Ka 'Aha Kenekoa, Ka 'Aha'ōlelo Kau Kānāwai Kanakolu Kūmālua THE SENATE OF THE THIRTY-SECOND LEGISLATURE Moku'āina 'O Hawai'i STATE OF HAWAI'I 'Ākoakoa Kūmau MH 2023 REGULAR SESSION OF 2023

Lā Kanalimakumamāwalu FIFTY-EIGHTH DAY

28 'Apelila 2023 - Po'alima - Hola 6:30 P.M. APRIL 28, 2023-FRIDAY-6:30 O'CLOCK P.M.

A live stream of the Senate floor session will be available on the Senate YouTube channel.

Papahana O Ka Lā ORDER OF BUSINESS

Kāhea Papa Inoa ROLL CALL

'Āpono Mo'olelo O Ka Puke Hālāwai APPROVAL OF THE JOURNAL

Hoʻolauna Mea Kipa INTRODUCTIONS

Hoʻokaʻaʻike Mai Ke Kiaʻāina MESSAGES FROM THE GOVERNOR: None

Hoʻokaʻaʻike Mai Nā ʻOihana DEPARTMENTAL COMMUNICATIONS: None ORDER OF THE DAY FIFTY-EIGHTH DAY April 28, 2023 Page 2 of 17

Hoʻokaʻaʻike No Ka Hale HOUSE COMMUNICATIONS: No(s). 889-896

Informing the Senate that on April 27, 2023, the following bill passed Final Reading in the House:

<u>REFERRAL</u>

FILE

889

<u>S.B. No. 228, S.D. 1, H.D. 1, C.D. 1</u> "RELATING TO FRAUD."(Honolulu Prosecuting Attorney Package; Public Corruption; Fraud; Criminal Offenses; Penalties)

Informing the Senate that on April 27, 2023, the House agreed to the amendments proposed by the Senate to the following House Bills and that said bills passed Final Reading in the House:

890 <u>H.B. No. 16, H.D. 2, S.D. 1</u> "RELATING TO LIQUOR."(Liquor Licenses; Sales; Off-Premises Consumption; Curbside Delivery)

H.B. No. 118, S.D. 2

"RELATING TO TRAFFIC FINES."(Hawaii State Association of Counties Package; Statewide Traffic Code; Exception; Ordinances; County Highways)

<u>H.B. No. 141, H.D. 1, S.D. 1</u>

"RELATING TO FINANCIAL DISCLOSURES."(State Ethics Commission Package; Financial Disclosures; Legislators; Lobbyists; Relationships)

H.B. No. 264, S.D. 1

"RELATING TO CRIMES AGAINST SPORTS OFFICIALS."(Sports Official; Intentionally or Knowingly Causing Bodily Injury; Felony Assault in the Second Degree) FILE

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<u>H.B. No. 350, H.D. 2, S.D. 1</u>

"RELATING TO CHILD ABUSE REPORTING."(Department of Human Services; Child Abuse and Neglect; Mandatory Reporting; Penitential Communications; Exception)

H.B. No. 364, S.D. 1

"RELATING TO TRESPASS."(Trespass; Public Land; Ownership; Enforcement)

H.B. No. 365, H.D. 1, S.D. 2

"RELATING TO SPECIAL MANAGEMENT AREAS."(Special Management Areas; Development; Definition; Exclusions)

H.B. No. 485, H.D. 3, S.D. 2

"RELATING TO MARRIAGE."(Department of Health; Certificates of Marriage; Changes; Gender and Sex Identifiers)

<u>H.B. No. 525, H.D. 2, S.D. 2</u>

"RELATING TO THE UNIFORM COMMERCIAL CODE."(Uniform Commercial Code)

H.B. No. 580, H.D. 1, S.D. 1

"RELATING TO VICTIM-COUNSELOR PRIVILEGE."(Rules of Evidence; Victim-Counselor Privilege; University of Hawaii; Confidential Advocates)

H.B. No. 581, H.D. 2, S.D. 2

"RELATING TO CHILD CUSTODY."(Judiciary; Family Court; Child Custody Evaluators; Training)

<u>H.B. No. 615, H.D. 1, S.D. 1</u>

"RELATING TO RESTRICTIONS ON AGRICULTURAL USES AND ACTIVITIES."(Agricultural Lands; Expired Private Agreements; Restrictions) ORDER OF THE DAY FIFTY-EIGHTH DAY April 28, 2023 Page 4 of 17

H.B. No. 650, H.D. 2, S.D. 1

"RELATING TO HEALTH."(Kupuna Caucus; Our Care, Our Choice Act; Medical-Aid-In-Dying; Advanced Practice Registered Nurses; Clinical Nurse Specialists; Marriage and Family Therapists; Mandatory Waiting Period; Waiver)

H.B. No. 712, H.D. 1, S.D. 1

"RELATING TO RECORDINGS OF PUBLIC MEETINGS."(Recordings of Public Meetings; Meeting Minutes; Public Record; Boards)

<u>H.B. No. 794, H.D. 1, S.D. 1</u>

"RELATING TO DISABILITY AWARENESS."(Disability Awareness Month; October)

<u>H.B. No. 819, H.D. 2, S.D. 1</u>

"RELATING TO LIMU KALA."(State Designation; Limu; Limu Kala; Sargassum Echinocarpum; Official Limu of Hawaii)

H.B. No. 834, H.D. 1, S.D. 1

"RELATING TO AMERICAN SIGN LANGUAGE."(Deaf and Blind Task Force; American Sign Language; Recognition)

<u>H.B. No. 980, S.D. 1</u>

"RELATING TO FORFEITURE PURSUANT TO SECTION 804-51, HAWAII REVISED STATUTES."(Forfeiture; Bond or Recognizance)

H.B. No. 983, S.D. 2

"RELATING TO TIME LIMITATIONS."(Criminal Proceedings; Public Servant; Government; Time Limitations)

H.B. No. 1036, H.D. 1, S.D. 1

"RELATING TO HOMELAND SECURITY."(Office of Homeland Security; Hawaii State Fusion Center; Department of Law Enforcement) ORDER OF THE DAY FIFTY-EIGHTH DAY April 28, 2023 Page 5 of 17

H.B. No. 1058, H.D. 1, S.D. 1

"RELATING TO ADOPTION." (Department of Hawaiian Home Lands; Adoption)

<u>H.B. No. 1097, H.D. 2, S.D. 1</u>

"RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT."(Uniform Controlled Substances Act)

H.B. No. 1100, H.D. 1, S.D. 2

"RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE."(Conformity to the Internal Revenue Code for 2022; Income Tax; Estate and Generation-skipping Transfer Tax)

Informing the Senate that on April 27, 2023, the House agreed to the amendments proposed by the Senate and that said resolutions have been adopted in final form in the House:

891

FILE

H.C.R. No. 19, S.D. 1 "URGING THE DEPARTMENT OF TRANSPORTATION SERVICES OF THE CITY AND COUNTY OF HONOLULU TO CONDUCT A FEASIBILITY STUDY OF WIDENING THE PORTION OF UNIVERSITY AVENUE BETWEEN MAILE WAY AND OAHU AVENUE TO BECOME A COMPLETE STREET PROVIDING SAFE AND PROTECTED TRANSIT FOR ALL MODES."(Transportation; City and County of Honolulu; Department of Transportation Services; University Avenue; Manoa Valley; Feasibility Study; Complete Streets) ORDER OF THE DAY FIFTY-EIGHTH DAY April 28, 2023 Page 6 of 17

H.C.R. No. 23, H.D. 1, S.D. 1

"REQUESTING THE HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION TO CONVENE A TASK FORCE TO EXAMINE AND MAKE RECOMMENDATIONS REGARDING EXISTING PROCEDURES OF THE HAWAII PAROLING AUTHORITY SETTING THE MINIMUM TERMS OF IMPRISONMENT."(Hawaii Paroling Authority; Minimum Term; Task Force)

H.C.R. No. 73, H.D. 1, S.D. 1

"REQUESTING THE FORMATION OF A WORKING GROUP TO CREATE A PLAN REGARDING THE RETURN OF CULTURAL ARTIFACTS."(Cultural Artifacts; Working Group; Hawaiian Affairs; History)

H.C.R. No. 74, S.D. 1

"ENCOURAGING THE FACILITATION OF A PATH TO CITIZENSHIP FOR IMMIGRANTS FROM PARTIES TO THE COMPACTS OF FREE ASSOCIATION."(Compacts of Free Association; Citizenship; Immigration; Congress)

H.C.R. No. 86, H.D. 1, S.D. 1

"REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO REPORT ON SYSTEMS OF FIREARMS INSURANCE AND OTHER FINANCIAL RESPONSIBILITY REQUIREMENTS PERTAINING TO FIREARMS."(Firearms; Insurance; Financial Responsibility; LRB; Study; DCCA; Attorney General) ORDER OF THE DAY FIFTY-EIGHTH DAY April 28, 2023 Page 7 of 17

H.C.R. No. 94, S.D. 1

"URGING THE DEPARTMENT OF HEALTH TO CONTINUE TO PRIORITIZE TESTING OF FECAL INDICATOR BACTERIA LEVELS IN THE WATERS OF POKAI BAY AND REQUESTING THE CITY AND COUNTY OF HONOLULU DEPARTMENT OF PARKS AND RECREATION TO PRIORITIZE RENOVATIONS OF THE RESTROOM FACILITIES AT POKAI BAY."(Pokai Bay; Beach Sand; DOH; Honolulu Department of Parks and Recreation)

H.C.R. No. 108, H.D. 1, S.D. 1

"URGING THE ESTABLISHMENT OF A NATIVE HAWAIIAN INTELLECTUAL PROPERTY WORKING GROUP TO DISCUSS POLICIES AND LEGISLATION WITH RESPECT TO NATIVE HAWAIIAN INTELLECTUAL PROPERTY."(Native Hawaiian Intellectual Property Working Group; Intellectual Property; Policies and Legislation)

H.C.R. No. 150, H.D. 1, S.D. 1

"REQUESTING THAT THE DEPARTMENT OF TRANSPORTATION ESTABLISH AN AIR SERVICE TASK FORCE TO PROVIDE RECOMMENDATIONS FOR IMPROVING COMMERCIAL AIR TRAVEL TO AND FROM MOLOKAI AND LANAI."(Air Service Task Force; Molokai; Lana'i)

Informing the Senate that on April 27, 2023, the House reconsidered its action in disagreeing to the amendments proposed by the Senate to the following House Bills:

892

FILE

H.B. No. 97, H.D. 1, S.D. 1 "RELATING TO PRELIMINARY DETERMINATION OF PROBABLE CAUSE."(Hawaii Campaign Spending Commission Package; Preliminary Determination; Method of Service) ORDER OF THE DAY FIFTY-EIGHTH DAY April 28, 2023 Page 8 of 17

893	H.B. No. 91, H.D. 1, S.D. 1 "RELATING TO ORDERS OF THE CAMPAIGN SPENDING COMMISSION."(Hawaii Campaign Spending Commission Package; Orders; Judgments; Enforcement of Judgments; Fines)	FILE
894	H.B. No. 732, H.D. 1, S.D. 1 "RELATING TO COMPLAINTS ALLEGING VIOLATIONS OF CAMPAIGN SPENDING LAWS."(Commission to Improve Standards of Conduct; Campaign Spending Commission Package; Complaints; Campaign Spending Violations; Rebuttable Presumption)	FILE
895	 H.B. No. 92, S.D. 1 "RELATING TO VIOLATIONS OF CAMPAIGN FINANCE LAW."(Hawaii Campaign Spending Commission Package; Fines; Noncandidate Committees; Independent Expenditures) H.B. No. 907, H.D. 2, S.D. 2 "RELATING TO TELEHEALTH."(Telehealth; Accident and Health or Sickness Insurance; Mutual Benefit Societies; Health Maintenance Organizations; Interactive Telecommunications System; Mental Health Disorders) H.B. No. 977, H.D. 1, S.D. 1 "RELATING TO PURCHASES OF HEALTH AND HUMAN SERVICES."(Purchases of Health and Human Services; Community Council) H.B. No. 1104, H.D. 1, S.D. 1 "RELATING TO MOTOR VEHICLES ENFORCEMENT."(Motor Vehicles; Vehicle Weight Enforcement; Violations) H.B. No. 1108, H.D. 1, S.D. 1 "RELATING TO COMMERCIAL MOTOR VEHICLE FINES."(Commercial Motor Vehicle; Penalties and Fines) 	FILE

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<u>H.B. No. 1205, H.D. 1, S.D. 1</u> "RELATING TO COLLECTIVE BARGAINING."(Collective Bargaining;

Recognition and Representation)

Informing the Senate that on April 27, 2023, the House discharged all conferees on the following bills:

FILE

896

<u>H.B. No. 91, H.D. 1, S.D. 1</u>

"RELATING TO ORDERS OF THE CAMPAIGN SPENDING COMMISSION."(Hawaii Campaign Spending Commission Package; Orders; Judgments; Enforcement of Judgments; Fines)

<u>H.B. No. 92, S.D. 1</u>

"RELATING TO VIOLATIONS OF CAMPAIGN FINANCE LAW."(Hawaii Campaign Spending Commission Package; Fines; Noncandidate Committees; Independent Expenditures)

H.B. No. 97, H.D. 1, S.D. 1

"RELATING TO PRELIMINARY DETERMINATION OF PROBABLE CAUSE."(Hawaii Campaign Spending Commission Package; Preliminary Determination; Method of Service)

H.B. No. 732, H.D. 1, S.D. 1

"RELATING TO COMPLAINTS ALLEGING VIOLATIONS OF CAMPAIGN SPENDING LAWS."(Commission to Improve Standards of Conduct; Campaign Spending Commission Package; Complaints; Campaign Spending Violations; Rebuttable Presumption)

Hoʻokaʻaʻike No Ka ʻAha Kenekoa SENATE COMMUNICATIONS: None ORDER OF THE DAY FIFTY-EIGHTH DAY April 28, 2023 Page 10 of 17

Hoʻokaʻaʻike Mai Ka ʻAoʻao Hoʻokolokolo JUDICIARY COMMUNICATIONS: None

Palapala Hōʻike Na Nā Kōmike Kūkā CONFERENCE COMMITTEE REPORTS: No(s). 66-70

> <u>66</u> (48 Hrs. Notice)

<u>S.B. No. 193, S.D. 1, H.D. 1, C.D. 1</u>

"RELATING TO THE STATE FIRE COUNCIL." (Recommends passage on <u>FINAL READING</u> as amended C.D. 1)

<u>67</u> (48 Hrs. Notice) <u>S.B. No. 732, S.D. 2, H.D. 1, C.D. 1</u>

"RELATING TO STATE HOLIDAYS." (Recommends passage on <u>FINAL READING</u> as amended C.D. 1)

<u>68</u> (48 Hrs. Notice) <u>S.B. No. 182, S.D. 1, H.D. 1, C.D. 1</u>

"RELATING TO DISCLOSURES OF FINANCIAL INTERESTS." (Recommends passage on <u>FINAL READING</u> as amended C.D. 1)

<u>69</u> (48 Hrs. Notice) H.B. No. 349, H.D. 2, S.D. 1, C.D. 1

"RELATING TO CHILDREN." (Recommends passage on <u>FINAL READING</u> as amended C.D. 1)

<u>70</u> (48 Hrs. Notice) <u>H.B. No. 1184, H.D. 1, S.D. 1, C.D. 1</u> "RELATING TO PROCUREMENT."

(Recommends passage on <u>FINAL READING</u> as amended C.D. 1)

Palapala Hōʻike Na Nā Kōmike Kūmau STANDING COMMITTEE REPORTS: No(s). 2013-2017

2013 (One Day Notice)	(CPN)	G.M. No. 602 "Submitting for consideration and confirmation to the Hawaii Medical Board, Gubernatorial Nominee, ELIZABETH IGNACIO, for a term to expire 06-30-2026." (Recommends Senate Consent to Nomination)
2014 (One Day Notice)	(CPN)	G.M. No. 621 "Submitting for consideration and confirmation to the State Board of Nursing, Gubernatorial Nominee, CARRIE OLIVEIRA, for a term to expire 06-30-2027." (Recommends Senate Consent to Nomination)
2015 (One Day Notice)	(CPN)	<u>G.M. No. 603</u> "Submitting for consideration and confirmation to the Board of Pharmacy, Gubernatorial Nominee, BRANDON RABANG, for a term to expire 06-30-2026." (Recommends Senate Consent to Nomination)
2015 (One Day Notice)	(CPN)	G.M. No. 619 "Submitting for consideration and confirmation to the Board of Pharmacy, Gubernatorial Nominee, PATRICK ADAMS, for a term to expire 06-30-2027." (Recommends Senate Consent to Nomination)

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2015 (One Day Notice)	(CPN)	<u>G.M. No. 620</u> "Submitting for consideration and confirmation to the Board of Pharmacy, Gubernatorial Nominee, CATALINA CROSS, for a term to expire 06-30-2027." (Recommends Senate Consent to Nomination)
2016 (One Day Notice)	(CPN)	<u>G.M. No. 614</u> "Submitting for consideration and confirmation to the Board of Electricians and Plumbers, Gubernatorial Nominee, PHILLIP LUCERO, for a term to expire 06-30-2027." (Recommends Senate Consent to Nomination)
2016 (One Day Notice)	(CPN)	<u>G.M. No. 617</u> "Submitting for consideration and confirmation to the Board of Electricians and Plumbers, Gubernatorial Nominee, ROBERT BARRETT, for a term to expire 06-30-2027." (Recommends Senate Consent to Nomination)
2016 (One Day Notice)	(CPN)	 <u>G.M. No. 640</u> "Submitting for consideration and confirmation to the Board of Electricians and Plumbers, Gubernatorial Nominee, SHEUNG MAN WONG, for a term to expire 06-30-2027." (Recommends Senate Consent to Nomination)

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2017 (One Day Notice)

(CPN)

<u>G.M. No. 508</u>

"Submitting for consideration and confirmation as the Director, Department of Commerce and Consumer Affairs, Gubernatorial Nominee, NADINE ANDO, for a term to expire at noon on 12-07-2026."

(Recommends Senate Consent to Nomination)

Papahana O Ka Lā ORDER OF THE DAY

A'oa'o A 'Ae ADVISE AND CONSENT

2005 Status & Testimony	HRE	<u>G.M. No. 600</u> "Submitting for consideration and confirmation to the Board of Regents of the University of Hawai'i, Gubernatorial Nominee, LAUREL LOO, for a term to expire 06-30-2027."
2005 Status & Testimony	HRE	<u>G.M. No. 601</u> "Submitting for consideration and confirmation to the Board of Regents of the University of Hawai'i, Gubernatorial Nominee, ABIGAIL MAWAE, for a term to expire 06-30-2024."
2006 Status & Testimony	JDC	<u>G.M. No. 663</u> "Submitting for consideration and confirmation to the Commission on the Status of Women, Gubernatorial Nominee, STACEY MONIZ, for a term to expire 06-30- 2027."

2006 Status & Testimony	JDC	G.M. No. 670 "Submitting for consideration and confirmation to the Commission on the Status of Women, Gubernatorial Nominee, EDITH NEUMILLER, for a term to expire 06-30- 2027."
<u>2007</u> Status & Testimony	WAM	<u>G.M. No. 507</u> "Submitting for consideration and confirmation as the Director, Department of Budget and Finance, Gubernatorial Nominee, LUIS SALAVERIA, for a term to expire at noon on 12-07-2026."
2008 Status & Testimony	WAM	<u>G.M. No. 531</u> "Submitting for consideration and confirmation as the Deputy Director, Department of Budget and Finance, Gubernatorial Nominee, SABRINA NASIR, for a term to expire 12-07-2026."
2009 Status & Testimony	WAM	<u>G.M. No. 518</u> "Submitting for consideration and confirmation as the Director, Department of Taxation, Gubernatorial Nominee, GARY SUGANUMA, for a term to expire at noon on 12-07-2026."
<u>2010</u> <u>Status & Testimony</u>	WAM	<u>G.M. No. 532</u> "Submitting for consideration and confirmation as the Deputy Director, Department of Taxation, Gubernatorial Nominee, KRISTEN SAKAMOTO, for a term to expire 12-07-2026."

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2011 Status & Testimony	TCA	G.M. No. 519 "Submitting for consideration and confirmation as the Director, Department of Transportation, Gubernatorial Nominee, EDWIN SNIFFEN, for a term to expire at noon on 12-07-2026."
2012 Status & Testimony	LBT	<u>G.M. No. 515</u> "Submitting for consideration and confirmation as the Director, Department of Labor and Industrial Relations, Gubernatorial Nominee, JADE BUTAY, for a term to expire at noon on 12-07-2026."

'Ōlelo Ho'oholo E 'Āpono 'Ia FINAL ADOPTION

S.C.R. No. 35, H.D. 1

Prior Versions/Status & Testimony

"REQUESTING THE HAWAI'I COUNTY DEPARTMENT OF WATER SUPPLY TO CONVENE A WORKING GROUP TO EXAMINE OPPORTUNITIES FOR INCREASING WATER ACCESS AND STRENGTHENING WATER INFRASTRUCTURE FOR UNDERSERVED COMMUNITIES ON HAWAI'I ISLAND."

(Hawai'i County Department of Water Supply; Working Group; Water Access)

S.C.R. No. 91, S.D. 1, H.D. 1

Prior Versions/Status & Testimony

"REQUESTING THE GOVERNOR TO CONVENE A TASK FORCE TO EXAMINE AND MAKE RECOMMENDATIONS ON THE EXISTING PROCEDURES FOR THE ADOPTION OF THE STATE BUILDING CODE."

(State Building Code; Task Force)

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S.C.R. No. 100, H.D. 1

Prior Versions/Status & Testimony

"REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO COLLABORATE WITH THE OFFICE OF VETERANS' SERVICES TO PLAN AND CONSTRUCT MEMORIALS TO HONOR THE SACRIFICES AND CONTRIBUTIONS OF VETERANS FROM HAWAII."

(Hawaii State Foundation on Culture and the Arts; Office of Veterans' Services; Public Memorials; Hawaii Veterans)

S.C.R. No. 104, S.D. 1, H.D. 1

Prior Versions/Status & Testimony

"URGING HAWAII'S CONGRESSIONAL DELEGATION TO RE-INTRODUCE AND SUPPORT THE PASSAGE OF THE HAWAIIAN HOME LANDS PRESERVATION ACT, H.R. RES. 9614, 117TH CONG. (2ND SESS. 2022), TO LOWER THE REQUIRED MINIMUM BLOOD QUANTUM FOR CERTAIN DEPARTMENT OF HAWAIIAN HOME LANDS SUCCESSOR LESSEE BENEFICIARIES FROM ONE-QUARTER NATIVE HAWAIIAN BLOOD TO ONE THIRTY-SECOND."

(Hawaiian Home Lands Preservation Act; Minimum Blood Quantum Requirement; Department of Hawaiian Home Lands; Successor Lessees; Homestead Leases)

S.C.R. No. 179, H.D. 1

Prior Versions/Status & Testimony

"URGING CONGRESS TO BEGIN A DISCUSSION CONSIDERING THE BENEFITS AND RISKS OF ARTIFICIAL INTELLIGENCE TECHNOLOGIES."

(Artificial Intelligence; Technology)

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Hoʻouna Kōmike Hoʻolohe A Hoʻouna Hou Paha REFERRALS AND RE-REFERRALS

Hoʻokaʻaʻike ʻĒ Aʻe MISCELLANEOUS COMMUNICATIONS: None

Hana 'Ē A'e MISCELLANEOUS BUSINESS

Hoʻolaha ANNOUNCEMENTS

Papamanawa Hoʻolohe Palapala

• Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	ROOM
PSM	5/1/2023 1:30 PM	CR 225 & Videoconference

• Senate Session will convene at 10:00 a.m. on Tuesday, May 2, 2023.

Ke Pani 'Ana ADJOURNMENT