you guys what we are blessed to have—to be able to do—is putting these people into the positions that they know that they’re gon’ be working for the

people. And the reason why I bring this up is because one of the judges that came through here, Judge Souza, I got to see him in action. When he came before us and he told me that he was gonna be the person that he was, he didn’t know I was in the chambers, and I got to see him in action. And I’m gon’ tell you right now, guys, you guys would be proud of him: He’s doing really well out there. And I have confidence since I have met Judges Nichols and Medeiros in my office—I’m glad she didn’t take up English and instead decided to become a judge, which is great. But of course, even for him, he’s a coach, and I told him, being a coach for girls basketball is a very blessing because they’re not the easiest persons to coach, but my hats off to you. I’m just saying, if anybody in this chamber that have got to meet any of these guys later on and the ones before that, if you guys ever get one chance to sit and be blessed in the chambers and watching them in action, you guys gon’ know how proud you guys are to have this opportunity and blessed to be able to do these kinds of things that we do because one of the most important things for me as being a senator in this chamber: to be able to go ahead and nominate and vote for judges like this. So, again, thank you, Senate President, and thank you, guys, and good luck. God bless.”

ADJOURNMENT

Senator Wakai moved that the Senate of the Thirty-Second Legislature of the State of Hawai‘i, Special Session of 2024, adjourn Sine Die, seconded by Senator DeCoite and carried.

At 11:23 a.m., the President rapped his gavel and declared the Senate of the Thirty-Second Legislature of the State of Hawai‘i, Special Session of 2024, adjourned Sine Die.

STANDING COMMITTEE REPORTS

SCRep. 1 Judiciary on Gov. Msg. No. 1

Recommending that the Senate consent to the appointment of the following:

CIRCUIT COURT OF THE FIRST CIRCUIT

G.M. No. 1 REBECCA COPELAND, for a term to expire in 10 years

Your Committee reviewed the personal history, resume, and statement submitted by Judge Rebecca Copeland for service on the Circuit Court of the First Circuit, State of Hawaii.

Your Committee received testimony in support of the appointment of Judge Rebecca Copeland from the Governor, Hawaii Women Lawyers, King Kamehameha V Judiciary History Center, and twenty-four individuals.

Your Committee received comments on the appointment of Judge Rebecca Copeland from the Board of Directors of the Hawaii State Bar Association.

The Hawaii State Bar Association Board of Directors (HSBA Board) uses a rating system that considers several criteria to assist the HSBA Board in making a recommendation to your Committee on whether the appointee is “qualified” or “not qualified”. Specifically, the criteria the HSBA Board employs is the same criteria found in the American Bar Association’s Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. Those guidelines include the following criteria, which are not exclusive: integrity, diligence, legal knowledge and ability, professional experience, temperament, financial responsibility, public service, and ability to perform the responsibilities and duties required of the position for which the applicant has been appointed. Upon review of the established criteria, the HSBA Board found the appointee to be qualified for the position of Circuit Court Judge of the First Circuit.

Judge Copeland attended Southwest Texas State University where she received a Bachelor of Arts degree in Psychology and graduated magna cum laude. She received her Juris Doctor from the St. Mary’s University School of Law, where she was a staff writer and senior associate editor for the St. Mary’s Law Journal and participated in the External Advocacy Moot Court Team. Judge Copeland has been licensed to practice law in the State of Hawaii since 2003 though for several years she first practiced in Texas where she was also licensed.

Since 2020, Judge Copeland has served as a District Family Court Judge of the First Circuit where she has adjudicated cases for temporary restraining orders, paternities, adoptions, guardianships, involuntary hospitalizations, Assisted Community Treatment orders, juvenile criminal matters, and Child Protective orders. Previously, Judge Copeland worked at her own law firm from 2012 to 2020, focusing on family and civil litigation, and served as a Per Diem District Judge for the District Court of the First Circuit from 2016 to 2020 where she adjudicated criminal and civil cases including civil traffic infractions, petty misdemeanors, misdemeanors, temporary restraining orders and injunctions, summary possession, small claims, and regular claims. Prior to having her own practice, Judge Copeland was an associate at Damon Key Leong Kupchak Hastert where she focused on litigation and appeals.

Judge Copeland has also worked as an Adjunct Professor for the St. Mary’s Law School, where she taught legal research and writing for five years. Additionally, she was an Adjunct Professor at the William S. Richardson School of Law, where she taught Legal Practice II, and at the Texas A&M University San Antonio System Center, where she taught Constitutional Law. Judge Copeland has been an active member of the legal community including serving on the Hawai’i Access to Justice Commission since 2011. She also was a member of the Board of Directors of the Hawaii State Bar Association for five years and founded the Hawaii State Bar Association’s Appellate Section. She received the Hawaii State Bar Association’s President’s Award in 2016 and was the Hawaii Women Lawyers Outstanding Woman Lawyer of the Year in 2018.

Testimony submitted in support of Judge Copeland’s appointment commends her commitment to equality, inclusion, and fairness. Testimony further indicates that during her time as a judge for the Family Court of the First Circuit, she has shown the necessary professional and personal temperament and demeanor. Numerous testifiers also praise her transparency, honesty, preparedness, and trustworthiness.

Your Committee finds that, based on the testimony submitted on her behalf, responses to questions asked by the members of your Committee, and your Committee’s review of information about her and her qualifications, Judge Rebecca Copeland has the knowledge, dedication, and other competencies to be a Circuit Court Judge of the First Circuit, and possesses the legal expertise and integrity to fully and faithfully discharge the duties associated with that judicial office.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the appointee, has found the appointee to be qualified for the position to which appointed and recommends that the Senate consent to the appointment.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Awa). Excused, 2 (Gabbard, San Buenaventura).

SCRep. 2 Judiciary on Gov. Msg. No. 2

Recommending that the Senate consent to the appointment of the following:

CIRCUIT COURT OF THE FIRST CIRCUIT

G.M. No. 2 BRIAN COSTA, for a term to expire in 10 years

Your Committee reviewed the personal history, resume, and statement submitted by Judge Brian Costa for service on the Circuit Court of the First Circuit, State of Hawaii.

Your Committee received testimony in support of the appointment of Judge Brian Costa from the Governor and twenty-eight individuals.

Your Committee received comments on the appointment of Judge Brian Costa from the Board of Directors of the Hawaii State Bar Association.

The Hawaii State Bar Association Board of Directors (HSBA Board) uses a rating system that considers several criteria to assist the HSBA Board in making a recommendation to your Committee on whether the appointee is “qualified” or “not qualified”. Specifically, the criteria the HSBA Board employs is the same criteria found in the American Bar Association’s Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. Those guidelines include the following criteria, which are not exclusive: integrity, diligence, legal knowledge and ability, professional experience, temperament, financial responsibility, public service, and ability to perform the responsibilities and duties required of the position for which the applicant has been appointed. Upon review of the established criteria, the HSBA Board found the appointee to be qualified for the position of Circuit Court Judge of the First Circuit.

Judge Costa attended Hawaii Pacific University where he received a Bachelor of Science in Management degree and graduated cum laude. He received his Juris Doctor from the William S. Richardson School of Law at the University of Hawai‘i at Mānoa where he graduated magna cum laude and received CALI Excellence for the Future awards in Corporations and Immigration Law. Judge Costa has been licensed to practice law in the State of Hawaii since 2001.

Since 2017, Judge Costa has served as a District Family Judge of the First Circuit where he is currently the lead judge of the Juvenile Division and previously was the lead judge of the Domestic Division. Judge Costa previously served as a Per Diem District Family Judge of the First Circuit from 2015 to 2017. During his time as a District Family Judge and Per Diem District Family Judge, Judge Costa presided over all cases handled in the family court, including pre- and post-decree divorce, temporary restraining orders, guardianship, commitment, paternity, and juvenile waiver proceedings. Prior to becoming a Judge, Judge Costa worked as an attorney and Member Manager for Costa & DeLacy, LLC from 2003 to 2017. While managing his private practice, Judge Costa handled a large case load, including representing hundreds of criminal defendants in District Court, hundreds of respondents in administrative proceedings, and numerous clients in appellate matters. Judge Costa also worked as a Deputy Prosecuting Attorney for the Department of the Prosecuting Attorney of the City and County of Honolulu from 2002 to 2003, where he prosecuted hundreds of cases in Honolulu District Court, including operating a vehicle under the influence of an intoxicant, assault, harassment, theft, temporary restraining order violations, and various traffic offenses.

In addition to his professional work, Judge Costa has also been an active participant in his community and has demonstrated a deep commitment to serving the public. Judge Costa has volunteered with the Youth Challenge Academy since 2021. In addition to his time volunteering with the Youth Challenge Academy, Judge Costa has spent three years working with law students studying family law at the William S. Richardson School of Law at the University of Hawai‘i at Mānoa, educating them about substantive law, the practice of law, judging, and careers. Furthermore, Judge Costa joined the Pro Bono Initiatives Task Force in 2018, and has served as the Co-Chair since 2019, where he has helped to put on celebrations at the Hawaii Supreme Court during national pro bono week.

Testimony submitted in support of Judge Costa’s appointment commends his fairness, reasonableness, and ability to make decisions supported by the law and evidence. Testimony further indicates that during his time as a judge for the Family Court of the First Circuit, Judge Costa has shown to be thoughtful, compassionate, and have exceptional judicial temperament. Numerous testifiers also praise his ability to handle complex legal issues with clarity and impartiality while issuing decisions that are well-reasoned and reflect a profound respect for the rule of law.

Your Committee finds that, based on the testimony submitted on his behalf, responses to questions asked by the members of your Committee, and your Committee’s review of information about him and his qualifications, Judge Brian Costa has the knowledge, dedication, and other competencies to be a Circuit Court Judge of the First Circuit, and possesses the legal expertise and integrity to fully and faithfully discharge the duties associated with that judicial office.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the appointee, has found the appointee to be qualified for the position to which appointed and recommends that the Senate consent to the appointment.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Awa). Excused, 2 (Gabbard, San Buenaventura).

SCRep. 3 Judiciary on Gov. Msg. No. 3

Recommending that the Senate consent to the appointment of the following:

CIRCUIT COURT OF THE FIRST CIRCUIT

G.M. No. 3 DYAN MEDEIROS, for a term to expire in 10 years

Your Committee reviewed the personal history, resume, and statement submitted by Judge Dyan Medeiros for service on the Circuit Court of the First Circuit, State of Hawaii.

Your Committee received testimony in support of the appointment of Judge Dyan Medeiros from the Governor, Hawaii Women Lawyers, and sixteen individuals.

Your Committee received comments on the appointment of Judge Dyan Medeiros from the Board of Directors of the Hawaii State Bar Association.

The Hawaii State Bar Association Board of Directors (HSBA Board) uses a rating system that considers several criteria to assist the HSBA Board in making a recommendation to your Committee on whether the appointee is “qualified” or “not qualified”. Specifically, the criteria the HSBA Board employs is the same criteria found in the American Bar Association’s Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. Those guidelines include the following criteria, which are not exclusive:

integrity, diligence, legal knowledge and ability, professional experience, temperament, financial responsibility, public service, and ability to perform the responsibilities and duties required of the position for which the applicant has been appointed. Upon review of the established criteria, the HSBA Board found the appointee to be qualified for the position of Circuit Court Judge of the First Circuit.

Judge Medeiros received her Bachelor of Arts degree in English from the University of Hawai'i at Mānoa, where she was a University of Hawai'i Regent's Scholar, and her Juris Doctor from the William S. Richardson School of Law at the University of Hawai'i at Mānoa. Judge Medeiros has been licensed to practice law in the State of Hawaii since 1996.

Since 2015, Judge Medeiros has served as a Family Court Judge of the First Circuit where she adjudicated divorce cases; including pre-decree hearings involving temporary custody, timesharing, support issues, settlement conferences, and divorce trials; post-divorce cases, including child custody and timesharing modification, child custody or timesharing enforcement, enforcement of property division, modification of child support, modification or enforcement of child-related provisions, and relocation cases; juvenile criminal cases; and child welfare and neglect cases. Judge Medeiros currently is the lead judge of the Domestic Division and also serves as the presiding judge of Girls Court.

Before becoming a Family Court Judge for the Family Court of the First Circuit, Judge Medeiros worked in private practice. From 2008 to 2015, Judge Medeiros was a partner for Kleintop, Luria, and Medeiros, LLLP practicing exclusively in family law handling divorce cases, paternity cases, restraining order cases, and Child Support Enforcement Agency cases. Prior to that, Judge Medeiros worked as an Associate Attorney at Stirling and Kleintop from 1998 to 2008 and at Damon Key Leong Kupchak Hastert from 1996 to 1998.

In addition to her service as a judge and time spent in private practice, Judge Medeiros has also been an active participant in the legal community and has demonstrated a deep commitment to serving the public. Judge Medeiros has served as the Chair, Vice-Chair, and Treasurer of the Family Law Section of the Hawaii State Bar Association. Judge Medeiros has also presented at numerous seminars and continuing legal education events in the area of family law. Additionally, Judge Medeiros volunteered at Volunteer Legal Services of Hawaii after graduating from law school until she became a judge in 2015.

Testimony submitted in support of Judge Medeiros' appointment commends her knowledge, demeanor, and experience. Testimony further indicates that during her time as a judge for the Family Court of the First Circuit, Judge Medeiros has demonstrated an ability to be an efficient courtroom manager while maintaining professionalism when interacting with attorneys and litigants in her courtroom. Numerous testifiers also praise her knowledge, humility, diligence, and precision in her application of the law.

Your Committee finds that, based on the testimony submitted on her behalf, responses to questions asked by the members of your Committee, and your Committee's review of information about her and her qualifications, Judge Dyan Medeiros has the experience, compassion, and other competencies to be a Circuit Court Judge of the First Circuit, and she has the legal expertise, integrity, and demeanor to fully and faithfully discharge the duties associated with that judicial office.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the appointee, has found the appointee to be qualified for the position to which appointed and recommends that the Senate consent to the appointment.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Gabbard, San Buenaventura).

SCRep. 4 Judiciary on Gov. Msg. No. 4

Recommending that the Senate consent to the appointment of the following:

CIRCUIT COURT OF THE FIRST CIRCUIT

G.M. No. 4 STEVEN NICHOLS, for a term to expire in 10 years

Your Committee reviewed the personal history, resume, and statement submitted by Judge Steven Nichols for service on the Circuit Court of the First Circuit, State of Hawaii.

Your Committee received testimony in support of the appointment of Judge Steven Nichols from the Federal Public Defender of the District of Hawai'i, Governor, Office of the Public Defender, and forty-two individuals.

Your Committee received comments on the appointment of Judge Steven Nichols from the Board of Directors of the Hawaii State Bar Association and one individual.

The Hawaii State Bar Association Board of Directors (HSBA Board) uses a rating system that considers several criteria to assist the HSBA Board in making a recommendation to your Committee on whether the appointee is "qualified" or "not qualified". Specifically, the criteria the HSBA Board employs is the same criteria found in the American Bar Association's Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. Those guidelines include the following criteria, which are not exclusive: integrity, diligence, legal knowledge and ability, professional experience, temperament, financial responsibility, public service, and ability to perform the responsibilities and duties required of the position for which the applicant has been appointed. Upon review of the established criteria, the HSBA Board found the appointee to be qualified for the position of Circuit Court Judge of the First Circuit.

Judge Nichols received a Bachelor of Arts degree in History from the University of Hawai'i at Mānoa, where he was a University of Hawai'i Regent's Scholar and graduated summa cum laude. He then received his Juris Doctor from the William S. Richardson School of Law at the University of Hawai'i at Mānoa, where he earned the American Jurisprudence award for Evidence. Judge Nichols has been licensed to practice in the State of Hawaii since 2002.

Since April 2024, Judge Nichols has been a Per Diem Judge in the District Family Court. In October 2023, Judge Nichols established his own law firm, the Law Office of Steven R. Nichols, where he focuses on criminal defense. Previously, for almost twenty years, Judge Nichols worked as a Deputy Public Defender for the Office of the Public Defender, where he practiced criminal

defense and protected the rights of indigent defendants. During the last eight years of Judge Nichols' work at the Office of the Public Defender, he focused on the defense of defendants charged with serious felony offenses such as murder, sexual assault, and robbery and his practice consisted of trial work, drafting motions, and legal research. By the time he left the Office of the Public Defender, Judge Nichols was the Felony Division Supervisor, where he assigned cases, mentored younger deputies, and made managerial decisions.

Judge Nichols has also been an active participant in his community. He has participated in the Hawaii Pacific University 2023 Crime in the Chinatown-Downtown Neighborhood Community Roundtable Event and the 2021 and 2019 Courts in the Community events. Judge Nichols also coaches numerous sports, including having been the Head Coach for the Mililani Basketball Association, Head Coach of I9 Basketball, Head Coach of I9 Soccer, Mililani Community Athletic Association Basketball Head Coach, and American Youth Soccer Organization Head Soccer Coach. Additionally, Judge Nichols currently serves as the President of the Mililani Mauka Elementary Parent Teacher Organization.

Testimony submitted in support of Judge Nichols' appointment commends his calm and fair temperament, patience, open-mindedness, courtesy, and tact. Testimony further indicates that throughout his legal career, Judge Nichols has continuously acted with understanding, compassion, humility, and common sense, even while working on the most serious cases and with the most difficult clients. Numerous testifiers also praise his integrity, patience, and excellent legal mind with an acuity for recognizing and analyzing legal and factual issues.

Your Committee finds that, based on the testimony submitted on his behalf, responses to questions asked by the members of your Committee, and your Committee's review of information about him and his qualifications, Judge Steven Nichols has the experience, compassion, and other competencies to be a Circuit Court Judge of the First Circuit, and he has the legal expertise, integrity, and demeanor to fully and faithfully discharge the duties associated with that judicial office.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the appointee, has found the appointee to be qualified for the position to which appointed and recommends that the Senate consent to the appointment.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Gabbard, San Buenaventura).

NUMBER AND TITLE	Offered	Referred	Report of Committee	Adoption
S.R. No. 1 AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THE SENATE ON THIS FINAL DAY OF THE FIRST SPECIAL SESSION OF 2024.	5			5