

## TWELFTH DAY

Tuesday, February 4, 2025

The Senate of the Thirty-Third Legislature of the State of Hawai'i, Regular Session of 2025, convened at 11:42 a.m. with the President in the Chair.

The Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Eleventh Day.

At this time, Senator DeCoite introduced former Illinois Senate president John Cullerton, who was seated in the gallery. Senator DeCoite noted that Senator Cullerton had been elected to the Illinois House of Representatives in 1979 and had served as Democratic floor leader before being elected to the Illinois Senate in 1991, where he served as president from 2009 until his retirement in January 2020.

Senator Kim recognized the Hawai'i State Public Charter School Commission and 30 years of charter school law in Hawai'i and presented the following remarks:

"Mr. President, I rise to celebrate Hawai'i's Public Charter School Commission and its 30 years of remarkable impact following the passage of Act 272 in 1994. This groundbreaking law empowered communities to create innovative, student-centered schools that cater to diverse educational needs—and so many of us have these charter schools in our districts. Today, 39 charter schools across Hawai'i serve over 13,000 students, offering unique programs like Hawaiian language immersion, STEM, and sustainability. We honor the educators, families, and leaders who have made this possible.

"So, accepting today's recognition is Executive Director Ed Noh. Ed, would you just rise? And also joining him (and if you'd hold your applause till I introduce them all on the floor): Dr. Makalapua Alencastre: She is the chair of the Hawai'i State Public Charter School Commission; Gene Zarro, president of the Hawai'i Public Charter Schools Network; Steve Hirakami, treasurer of the Hawai'i Public Charter Schools Network; and special guest from Minnesota, former senator Ember Reichgott Junge, representing the National Charter Schools Founders Library. You can applaud for them now.

"Also, Mr. President, in the gallery, they're accompanied by other members of the Hawai'i State Public Charter School Commission: Dr. Foehr, deputy director; and Sherry Turbeville, communications director, so thank you for joining us here. And, Mr. President, at the appropriate time, if we may have a recess to honor our guests? Thank you."

The Chair announced that the honorees and Senator Cullerton would be greeted on the Senate floor immediately following adjournment.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 645 to 647) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 645, submitting for consideration and confirmation to the Department of Law Enforcement, the nomination of MIKE LAMBERT, term to expire December 7, 2026, was referred to the Committee on Public Safety and Military Affairs.

Gov. Msg. No. 646, submitting for consideration and confirmation to the Language Access Advisory Council, the nomination of SUNSHINE CHOE, term to expire June 30, 2029, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 647, submitting for consideration and confirmation to the Language Access Advisory Council, the nomination of BARBARA TOM, term to expire June 30, 2028, was referred to the Committee on Health and Human Services.

## STANDING COMMITTEE REPORTS

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 9) recommending that S.B. No. 722 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCorte and carried, the report of the Committee was adopted and S.B. No. 722, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY FORFEITURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 10) recommending that S.B. No. 261, 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 DeCorte and carried, the report of the Committee was adopted and S.B. No. 261, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JURY DUTY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 11) recommending that S.B. No. 598, 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 DeCorte and carried, the report of the Committee was adopted and S.B. No. 598, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTIVE ORDERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 12) recommending that S.B. No. 121 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCorte and carried, the report of the Committee was adopted and S.B. No. 121, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII STATE CONSTITUTION TO ALLOW THE SENATE MORE TIME TO CONFIRM JUDICIAL APPOINTMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 13) recommending that S.B. No. 387, 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 DeCorte and carried, the report of the Committee was adopted and S.B. No. 387, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE ANIMALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 14) recommending that S.B. No. 688, 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 DeCorte and carried, the report of the Committee was adopted and S.B. No. 688, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 15) recommending that S.B. No. 693, 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 DeCorte and carried, the report of the Committee was adopted and S.B. No. 693, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FOOD HUB PILOT PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 16) recommending that S.B. No. 251 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 DeCorte and carried, the report of the Committee was adopted and S.B. No. 251, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 17) recommending that S.B. No. 552, 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 DeCorte and carried, the report of the Committee was adopted and S.B. No. 552, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the majority of the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 18) recommending that S.B. No. 184 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCorte and carried, the report of the majority of the Committee was adopted and S.B. No. 184, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 19) recommending that S.B. No. 328 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCorte and carried, the report of the Committee was adopted and S.B. No. 328, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 20) recommending that S.B. No. 351 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 DeCorte and carried, the report of the Committee was adopted and S.B.

No. 351, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means.

Senator Wakai, for the Committee on Energy and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 21) recommending that S.B. No. 964, 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 DeCorte and carried, the report of the Committee was adopted and S.B. No. 964, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTE-TO-ENERGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Wakai, for the Committee on Energy and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 22) recommending that S.B. No. 1071, 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 DeCorte and carried, the report of the Committee was adopted and S.B. No. 1071, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY FINANCING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 23) recommending that S.B. No. 173, 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 DeCorte and carried, the report of the Committee was adopted and S.B. No. 173, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 24) recommending that S.B. No. 263, 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 DeCorte and carried, the report of the majority of the Committee was adopted and S.B. No. 263, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION FOR COURT-APPOINTED COUNSEL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 25) recommending that S.B. No. 265 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCorte and carried, the report of the majority of the Committee was adopted and S.B. No. 265, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION FOR COURT-APPOINTED REPRESENTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 26) recommending that S.B. No. 428 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCorte and carried, the report of the Committee was adopted and S.B. No. 428, entitled: "A BILL FOR AN ACT RELATING TO WITNESS FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 27) recommending that S.B. No. 1225 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Wakai, seconded by Senator DeCorte and carried, the report of the Committee was adopted and S.B. No. 1225, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII, SECTION 3 OF THE HAWAII CONSTITUTION TO SPECIFY THAT THE STANDARD FOR VOTER APPROVAL OF A CONSTITUTIONAL AMENDMENT PROPOSED BY THE LEGISLATURE IS A MAJORITY OF ALL THE VOTES TALLIED UPON THE QUESTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 28) recommending that S.B. No. 264, 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 DeCorte and carried, the report of the Committee was adopted and S.B. No. 264, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXAMINATION OF CRIMINAL DEFENDANTS," passed Second Reading and was referred to the Committee on Ways and Means.

**ORDER OF THE DAY**

**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. 580 Jointly to the Committee on Education and the Committee on Government Operations, then jointly to the Committee on Ways and Means and the Committee on Judiciary
- S.B. No. 819 Committee on Education, then to the Committee on Ways and Means
- S.B. No. 854 Committee on Labor and Technology, then jointly to the Committee on Ways and Means and the Committee on Judiciary
- S.B. No. 897 Jointly to the Committee on Energy and Intergovernmental Affairs and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- S.B. No. 1009 Committee on Transportation and Culture and the Arts, then jointly to the Committee on Judiciary and the Committee on Ways and Means
- S.B. No. 1037 Committee on Commerce and Consumer Protection, then jointly to the Committee on Judiciary and the Committee on Ways and Means
- S.B. No. 1313 Committee on Judiciary
- S.B. No. 1324 Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation and Culture and the Arts, then jointly to the Committee on Judiciary and the Committee on Ways and Means
- S.B. No. 1410 Committee on Hawaiian Affairs, then jointly to the Committee on Ways and Means and the Committee on Judiciary

- S.B. No. 1446 Committee on Transportation and Culture and the Arts, then to the Committee on Judiciary
- S.B. No. 1533 Committee on Health and Human Services, then jointly to the Committee on Judiciary and the Committee on Ways and Means
- S.B. No. 1606 Committee on Judiciary
- S.B. No. 1658 Committee on Transportation and Culture and the Arts, then jointly to the Committee on Ways and Means and the Committee on Judiciary
- S.B. No. 1666 Committee on Transportation and Culture and the Arts, then to the Committee on Ways and Means

At this time, Senator Kim, Chair of the Committee on Higher Education, rose to request a waiver of the public notice requirement pursuant to Senate Rule 21 for the following measures:

- S.B. No. 557;
- S.B. No. 1107;
- S.B. No. 1204;
- S.B. No. 1217;
- S.B. No. 1252; and
- S.B. No. 1254.

Senator Kim noted:

"And the reason for this, Mr. President, was, inadvertently, the deadline was missed (4:30) and we filed it this morning."

The Chair granted the waiver.

Senator Kim announced that the Committee on Higher Education would be holding a public hearing on the measures on Thursday, February 6, 2025, at 3:00 p.m. in Conference Room 229.

The Chair announced that there would be a leadership meeting in his office immediately following adjournment.

**ADJOURNMENT**

At 11:49 a.m., on motion by Senator Wakai, seconded by Senator DeCorte and carried, the Senate adjourned until 11:30 a.m., Wednesday, February 5, 2025.